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House of Representatives

The House met at 9 a.m. and was called to order by the Speaker pro tempore [Mr. RADANOVICH].

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
July 11, 1995.

I hereby designate the Honorable GEORGE P. RADANOVICH to act as Speaker pro tempore on this day.

NEWT GINGRICH,
Speaker of the House of Representatives.

MORNING BUSINESS

The SPEAKER pro tempore. Pursuant to the order of the House of May 12, 1995, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning hour debates. The Chair will alternate recognition between the parties, with each party limited to not to exceed 25 minutes, and each Member, except the majority and minority leader, limited to not to exceed 5 minutes, but in no event shall exceed beyond 9:50 a.m.

WHY FORMAL RECOGNITION OF COMMUNIST VIETNAM IS WRONG

The SPEAKER pro tempore. Under the Speaker's announced policy of May 12, 1995, the gentleman from North Carolina [Mr. FUNDERBURK] is recognized during morning business for 1 minute.

Mr. FUNDERBURK. Mr. Speaker, today President Clinton will formally recognize Communist Vietnam. While American diplomats toast the brutal Hanoi regime, this White House ignores the wishes of hundreds of POW/MIA families and thousands of Vietnamese-Americans who fled their country to escape Communist tyranny.

In 1992, candidate Clinton promised never to lift the trade embargo on the Hanoi communists unless and until there was a full accounting of American servicemen. Mr. Clinton then turned his back on our POW/MIA families claiming that Hanoi had changed. What change? Vietnam is one of the world's worst human rights abusers. Thousands are imprisoned for political and religious beliefs and Buddhist monks are once again threatening to immolate themselves on the streets. Hanoi continues to torture our POW/MIA families with the slow and selective release of information about their husbands and fathers.

Mr. President, if you want to know why you are wrong listen to what my colleague SAM JOHNSON—7 years a prisoner of Hanoi—told the Washington Post about Vietnamese communists: ''They have always lied to us, and they are still lying to us. I see normalization as an attempt on their part to get access to American markets. They are not to be trusted.'' Mr. President, is breaking faith with hundreds of brave American families really worth the profits of the big multinationals bankrolling your reelection campaign?

OSHA'S NEW ATTITUDE

The SPEAKER pro tempore. Under the Speaker's announced policy of May 12, 1995, the gentleman from Colorado [Mr. HEFLEY] is recognized during morning business for 5 minutes.

Mr. HEFLEY. Mr. Speaker, I am holding a copy of the administration's newest initiative regarding OSHA. It is bound in red, white, and blue, and is filled with lots of rhetoric about changing the way OSHA thinks.

In past Congresses I, and many of my colleagues have criticized many of OSHA's ridiculous regulations.

We watch OSHA deny the regulations exist at the same time they are scrambling to change them.

I want to believe this is an honest attempt at reform. I would like to believe that OSHA tuned in to C–SPAN one day and said, ''By golly, those Republicans are right. We've got to change our emphasis.''

But I do not think that is how it happened.

November 8 happened.

For OSHA, this document is a matter of self preservation.

I brought another document to the floor with me today.

This is the one the administration would like you to forget.

In the 103d Congress, the administration's idea of OSHA reform was H.R. 1280.

OSHA supported the Comprehensive OSHA Reform Act of 1994.

The legislation which increased penalties, regulation, and paperwork.

This is dated October 3, 1994.

Let's compare these documents:

In 1994, OSHA wanted to impose $62 billion in new costs on the private sector. In 1995 OSHA is backing down from strict new standards on ergonomics.

In 1994, OSHA wanted to redefine occupational safety health standards in order to justify costly new mandates. In 1995, OSHA plans to ''improve, update, and eliminate confusing and out of date standards.''

In 1994, OSHA wanted to mandate even more paperwork requirements on even more businesses. In 1995 OSHA wants to decrease redtape and paperwork.

In 1994, OSHA was willing to put their ideas into law. In 1995 OSHA is not so willing.

These two documents represent one of the great flip-flops of this administration.

If the administration wants to change OSHA's approach, why don't they put the change into law?

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OSHA's new approach means nothing if we leave them the ability to change back to their old gestapo attitude whenever the political climate will tolerate it.

Meanwhile, OSHA's absurdities continue:

We heard about the specially designed rubber gloves used by Secret Service officials at the White House.

It was OSHA which cited serious violations of workers safety at Secret Service guard stations.

In speaking with over 15 guards at our own capitol buildings, I failed to find a single officer who had ever been cut or injured, or that had ever heard of an officer being cut or injured, while searching someone's belongings.

They do have rubber gloves, but are allowed to use them at their discretion.

But that's not all. Back in my home district, a dental office was recently cited with 11 violations, all of them serious and most of them for paperwork violations.

One violation included the office's written hazard communication.

The office took the OSHA approved guidelines from another dental office and used them.

OSHA cited them because they had scratched out the name of the dentist that originated the booklet and wrote in their office name.

To come into OSHA compliance the office had to retype the 65 page document, word for word.

In other citations, OSHA took the word of a disgruntled employee and made citations based on her accusations.

The dentist was cited for bloodying gloves while working on one patient, and then using the same gloves, still bloodied, on another patient.

It is difficult to believe that any dentist, or any patient for that matter, would allow that to happen.

He was also cited for putting used gloves in the same container as new gloves, even though OSHA found no evidence of either of these practices actually occurring.

It's time for OSHA to use a little common sense. It's time for real, permanent, and radical OSHA reform.

THE VIOLENCE AGAINST WOMEN ACT IS BEING DERAILED

The SPEAKER pro tempore. Under the Speaker's announced policy of May 12, 1995, the gentlewoman from Colorado [Mrs. SCHROEDER] is recognized during morning business for 5 minutes.

Mrs. SCHROEDER. Mr. Speaker, as time evolves we are seeing more and more about how things look and how things really are. I must say, as one of the people who has been very concerned about the Violence Against Women Act, because I think living rooms in America and kitchens in America are the classrooms of violence for many of our young people, I was so proud when this body passed the Violence Against Women Act, and what did it pass by? It passed by 411 to 0, and you really cannot do any better than that. So, after 200-and-some years of this Republic, we finally decided that we would go right to the core of where a lot of this violence was starting, in the home, and we also realized that, if children see every single dispute solved, every single dispute solved with violence at home, they are not going to be able to be given a conflict-resolution course for a couple of hours in school to change their behavior. So, going in and really saying for the first time this country was going to take this seriously I thought was marvelous.

Well, now we see that, while we passed the bill, apparently they are taking all the money out. There was to be $161 million appropriated for such things as shelters for victims of domestic violence, for families; a hotline for the very first time. We have never had a national hotline on this issue. Also for rape crisis centers $161 million was to go out this year to begin those things, and, believe me, that money is really needed because to say to the victims of these kinds of acts that you have to privatize it or you are going to have to pay for it yourself, good luck. Part of the reason they have not been able to get out of the violence at home, or whatever, has been because of the economic dependence they have on the batterer, whether it be male or female, so that is very essential.

Well, what happened? It appears, it appears that $161 million is now $1 million, that they took $61 million out. Now that is an outrage. At that point we ought to just say the act has been canceled. I say to my colleague, ''Let's be real honest about this. Don't brag about your vote if you vote to absolutely gut this.''

There was also $100 million put into the crime trust fund for this, and that was to help train police and judges and to do more aid in the States and localities to get their laws tougher and so forth. I say to my colleagues, ''Well, guess what? If that's all zeroed out, don't brag that you voted for the Violence Against Women Act because obviously that didn't happen.''

Now there will be people saying, ''Oh, well, it is just women.'' No, it is not. It is men and women; let me make that perfectly clear. Violence against men or violence against women in the home is wrong. Violence against children in the home is wrong. Instead you see everybody now moving to say that Government should back out of all of that and we should just again go back; the home is totally off limits, and you can batter children, batter spouses, do whatever.

Mr. Speaker, it looks like we are doing something, but we are not because we take all the money away. I hope that people in this country wake up and realize that because, if we ever want to get crime on the streets under control, we are not going to do it until we go to the source. We have had study after study showing that, if a person grows up in this violence, they are going to be violent.

Second, imagine the horror for the many, many Americans living in this type of situation. If you are afraid to be on the street because of crime, but you cannot even go home because you are also afraid to be there, what a nightmare.

So what a wonderful feeling it was a year ago when we all came together in a huge, bipartisan manner, and we voted that out, and we got the bill signed, and we got the details in order, and we really thought the train was moving, and now we find the whole train has been derailed, and they are going to drop a little token, $1 million, in the box and say ''Isn't that wonderful? Look what we have done.''

Let me tell you what you have done. You have done nothing. You have done absolutely nothing, and we will be back to business as usual on one of the most important crime generators and violence generators in this country.

And let us be perfectly clear about this. It is easy to tell you about other things, but the most important thing is the home and the family, and if the home and the family is the roots of violence, if the home and the family is absolutely torn asunder, then you are never going to get off square one when it comes to fighting crime.

THE MEDICARE CRISIS

The SPEAKER pro tempore. Under the Speaker's announced policy of May 12, 1995, the gentleman from Colorado [Mr. ALLARD] is recognized during morning business for 5 minutes.

Mr. ALLARD. Mr. Speaker, the most important act of this Congress over the next 3 months will be the reform of Medicare. I would like to take a few minutes this morning to talk about what is at stake for America's seniors.

The Medicare Program is in trouble. In April, the trustees of the Social Security and Medicare trust funds issued an alarming report. The report concluded that next year the trust fund that finances Medicare will begin spending more than it takes in and will be bankrupt in 7 years. This will put the health care of 36 million Americans in jeopardy.

Remarkably, this report received almost no coverage by the media. Uncomfortable as it might be, the trustee's report cannot be ignored. The trustees include the Secretaries of Health and Human Services, Labor, and Treasury, as well as the Social Security Commissioner and two other public trustees, one Republican and one Democrat.

The reason for the crisis is clear. Medicare spending is growing at an alarming rate. This year alone, it will increase from $176 billion to $196 billion, a growth of 11 percent. This will be nearly three times the level of spending in 1986. It is obvious that any Federal program that triples its level of spending in a decade is headed for trouble.

Doing nothing might be the easiest course politically, but in my view that is not an option. The crisis must be addressed now. If Medicare goes bankrupt, by law, no payments can be made for hospital care for Medicare beneficiaries or for any other trust fund-paid services. This means that anyone age 58 or older today will be immediately impacted in 2002. And if the system is not then made solvent, millions of Americans who are much younger will be hurt.

Medicare can be fixed right now. And if we do it now, we can make the trust fund solvent without reducing current Medicare expenditures.

Those who oppose reform will make wild charges of draconian cuts. But when you hear those charges ask yourself what opponents of reform are proposing as a solution. The only other options are to either postpone the crisis a few more years, or substantially raise payroll taxes.

While three members of the President's Cabinet are Medicare trustees and signed onto the trustees report, the President's first budget included no reforms. The only response the President and his Democrat colleagues gave to this problem was criticism. However, the new Clinton budget has changed all that.

President Clinton has admitted that a balanced budget is best for our Nation—though his budget falls close to $1 trillion short of the amount actually needed to achieve a balanced budget. But most importantly for our seniors and soon to be seniors, the President admits that Medicare must be reformed and saved from bankruptcy. Still, even with this, many of his Democrat colleagues still only criticize.

In order to reform the Medicare system, we have slowed the rate of growth from over 10 percent to 6.5 percent a year—a rate that will still exceed private-sector health care spending increases and inflation rate increases. Even with this level of reform, the country's annual Medicare spending will still rise from the current $4,700 per beneficiary to $6,400 per beneficiary in 7 years. Similarly, in my own State of Colorado, overall Medicare spending between 1995 and 2002 will increase 60 percent, which results in an increase of $1,385 per beneficiary.

Much of the reform can be accomplished with more private sector involvement in the program, and by giving seniors more choices and more power over the way their health care dollars are spent. Currently, Medicare beneficiaries are given only one option—the bureaucratic, outdated, 30-year-old, one-size-fits-all program. It is time to bring Medicare into the 1990's. No longer should the Government interfere in the relationship between patients and their doctors. We should ensure that Medicare beneficiaries and soon to be beneficiaries are able to continue their existing coverage—including their choice of doctors and hospitals, or choose new coverage that better fits their health care needs—such as coverage for prescription drugs, dental, or even to establish a medical savings account.

The goal is to save Medicare. It will not be easy or painless, but it will be much less painful if we do it now, rather than pass the buck one more time. My hope is that reform can be accomplished in a serious manner, without a high level of misinformation and distortion. Congress is now working carefully on a reform plan. Many organizations, such as the American Medical Association, and individuals are providing helpful proposals. The final plan will be available in early fall.

Two things in particular should be kept in mind as the debate progresses. First, no one is proposing any cuts in Medicare, only a slower rate of growth. Second, those who decry the proposed reforms should be challenged to present their solution. Strengthening Medicare is too important to be left to politics as usual. Doing nothing is not an option.

THE MINIMUM WAGE BILL—WHAT HAS HAPPENED?

The SPEAKER pro tempore. Under the Speaker's announced policy of May 12, 1995, the gentlewoman from North Carolina [Mrs. CLAYTON] is recognized during morning business for 5 minutes.

Mrs. CLAYTON. Mr. Speaker, in February, the President proposed a modest increase in the minimum wage. Following the President's proposal, the Democratic leader introduced H.R. 940, the Working Wage Increase Act of 1995. Under H.R. 940, the minimum wage would be increased, in two steps, to $5.15 by Independence Day in 1996. There are currently 91 cosponsors of H.R. 940.

Nothing has happened on the minimum wage bill since its introduction. Could this be because all of the sponsors are Democrats? It should be a bipartisan effort to raise the minimum wage. It has been in times past. Both Speaker GINGRICH and Senator DOLE have supported minimum wage increases. The minimum wage needs to be increased now for two major reasons. First, to help improve the quality of life for all of our citizens.

And, second, to raise the standards of our workers so that they can keep pace with changing technologies and be better prepared for competing with workers around the world.

WELFARE REFORM—AN UPDATE

While minimum wage is stalled, Congress is moving very fast to drive citizens off welfare. I support welfare reform, but with provisions for training and the minimum wage increase. The welfare reform bill, H.R. 4, passed the House on March 24 of this year and passed the Senate Finance Committee on May 26.

The House-passed bill would block grant cash welfare, child care, school breakfast and lunch programs, and nutrition programs for pregnant women and children. Unwed mothers under the age of 18 and repeat mothers already on welfare, would be purged from the rolls. Fortunately, the Senate bill is less radical in the changes it proposes to welfare programs. And, with passage of other bills, like the farm bill, more level thinking may prevail.

FOREIGN TRADE—ITS IMPORTANCE

At the same time of these actions, a bill was introduced on June 7, H.R. 1756, which proposes to eliminate six programs from the Department of Commerce and to privatize or transfer into other departments, many other Commerce programs. A similar bill, S. 929, has been introduced in the Senate. The bill would eliminate the Economic Development Administration, the Minority Business Development Agency, the Office of the Secretary, General Counsel and Inspector General at Commerce, as well as several other programs under the Department. Indeed, this bill effectively dismantles the Commerce Department which has been the engine that has helped expand job opportunities in the global market.

ANALYSIS

It is obvious to me that in our zeal to cut spending and balance the budget, we are being penny wise and pound foolish. We are putting people out of work, taking benefits from people without giving them work and keeping those who are working at poverty levels. We are creating a larger, and perhaps more permanent, underclass by these irrational actions.

This blind march toward the year 2002 fails to take into account that the best welfare reform is minimum wage reform. This irresponsible cutting of trade programs fails to take into account that foreign trade has created 274,000 jobs in my State of North Carolina alone.

I have consistently stated that I am for welfare reform. I have also consistently maintained that I support a balanced budget. The problem, however, with the direction we are taking is that we have closed our eyes to the impact of our acts. We can cut programs, refuse to raise the minimum wage and save money.

But, the money we lose by these deeds could far exceed the amount we gain. For example, while we are reducing our domestic deficit, we are ignoring our trade deficit, and our trade deficit is soaring. We may save a few billion dollars through eliminating Commerce to help reduce the deficit, but we will lose $20 billion through an increased trade deficit. What sense does it make to eliminate the very structure that assists American businesses in expanding, large and small, and helps create jobs for American workers?

SUPPORT THE MINIMUM WAGE

The President's minimum wage proposal, combined with the earned income tax credit we passed last Congress, will go a long way in pushing millions of working Americans out of

poverty. Yet, some of us are in the midst of cutting the earned income tax credit. It makes no sense. Sixty percent or 6 out of every 10 of those who are minimum wage workers are women. Many of them have children. And, most minimum wage workers are poor. Increases in the minimum wage have not kept pace with increases in the cost-of-living.

That is why a worker can work full-time, 40 hours a week, and still be below the poverty level. Surely we can increase the minimum wage for the first time since April, 1991, a period during which the cost of housing, food and clothing has greatly risen for the minimum wage worker.

The best welfare reform is a job, at a livable wage. I support this constrained request to lift millions of workers out of poverty. If we lift workers out of poverty, we will have less of a demand for welfare. If we have less of a demand for welfare, we will have less of a burden on this Nation's resources.

If we have less of a burden on this Nation's resources, we can compete more effectively in the global marketplace. And, if we compete more effectively in the global marketplace, we can reduce the trade deficit, further reduce the domestic deficit, create more jobs, put people to work and restore America. Mr. Speaker, it makes sense to me. I can not understand why it does not make sense to my colleagues. True vision is the art of seeing things invisible. We see what we want to see. We can keep many of our workers at low wage, unskilled jobs, or we can pay them better and train them better.

This is not 1945. The world community need not buy refrigerators from us. They can buy them almost anywhere. But, if we want to sell our refrigerators, we better have workers who can make them well. Let's reform welfare. But, let's also pass H.R. 940, the modest minimum wage bill.

WHAT A DISGRACEFUL DAY TODAY IS

The SPEAKER pro tempore. Under the Speaker's announced policy of May 12, 1995, the gentleman from California [Mr. DORNAN] is recognized during morning business for 5 minutes.

Mr. DORNAN. Mr. Speaker and my colleagues who may have clicked on the floor proceedings in their offices this morning, and to a handful of visitors in the gallery, and to the million or so people that track the proceedings of this, the world's greatest legislature, over C–SPAN, I rose this morning to discuss again that 11 July of 1995 is a disgraceful day in the history of our country because the Commander in Chief down at the White House in a Rose Garden ceremony—I gag on the words a Rose Garden ceremony—is going to extend the honor and the dignity of diplomatic relations to the war criminals, the Communist war criminals, who sit in power, and oppressive power, in Hanoi. The Americans that we left behind in Laos, 499 men shot down, some of them captured on the ground, Special Forces men, performing special operations, they may still be alive. There is no proof that they are not. They may be executed by this deed of infamy in the Rose Garden at midday today.

Last night I did a 1-hour special order. I had Robert Strange McNamara's evil book in my hands, this book that the New York Times has on the best seller list. Boggles my mind that people would pay money to read the words of this man who walked off the battlefield in Vietnam, blood dripping from his hands, resigned on February 29, 1968, leap year day of that year, probably a deliberate choice of day. Lyndon Johnson disgracefully gave Robert McNamara, Secretary of Defense, the choice of when he would resign. He made a speech in Canada in October 1967 saying we could not win the Vietnam war, and LBJ, instead of firing him the next day, gave him 4 or 5 more months of payroll, and that February 29 he resigned in a rainy ceremony over on the Mall, had canceled his flyby, thank you God, no Air Force veterans of that long struggle in Vietnam had to fly by and honor this disgraceful man, and then guess where Mr. McNamara went, Mr. Speaker? He went skiing at Aspen and then took a diversionary side trip in March 1968 down to the Caribbean, back for more skiing at Aspen while the hospitals in Vietnam were filled with the broken bodies of young Americans, some of them triple and double amputees, and I remember one quadruple amputee, all from that massive Tet offensive that we won, and Walter Cronkite is writing off our effort to LBJ, forcing him to resign or to say he resigned from the Presidential campaign on the 30th of March, and Bob McNamara is still skiing at Aspen.

Here is what McNamara said in his book, page 105. I am reading from last night's CONGRESSIONAL RECORD where I inserted this. He writes:

> It is a profound, enduring and universal ethical and moral dilemma: How, in times of war and crisis, can senior government officials be completely frank to their own people without giving aid and comfort to the enemy?

There is McNamara talking about Hanoi, North Vietnam calling him the enemy, and they were, and they still are, and he is talking about giving aid to the enemy in Hanoi, comfort to the enemy in Hanoi, and, less than 2 years after that, Bill Clinton was in Moscow giving aid to the people in Hanoi, giving comfort to the people in Hanoi, giving aid and comfort to the Communist forces in Hanoi, and then went down to Prague and did it some more. It is unbelievable that of all the human beings that should be in the White House, in the Oval Office, in the Rose Garden, it is a man who let three high school men go in his place. Maybe one of them was this young missing in action American, Jimmy Holt, captured February 7, 1968, disappeared into the midst of Southeast Asia the very month that McNamara is resigning, and this disgraceful book of McNamara is called ''In Retrospect.'' Clinton said it vindicates his stand to give aid and comfort to the Communist forces in Hanoi. What a disgraceful day today is.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12 of rule I, the Chair declares the House in recess until 10 a.m.

Accordingly (at 9 o'clock and 30 minutes a.m.) the House stood in recess until 10 a.m.

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at 10 a.m.

□ 1000

PRAYER

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

From the first hours of new life to the last rays of the Sun, from the opening of each day of grace to the final moments of our time, may we, O gracious God, not neglect our words of prayer, praise, and thanksgiving. While we know how easily we are absorbed in our tasks and our eyes miss the heavenly vision, we know too that You do not forget us; we acknowledge that our lives stray here or there, yet we know too that Your goodness and Your love sustain us all our days. For these and all Your blessings, O God, we offer these words of thanksgiving. Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

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

Mr. CHABOT led the Pledge of Allegiance as follows:

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

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate had passed with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H.R. 400. An act to provide for the exchange of lands within Gates of the Arctic National Park and Preserve, and for other purposes; and

H.R. 716. An act to amend the Fishermen's Protective Act.

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

S. 533. An act to clarify the rules governing removal of cases to Federal court, and for other purposes; and

S. 677. An act to repeal a redundant venue provision, and for other purposes.

U.N. CONTROL OF U.S. FORCES UNCONSCIONABLE

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

Mr. SAM JOHNSON of Texas. Mr. Speaker, well, here we go again. Our President, without consulting the Congress, has allowed the United Nations to make a decision to bomb in Bosnia. It is going on as I speak. The U.S. F–18's, according to the press, are over there bombing. U.N. control of U.S. forces is unconscionable, without resorting to consent from the Congress. We did not declare war.

If one American life is lost because of these actions, I think it is a disgrace to American integrity.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will recognize 10 Members from each side for 1-minute speeches.

AFFORDABLE HOUSING MUST BE PROVIDED FOR ALL AMERICANS

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

Mr. KENNEDY of Massachusetts. Mr. Speaker, first I might start off the morning by hoping that all of our colleagues will perhaps say a prayer today for our esteemed colleague, JOE MOAKLEY, who has just been raised from critical to serious condition in the hospital after a liver transplant in Virginia. He is a terrific fellow, as we all know, and deserves our prayers and consideration this morning.

Mr. Speaker, I rise today in strong opposition to the action taken by the Committee on Appropriations last night in their 25-percent reduction in our Nation's housing funding.

We have decimated our Nation's housing funding over the course of the last week and a half. A week ago we cut $7 billion out of the Nation's housing. Yesterday evening we cut an additional $7 billion, 25 percent of the annual budget.

We take photo ops and give sound bites in front of the worst public housing, ignoring the fact that 90 percent of the public housing in this country is in good, decent shape and providing affordable housing for the poorest, most vulnerable people in this country.

Let us stand for something in this country. Let us not conduct a war on the poor. Let us conduct a war on poverty. That is what we need, and that is where we should be headed.

SELLING POLITICAL FAVORS

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

Mr. CHABOT. Mr. Speaker, while Republicans are working to fulfill their promise of changing business as usual in Washington, liberal Democrats have their sights set on campaign 1996.

The Clinton White House has begun campaign efforts by starting their own version of the Publisher's Clearinghouse Sweepstakes. Instead of buying chances at winning the million dollar grand prize, big Clinton campaign contributors are buying chances at winning big White House favors.

In this political game, grand prize contributors of $100,000 win two dinners with President Clinton, two receptions with Vice President AL GORE, plus, their very own spot on a foreign trade mission with business and party leaders.

They have yet to confirm if Ed McMahon will announce the winners of these special White House perks.

UNITED STATES SHOULD RENEW DIPLOMATIC RELATIONS WITH VIETNAM

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

Mr. PETERSON of Florida. Mr. Speaker, today the President will announce the renewal of diplomatic relations to Vietnam. I applaud these efforts. It is time.

For the record, I spent 6½ years as a POW in Vietnam. I know about as much about Vietnam as anyone in the House. I am convinced that these efforts will enhance our search for the fate of the missing MIA's. We have made significant progress over the last 4 years in our joint efforts with the Vietnamese, searching all over Vietnam, with access to prisons, access to virtually anyone on the street, and certainly access to their archives. We have sincere, trustworthy, and competent people working together in Vietnam in this effort.

But now we are at a point if we do not renew diplomatic relations, the Vietnamese could unilaterally just say get out of here, we quit. We do not want to lose the progress we have made. It is time for diplomatic relations. It is time to move on, with the world bringing Vietnam into the League of Nations.

ADMINISTRATION'S NEW VIETNAM POLICY IS WRONG

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

Mr. LAHOOD. Mr. Speaker, today is a very, very sad day for America, but it is an even sadder day for American families who are waiting word on loved ones that have been designated as MIA's or POW's in Vietnam. The policy of normalizing relations with Vietnam, which will be announced today by the President of the United States, is a slap in the face at those families who are waiting word on their loved ones.

This is not a correct policy, this is a wrong policy, and until the Government of Vietnam comes forward and accounts for all of those who have been missing in action or designated as POW's, we should not normalize relations with Vietnam. We should not do it for economic reasons. That is the worst reason to do it. What we should be saying to them is ''give us a full accounting.'' We owe it to the people who have lost their loved ones.

Mr. Speaker, I hope that all Americans will speak out against this.

A FEDERAL INVESTIGATION OF WACO FIASCO NEEDED

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

Mr. TRAFICANT. Mr. Speaker, the fiasco of Waco, TX, commando raids, machine guns, tear gas, bulldozers, loud music, the recorded screams of dying rabbits all night, young children, 90 dead. And any Federal agent could honestly testify that David Koresh could have been arrested without incident, without harm, without force, any morning he jogged outside that camp, every single morning.

The truth is, the Federal agencies wanted a media milestone. The Federal agencies instead ended up with a media massacre. Yes, there must be a congressional investigation. There must be. Waco screams out louder than the recorded screams of those dying rabbits for a congressional investigation. The Federal agencies earned it, they deserve it.

Mr. Speaker, let us get on with our business.

CHANGING THE STATUS QUO

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

Mr. JONES. Mr. Speaker, since taking control of Congress, the Republican Party has stayed focused on the commitment we made with the American people—to change the status quo. While the Democrats are playing politics by creating a ''buyers market'' for the White House, we are trying to save and protect Medicare for senior citizens and for future generations.

Our plan abolishes the one-size-fits-all plan, designed over 30 years ago. We replace it with a program that allows senior citizens to have the same health care choices as other Americans.

Also, the well-documented waste and fraud of the Medicare system, will be

rooted out allowing for a 54-percent spending increase—the spending per senior will increase from $4,800 to more than $6,700.

Bottom line, the Republicans stand for change and the Democrats stand for the status quo. It is time to put aside political games and address the concerns of the American people.

MEDICARE

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

Ms. VELÁZQUEZ. Mr. Speaker, I rise to take strong exception to the Republican budget resolution that will drastically slash Medicare payments to senior citizens.

Instead of wasting less on weapons and military spending, the Republicans want to balance the budget on the backs of the elderly. This plan will slash $270 billion from future Medicare spending, the largest cut in history.

Large reductions in Medicare payments will mean that Seniors will have to pay more for health care out of their own pockets.

Republicans are cutting Medicare in order to give $240 billion to wealthy corporations.

Balancing the budget is a worthy goal, but it should be done more fairly, and not at the expense of the health and well-being of our Nation's elderly.

Senior citizens have worked hard and contributed all their lives to this country. Let's end these shameless cuts and choose an equitable path to a balanced budget. Less for guns and corporate welfare; more for children, working families and seniors.

A MAN OF CHANGE?

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

Mr. HEFLEY. Mr. Speaker, recently House Democrats have been posting signs outside their offices that read ''Not For Sale.'' I guess their reasoning for doing so is to distance themselves from the current administration. Democrats might argue that it's in reference to their blatant hypocrisy over a committee seat, but since the White House has begun selling access to the open ear of the executive branch, I think it's because it looks bad back home. The reason it looks bad, is because it is bad. This administration claims to be the party of the poor and working class. Mr. Speaker, I ask how many factory workers, teachers or civil servants you know who could afford to spend $100,000 for a couple of meals at the White House. This administration has claimed to be the party of change and I guess it's true because $100,000 is a lot of change.

TRIBUTE TO FOSTER FURCOLO, FORMER MASSACHUSETTS CONGRESSMAN AND GOVERNOR

(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, I rise today in this Chamber to pay tribute to a former member of this institution, who has represented the Second Congressional District of Massachusetts, who passed away this past Wednesday.

A distinguished Italian-American from western Massachusetts, Foster Furcolo served as a Member of the 81st and 82d Congresses from 1949 to 1952, where he was known as a moderate Democrat. Five years after serving in this House, Foster Furcolo became Massachusetts' 60th Governor.

A product of Yale University undergrad and law school, educational achievement was on the forefront of Furcolo's political agenda. His proudest achievement in Massachusetts was the establishment of the community college system. He also expanded the University of Massachusetts and sponsored growth in loan and scholarship programs. He strengthened programs for the elderly, and outlawed housing discrimination.

Hailing from Longmeadow, MA, Foster Furcolo was a mentor to those of us from the western part of the State who were interested in public service and government. His contributions to Massachusetts will not be forgotten.

MEDICARE AT A CROSSROADS

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

Mr. GUTKNECHT. Mr. Speaker, the Medicare system is at a crossroads. The Medicare Board of Trustees have said, and I quote from page 3 of their report, ''* * * The fund is projected to be exhausted in 2001 * * *.'' That leaves this country with two options. We can either take the path to protect, preserve, and save Medicare or we can do what the President would like to do and walk down the road to no idea land that would throw millions of Americans off needed health benefits. Everyone agrees that there is a problem but only the Republicans pose a solution. Where's your plan Mr. President? Your own trustees agree that Medicare will go broke yet you do nothing. Does that mean that you would rather stay on the political median than save Medicare from bankruptcy? The answer to that question is clear. Our President is once again absent without leadership.

DISMANTLING MEDICARE

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

Ms. DELAURO. Mr. Speaker, on Saturday, the Washington Times confirmed what seniors have feared about Republican plans to cut Medicare. The conservative newspaper reported that the Republican leadership's ultimate goal is to privatize Medicare.

Now, Republicans claim that their plan to privatize Medicare will offer seniors more choices in the private health care market. But, unfortunately seniors know that the only choices that privatization offers them is to pay and pay and pay.

The privatization of Medicare will mean that seniors will pay more in premiums and deductibles. Recipients who now pay $46.10 per month for Medicare part B would pay more than $110 per month, under the GOP plan.

Thirty years ago when Medicare was established, 95 percent of Republicans opposed the plan. Now, Republicans are out to achieve a 30-year goal, dismantling what they never wanted in the first place—Medicare.

MEDICARE

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

Mrs. SEASTRAND. Mr. Speaker, over the last month or so, liberal Democrats have proven over and over that they have become the party of obstruction. They have no ideas, they offer no vision. More importantly, they have completely ignored reports of the impending insolvency of Medicare.

Liberal Democrats act so very concerned about Medicare. But let us ask this: Why have they not recognized the report by the Medicare Trustees saying that Medicare will go bankrupt in just 7 years? How come they have not put forth a program to save Medicare?

The differences between the parties on Medicare are all too obvious. Republicans are committed to saving Medicare from bankruptcy and preserving it for future generations. Liberal Democrats play lip service to Medicare and attempt to scare the elderly all in the name of their twisted class warfare agenda.

COMPACT-IMPACT AID

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

Mr. UNDERWOOD. Mr. Speaker, in 1986 the United States flung open its borders to the three countries of the former U.S. Trust Territory of the Pacific. The Compact of Free Association, negotiated between these nations and the United States, waives all usual INS procedures allowing totally unrestricted immigration into the United States. Because of Guam's proximity to these islands, we bear the brunt of this in-migration.

The law implementing the Compact of Free Association authorized reimbursement to Guam for the impact of this policy. Today, over 8,000 foreign citizens, 6 percent of our population, now legally reside on Guam.

The Government of Guam has carried the water for this ill-conceived immigration policy since 1986 and has incurred costs in excess of $70 million. I urge my colleagues to support an amendment that I will offer to the Interior appropriations bill to restore the administration's request of $4.58 million for Guam compact-impact aid. Guam may be 10,000 miles away, but on this immigration issue, Guam will not buy the excuse that the Federal Government lost our compact-impact check in the mail.

MEDICARE OR MEDISCARE

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

Mr. HAYWORTH. Mr. Speaker, we have heard it again this morning. The gentlewoman from Connecticut brings it up. The only change the guardians of the old order want to make is to change the name from Medicare to Mediscare. They are intent on scaring senior citizens, despite the report of the Medicare Trustees that tell us that Medicare goes broke over the next few years if we fail to do anything.

The new majority is committed to governing this Nation, is committed to saving Medicare, and, yes, is committed to a variety of alternatives. Far be it from the fear tactics of one-size-fits-all with one type of tactic to use. We want to broaden the options, to save Medicare for future generations, because our responsibility to govern allows us to do nothing less.

□ 1020

THE V-CHIP

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

Mr. MARKEY. Mr. Speaker, yesterday the violence chip received the endorsement of the President of the United States.

This is a watershed moment in the fight for balance between parents who feel overwhelmed by the 200-channel television world of the future, and those who believe that the first amendment denies government any role in managing television.

Parents can set their sets to block out violent shows, and the V-chip does the rest. Any show carrying a rating that the parent wants to keep out, gets blocked.

For those of you who can't program the clock on your VCR, this is easier. If you want, you can set it once and not reset it until your kids are grown.

In the meantime, a parent knows that at least in his or her living room, there is an oasis of peace and quiet, free from the guns and beatings and mayhem and sexual material that is so frequently used to attract TV audiences.

This is nothing more or less than an on-off button, modernized for today's world. Parents can't be home all day, so technology will block shows until parents get home.

It is not censorship, it is parental choice.

It is not content regulation, it is parental mobilization.

It is not big brother, it is big mother and big father.

Ninety percent of parents polled want it. Within the next couple of days the gentleman from Virginia [Mr. MORAN], the gentleman from South Carolina [Mr. SPRATT], the gentleman from Nebraska [Mr. BEREUTER], the gentleman from Arkansas [Mr. DICKEY], and I will be introducing legislation to advance this cause.

THE FISCAL YEAR 1995 EMERGENCY SUPPLEMENTAL AND RESCISSIONS

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

Mr. LUCAS. Mr. Speaker, as H.R. 1944, the House-passed rescission and emergency supplemental bill, wallows on the other side of this Nation's Capitol, the people's business again is held captive by a tiny fragment of the makeup of the U.S. Congress.

Their opposition to making government smaller and more efficient creates collateral damage to which they seemingly turn a blind eye to. They must be made aware that H.R. 1944 is not just about deficit reduction, timber salvage or any other partisan issue. H.R. 1944 is about victims of flood, earthquake, and terror.

I represent the area of Oklahoma City that was rocked by a man-made devastation never before seen in this country. H.R. 1944 contains crucial aid to help this damaged but healing city get back on its feet. I would plead with those who oppose this measure to listen to the calls of the President, congressional leadership, and overwhelming majorities in each House to free this legislation. It's time we put closure on this issue and put the people's business above partisan politics.

CHINA AND HUMAN RIGHTS

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

Mr. STARK. Mr. Speaker, my constituent, Dr. Harry Wu of Milpitas, CA, a Chinese-born American citizen, has campaigned to publicize conditions in the Chinese labor camps. He has recently been arrested and charged with espionage by the Chinese government, and he could face execution if convicted. Dr. Harry Wu's only crime is exposing the true conditions and purposes of these Chinese labor camps.

Our message, Mr. Speaker, to the Chinese Government and to the world must be crystal clear. No American citizen shall be arrested and mistreated anywhere in the world without all Americans being threatened and all Americans responding.

The Congress will soon be considering most-favored-nation trade status with China. The Chinese are currently running a $36 billion a year trade surplus with us. Without MFN, Mr. Speaker, most of its exports will cease. Let us make Dr. Wu the $36 billion man and withhold MFN from these barbaric goons.

ACCESS TO THE PRESIDENT CAN BE PURCHASED

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

Mr. HOKE. Mr. Speaker, the gentleman from California [Mr. STARK] is absolutely right about Harry Wu.

I want to quote this morning in the spirit of bipartisanship from a book that President Clinton wrote in 1992 called ''Putting People First'':

> American politics is being held hostage by big money interests, including political action committees, lobbies and cliques of $100,000 donors who buy access to Congress and the White House.

The President actually wrote that in 1992. It is right out of ''Putting People First.'' Well, last week we saw the culmination of what has been a rather shameless parade to the well and a spectacle of self-righteousness unequaled in history. Every day that the House is in session, liberals take to the House floor and denounce and beat their chests about the floods of special interest money. Their self-righteous whimpers can be heard for miles from here.

But we just had the disclosure that the DNC is not immune. Apparently, look what is happening. For $100,000 you can go to dinner at the White House four times, get a spot on a trade mission. For $50,000 you get a Presidential dinner plus high-level briefings.

Come on. Let us back off and get real.

WE JUST NEED THE GUTS TO PAY FOR MEDICARE

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

Mr. GENE GREEN of Texas. Mr. Speaker, the Republicans have a plan to cut $270 billion from Medicare between now and the year 2002. During that same period, they plan to cut at least $245 billion in taxes for the most affluent in our country. Does that sound like they are concerned about the senior citizens in our country?

The Republicans claim that Democrats are engaging in scare tactics.

They want the public to believe that $270 billion in Medicare cuts will be pain-free and that seniors will be better off, maybe even have more freedom. Seniors have the freedom of choice right now. They can go to their own doctor. They can go to their own hospital. Let me reiterate to my Republican colleagues, this is free enterprise.

I think the public would be a little more confident in the Republican promises if the Medicare cuts were driven by a genuine health care concern instead of the balanced budget. Medicare is not bankrupt any more than the Defense Department is bankrupt. If you want to have senior citizen health care, you have to pay for it. You have to pay for it every year just like we have to pay for the Defense Department.

The Medicare system is not bankrupt. We just need to have the guts to pay for it.

PROVIDING FOR FURTHER CONSIDERATION OF H.R. 1868, FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS APPROPRIATIONS ACT, 1996

Mr. GOSS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 177 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 177

Resolved, That during further consideration of H.R. 1868 pursuant to House Resolution 170, consideration of the bill for amendment in the Committee of the Whole House on the state of the Union shall proceed without intervening motion except the amendments printed in the report of the Committee on Rules accompanying this resolution. Each of those amendments may be considered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for twenty minutes equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against amendments printed in the report are waived. The chairman of the Committee of the Whole may postpone until a time during further consideration in the Committee of the Whole a request for a recorded vote on any amendment made in order by this resolution. The chairman of the Committee of the Whole may reduce to not less than five minutes the time for voting by electronic device on any postponed question that immediately follows another vote by electronic device without intervening business, provided that the time for voting by electronic device on the first in any series of questions shall be not less than fifteen minutes. Immediately after disposition of the amendments printed in the report, the Committee shall rise and report the bill to the House with such amendments as may have been adopted.

The SPEAKER pro tempore (Mr. DICKEY). The gentleman from Florida [Mr. Goss] is recognized for 1 hour.

Mr. GOSS. Mr. Speaker, for purposes of debate only, I yield the customary 30 minutes to the distinguished gentleman from Ohio [Mr. HALL] pending which time 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. GOSS asked and was given permission to revise and extend his remarks and to include extraneous material.)

Mr. GOSS. Mr. Speaker, I think before we start the proceedings this morning that we all want to be reminded of the fact that our good friend and colleague, the ranking member of the Committee on Rules, the gentleman from Massachusetts, JOE MOAKLEY, is in the hospital. We wish him Godspeed and early return and all good health.

Mr. Speaker, in the week leading up to the Fourth of July break, we witnessed one of the longest campaigns of dilatory floor tactics in the recent history of the House of Representatives. That campaign continues. Yesterday's Roll Call quotes a minority leadership aide as saying, ''We are blowing up the House on Monday.'' Well, it is Tuesday and we are still here, and we are pleased about that.

The minority Members have made references to guerilla warfare. Mr. Speaker, these are not the sentiments of the people of the United States who are interested in working for the national interest. Unfortunately, it is clear that the minority has decided to hold the foreign operations bill and possibly other legislation hostage in order to grandstand on what is an extraneous issue and now one that I hope is behind us and resolved.

To anyone who still has questions about the matter of committee ratios, I simply urge them to look at the history of ratios in the House under Democratic rule. I think the evidence very clearly shows, as we pointed out in debate yesterday, that the Republicans indeed are more generous to the minority on the Committee on Ways and Means than we have experienced when it was the other way around. So let us end that discussion and get on with the business.

Mr. Speaker, the majority is here to do the people's business and today that business is the passage of the foreign operations appropriations bill. Reluctantly, I am here with a second rule, a rule that will enable us to finish this bill and continue the important work of considering appropriations bills. As we all know, we have many left to go before the August recess.

As Members are aware, under the rules of the House, limitation amendments to appropriation bills are subject to the majority leader's motion to rise. In fact, we could cut off all debate here and now and proceed to final passage. But at this point we choose not to do that. But it is an important point, so let me restate it. Under the rules, we could end the amending process right now. But we are not going to do that. Instead we have crafted a rule to ensure that the four pending amendments are protected and each one has adequate debate time.

To those who may rise to claim that this rule is not fair, I would point out the hours upon hours that this body has spent voting on unnecessary motions already on this appropriations bill, procedural motions, dilatory motions, time that could have been used to finish the bill under a completely open rule.

By calculations of the chairman of the Committee on Rules, if I have read his quotes right, so far 27 hours have been used in debate on this, which is 5 more than we used to debate Desert Storm in 1991, and that involved hostile open warfare.

This rule strikes an important balance between the rights of Members to offer amendments, most notably the three Democrat Members, I say the three Democrat Members who still have amendments pending are being provided for under this rule, and one other amendment as well, and the need to finish consideration of this legislation in a timely manner, which is our responsibility.

I think this is the right balance. It allows those who had amendments pending to complete the business of this bill. It does get the bill moving. I urge my colleagues to support the rule.

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 and to include extraneous material.)

Mr. HALL of Ohio. Mr. Speaker, I rise in opposition to House Resolution 177, the second rule on the foreign operations appropriations bill for fiscal year 1996. Approximately 2 weeks ago, on June 22 when we were debating the first rule on this bill, I stood here and commended my colleagues on the other side of the aisle for reporting an essentially open rule. Now, after several days of full and fair debate on many important amendments under the 5 minute rule, we are suddenly closing down the process.

Under this new rule, only the four amendments specified in the accompanying rules report may be offered. These are amendments by Mr. ENGEL, Ms. JACKSON-LEE, Mr. VOLKMER, and Mr. SMITH of New Jersey. They are debatable for only 20 minutes each, equally divided between an opponent and proponent. Members will not be able to strike the last word and continue debating the merits of these amendments. No Member may offer any other amendment, regardless of how meritorious it may be.

Mr. Speaker, this is no way to do business. I have stated before that some bills may require a structured rule, I have, in fact, supported structured rules on foreign operations appropriations bills in the past. However, if we are going to structure a rule, it

should be done from the beginning and in an upfront way. Changing the rules in the middle of the game is not fair to Members who may have been legitimately planning to draft amendments, but are now precluded from doing so. Early on we were promised an open rule on this bill and that promise should be kept.

In my opinion, we have seen some very good debate has taken place in this body over amendments which sometimes went for 2 or even 3 hours. I think that is good. I think our constituents want us to think about what we are doing with their money and to debate it fully before we act hastily. My own children's amendment to transfer $108 million in funds to the new Child Survival Fund and to include basic education activities for millions of poor children overseas was the subject of meaningful debate and drew support from both sides of the aisle. I regret that other Members may not have an equal opportunity to offer their ideas in amendment form.

I am also concerned that under this rule, Mr. FRANK will not be allowed to offer his amendment to withhold funds to Indonesia. The Frank amendment addresses a very severe human rights issue of repression against the people of East Timor. This is a subject that should certainly be addressed in the context of our country's foreign aid expenditures.

Finally, Mr. Speaker, as I indicated during the debate on the American Overseas Interests Act, the International Affairs budget represents only 1.3 percent of total Federal spending. It has already been cut by 40 percent since 1985. As this bill was reported to the floor the fund for Africa absorbed a 21-percent cut, and another 40 percent was squeezed out of development aid. Funds in these areas go for self-help, preventive programs which actually save money down the road. This is a story we need to tell the American people. And to tell our story properly we should do it in a timely and deliberative manner.

I do plan to vote ''no'' on this rule and I urge my colleagues to join me to oppose it.

Mr. Speaker, I include for the RECORD the following information.

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 germaneness 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.
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) od 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
H.R. 655	Hydrogen Future Act	H. Res. 136	Open	N/A.
H.R. 1361	Coast Guard Authorization	H. Res. 139	Open; waives sections 302(f) and 308(a) of the Congressional Budget Act against the bill's consideration and the committee substitute; waives cl 5(a) of rule XXI against the committee substitute.	N/A.
H.R. 961	Clean Water Act	H. Res. 140	Open; pre-printing gets preference; waives sections 302(f) and 602(b) of the Budget Act against the bill's consideration; waives cl 7 of rule XVI, cl 5(a) of rule XXI and section 302(f) of the Budget Act against the committee substitute. Makes in order Shuster substitute as first order of business.	N/A.
H.R. 535	Corning National Fish Hatchery Conveyance Act	H. Res. 144	Open	N/A.
H.R. 584	Conveyance of the Fairport National Fish Hatchery to the State of Iowa	H. Res. 145	Open	N/A.
H.R. 614	Conveyance of the New London National Fish Hatchery Production Facility.	H. Res. 146	Open	N/A
H. Con. Res. 67	Budget Resolution	H. Res. 149	Restrictive; Makes in order 4 substitutes under regular order; Gephardt, Neumann/Solomon, Payne/Owens, President's Budget if printed in Record on 5/17/95; waives all points of order against substitutes and concurrent resolution; suspends application of Rule XLIX with respect to the resolution; self-executes Agriculture language.	3D; 1R
H.R. 1561	American Overseas Interests Act of 1995	H. Res. 155	Restrictive; Requires amendments to be printed in the Record prior to their consideration; 10 hr. time cap; waives cl 2(1)(6) of rule XI against the bill's consideration; Also waives sections 302(f), 303(a), 308(a) and 402(a) against the bill's consideration and the committee amendment in order as original text; waives cl 5(a) of rule XXI against the amendment; amendment consideration is closed at 2:30 p.m. on May 25, 1995. Self-executes provision which removes section 2210 from the bill. This was done at the request of the Budget Committee.	N/A
H.R. 1530	National Defense Authorization Act FY 1996	H. Res. 164	Restrictive; Makes in order only the amendments printed in the report; waives all points of order against the bill, substitute and amendments printed in the report. Gives the Chairman en bloc authority. Self-executes a provision which strikes section 807 of the bill; provides for an additional 30 min. of debate on Nunn-Lugar section; Allows Mr. Clinger to offer a modification of his amendment with the concurrence of Ms. Collins.	36R; 18D; 2 Bipartisan
H.R. 1817	Military Construction Appropriations; FY 1996	H. Res. 167	Open; waives cl. 2 and cl. 6 of rule XXI against the bill; 1 hr. general debate; Uses House passed budget numbers as threshold for spending amounts pending passage of Budget.	.....

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. 1854	Legislative Branch Appropriations	H. Res. 169	Restrictive; Makes in order only 11 amendments; waives sections 302(f) and 308(a) of the Budget Act against the bill and cl. 2 and cl. 6 of rule XXI against the bill. All points of order are waived against the amendments.	5R; 4D; 2 Bipartisan
H.R. 1868	Foreign Operations Appropriations	H. Res. 170	Open; waives cl. 2, cl. 5(b), and cl. 6 of rule XXI against the bill; makes in order the Gilman amendments as first order of business; waives all points of order against the amendments; if adopted they will be considered as original text; waives cl. 2 of rule XXI against the amendments printed in the report. Pre-printing gets priority (Hall) (Menendez) (Goss) (Smith, NJ).	N/A
H.R. 1905	Energy & Water Appropriations	H. Res. 171	Open; waives cl. 2 and cl. 6 of rule XXI against the bill; makes in order the Shuster amendment as the first order of business; waives all points of order against the amendment; if adopted it will be considered as original text. Pre-printing gets priority.	N/A
H.J. Res. 79	Constitutional Amendment to Permit Congress and States to Prohibit the Physical Desecration of the American Flag.	H. Res. 173	Closed; provides one hour of general debate and one motion to recommit with or without instructions; if there are instructions, the MO is debatable for 1 hr.	N/A
H.R. 1944	Recissions Bill	H. Res. 175	Restrictive; Provides for consideration of the bill in the House; Permits the Chairman of the Appropriations Committee to offer one amendment which is unamendable; waives all points of order against the amendment.	N/A
H.R. 1868 (2nd rule)	Foreign Operations Appropriations	H. Res. 177	Restrictive; Provides for further consideration of the bill; makes in order only the four amendments printed in the rules report (20 min each). Waives all points of order against the amendments; Prohibits intervening motions in the Committee of the Whole; Provides for an automatic rise and report following the disposition of the amendments.	.....

*Contract Bills, 67% restrictive; 33% open. **All legislation, 64% restrictive; 36% 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.

Mr. GOSS. Mr. Speaker, I yield such time as he may consume to the distinguished gentleman from New Glens Falls, NY [Mr. SOLOMON], chairman of the Committee on Rules.

Mr. SOLOMON. Mr. Speaker, I thank the gentleman from Sanibel, FL for yielding time to me.

Mr. Speaker, the gentleman who just spoke on the other side of the aisle is one of my best friends in this Congress because he is one of our most respected Members. But I just have to take some exception to a couple of things he said.

One of the things he said was that this is no way to do business. Well, he is right. This is no way to do business. I would just ask those that are watching and those in the gallery and those in the press to watch what happens when this rule comes to a vote. That is no way to do business, dilatory tactics.

The statement made by a very prominent Democrat late last week was that they would blow up this place on Monday. That is no way to do business. All of those dilatory tactic votes that we had all last week interrupting the people's business, that is no way to do business. So I get a little agitated when I hear statements like that.

Let me just say, to underscore some of the things that my good friend from Sanibel, FL has mentioned, that I really do regret things have to come to this juncture. We did something this year that has not been done in 8 years when the Democrats were in control, since 1987, and that is we put out a completely open rule on this foreign operations appropriation bill, a very controversial bill we put it out under an open rule so that any Member could offer amendments to this important piece of legislation.

I think that as a result of that, we did have some good debates on various amendments, like the one by the gentleman from Ohio [Mr. HALL]. That was a good amendment. We had a good substantial debate on it. We had some good interplay with second degree amendments along the way as well. And hopefully, the House was better able to make more informed and wise decisions.

But we also had some intentionally dilatory tactics that I have just mentioned, including votes on frivolous motions and prolonged and repetitive debates that normally would not have happened. If the majority had put out a structured rule, we would have allowed 15 or 20 minutes on 30 minutes on most of those amendments, and that would have been satisfactory in years past. But no, now the Democrats want to drag it out for several hours on relatively noncontroversial issues.

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I do not think it can be said that these tactics were in protest of a completely open rule, Mr. Speaker. Some of it was in protest of the policy nature of a perfectly legitimate limitation amendment that was offered on Haiti. Some of it was completely unrelated to the foreign operations bill itself.

When we began the final stage of the amendment process dealing with limitation amendments, it was the right of the majority leader to move that the committee rise and report at any time. That is according to the rules of the House. Instead, we agree to allow for the further consideration of limitation amendments, and debate went on under the regular rules of the House with no end in sight.

Therefore, what the Appropriations Committee and our leadership recommended was to go back to the Committee on Rules and make in order the four limitation amendments that were pending when the Committee of the Whole last rose. We took them all, every amendment that was pending at that time and which was printed in the RECORD.

In order to allow for these extra amendments, we also had to deal with the prospect of more dilatory tactics. Consequently, we have a rule now that limits these four amendments to 20 minutes each, a concession we made to the minority after initially moving that each be debated for 10 minutes each.

Now I understand, Mr. Speaker, that the gentleman from Alabama, SONNY CALLAHAN, who will be the manager on this side of the aisle on this bill when the rule brings this to the floor, is going to agree to make a unanimous-consent request to lengthen that period of time, at the request of the ranking minority member of the Committee on Appropriations, the gentleman from Wisconsin, Mr. OBEY. We are going to cooperate in every way that we can, in spite of these dilatory tactics, which are upsetting me.

Mr. Speaker, we have also prevented any intervening motions of the kind that have continuously interrupted our work on this bill over the last month. We have allowed for the votes on the amendments to be postponed and to be clustered, which was done before under the Democrat leadership.

In short, Mr. Speaker, this is an eminently fair rule. It allows for more amendments to be considered than are required under a completely open rule. We have made in order three times as many Democrat amendments as Republicans' in this second rule, all that were requested and that had been preprinted in the RECORD. We have even protected them against points of order that would otherwise lie against some of them, which means they could have been knocked out without any debate on this floor.

Mr. Speaker, the Committee on Rules has tried to be as fair as possible under the circumstances. We have bent over backward to allow for an open debate in an amendment process on a bill that has never had an open rule before. Yet, we have been met with demands for rollcall votes on the previous question to the rule, which will appear again here today in a few minutes, and on the adoption of a completely open rule.

The minority has not been content with open rules, it seems. Instead, it has demanded endless debates on amendments not in order under a regular open amendment process.

Mr. Speaker, the time has come to recognize that we had a full debate, a fair debate, and an open amendment process on this bill. We must bring it to a final vote, and the time to do it is right now. We will ultimately be judged not only on how fair and open we have been in arriving at a final passage on this bill, but on how well we have handled the responsibility that goes with that openness.

Let us now act like responsible legislators, the people expect us to do that, and conclude this debate and take a final vote. Members should not think that the American people are not watching out there, Mr. Speaker. They see these silly shenanigans that are going on here, and they resent it as much as I do.

Let us get on with the people's business. Let us put these amendments on the floor that were pending, all of them, and let us bring them to vote. Then let us go to final passage.

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

Mr. SOLOMON. I yield to the distinguished gentleman from Missouri, the home of Harry Truman.

Mr. VOLKMER. Mr. Speaker, I thank the gentleman for yielding to me.

Mr. Speaker, it has been brought to my attention that at the time that the Committee rose, before we took off for the Fourth of July, that there was a fifth amendment, not the fifth amendment.

Mr. SOLOMON. Mr. Speaker, who is taking the fifth amendment around here?

Mr. VOLKMER. Mr. Speaker, a fifth amendment was pending at the desk, at the Reading Clerk, that was not included and made in order by this rule. I would just like to, out of curiosity, know why the amendment of the gentleman from Massachusetts [Mr. FRANK] was not included in this rule. Do the Members have something against the gentleman from Massachusetts, or what is it?

Mr. SOLOMON. Absolutely not, Mr. Speaker. As a matter of fact, we made amendments in order by the gentleman from Massachusetts many, many times when they were germane and to the point. That amendment was not pending. It had not been preprinted in the RECORD.

Mr. VOLKMER. It was not preprinted.

Mr. SOLOMON. Mr. Speaker, the gentleman asked me to answer his question. Let me answer it and then he can respond, too.

Mr. Speaker, I have here in front of me something I cannot read. As a matter of fact, I even had it magnified. This is the amendment that somebody brought down to the desk just before we adjourned the other day. But I cannot even read the amendment.

Second, the amendment was not in order. It would have been subject to a point of order. Consequently, we took the three Democrat amendments and the one Republican amendment that had been preprinted in the RECORD, we made them in order, we waived points of order against them. Now they are going to be debated on this floor. That is fair, I will say to the gentleman.

Mr. VOLKMER. Mr. Speaker, if the gentleman will continue to yield, did the gentleman examine the RECORD of June 30, 1995?

Mr. SOLOMON. No.

Mr. VOLKMER. That amendment is included in that CONGRESSIONAL RECORD.

Mr. SOLOMON. Mr. Speaker, I would be glad to have the gentleman come over here and show it to me afterward.

Mr. VOLKMER. If the gentleman will continue to yield, Mr. Speaker, he can read it very easily: ''None of the funds made available in this act may be used for assistance for Indonesia.''

Mr. SOLOMON. Mr. Speaker, I would ask the gentleman, was that the day we adjourned?

Mr. VOLKMER. Yes.

Mr. SOLOMON. Mr. Speaker, it was not preprinted in advance in the RECORD. That is why we took all of those amendments that were preprinted in the RECORD. We went upstairs and made them in order. The gentleman evidently dropped it in just as we were closing that night, which did not qualify it, in my opinion.

Mr. VOLKMER. Mr. Speaker, if the gentleman will continue to yield. I do appreciate the gentleman making this gentleman's amendment in order. I want to recognize that.

Mr. SOLOMON. Mr. Speaker, the gentleman is a very respected Member of the House. The gentleman was diligent in filing his amendment several days before.

Mr. VOLKMER. Yes.

If the gentleman will continue to yield, the other thing I would like to ask of the gentleman, Mr. Speaker, just to perhaps, because the gentleman has the power, or the gentleman from Florida, to do this. They can do this. They can offer an amendment to the rule, amending it. I notice that if it is time that the gentleman is worried about, that the gentleman from Alabama [Mr. CALLAHAN], who is now here, he is going to extend the time.

Mr. SOLOMON. The very distinguished gentleman.

Mr. VOLKMER. Right, the very distinguished gentleman. He is going to give us 10 additional minutes on each amendment. That is a total of 40 more minutes.

Mr. SOLOMON. That is right. He is very cooperative.

Mr. VOLKMER. If the gentleman will yield further, what I was thinking of, Mr. Speaker, is rather than doing that, we can just take our minutes and add that other amendment in, and there is not any more time, and we can vote on the question of Indonesia.

Mr. SOLOMON. Mr. Speaker, I would just say to the gentleman, he really ought to speak to the gentleman from Wisconsin [Mr. OBEY]. The gentleman from Wisconsin was the one requesting the additional time. Perhaps the gentleman could work that out over there. I appreciate the gentleman's point of view.

Mr. HALL of Ohio. Mr. Speaker, I yield 4 minutes to the gentleman from Missouri. [Mr. VOLKMER].

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

Mr. VOLKMER. Mr. Speaker, even though the Committee on Rules in their generosity has made the amendment that I had printed in the RECORD in order, I still rise strongly in opposition to this rule. I do so because it is another case of not letting the House act on amendments that are normally in order but restricting amendments by this rule.

Mr. Speaker, I think, again, it is a case of here we go again. When the Congress initially started, the day after, we were sworn in on the 4th of January, on the 5th the chairman of the Committee on Rules stood in that well, right at the podium on the Republican side, and talked about rules, and what we were going to do in rules, and how long it took for a bill to get out of committee, reports to be filed, and rules had to be done, and then the bill could come to the floor. It was very elaborate, very good, a very good education. Too bad there were not very many here to listen. This gentleman was, as the gentleman from New York knows.

However, at that time, Mr. Speaker, I and the gentlewoman from Colorado inquired of the gentleman and lo and behold, the gentleman said that by the time the year was over, we were going to have 70 percent of our rules that were going to be open rules, open rules on bills. Mr. Speaker, we are not even 40 percent now. Here we go again. This is not an open rule on this bill. It was an open rule, but it no longer is.

Mr. Speaker, the next time we see this bill, I dare say the next time will be when we are getting ready for the train wreck, when we get all the appropriation bills, we get the reconciliation bill, we get the tax bill, we get the debt limit bill, we get all of the farm bill, and all of these things will be stacked up in one big bill and sent to the President by the majority.

Mr. Speaker, when this occurs, everybody is going to be able to see what we on this side have been saying, and said it again this morning. It was denied again by the Gingrich Republican majority. That is that at that time, we are going to see the cuts in Medicare coming down the road. Where is the money going? We are going to see it in the tax bill. It is all going to be in one bill. We are going to see these big tax breaks for the wealthy. We are going to see our senior citizens in my district, where we have no HMO's, we have no HMO's, we are going to see them have to pay by the year 2002, or supposedly when this balanced budget is coming down the pike, that they are going to be paying over two to three times more for Medicare out of their meager Social Security check, so the wealthy at the same time are getting that $20,000 a year tax break. That is the next time Members are going to see this bill.

I daresay that I think we had better recognize that this bill, along with all the other appropriation bills, and the big spending bills, like the defense spending bill, and at the same time the

reconciliation bill, which is the one that cuts my farm programs, is going to cut my senior citizens programs, going to cut the school lunches for the kids, it is going to do all of that, and at the same time in that bill we are going to have a big tax break bill for the wealthy. That is the next time we see this bill.

Mr. Speaker, for that reason, I am not only not going to vote for this rule, I am not even going to vote for the bill, because I think this bill is a lousy bill. I think that we ought to just send it back to committee and get rid of it.

Mr. GOSS. Mr. Speaker, I am privileged to yield 2 minutes to the distinguished gentleman from Alabama [Mr. CALLAHAN], chairman of the subcommittee in the Committee on Appropriations.

Mr. CALLAHAN. Mr. Speaker, I thank the gentleman for his kind and generous allotment of time.

Mr. Speaker, I rise in total support of the rule. I want to tell all the Members on both sides of the aisle that throughout the entire 27 hours of debate on this issue, I have tried diligently to work with both sides. I have tried to work and have worked with the gentleman from Texas [Mr. WILSON]. I have tried and have worked with the gentleman from Wisconsin [Mr. OBEY]. I have assented to just about every request that they have made within my realm of possibility.

Therefore, I am not going to support the four amendments that are offered, but, in the spirit of working together toward a resolution to this issue, we are going to give people the opportunity to debate them. I am going to ask for unanimous consent to give them even more time. I think we have come as far as we can come on this bill, Mr. Speaker.

I realize the dilatory tactics that are taking place. I realize why they are doing it. However, at the same time I think we have dilly-dallied long enough on this bill. I think we ought to go ahead and accept this rule today as it is written, so we can get on with the passage of this bill.

Mr. HALL of Ohio. Mr. Speaker, I yield 2 minutes to the gentleman from Texas [Mr. WILSON]

Mr. WILSON. Mr. Speaker, I would just like to say that the chairman of the subcommittee, the gentleman from Alabama, has certainly been as accommodating as he possibly could. His leadership has been exemplary, and I think in a couple of cases when we were going through the very difficult times the week before last in certain cases, it was only his cool temperament that held things together. I would just like to make that note.

Mr. GOSS. Mr. Speaker, I yield such time as he may consume to my colleague and the distinguished gentleman from greater San Dimas, CA [Mr. DREIER], the chairman of the Subcommittee on Rules and Organization of the House of the Committee on Rules.

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

Mr. DREIER. Mr. Speaker, I thank the distinguished chairman of the Subcommittee on Legislative and the Budget Process, which I understand is at this moment taking testimony over in the Rayburn Building, for yielding me this time.

Mr. Speaker, I would like to say that it saddens me that we have come to the point where we have to have this rule. We have tried desperately to enhance the level of deliberation in this institution. On January 24 when we put into place the opening day reforms, that was one of the major guides we had, to make this a deliberative body, and one might claim that staying up around the clock, as we did the week before last, was part of the deliberative process. Nothing could be further from the truth. We all know that the dilatory tactics that came from some of our very, very, very distinguished colleagues jeopardized the ability to deliberate over this very important piece of legislation.

We desperately want to have every single rule open. Some have claimed that we have had many, many closed rules. Sixty-two percent of the legislation has come up under an open amendment process, as the chairman of the Committee on Rules has just said. We want more and more open rules. We have done it so far.

However, when people are standing in the way of our responsibility to meet the appropriations deadlines, we have little choice other than to move ahead with some sort of structure with the rule. To me, as one who has worked and continues to this day to work on reform of the institution, I am very sorry that we have to in fact move forward with this kind of structure to the rule.

I hope that when we go ahead with the remaining appropriations bills, Mr. Speaker, that we will be able to work in a bipartisan way to implement the kind of legislation that the American people said last year they wanted us to proceed with, and that I believe with a majority of this institution wants us to implement.

I thank the gentleman for yielding to me, and I rise in support of this rule, because we have no alternative, unfortunately. I hope we will be able to finally bring a successful conclusion to this very important piece of legislation.

Mr. HALL of Ohio. Mr. Speaker, I yield 2 minutes to the gentleman from Massachusetts [Mr. FRANK].

Mr. FRANK of Massachusetts. Mr. Speaker, we see a continuation of the pattern here that when amendments are inconvenient, they are simply prevented from being offered. I gather there was some reference to my handwriting, which I will concede is not much better than my diction, but what happened was I have been interested in the issue of Indonesia and its mistreatment to the people of East Timor for some time.

There are currently negotiations going on now between the Portuguese and Indonesian Governments in which the Portuguese Government is trying to bring some help to these beleaguered people. Having us debate this and perhaps adopt an amendment could be very helpful.

As I understand it, Mr. Speaker, during the original debate, someone on the other side was going to offer an amendment and decided not to. When I learned that, I came to the floor and offered one. I had one that was in fact offered and it was at the desk that first night. We then adjourned. I later learned earlier the next day, or later the next day, that there was a rule that was coming and we had to submit, so I hastily, it is true, wrote it and submitted it. However, in fact I had had an amendment at the desk the night before. I submitted one the next day when I was told, with very little notice that it was required to do that.

The question is this: Should we be allowed to debate Indonesia? When we talked about Haiti there was great concern for democracy on the other side. Indonesia now is engaging in East Timor in the worst repression I believe that is going on in the world, a repression that is as bad as any going on in the world. However, Indonesia will be sheltered by the Republican Party from an amendment which would put some pressure on them to stop the systematic denial of the rights of the people of East Timor.

As I said, negotiations are now going on trying to deal with that, but the Republican Party is going to use its majority to keep that from even being debated. having done that, Mr. Speaker, when they then talk about their concern for human rights and democracy elsewhere, it will seem hollow indeed, because one of the worst cases, the Indonesian repression in East Timor, will go unnoticed in this actual debate.

I would repeat, there was an amendment that was to be offered. When that was withdrawn, I hastily tried to make up for it, and they are going to repress this and protect the Indonesian autocracy.

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

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

I have no further requests for time, Mr. Speaker. I would simply like to say to the chairman of the subcommittee, the gentleman from Alabama [Mr. CALLAHAN], that I appreciate all the turmoil and tribulation that he has had to go through on this bill. This is a very difficult bill, it always is, and he has been accommodating. He has been a gentleman, working with both sides of the aisle very, very well. I appreciate that.

We disagree on a portion of the bill, because it has been cut severely, in my opinion. Since 1985 there has been a 40-

percent cut. We are cutting it, of course, even much further this year.

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I am going to support the bill. I am going to support the bill because of the way the gentleman from Alabama [Mr. CALLAHAN] protected the children's programs relative to immunization and relative to ORT, oral rehydration therapy, and UNICEF and the kinds of programs that really affect children.

I offered an amendment that was accepted. The gentleman from Alabama [Mr. CALLAHAN], of course, did not like it. We debated it, but I believe that it really adds to the bill.

I hope someday that maybe the gentleman from Alabama [Mr. CALLAHAN] and I can maybe travel to some of these Third World nations together and see some of these programs, some of the immunization programs and some of the basic education programs and how they really help children and families develop.

I appreciate what the gentleman has tried to do. He has had a very difficult task. I praise him certainly for the children's portion of this bill. I realize it is a difficult bill.

I have said before that I have favored structured rules and I have supported them and handled them when we were in the majority. But the other side said that this was going to be an open rule, and I praised the process of an open rule, but now we are closing it down.

There are a couple of amendments that wanted to be offered that cannot be offered. The gentleman from Massachusetts [Mr. FRANK] was going to offer, in my opinion, a wonderful amendment.

I have been, with the gentleman from Massachusetts [Mr. FRANK], and even before, a proponent of taking money away from Indonesia because of the whole situation with the island of East Timor, which used to be a Portuguese colony and was taken over by Indonesia when the Portuguese left. Out of 700,000 people that live on the island, 200,000 people have been killed, in my opinion by the Indonesian Government and it is something that really ought to be debated.

People ask me why do we mess around with East Timor. Nobody knows about it. There is no constituency in this country. It is because of the Nation of who we are. And if we are going to give taxpayers' moneys to a country that oppresses its people, then I think we ought to take a second look at it and have a tremendous debate and we were not able to really vote on this issue.

I hope during this whole process, before the possibility of the previous question being defeated, maybe we could bring this up. Certainly I will attempt to do that, but maybe in the Senate.

Mr. Speaker, before I close, I would urge a no vote on the previous question and if defeated, I would offer an amendment which would increase the debate time for consideration of amendments and would permit consideration of the Frank amendment, prohibiting funds to Indonesia.

Mr. FRANK of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. HALL of Ohio. I yield to the gentleman from Massachusetts.

Mr. FRANK of Massachusetts. Mr. Speaker, I have just been speaking to the gentleman from Wisconsin [Mr. OBEY], the ranking Democrat on the Committee on Appropriations. The gentleman tells me that someone wondered where he was and the gentleman would like it reported that where he is is in the Committee on Appropriations. Because under the way this House is now functioning, the Committee on Appropriations is meeting and the gentleman's presence is required there while the rule is being debated.

The gentleman would like to be here to object to this unfair rule, but he has been tied down by the need to be at his committee; an example of how the House is not functioning very well these days.

Mr. HALL of Ohio. Mr. Speaker, I insert in the RECORD the amendment that I would offer to the rule, as follows:

AMENDMENT TO H. RES. 177

On page 2, line 2 insert before the period ''and the amendment described in Section 2 of this resolution''

''On page 2, line 5, strike ''twenty'' and insert ''thirty''

After the period on page 2, line 24, insert the following:

''Section 2. The amendment numbered 86 printed pursuant to clause 6 of rule XXIII shall be considered as the printed amendment numbered 5 in the report accompanying this resolution to be offered by Representative Frank or his designee.''

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

Mr. GOSS. Mr. Speaker, I will be the closing speaker and I just have a few cleanup remarks I would like to make. Much of the commentary we have heard has been the subject of other debate and there is no point in hashing it over at this point.

Mr. Speaker, I think we are about 80 minutes away from ending a debate that has so far consumed 27 hours, which I point out has been some 5 hours more than the House spent debating Desert Storm back in 1991. That was probably the most important vote that I have made since I have been a Member of Congress and I am sure many other Members would feel that way.

Regarding some other points that have been made about open rules and so forth, I think it is fair to go back and we can put into the procedure, if necessary, the amendment process under the special rules by our Committee on Rules, and comparing the 103d and 104th Congress. And yes, we argue about definitions, I know. But according to, I think, a fair and reasonable judgment, we have, indeed, had many more open rules or modified open rules in the 104th Congress.

Mr. Speaker, even I think our colleagues on the Committee on Rules on the other side have admitted that, although they feel maybe we are not doing quite as well as we hoped we would do. I think that is a subject of some debate, but I do not think it is debatable that we have not had more open rules. I think we definitely have.

With regard to the opportunity for more amendments here, I think there are probably an endless array of amendments that could come up under the foreign operations appropriation. I certainly had a couple of more Haiti amendments I was ready to bring out, but I think probably everybody is relieved that that has not happened, since we have already spent 6 hours on Haiti and that is probably more than enough.

With regard to East Timor, I had understood that the gentleman from Missouri [Mr. VOLKMER], the gentlewoman from New York [Mrs. LOWEY], and the gentleman from Virginia [Mr. WOLF], had all discussed this amongst themselves and had discussed this somewhat in the past and the fact that if there was a casualty on East Timor on this matter, that it is truly a casualty of the dilatory debate tactics. Because had it not been for the dilatory debate, I suspect that would have happened.

But for the record I must state that the Committee on Rules met on the 29th and filed the rule on the 29th. The rule was filed. So a day late and a dollar short, it seems to be the situation with the gentleman from Massachusetts [Mr. FRANK]. I am sorry that it happened.

I suggest that the gentleman from Massachusetts [Mr. FRANK] should talk to the leadership in the Democratic Party and the minority party about the use of dilatory tactics.

The other point, and my good friend, the gentleman from Ohio [Mr. HALL], with whom I serve very happily and proudly on the Committee on Rules, has said that we began with an open rule, and I am sorry we did not stay with an open rule. I feel exactly the same way. We did not begin with an understanding that we were going to have dilatory tactics on an entirely extraneous matter.

I do not know what the problem really was. I do not know whether it was a question of Democratic unity or whether it was a question of a Medicaid speech or whether it was a question of really the committee statistics, the standings of the committees and the Ways and Means issue. I do not know what the issue was, but it clearly was not related to the foreign operations appropriation. It was extraneous, it was dilatory, and that is a matter of record.

The fact that we have had a casualty here and had to close down I think is regrettable. I think that it is very clear where that came from and what the problem with it is.

Having said all that, I think we have done our very best to make sure that

all the amendments we did know about at the time that we filed were taken care of, that were timely filed and that we felt had been discussed one way or the other. I think we have done a very fair and reasonable job.

Mr. FRANK of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. GOSS. I yield to the gentleman from Massachusetts.

Mr. FRANK of Massachusetts. I thank the gentleman for yielding.

Mr. Speaker, first I want to say that to say that you are sorry that the East Timor situation is a victim of dilatory tactics seems to me an example of the kind of disproportion we can get into. We are talking about repression. Hurt feelings between ourselves should not get in the way of our being able to deal with repression.

The amendment that I offered, I came to the floor during the first period of debate, found to my disappointment that people who I thought were going to offer that amendment had not offered it. I then offered it, I submitted it. It had been in fact at the desk. This is not something that just happened the morning after. As soon as I found out that that was not being submitted, I submitted it. The next day when I was told there was a rule, I submitted it again.

As far as dilatory tactics, you are only doing 20 minutes of amendments, so we could hardly have been prolonging it. I submitted it, you come out with a rule that only does 20 minutes per amendment. I do not think another 20 minutes to allow us to deal with the horrible situation of repression in East Timor would have been a problem. To say to them, ''Sorry, you don't count because we're mad about dilatory tactics and we can't spare you 20 minutes,'' I think degrades the process.

Mr. GOSS. Reclaiming my time, I would assure the gentleman I do not believe that was the situation. I believe the Committee on Rules dealt with what they felt they knew were amendments that had been timely filed with us. We did not know what other amendments might have been out there. If there had been other amendments that might have been on the same basis as yours at the time we met, what would we have done?

Mr. FRANK of Massachusetts. If the gentleman would yield further, I filed it the night before. As soon as I was told that there was a requirement for putting an amendment in, I scribbled it out and put it in. It was not written well, but it was submitted to the committee before the committee voted. It had been submitted the night before and it was submitted again before the committee voted. I cannot do any more than that.

Mr. GOSS. Reclaiming my time, I think that the gentleman was in fact a victim of process which was derailed by dilatory tactics.

Mr. FRANK of Massachusetts. It was the people of East Timor who were the victims.

Mr. GOSS. The people of East Timor have been the victims for a long time. I agree it is a serious problem. I recognize the gentleman represents people from Portugal in his district. I understand his sensitivity. I also know that other Members of this body have dealt with the East Timor situation and reached the conclusion not to offer the amendment.

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

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

Mr. VOLKMER. Mr. Speaker, the whole thing about not knowing of the amendment of the gentleman from Massachusetts, I am a little fuzzy on that. I just cannot figure this out.

The gentleman from New York stands up here and shows us a big sign that has the amendment of the gentleman from Massachusetts as it was written, has now been enlarged into a sign. I assume that means that he had that at the time.

Mr. GOSS. Reclaiming my time, the chairman did not have that big sign at the time. I think the only reason he had it is it has become sort of a cause celebre.

Mr. VOLKMER. The other thing I would like to ask the gentleman about, the gentleman mentioned on the subject of Indonesia that the gentlewoman from New York, the gentleman from Missouri, and the gentleman from Virginia had discussed it. Was the gentleman when you are talking about Missouri, were you talking about this gentleman?

Mr. GOSS. I was told that they had coordinated with you. If that is not true, then I am misinformed. In any even the gentlewoman from New York [Mrs. LOWEY] and the gentleman from Virginia [Mr. WOLF] apparently did have such an amendment.

Mr. VOLKMER. We had discussed it. I just wanted to make sure you were talking about this gentleman and not someone else from Missouri. But I also had an amendment on Indonesia that I had planned to offer. I did not, as a result of a discussion that I had with the chairman of the subcommittee, but that should not preclude any other Members if they wished to offer it.

Mr. GOSS. I agree. I think what happened clearly was there was the thought, the expectation, that others were going to offer the amendment, and it did not happen and we got into this dilatory process.

Mr. HALL of Ohio. Mr. Speaker, will the gentleman yield?

Mr. GOSS. I yield to the gentleman from Ohio.

Mr. HALL of Ohio. I thank my friend the gentleman from Florida for yielding.

Mr. Speaker, I just want to close by saying that we did really have a discussion on the Frank amendment. As a matter of fact, it was offered in committee, we had a vote on it, the vote was 6 to 3, I think it was the last vote that we took, and all 6 Republicans voted against it and the 3 Democrats voted for it. So there was a discussion. It was not something that we did not have a chance to really talk about. We discussed it and we voted on it.

Mr. GOSS. Reclaiming my time, the gentleman is absolutely right, of course. The concern we have is there were other Republicans who also said, ''Look, we have got things we want to put in there, too.'' I just said that I had another Haiti amendment.

The line was drawn and said, what we have got is what is in; if we start opening up, then you are going to find all kinds of little notes all over this place. People have said, ''I had intended to do that, had I only known.'' You have to draw the line somewhere. I think we drew it fairly. I think we tried to give fair treatment to the four that we have provided for in here.

Mr. Speaker, in closing I wanted to point out that there are some alarming things going on. I read the distinguished minority whip, the gentleman from Michigan [Mr. BONIOR], in the New York Times as saying about these dilatory tactics that ''We're going to keep this up until we get justice.'' I would say that you want to be careful about justice. Sometimes when you pray for it, you get it.

I think when you look at some of the ways that we are trying to accommodate the minority, that we are doing better than in fact was the case when we were in the minority. It is something we are all aware of. We are determined to try to do better and be fairer.

If we are abused by dilatory tactics, obviously we are going to have to take appropriate countermeasures because we have the Nation's business to attend to. I read this morning in Congress Daily, I was unhappy to read it, a statement by the minority leader, the gentleman from Missouri [Mr. GEPHARDT], that says, ''We continue to be deeply concerned about the Republican leadership's attempt to stack the Ways and Means Committee.''

We disposed of that yesterday. I suppose I should say I am astonished, shocked, dismayed, incredulous about the minority leader's statement, but I am not speechless about it. The fact is that the Committee on Ways and Means minority is getting better treatment under this majority than the other way around, on a percentage basis.

Mr. VOLKMER. Point of order, Mr. Speaker. The gentleman is not speaking on the rule.

Mr. GOSS. In fact I am speaking on the rule, Mr. Speaker, because what I am talking about is the rule that we have had to put in place is exactly because we have run into problems that we did not anticipate and I am sorry that we have. I am saying that the Committee on Rules will be forced to consider shutting down some of the openness of debate that we strive for and want to have to get the Nation's business done if we are subjected to meaningless, wasteful, dilatory tactics. That is just the fact.

I urge the passage of this resolution.

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

The SPEAKER pro tempore (Mr. DICKEY). The question is on ordering the previous question.

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

Mr. HALL of Ohio. 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.

Pursuant to clause 5(b)(1) of rule XV, the minimum time for electronic voting on adoption of the resolution, if ordered, will be reduced to 5 minutes.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 236, nays 162, not voting 36, as follows:

[Roll No. 478]

YEAS—236

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
Deal
DeLay
Diaz-Balart
Dickey
Doolittle
Dornan
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Ensign
Everett
Ewing
Farr
Fawell
Fields (TX)
Flanagan
Foley
Forbes
Fowler
Fox
Franks (CT)
Franks (NJ)
Frelinghuysen
Frisa
Funderburk
Gallegly
Ganske
Gekas
Gilchrest
Gillmor
Gilman
Goodlatte
Goodling
Goss
Graham
Greenwood
Gunderson
Gutknecht
Hall (TX)
Hancock
Hansen
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Heineman
Herger
Hilleary
Hobson
Hoekstra
Hoke
Horn
Hostettler
Houghton
Hunter
Hutchinson
Hyde
Inglis
Istook
Johnson (CT)
Johnson, Sam
Jones
Kasich
Kelly
Kim
King
Kingston
Klug
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
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
Moorhead
Morella
Myers
Myrick
Nethercutt
Neumann
Ney
Norwood
Nussle
Oxley
Packard
Parker
Paxon
Petri
Pombo
Porter
Portman
Pryce
Quillen
Quinn
Radanovich
Ramstad
Regula
Riggs
Roberts
Rogers
Rohrabacher
Ros-Lehtinen
Roth
Roukema
Royce
Salmon
Sanford
Saxton
Scarborough
Schaefer
Schiff
Seastrand
Sensenbrenner
Shadegg
Shaw
Shays
Shuster
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Stearns
Stockman
Stump
Talent
Tate
Tauzin
Taylor (NC)
Thomas
Thornberry
Tiahrt
Torkildsen
Upton
Volkmer
Vucanovich
Waldholtz
Walker
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wolf
Young (AK)
Young (FL)
Zeliff
Zimmer

NAYS—162

Abercrombie
Ackerman
Baesler
Baldacci
Barcia
Barrett (WI)
Becerra
Beilenson
Bentsen
Berman
Bevill
Bonior
Borski
Boucher
Brewster
Browder
Brown (CA)
Brown (OH)
Bryant (TX)
Cardin
Chapman
Clement
Coleman
Condit
Costello
Coyne
Cramer
Danner
de la Garza
DeFazio
DeLauro
Dellums
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Durbin
Edwards
Engel
Eshoo
Evans
Fazio
Fields (LA)
Filner
Foglietta
Frank (MA)
Furse
Gejdenson
Gephardt
Geren
Gibbons
Gonzalez
Gordon
Green
Gutierrez
Hall (OH)
Hamilton
Harman
Hefner
Hinchey
Holden
Hoyer
Jackson-Lee
Jacobs
Johnson (SD)
Johnston
Kanjorski
Kaptur
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kleczka
Klink
LaFalce
Lantos
Levin
Lewis (GA)
Lincoln
Lipinski
Lofgren
Lowey
Luther
Maloney
Manton
Markey
Martinez
Mascara
Matsui
McCarthy
McDermott
McHale
McNulty
Meehan
Meek
Menendez
Miller (CA)
Mineta
Minge
Mink
Mollohan
Montgomery
Moran
Murtha
Neal
Oberstar
Obey
Olver
Ortiz
Orton
Pallone
Pastor
Payne (VA)
Pelosi
Peterson (FL)
Pickett
Pomeroy
Poshard
Rahall
Reed
Richardson
Rivers
Roemer
Roybal-Allard
Sabo
Sanders
Sawyer
Schroeder
Schumer
Serrano
Sisisky
Skaggs
Skelton
Slaughter
Spratt
Stark
Stenholm
Studds
Stupak
Tanner
Taylor (MS)
Tejeda
Thompson
Thornton
Thurman
Torres
Torricelli
Traficant
Velazquez
Vento
Visclosky
Ward
Waters
Waxman
Williams
Wilson
Wise
Woolsey
Wyden

NOT VOTING—36

Andrews
Bishop
Brown (FL)
Clay
Clayton
Clyburn
Collins (IL)
Collins (MI)
Conyers
Fattah
Flake
Ford
Frost
Hastings (FL)
Hilliard
Jefferson
Johnson, E. B.
McKinney
Mfume
Moakley
Nadler
Owens
Payne (NJ)
Peterson (MN)
Rangel
Reynolds
Rose
Rush
Scott
Stokes
Towns
Tucker
Watt (NC)
Watts (OK)
Wynn
Yates

☐ 1135

Mr. SALMON and Mr. YOUNG of Alaska changed their vote from ''nay'' to ''yea.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. WATTS of Oklahoma. Mr. Speaker, on rollcall No. 478, I was meeting with constituents and inadvertently missed the vote. Had I been present, I would have voted ''yes.''

Mr. VOLKMER. Mr. Speaker, I move to reconsider the vote by which the previous question was ordered.

MOTION TO TABLE OFFERED BY MR. GOSS

Mr. GOSS. Mr. Speaker, I move to lay the motion to reconsider the vote on the table.

The SPEAKER pro tempore (Mr. DICKEY). The question is on the motion offered by the gentleman from Florida [Mr. GOSS] to lay on the table the motion to reconsider offered by the gentleman from Missouri [Mr. VOLKMER].

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

RECORDED VOTE

Mr. VOLKMER. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 15-minute vote followed by a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 235, noes 167, not voting 32, as follows:

[Roll No. 479]

AYES—235

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
Deal
DeLay
Diaz-Balart
Dickey
Dingell
Doolittle
Dornan
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Everett
Ewing
Fawell
Fields (TX)
Flanagan
Foley
Forbes
Fowler
Fox
Franks (CT)
Franks (NJ)
Frelinghuysen
Frisa
Funderburk
Gallegly
Ganske
Gekas
Gilchrest
Gillmor
Gilman
Goodlatte
Goss
Graham
Greenwood
Gunderson
Gutknecht
Hall (TX)
Hancock
Hansen
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Heineman
Herger
Hilleary
Hobson
Hoekstra
Hoke
Horn
Hostettler
Houghton
Hunter
Hutchinson
Hyde
Inglis
Istook
Jacobs
Johnson (CT)
Johnson, Sam
Jones
Kasich
Kelly
Kim
King
Kingston
Klug
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Laughlin
Lazio
Leach
Lewis (CA)
Lewis (KY)
Lightfoot
Linder
Livingston
LoBiondo
Longley
Lucas
Manzullo
Martini
McCollum
McCrery
McDade
McHugh
McInnis
McKeon
Metcalf
Meyers
Mica
Miller (FL)
Molinari
Moorhead
Morella
Myers
Myrick
Nethercutt
Neumann
Ney
Norwood
Nussle
Oxley
Packard
Parker
Paxon
Petri
Pombo
Porter
Portman
Pryce
Quillen
Quinn
Radanovich
Ramstad
Regula

Riggs
Roberts
Rogers
Rohrabacher
Ros-Lehtinen
Roth
Roukema
Royce
Salmon
Sanford
Saxton
Scarborough
Schaefer
Schiff
Seastrand
Sensenbrenner
Shadegg
Shaw
Shays
Shuster
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Stearns
Stockman
Stump
Talent
Tate
Tauzin
Taylor (MS)
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

NOES—167

Abercrombie
Ackerman
Baesler
Baldacci
Barcia
Barrett (WI)
Becerra
Beilenson
Bentsen
Berman
Bevill
Bonior
Borski
Boucher
Brewster
Browder
Brown (CA)
Brown (OH)
Bryant (TX)
Cardin
Chapman
Clement
Coleman
Condit
Conyers
Costello
Coyne
Cramer
Danner
de la Garza
DeFazio
DeLauro
Dellums
Deutsch
Dicks
Dixon
Doggett
Dooley
Doyle
Durbin
Edwards
Engel
Ensign
Eshoo
Evans
Farr
Fazio
Fields (LA)
Filner
Foglietta
Frank (MA)
Furse
Gejdenson
Gephardt
Geren
Gibbons
Gonzalez
Gordon
Green
Gutierrez
Hall (OH)
Hamilton
Harman
Hefner
Hinchey
Holden
Hoyer
Jackson-Lee
Johnson (SD)
Johnston
Kanjorski
Kaptur
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kleczka
Klink
LaFalce
Lantos
Levin
Lewis (GA)
Lincoln
Lipinski
Lofgren
Lowey
Luther
Maloney
Manton
Markey
Martinez
Mascara
Matsui
McCarthy
McDermott
McHale
McNulty
Meehan
Meek
Menendez
Mfume
Miller (CA)
Mineta
Minge
Mink
Mollohan
Montgomery
Moran
Murtha
Nadler
Neal
Oberstar
Obey
Olver
Ortiz
Orton
Pallone
Pastor
Payne (VA)
Pelosi
Peterson (FL)
Peterson (MN)
Pickett
Pomeroy
Poshard
Rahall
Reed
Richardson
Rivers
Roemer
Rose
Roybal-Allard
Sabo
Sanders
Sawyer
Schroeder
Schumer
Serrano
Sisisky
Skaggs
Skelton
Slaughter
Spratt
Stark
Stenholm
Studds
Stupak
Tanner
Tejeda
Thompson
Thornton
Thurman
Torres
Torricelli
Traficant
Velazquez
Vento
Visclosky
Volkmer
Ward
Waters
Waxman
Williams
Wilson
Wise
Woolsey
Wyden

NOT VOTING—32

Andrews
Bishop
Brown (FL)
Clay
Clayton
Clyburn
Collins (IL)
Collins (MI)
Fattah
Flake
Ford
Frost
Goodling
Hastings (FL)
Hilliard
Jefferson
Johnson, E. B.
McIntosh
McKinney
Moakley
Owens
Payne (NJ)
Rangel
Reynolds
Rush
Scott
Stokes
Towns
Tucker
Watt (NC)
Wynn
Yates

□ 1154

So the motion to table was agreed to.

The result of the vote was announced as above recorded.

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

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

RECORDED VOTE

Mr. HALL of Ohio. Mr Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 246, noes 156, not voting 32, as follows:

[Roll No. 480]

AYES—246

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
Cramer
Crane
Crapo
Cremeans
Cubin
Cunningham
Davis
Deal
DeLay
Diaz-Balart
Dickey
Doolittle
Dornan
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
Engel
English
Ensign
Everett
Ewing
Fawell
Fields (TX)
Flanagan
Foley
Forbes
Fowler
Fox
Franks (CT)
Franks (NJ)
Frelinghuysen
Frisa
Funderburk
Gallegly
Ganske
Gekas
Geren
Gilchrest
Gillmor
Gilman
Goodlatte
Goodling
Goss
Graham
Greenwood
Gunderson
Gutknecht
Hall (TX)
Hancock
Hansen
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Heineman
Herger
Hilleary
Hobson
Hoekstra
Hoke
Horn
Hostettler
Houghton
Hunter
Hutchinson
Hyde
Inglis
Istook
Johnson (CT)
Johnson, Sam
Jones
Kasich
Kelly
Kim
King
Kingston
Klug
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Laughlin
Lazio
Leach
Lewis (CA)
Lewis (KY)
Lightfoot
Lincoln
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
Petri
Pombo
Porter
Portman
Pryce
Quillen
Quinn
Radanovich
Ramstad
Regula
Riggs
Roberts
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Roth
Roukema
Royce
Salmon
Sanford
Saxton
Scarborough
Schaefer
Schiff
Seastrand
Sensenbrenner
Shadegg
Shaw
Shays
Shuster
Sisisky
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Stearns
Stenholm
Stockman
Stump
Talent
Tate
Tauzin
Taylor (NC)
Thomas
Thornberry
Tiahrt
Torkildsen
Traficant
Upton
Vucanovich
Waldholtz
Walker
Walsh
Wamp
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wolf
Young (AK)
Young (FL)
Zeliff
Zimmer

NOES—156

Abercrombie
Ackerman
Baesler
Baldacci
Barcia
Barrett (WI)
Becerra
Beilenson
Bentsen
Berman
Bevill
Bonior
Borski
Boucher
Brewster
Brown (CA)
Brown (OH)
Bryant (TX)
Cardin
Chapman
Clement
Coleman
Condit
Conyers
Costello
Coyne
Danner
de la Garza
DeFazio
DeLauro
Dellums
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Durbin
Edwards
Eshoo
Evans
Farr
Fazio
Fields (LA)
Filner
Foglietta
Ford
Frank (MA)
Furse
Gejdenson
Gibbons
Gonzalez
Gordon
Green
Gutierrez
Hall (OH)
Hamilton
Harman
Hefner
Hinchey
Holden
Hoyer
Jackson-Lee
Jacobs
Johnson (SD)
Johnston
Kanjorski
Kaptur
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kleczka
Klink
LaFalce
Lantos
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Luther
Maloney
Manton
Markey
Martinez
Mascara
Matsui
McCarthy
McDermott
McHale
McNulty
Meehan
Meek
Menendez
Mfume
Miller (CA)
Mineta
Minge
Mink
Mollohan
Murtha
Nadler
Neal
Oberstar
Obey
Olver
Ortiz
Orton
Pallone
Pastor
Payne (VA)
Pelosi
Peterson (FL)
Peterson (MN)
Pickett
Pomeroy
Poshard
Rahall
Reed
Richardson
Rivers
Rose
Roybal-Allard
Sabo
Sanders
Sawyer
Schroeder
Schumer
Skaggs
Slaughter
Spratt
Stark
Studds
Stupak
Tanner
Taylor (MS)
Tejeda
Thompson
Thornton
Thurman
Torres
Torricelli
Velazquez
Vento
Visclosky
Volkmer
Ward
Waters
Waxman
Williams
Wilson
Wise
Woolsey
Wyden

NOT VOTING—32

Andrews
Bishop
Browder
Brown (FL)
Clay
Clayton
Clyburn
Collins (IL)
Collins (MI)
Fattah
Flake
Frost
Gephardt
Hastings (FL)
Hilliard
Jefferson
Johnson, E. B.
McKinney
Moakley
Owens
Payne (NJ)
Rangel
Reynolds
Rush
Scott
Serrano
Stokes
Towns
Tucker
Watt (NC)
Wynn
Yates

□ 1203

So the resolution was agreed to.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. DICKEY). Without objection, a motion to reconsider is laid on the table.

Mr. VOLKMER. Mr. Speaker, I object.

Mr. SOLOMON. Mr. Speaker, I move to reconsider the vote.

MOTION TO TABLE OFFERED BY MR. GOSS

Mr. GOSS. Mr. Speaker, I offer a motion.

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

The Clerk read as follows:

Mr. GOSS moves to lay the motion to reconsider on the table.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida [Mr. GOSS] to lay on the table the motion to reconsider.

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

RECORDED VOTE

Mr. VOLKMER. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 248, noes 153, not voting 33, as follows:

[Roll No. 481]

AYES—248

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
Boucher
Brewster
Brownback
Bryant (TN)
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Castle
Chabot
Chambliss
Chenoweth
Christensen
Chrysler
Clinger
Coble
Coburn
Collins (GA)
Combest
Condit
Cooley
Cox
Cramer
Crane
Crapo
Cremeans
Cubin
Cunningham
Davis
Deal
DeLay
Diaz-Balart
Dickey
Dooley
Doolittle
Dornan
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
Engel
English
Ensign
Everett
Ewing
Fawell
Fields (TX)
Flanagan
Foley
Forbes
Fowler
Fox
Franks (CT)
Franks (NJ)
Frelinghuysen
Frisa
Funderburk
Gallegly
Ganske
Gekas
Geren
Gilchrest
Gillmor
Gilman
Goodlatte
Goodling
Goss
Graham
Greenwood
Gunderson
Gutknecht
Hall (TX)
Hancock
Hansen
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Heineman
Herger
Hilleary
Hobson
Hoekstra
Hoke
Horn
Hostettler
Houghton
Hunter
Hutchinson
Hyde
Inglis
Istook
Jacobs
Johnson (CT)
Johnson, Sam
Jones
Kasich
Kelly
Kim
King
Kingston
Klug
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Laughlin
Lazio
Leach
Lewis (CA)
Lewis (KY)
Lightfoot
Lincoln
Linder
Livingston
LoBiondo
Longley
Lucas
Manzullo
Martini
McCollum
McCrery
McDade
McHugh
McInnis
McIntosh
McKeon
Metcalf
Meyers
Mica
Miller (FL)
Molinari
Montgomery
Moorhead
Myers
Nethercutt
Neumann
Ney
Norwood
Nussle
Oxley
Packard
Parker
Paxon
Peterson (MN)
Petri
Pickett
Pombo
Porter
Portman
Pryce
Quillen
Quinn
Radanovich
Ramstad
Regula
Riggs
Rogers
Rohrabacher
Ros-Lehtinen
Roth
Roukema
Royce
Salmon
Sanford
Saxton
Scarborough
Schaefer
Schiff
Seastrand
Sensenbrenner
Shadegg
Shaw
Shays
Shuster
Sisisky
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Stearns
Stenholm
Stockman
Stump
Talent
Tate
Tauzin
Taylor (MS)
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

NOES—153

Abercrombie
Ackerman
Baesler
Baldacci
Barcia
Barrett (WI)
Becerra
Beilenson
Bentsen
Berman
Bevill
Bonior
Borski
Browder
Brown (CA)
Brown (OH)
Bryant (TX)
Cardin
Chapman
Clement
Coleman
Collins (IL)
Costello
Coyne
de la Garza
DeFazio
DeLauro
Dellums
Deutsch
Dicks
Dingell
Dixon
Doggett
Doyle
Durbin
Edwards
Eshoo
Evans
Farr
Fazio
Fields (LA)
Filner
Foglietta
Ford
Frank (MA)
Furse
Gejdenson
Gibbons
Gonzalez
Gordon
Green
Gutierrez
Hall (OH)
Hamilton
Harman
Hefner
Hinchey
Holden
Hoyer
Jackson-Lee
Johnson (SD)
Johnston
Kanjorski
Kaptur
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kleczka
Klink
LaFalce
Lantos
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Luther
Maloney
Manton
Markey
Martinez
Mascara
Matsui
McCarthy
McDermott
McHale
McNulty
Meehan
Meek
Menendez
Mfume
Miller (CA)
Mineta
Minge
Mink
Mollohan
Moran
Murtha
Nadler
Neal
Oberstar
Obey
Olver
Ortiz
Orton
Pallone
Pastor
Payne (VA)
Pelosi
Peterson (FL)
Pomeroy
Poshard
Rahall
Reed
Richardson
Rivers
Roemer
Rose
Roybal-Allard
Sabo
Sanders
Sawyer
Schroeder
Schumer
Serrano
Skaggs
Slaughter
Spratt
Stark
Studds
Stupak
Tanner
Tejeda
Thompson
Thornton
Thurman
Torres
Torricelli
Traficant
Velazquez
Vento
Visclosky
Volkmer
Ward
Waters
Waxman
Williams
Wilson
Wise
Woolsey
Wyden
Wynn

NOT VOTING—33

Andrews
Bishop
Brown (FL)
Clay
Clayton
Clyburn
Collins (MI)
Conyers
Danner
Fattah
Flake
Frost
Gephardt
Hastings (FL)
Hilliard
Jefferson
Johnson, E. B.
McKinney
Moakley
Morella
Myrick
Owens
Payne (NJ)
Rangel
Reynolds
Roberts
Rush
Scott
Stokes
Towns
Tucker
Watt (NC)
Yates

□ 1222

So the motion to table was agreed to.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, during rollcall votes Nos. 478, 479, 480, and 481 on H.R. 1868, I was unavoidably detained. Had I been present I would have voted "no" on all. I ask unanimous consent that my statement appear in the RECORD immediately following rollcall vote No. 481.

PERSONAL EXPLANATION

Mr. HASTINGS of Florida. Mr. Speaker, I ask that my votes on rollcall votes 478, 479, 480, and 481 be shown in the RECORD at the appropriate places as "no."

I was unavoidably detained.

PERMISSION TO EXTEND DEBATE TIME DURING FURTHER CONSIDERATION OF H.R. 1868, FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS APPROPRIATIONS ACT, 1996

Mr. CALLAHAN. Mr. Speaker, I ask unanimous consent that during further consideration of the bill, H.R. 1868, in the Committee of the Whole, pursuant to House Resolutions 170 and 177, each of the amendments printed in House Report 104–167 be debatable for 30 minutes rather than 20 minutes, equally divided and controlled by the proponent and an opponent.

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

There was no objection.

GENERAL LEAVE

Mr. CALLAHAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on H.R. 1868, the bill about to be considered, and that I may include tabular and extraneous material.

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

There was no objection.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 5, rule I, the Chair will now put the question on each motion to suspend the rules on which further proceedings were postponed on Monday, July 10, in the order in which that motion was entertained.

Votes will be taken the following order: H.R. 1642 denovo; H.R. 1643 denovo; H.R. 1141, denovo; and S.523, denovo.

The Chair will reduce to 5 minutes the time for any electronic vote after the first vote in this series.

EXTENDING MOST-FAVORED-NATION TREATMENT TO CAMBODIA

The SPEAKER pro tempore. The unfinished business is the question of suspending the rules and passing the bill, H.R. 1642.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois [Mr. CRANE] that the House suspend the rules and pass the bill, H.R. 1642.

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

A motion to reconsider was laid on the table.

EXTENDING MOST-FAVORED-NATION TREATMENT TO BULGARIA

The SPEAKER pro tempore. The unfinished business is the question of suspending the rules and passing the bill, H.R. 1643.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois [Mr. CRANE] that the House suspend the rules and pass the bill, H.R. 1643.

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

A motion to reconsider was laid on the table.

SIKES ACT IMPROVEMENT AMENDMENTS OF 1995

The SPEAKER pro tempore. The unfinished business is the question of suspending the rules and passing the bill, H.R. 1141, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Alaska [Mr. YOUNG] that the House suspend the rules and pass the bill, H.R. 1141, as amended.

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

A motion to reconsider was laid on the table.

COLORADO BASIN SALINITY CONTROL ACT AMENDMENTS

The SPEAKER pro tempore. The unfinished business is the question of suspending the rules and passing the Senate bill, S. 523.

The Clerk read the title of the Senate bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California [Mr. DOOLITTLE] that the House suspend the rules and pass the Senate bill, S. 523.

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

A motion to reconsider was laid on the table.

FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS APPROPRIATIONS ACT, 1996

The SPEAKER pro tempore. Pursuant to House Resolution 170 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 1868.

□ 1228

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 1868) making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 1996, and for other purposes, with Mr. HANSEN in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee of the Whole rose on the legislative day of Wednesday, June 28, 1995, the bill was considered read through page 78, line 9.

Pursuant to House Resolution 177, further consideration of the bill for amendment shall proceed without intervening motion except the amendments printed in House Report 104–167. Those amendments may be considered only in the order printed in the report, by a Member designated in the report, are considered read, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

Pursuant to the order of the House of today, each amendment shall be debatable for 30 minutes, equally divided and controlled by the proponent and an opponent of the amendment.

The Chairman of the Committee of the Whole may postpone until a time during further consideration in the Committee of the Whole a request for a recorded vote on any amendment.

The Chairman of the Committee of the Whole may reduce to not less than 5 minutes the time for voting by electronic device on any postponed question that immediately follows another vote by electronic device without intervening business, provided that the time for voting by electronic device on the first in any series of questions shall not be less than 15 minutes.

□ 1230

It is now in order to consider amendment No. 1 printed in House Report 104–167.

AMENDMENT OFFERED BY MR. ENGEL

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. ENGEL: Page 63, after line 4, insert the following new section:

SEC. 540A. RESTRICTIONS ON THE TERMINATION OF SANCTIONS AGAINST SERBIA AND MONTENEGRO.

(a) RESTRICTIONS.—Notwithstanding any other provision of law, no sanction, prohibition, or requirement described in section 1511 of the National Defense Authorization Act for Fiscal Year 1994 (Public Law 103–160), with respect to Serbia or Montenegro, may cease to be effective, unless—

(1) the President first submits to the Congress a certification described in subsection (b); and

(2) the requirements of section 1511 of that Act are met.

(b) CERTIFICATION.—A certification described in this subsection is a certification that—

(1) there is substantial progress toward—

(A) the realization of a separate identity for Kosova and the right of the people of Kosova to govern themselves; or

(B) the creation of an international protectorate for Kosova;

(2) there is substantial improvement in the human rights situation in Kosova;

(3) international human rights observers are allowed to return to Kosova; and

(4) the elected government of Kosova is permitted to meet and carry out its legitimate mandate as elected representatives of the people of Kosova.

The CHAIRMAN. Pursuant to the order of the House of today, the gentleman from New York [Mr. ENGEL] and a Member opposed will each be recognized for 15 minutes.

The Chair recognizes the gentleman from New York [Mr. ENGEL].

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

Mr. Chairman, for too long ethnic Albanian citizens of Kosova, who comprise 90 percent of the province's population, have been dominated and repressed by Serbia. Today I rise to offer an amendment which will demonstrate support for Kosova and serve America's interests by helping prevent a regional spreading of the Balkan conflict.

The people of Kosova voted overwhelmingly for the independence of their state in September of 1990 and chose Ibraham Rigova, a professor of literature, who recently met with Secretary of State Chirstopher, to be the first President of the newly declared republic. Serbia, however, has not seen fit to recognize these valid and legitimate acts of self-determination. Belgrade has prevented the new government from meeting in the capital of Pristina and strictly from meeting in the capital of Pristina and strictly controls the media and all speech.

The human rights situation in Kosova is grave and worsened with the July 1993 expulsion of international monitors according to Amnesty International and Human Rights Watch. Ethnic Albanians are denied access to education, health care, and legal process solely on the basis of their ethnicity.

I might say, by the way, Mr. Chairman, that with the events happening in Bosnia, we can say that those events will look like a tea party compared to what might happen in Kosova if Belgrade gets its way.

The security situation in Kosova is also very troubling. If Serbia escalates its aggressive behavior in Kosova the Balkan conflict may expand into Macedonia, drawing in Albania, Bulgaria, Greece, and possibly Turkey. I support statements by the U.S. Government threatening a stern American response ''in the event of conflict in Kosova caused by Serbian action.''

In recent months, however, negotiations with Serbia have progressed to the point where the international community has offered to ease sanctions against Belgrade if it recognize Bosnia. While this policy may produce some positive results in Bosnia, it will turn over all leverage we have on Kosova.

I fully agree with President Clinton when, on January 4 of this year, he wrote to the gentlewoman from New

York [Ms. MOLINARI] and myself and said, ''There are a large number of issues, including Kosova, that must be addressed before Belgrade should be freed of U.N. sanctions.''

The amendment I offer today would condition the lifting of sanctions against Serbia upon improvement in human rights in Kosova. Until Milosevic, the leader of Serbia, gives Kosova the right to self-determination, ends human rights violations, allows international monitors to return, and permits the elected government of Kosova to carry out its mandate as representatives of the people of Kosova, we should not lift sanctions on Belgrade. Considering the intensified persecution of the ethnic Albanian majority in Kosova, I strongly believe that sanctions should remain in place until the situation in Kosova improves. I urge Members to support this important amendment.

I might say that the gentleman from New York [Mr. GILMAN], the chairman of the Committee on International Relations, is fully in support of this amendment. It has very deep bipartisan support.

Let me finally add, in view of the actions of the Serbs in Bosnia today which led to U.N. and NATO air strikes on them, is it any wonder that they continue to thumb their nose at the world and continue to think they can slide away from the international sanctions that have been imposed on them? We must not let this happen. I urge my colleagues to support this amendment.

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

Mr. ENGEL. I yield to the gentleman from Maryland.

Mr. HOYER. I thank the gentleman for yielding. I appreciate him allowing me to intervene at this time.

Mr. Chairman, I rise in very strong support of the gentleman's amendment. I have been to Kosova and Pristina, the capital. I have talked to the Serbian leadership in Kosova. They have no appreciation for human rights and no appreciation of the individuals there who have a right to practice their own religion, pursue their own culture, use their language of choice, and to enjoy the human rights which are guaranteed by the Helsinki final act.

I congratulate the gentleman from New York for this amendment, which is critical. Frankly, the Milosevic regime is a regime which has been assessed to be a criminal regime by our former Deputy Secretary of State, Larry Eagleburger. I think he was correct.

Kosova is a specific example of where the Milosevic government in Belgrade tramples upon the rights that they are pledged to protect under the Helsinki final act. We ought not to consider lifting sanctions. We ought not to consider making the Milosevic regime's life one whit better without the human rights situation in Kosova very, very substantially improving.

The CHAIRMAN. Is the gentleman from Alabama opposed to the amendment?

Mr. CALLAHAN. Yes, Mr. Chairman.

The CHAIRMAN. The gentleman from Alabama [Mr. CALLAHAN] will be recognized for 15 minutes.

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

Mr. Chairman, I rise in opposition to the amendment. I rise in opposition more to the amendment than to the philosophy.

If this Congress is going to micromanage the executive branch of government with respect to foreign affairs, I think it is a tremendous mistake. The Constitution very clearly gives the authority and the responsibility for foreign affairs to the administrative branch of government. Congress has the right to provide or deny funds.

It seems that every time a Member of Congress, and certainly this is no reflection upon the gentleman from New York, but every time a Member of Congress travels to some foreign nation, they come back with an adopted country and they start trying to demand through legislation the direction that they want the administration to work. I think it grossly interferes with the ability of the administration to have an effective foreign policy.

I am at a distinct disadvantage on Kosova. I have never been to Kosova. I do not even know exactly where Kosova is. I know it is somewhere over near Bosnia and I know it is somewhere in the former Yugoslavia, but nevertheless I am not familiar with it.

I do not deny that there are human rights abuses there. I do not deny that we ought to be concerned about that, but I am concerned about the fact that we in Congress are beginning to be 435 little Under Secretaries of State traveling all over the world and coming back and telling the administration that you cannot do this, you should not do that.

So I am sure that the gentleman from New York [Mr. ENGEL] is very sincere in his desire to improve human rights situations in Kosova and I respect that. And I certainly want human rights protected all over the world. I want them protected here in the United States of America.

Mr. Chairman, I am opposed to it, because the administration has contacted me this morning. The Assistant Secretary of State told me that this amendment will seriously interfere with the ability of the administration to have an effective solution to the problems in Bosnia.

I have to respect the administration's decision in opposing the amendment, while at the same time respecting the gentleman's concerns about human rights violations in Kosova.

Mr. Chairman, I reserve the balance of my time, but still in opposition to the Engel amendment.

Mr. ENGEL. Mr. Chairman, I yield myself 30 seconds to answer the gentleman from Alabama [Mr. CALLAHAN].

The administration has also lobbied this Congress against lifting the arms embargo and this Congress has voted overwhelmingly on a couple of occasions to lift the arms embargo.

I do not think that the administration is proposing effective solutions at all in this area and I think it behooves us in Congress to state very, very strongly that we will not stand for human rights abuses in this part of the world. Perhaps if we had been showing a little gumption over the past few years, the Serbs would not be acting the way they are acting in the Balkans.

Mr. Chairman, I yield 2 minutes to the gentleman from Massachusetts [Mr. OLVER].

Mr. OLVER. Mr. Chairman, I thank the gentleman from New York for yielding me the time.

Mr. Chairman, this is a mild and a bipartisan amendment that I do support. It provides a little bit of protection to Kosova. If you wonder why is it that Kosova needs protection, what is the risk for Kosova? All you need do is remember Bosnia. Remember that Serbia, the last communist dictatorship in Europe, will stop at nothing in pursuit of their goal of a greater Serbia.

Remember the ethnic cleansing and slaughter of whole families in Bosnia. Remember the elected Vice President of Bosnia dragged from a U.N. vehicle and summarily shot by the Serbs. Remember U.N. resolutions for safe areas unenforced by the U.N., ignored by the Serbs.

As we speak here today, one of those safe areas, Srebrenica, is under attack. Remember the old man recovering in a hospital bed from surgery in Sarajevo who was shot by a Serb sniper. Remember the funeral processions that were bombarded; the school yard full of 10- and 11-year-olds playing soccer, bombarded by the Serbs.

Remember the women and children standing in water lines because the water had been cut off to Sarajevo. Remember the bombardments of those water lines.

When the U.N. accepts its humiliation in Bosnia at the orchestration of Milosevic, the last communist dictator in Europe, then it will be Kosova's turn. Because the Serbs, under Milosevic in Serbia, will stop at nothing to achieve Greater Serbia.

Mr. Chairman, the amendment that we have before us will not make it easier for Serbia to strangle Kosova, but it is a start by making certain that those sanctions are not lifted too early in the process. So I hope very much that this amendment will be adopted.

Mr. CALLAHAN. Mr. Chairman, I do not think we have any more speakers, because probably 90 percent of the Congress does not know where Kosova is. But, nevertheless, I do stand by my philosophy; that I think it is a very serious mistake for this Congress, or any Congress, to interfere this way in the ability of the administration to have a foreign policy.

I think that the President has selected Warren Christopher to be the Secretary of State, and I do not think we need pseudo—Secretaries of State trying to dictate policy. Although I still respect what the gentleman from New York [Mr. ENGEL] is saying with regard to his concerns for human rights, I still oppose the amendment.

Mr. Chairman, I insert the following for the RECORD:

U.S. DEPARTMENT OF STATE,
Washington DC, July 11, 1995.

Hon. SONNY CALLAHAN,
Chairman, Subcommittee on Foreign Operations, Committee on Appropriations, House of Representatives.

DEAR MR. CHAIRMAN: As the House continues its deliberations on H.R. 1868, the Foreign Operations, Export Financing and Related Programs Appropriations Bill for FY 1996, I wanted to provide you with the Department's views on the four amendments that may be offered during floor consideration and seek your support in defeating them.

While the Administration supports the goals of the Kosovo amendment, we believe its effects would be counterproductive to our efforts to achieve a regional peace settlement in the former Yugoslavia, which offers the best hope for protecting the rights of Kosovar Albanians.

It is already U.S. and Contact Group policy that some sanctions on Belgrade should remain in place until the autonomy of Kosovo is restored. However, making Kosovo the linchpin for any easing of the embargo would seriously undermine the President's ability to negotiate a regional settlement in Bosnia. Current diplomatic efforts, for example, center on the possibility of limited sanctions suspension in exchange for key Serbian concessions in recognizing Bosnia and improving the border monitoring regime.

At the same time, we are concerned that this new provision could bar the democracy promotion program in Serbia that many in Congress have been encouraging us to expand. Programs such as recent U.S. efforts to establish a democracy commission in Serbia provide an important counterweight to reactionary, anti-democratic forces that are responsible for so much of the current tragedy in the former Yugoslavia.

We object as to the amendment that would cut off assistance to Ethiopia if the government there has not made progress on human rights. In the last year, the Government of Ethiopia took a number of steps to improve its human rights practices. Procedurally fair elections were held. Several thousands persons detained without charge were released and the camps in which they were confined were closed. The concept of respect for the rule of law is gaining acceptance, and open and procedurally fair trials have begun for defendants charged with committing crimes against humanity during the Mengistu regime. Terminating aid would undercut our ability to encourage further human rights progress and would penalize ordinary Ethiopians, who are among the world's poorest people. Of $153 million in U.S. aid provided in FY 1994, $120 million was food aid, which was crucial in feeding approximately 2.5 million Ethiopians.

We also object to the amendment that would prohibit aid to the Government of Kenya because it denies its citizens the right to free and fair elections. While we share Congress' concern about Kenya's human rights record, much of our assistance is directed to projects to improve Kenya's human rights performance, including its electoral practices. Passage of this amendment would undercut our efforts to build democratic institutions and promote good governance. This amendment would undercut our efforts to build democratic institutions and promote good governance. This amendment would also adversely affect our ability to use International Military Education and Training (IMET) funds to train the Kenyan military, an apolitical force that has not been implicated in human rights abuses.

Finally, we oppose the amendment that would prohibit the availability of funds provided in the bill for the salaries and expenses of personnel implementing the Migration and Refugee Assistance Act (MRA). While the Department agrees that none of the funds appropriated for refugees should be spent on population activities, our budget request for FY 1996 proposed consolidating program funding and administrative costs into one account in an effort to simplify the management of the Bureau of Population, Refuges and Migration (PRM). An added benefit would be a reduction of Appropriations Committee oversight responsibility to one rather than two subcommittees. This amendment would divide oversight responsibility and would have the effect of cutting funding for the State Department's already strained operations by another $12 million, as PRM's administrative expenses would be borne by the Department's Salaries and Expenses account.

Thank you for considering the views we have outlined above. We look forward to continuing to work with you and your colleagues to achieve the passage of a bill which garners wide bipartisan support.

Sincerely,

WENDY R. SHERMAN,
Assistant Secretary, Legislative Affairs.

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

Mr. ENGEL. Mr. Chairman, may I inquire how much time I have remaining?

The CHAIRMAN. The gentleman from New York [Mr. ENGEL] has 8 minutes remaining.

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

Mr. Chairman, let me say most respectfully to my friend, the gentleman from Alabama [Mr. CALLAHAN], that this bill which we have previously debated all night long contains many statements in policy, which we in Congress have seen fit to put in, involving human rights violations all over the world. And, certainly, when we talk about human rights violations all over the world, Kosova ranks up there, unfortunately, with the best, or should I say with the worst.

On a trip to Kosova a couple of years ago with my colleagues, the gentleman from New York [Mr. KING], the gentlewoman from New York [Ms. MOLINARI], and the gentleman from New York [Mr. PAXON], we were all appalled at what we saw. Truly, people under occupation. And it is certainly something I think that we cannot turn a blind eye to, particularly when we are making statements throughout this bill on human rights violations all over the world.

Mr. Chairman, I might also add that we have had extensive hearings on Kosova in the Committee on International Relations, previously the Foreign Affairs Committee. We have had witness after witness from the administration tell us that they would not lift sanctions on the Belgrade regime until the human rights situation in Kosova improved.

Yet, we see a slipping back of those solemn promises made by Secretary of State Christopher and other administration officials. So I think it is very, very important at this point in time that we stand up very, very strongly, as this Congress has on this bill in many other places all around the world, and say that the United States is not going to stand for human rights violations.

□ 1245

We have witnessed the tragedy in Bosnia. We have witnessed what happens when aggression goes unchecked. We have witnessed what happens when the world turns a blind eye.

We do not want it to happen in Kosova. There are 2 million ethnic Albanians living in Kosova. They have been denied the basic principles of freedom. They do not have schools. They cannot speak their own language. They cannot do what they need to do.

People are summarily fired because they are Albanian, and there are elements in the Serbian regime that would like nothing more than to drive a million or a million and a half ethnic Albanians out of Kosova, out of the border into Albania or over the border into Macedonia and again making what happens in Bosnia look like a tea party by comparison.

I urge my colleagues to stand up. Again, the chairman of the committee, the gentleman from New York [Mr. GILMAN] is in full support of this amendment. This amendment mirrors legislation that he has, the chairman of the committee, the gentleman from New York [Mr. GILMAN], has submitted this year; the gentlewoman from New York [Ms. MOLINARI], my colleague, and I for many years have cosponsored such legislation; and other members of the committee such as the gentleman from New Jersey [Mr. SMITH] and the gentleman from California [Mr. ROHRABACHER] and the gentleman from Virginia [Mr. MORAN] have all supported this.

Mr. Chairman, I yield such time as she may consume to my colleague and friend, the gentlewoman from New York [Ms. MOLINARI].

Ms. MOLINARI. I thank the gentleman for leading the charge here today, and certainly historically, toward the betterment of the quality of life and the sanctity of life and doing all he possibly can to restore some semblance of sanity in the area called Kosova. A time when most people prefer to turn a blind eye, the gentleman from New York [Mr. ENGEL], has really been a leader in human rights in that area of the country, and I am extremely grateful.

Mr. Chairman, while the Balkan spotlight is focused on Bosnia today, a

tragedy of immense proportions is happening just 120 miles southeast of Sarajevo in the Republica of Kosova.

The amendment which we offer today will address what is an urgent crisis. Serbian police terrorism, directed at the 92-percent Albanian majority in Kosova, has been skyrocketing. The Prishtina-based Council for the Defense of Human Rights and Freedoms, reported last week that during June alone 918 Albanians in Kosova were subjected to various forms of Serbian repression. Some 384 were arrested, 87 had their homes raided, 379 were subjected to arms searches, 243 were beaten with 9 requiring medical treatment after having been tortured, 62 were detained, 210 were summoned for police interrogation, all in 1 month.

Complete abrogation of human, civil, and national rights of the 2 million Albanians in Kosova have been perpetrated by the Serbs since 1989. How much longer can the Albanians live under the most brutal, diabolical form of marshal law? It started in Croatia, Mr. Chairman, it moved to Bosnia, and unless this Congress and the United States and maybe, pray God, someday the United Nations rises up against Serbian aggression in this area of the world, Kosova will be next, and we do not know where it goes from there.

Today we have an opportunity to make a very important statement against the communist Serbs that have terrorized so many innocents in that area once called the former Yugoslavia. It is happening also in Kosova. They have no friends, they have no one watching. Today we send a message that as Americans we care and we will do all that we can in this democracy to make sure that some day they may live free also.

Mr. Chairman, I urge reply colleagues to join me in supporting this important amendment which at the very least will send a strong message to the Milosevic regime: Stop the siege of Kosova.

I thank the gentleman again for leading this all important effort.

Mr. ENGEL. Mr. Chairman, I yield 1 minute to the gentleman from California [Mr. ROHRABACHER].

Mr. ROHRABACHER. Mr. Chairman, I would like to compliment my colleague, the gentleman from New York on the leadership he has provided on this issue, but also on human rights issues across the spectrum.

The fact is this is an issue that should unite Republicans and Democrats and does to the degree that Republicans and Democrats in this body are aware of the human rights abuses that are going on in this world.

What we are saying today is that we recognize that the Serbian oppression in Kosova is unacceptable and that we see what is going on and that we will view further human rights violations of these people as not only just a slap in the face of the Congress but an attack on the basic values of the American people. We represent, yes, the interests of the United States, but also the values of the United States, and we are demanding today by this resolution that the Serbian regime recognize it is dealing with people who have rights in Kosova and that they refrain from the terrible violations and the repression that has been going on with these people.

If we do not send this message, the people there will pay a horrible price, and we are on the people's side, not the repressors' side.

The CHAIRMAN. The gentleman from New York has 1 minute remaining.

Mr. ENGEL. Mr. Chairman, would it be possible to ask unanimous consent for an additional 1 minute? We have two colleagues here that would like to speak. I would like to give them each 1 minute.

The CHAIRMAN. It would be imperative that both sides have additional time.

Mr. CALLAHAN. What was the gentleman's request?

Mr. ENGEL. I would ask for an additional minute. We have two Members who would like to speak for 1 minute each, and I only have 1 minute.

Mr. CALLAHAN. I would like to remind the gentleman we have already extended debate time 10 minutes at your request, but we have got to move on with this. We have other bills.

Mr. ENGEL. Would the gentleman be able to yield an extra minute? We had a vote in the Committee on International Relations.

Mr. CALLAHAN. I have already yielded back my time. I will not object to 1 additional minute, but we are not going to continue this on. I promised the Committee on Rules if they would not object to my unanimous-consent request to extend your time limitation, that we would move through this expeditiously, so I gave up all of my time, and now, I will not object to the 1 additional minute.

The CHAIRMAN. Without objection, both sides are given 1 additional minute.

There was no objection.

Mr. ENGEL. Mr. Chairman, I yield 1 minute to the gentleman from New Jersey [Mr. SMITH].

Mr. CALLAHAN. Mr. Chairman, I yield 1 minute to the gentleman from New Jersey [Mr. SMITH].

Mr. SMITH of New Jersey. Mr. Chairman, I rise in support of the amendment offered by my friend and colleague on the Committee on International Relations, the gentleman from New York [Mr. ENGEL].

It would require the retention of sanctions currently imposed against Serbia until the Serbian Government implements specific improvements in the human rights situation in Kosova. The amendment implements the Kosova Peace, Democracy and Human Rights Act of 1995, which was introduced by the gentleman from New York [Mr. GILMAN], cosponsored by the gentleman from New York [Mr. ENGEL] and myself, among others.

The amendment recognizes the people of Kosova are a captive nation. These ethnic Albanians, who take great pride in their own history, language, and culture, have been forced to submit to a foreign rule, first by great power politics and then by a communist tyranny.

The amendment also recognizes the harsh conditions, and we have had hearings on the Helsinki Commission on this, Mr. Chairman, and it is very, very, very harsh, and they have been imposed by the Serb state.

It further recognizes that until basic justice is done, Kosova will always be a place not only of oppression but also of potential conflict.

Finally, the Engel amendment recognizes the potential of the Kosova conflict to affect relations among a large number of states, including not only Serbia but also Albania, Macedonia, Bulgaria, Turkey.

It is a good amendment. I hope the body will accept it.

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

Mr. SMITH of New Jersey. I yield to the gentleman from New York.

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

Mr. GILMAN. Mr. Chairman, I just wanted to rise in support of the gentleman's amendment. I think it is long overdue that we take a strong stand and not lift the sanctions of Serbia until human rights in Kosova improve.

I support the amendment proposed by the gentleman from New York, [Mr. ENGEL], whom I wish to commend for his initiative. This amendment essentially mirrors language contained in H.R. 1360 which I introduced earlier this year. Ordinarily, I would oppose such a measure being attached to an appropriations bill, but I am convinced that the situation in Kosova is an extraordinary case, and requires urgent action by this body in order to ensure that in the fast-breaking events of the Balkan crisis we do not overlook the suffering of the Kosovar population.

Adoption of this amendment will help ameliorate in an important way an apparent gap in United States policy concerning the conflict in the former Yugoslavia. It will require the administration to be mindful of the deplorable situation in Kosova whose people have had their political and cultural identity brutally stripped from them by Serbian overlords. The amendment establishes a specific set of conditions aimed at restoring the political autonomy enjoyed by the people of Kosova prior to 1989. It requires the President to certify to Congress that the conditions have been met prior to the relaxation by our Government of all the U.N. economic sanctions imposed upon Serbia.

Regrettably, it has become necessary to consider this amendment at this time because the administration, while it has focused on the debacle in Bosnia, forgets that the situation in Kosova needs to be redressed before a true and just peace can be restored to the former Yugoslavia. That conflict springs from complex roots and sources, but we should not forget that the current campaign of ethnic cleansing by Serbia began in Kosova. Until the people of Kosova are again able to exercise their political, cultural and social rights, as they had

when Serbia recognized the autonomous status of Kosova prior to 1989, there can be no lasting peace in the Balkans.

Accordingly, I urge my colleagues to support this amendment, and send a strong signal that the Congress has not forgotten Kosova and its long-suffering people.

Mr. ENGEL. Mr. Chairman, I yield the balance of my time to the gentleman from Virginia [Mr. MORAN].

Mr. MORAN. I thank my friend from New York and my friend from New Jersey.

I was recently in Kosova. It is an unbelievable situation. There are 60,000 paramilitary people, military officers, policemen, who are controlling 2 million Albanian Kosovans. They are controlling them in the most brutal way possible, with constant murders, beatings, rapes, wholesale thefts of property.

In fact, when President Milosevic of Serbia, who represents only 5 percent of the population, forced the withdrawal of the CSCE human rights monitors in July 1993, the incidents of beatings, rapes, and murders has gone up by 85 percent.

We went to the office that documented all of these atrocious, indescribable, brutal acts, and, you know, the police had just been there, had beaten up the staff, had stolen all the documentation. The lawyer who attempted to intervene to complain, he was visited at his apartment and bludgeoned on the head for it.

This has to change. I support the amendment very strongly.

The CHAIRMAN. All time has expired.

The question is on the amendment offered by the gentleman from New York [Mr. ENGEL].

The amendment was agreed to.

The CHAIRMAN. It is now is order to consider amendment No. 2, printed in House Report 104–167.

AMENDMENT OFFERED BY MS. JACKSON-LEE

Ms. JACKSON-LEE. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Ms. JACKSON-LEE: Page 78, after line 6, insert the following new section:

SEC. 564. None of the funds appropriated in this Act may be made available to the Government of Ethiopia if it is made known to the State Department that during fiscal year 1996 the Ethiopian government has not made progress on human rights.

MODIFICATION OF AMENDMENT OFFERED BY MS. JACKSON-LEE

Ms. JACKSON-LEE. Mr. Chairman, I ask unanimous consent that my amendment be modified.

The CHAIRMAN. The Clerk will report the modification.

The Clerk read as follows:

Amendment, as modified, offered by Ms. JACKSON-LEE: Page 78, after line 6, insert the following new section:

SEC. 564. The Department of State should closely monitor and take into account human rights progress in Ethiopia as it obligates fiscal year 1996 funds for Ethiopia appropriated in this act.

The CHAIRMAN. Is there objection to the request of the gentlewoman from Texas?

There was no objection.

The CHAIRMAN. Pursuant to the order of the House of today, the gentlewoman from Texas [Ms. JACKSON-LEE], and a Member opposed will each be recognized for 15 minutes.

The Chair recognizes the gentlewoman from Texas [Ms. JACKSON-LEE].

Ms. JACKSON-LEE. Mr. Chairman, I yield myself such time as I may consume.

Let me first of all, Mr. Chairman, thank the gentleman from Alabama [Mr. CALLAHAN] and the gentleman from Texas [Mr. WILSON] for the very cooperative spirit on the trend and direction of this amendment.

Let me also acknowledge the gentleman from Georgia [Mr. KINGSTON] and the chairman of the Subcommittee on Africa for their cooperation and the spirit of support that they have given the direction of this amendment.

Likewise, I want to acknowledge the task force work that included Mr. PAYNE and Mr. HASTINGS and the gentleman from Georgia, Mr. KINGSTON, in working with the country of Ethiopia.

For a moment let me share some background on this matter and on my concern. Certainly, I pay great tribute to a Congressperson who served in this great body and, in fact, gave his life for his concern abut humanitarian needs in Ethiopia, and that is the Hon. Congressman Mickey Leland, who served the 18th Congressional District in Texas in the 1980's. His concern was that of freedom and justice, and certainly it was a concern for those who could not speak for themselves. And he repeatedly went back to the nation of Ethiopia to provide food for the children, but at the same time he wanted to extend to them his arm of help but also the understanding of the freedoms and democracy of this Nation.

Mr. Chairman, I rise to offer an amendment that strives to improve the conditions in this poverty-stricken land. It is, yes, to applaud the progress that has been made, but it is to acknowledge that we do have a moral commitment in this Nation to be able to join in with our allies and our friends and to encourage them to move toward human rights progress.

Let me also applaud Assistant Secretary of State for Africa, George Moose, for he has worked vigorously with Ethiopia, along with Ambassador Hicks, and the emphasis that we had in discussing this amendment was to emphasize we wanted to have the country of Ethiopia move forward, to improve its stand greatly after the massive periods of starvation and civil war.

There is much more to be done, Mr. Chairman, and my amendment proposes to encourage the government of Ethiopia, throughout the State Department, to continue its progress toward human rights for the citizens of Ethiopia.

This amendment is the best of all worlds. It moves Ethiopia along toward a path of self-sufficiency and a period of fairness for all of its citizens. Ethiopia has just completed a period of transitional government and recently held elections. Though the elections were not elections without incident, they were elections nonetheless.

Ethiopia is moving on the path, and the right path, and I am proposing that we help ensure Ethiopia's continued growth by encouraging a greater attention to human rights by this new and fledgling government.

Are we trying to dictate foreign policy? No, we are not. What we are simply trying to do is to be a partner in this movement toward human rights progress. Is it not the right and the role of those of us who would argue and speak for human rights in this nation to be able to join in with our friends, yes, our friends, and encourage their progress?

Mr. GILMAN. Mr. Chairman, will the gentlewoman yield?

Ms. JACKSON-LEE. I yield to the gentleman from New York.

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

Mr. GILMAN. Mr. Chairman, I just want to rise to join with the gentlewoman from Texas to praise the modification of her amendment, and I think that her proposal of monitoring what is going on in Ethiopia will be extremely helpful, and I thank the gentlewoman for working on this amendment so that it has language we can all agree upon.

Mr. Chairman, I join with the gentlewoman from Texas to praise the modification of her amendment.

Ethiopia represents an enormous humanitarian challenge. From 1984 to 1991, we spent over one billion dollars on disaster relief for Ethiopia. Famines in 1984 and 1990 killed thousands of Ethiopians. All of this occurred while Ethiopia was ruled by one of the most brutal communist dictatorships in the world.

Today, Ethiopia faces a structural food deficit. Millions of Ethiopians are dependent on the international community—particularly the United States—for food and basic services.

Fortunately, the current government in Ethiopia is actively assisting us in these humanitarian efforts. This is a vast improvement from previous regimes which actively opposed our relief efforts and used starvation as a weapon against its domestic opponents. Our assistance program in Ethiopia must be seen in this context.

The Government of Ethiopia does not measure up to our high standards of democracy, human rights and economic reform. The largest ethnic groups in Ethiopia have not been sufficiently included in the government, and the ruling party often uses coercion to manipulate the political process.

The concerns must be addressed, but I believe they are best addressed by a close relationship between the Government of Ethiopia, which has shown remarkable competence in other areas, and the United States, which provides the bulk of humanitarian assistance.

Mr. Chairman, I now support this amendment and commend the gentlewoman for the modification of the amendment.

Ms. JACKSON–LEE. I thank the gentleman so very much for your very kind words. Let me also pay tribute to you for the hard effort that has been made towards human rights throughout this entire world on behalf of those who believe in those issues.

If I might finish and conclude, Mr. Chairman, my remarks, I would hope, as we move in friendship with Ethiopia, affirming again the progress but looking toward more progress, we will see prospectively an integrated military, we will see future elections that will come voluntarily, free and open, all political viewpoints will be heard, as we know they are moving toward, and, yes, we would hope that political prisoners whatever their perspective, that they will come out in freedom but as well in support of an administration and regime that supports human rights.

□ 1300

As we move toward human rights, we hope the trade unions will be recognized, and its members should not be subjugated. We want the action commissions to be supported in their dissent and also the journalists.

Mr. Chairman, I do not propose to bring about overnight change for the people of Ethiopia. However, I wish to support the current process of democratization in Ethiopia and empower its citizens through free speech, recognition of human rights, and the diversification of the military. I urge my colleagues to join me in support of the people of Ethiopia and the continued growth of their nation.

Let me also thank my esteemed colleague, no longer with us, the honorable Congressman Mickey Leland, for his service to human rights and his commitment to human rights as his life exemplified through the time he served in Congress.

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

Mr. Chairman, two of the three remaining amendments, ironically, are amendments that impact a possible cut to aid in Ethiopia and to Kenya, two nations in Africa. I find that rather amusing, but let me compliment the gentlewoman from Texas.

I chastised this House a few minutes ago about Members of Congress becoming pseudo-Secretaries of State, and travelling all over the world, and coming back here and dictating policy to the administration. I explained my philosophy about the lessons that civics teaches us—that the executive branch has the authority and the responsibility for foreign policy, apart from appropriations.

The gentlewoman's amendment does not dictate to the administration. She has a legitimate concern that she has brought here, and she wants to make certain that the administration hears her message. In her amendment she states that the State Department should closely monitor and take into account human rights progress in Ethiopia.

Mr. Chairman, that is what the Congress should do. We should give these types of messages when we have a concern, but, at the same time, not dictate policy, and recognize that the administration has to weigh all of the involvements of all the nations in the world in determining their policy.

So, I am not going to object to the amendment, Mr. Chairman, because she has corrected it with her modification.

Ms. JACKSON-LEE. Mr. Chairman, will the gentleman yield?

Mr. CALLAHAN. I yield to the gentlewoman from Texas.

Ms. JACKSON-LEE. Mr. Chairman, I appreciate the gentleman's yielding, and I thank him so very much for both his cooperative spirit and the direction that I think speaks well of this entire body.

Mr. Chairman, if the gentleman would yield to me, I would appreciate having the opportunity to yield to the gentleman from Florida [Mr. JOHNSTON] on this matter for 2 minutes.

Mr. CALLAHAN. Mr. Chairman, I yield such time as she may consume to the gentlewoman from Texas [Ms. JACKSON-LEE] to do whatever she wants to do.

Mr. JOHNSTON of Florida. Mr. Chairman, will the gentlewoman yield?

Ms. JACKSON-LEE. I yield to the gentleman from Florida.

Mr. JOHNSTON of Florida. Mr. Chairman, I do appreciate the gentleman and the gentlewoman yielding this time to me.

Mr. Chairman, I have probably been the most severe critic of Ethiopia and, on the next one, Kenya, under human rights. Last year I visited both countries, spoke to President Moi at length of Kenya, spoke to President Meles at length in Ethiopia. Also, I met with President Meles here in Washington last year and tried to go over the items that I am sure the gentlewoman from Texas [Ms. JACKSON-LEE] has already enumerated.

I will say this though in Ethiopia: Everything being relative, if you check what happened in the Mengistu regime versus what has happened in the Meles regime, it is light years advancement there. No. 2 is Ethiopia has helped tremendously in our conflict in Sudan, and has intervened there, and has shown that they would like to come into the community of nations.

There is a task force that has met with the opposing parties in Ethiopia, in Washington here, in the early winter, in which the State Department, and the Carter Center, and myself, and Congressman HASTINGS met with these parties for 3 days, and I think we are about to arrive at a breakthrough there in which human rights will be observed better than it has been in the past, and I look forward. I appreciate the gentlewoman's understanding here in her ability to come to, I think, an excellent compromise with the State Department, with AID, and with the other factions, and I strongly support the bill.

Mr. Chairman, again I congratulate the gentlewoman on the fine work she has done.

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

Ms. JACKSON-LEE. Mr. Chairman, I yield myself the balance of my time.

The CHAIRMAN. The gentlewoman from Texas is recognized for 1 minute.

Ms. JACKSON-LEE. Mr. Chairman, I will not use all of that; simply I want to conclude by thanking all of those who have had the opportunity to work on this bill and to thank the gentleman from Florida [Mr. JOHNSTON] and his work in the task force and to affirmatively firm up the position that we take, and that is for human rights and for the support of Ethiopia moving and making progress in human rights.

The CHAIRMAN. The question is on the amendment, as modified, offered from the gentlewoman from Texas [Ms. JACKSON-LEE].

The amendment, as modified, was agreed to.

The CHAIRMAN. It is now in order to consider amendment No. 3 printed in House Report 104–67.

AMENDMENT OFFERED BY MR. VOLKMER

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. VOLKMER: At the end of the bill, add the following new section:

SEC. . None of the funds appropriated in this Act may be made available to the Government of Kenya already known to be a country which denies its citizens the right to free and fair elections as identified in the Department of state Country Reports on Human Rights Practices. *Provided*, That this section may be waived if the President determines such waiver is in the United States national interest.

The CHAIRMAN. Pursuant to the order of the House of today, the gentleman from Missouri [Mr. VOLKMER] and a Member opposed will each be recognized for 15 minutes.

The Chair recognizes the gentleman from Missouri [Mr. VOLKMER].

Mr. VOLKMER. Mr. Chairman, I doubt very much if we will take the full 15 minutes on this side, but, as we look at the world in which we live, it is we in this country who enjoy the liberties of a democratic society, and under our Constitution, and we try to provide that same type of freedom throughout the world for other peoples and re-review what is going on in other parts of the world, in other countries, and we have some reservations about the democratization process that is evolving in those countries, and at the same time we are asking our taxpayers to provide funds to those countries even though the people, many of them, do not have the freedoms that we believe that they should enjoy.

One of the main reasons I say that I offer to develop this amendment on

Kenya, and we can do it on Indonesia and several others countries in the world, is that early on in debate on this bill we had an amendment up concerning a very small Caribbean nation of Haiti, and, as a result of that, we had a long discussion, about 6 hours, on the democratization process that is ongoing in this small nation, a few people, and it just started, and yet we can look around the world, as I have done, and I find that we have a process, been ongoing for a longer period of time, that is not near the part and the place where it is in Haiti, and yet no one on this committee, no one in this Congress, not one person, has offered to say, ''Hey, we should cut off aid unless such and such is done.''

So for that reason I decided that since, in my observation, we have severe human rights violations in Kenya, that I would offer the amendment that would stop the development assistance and the military aid to the country of Kenya because of the violations that are occurring and continue to occur. Even under the constitution of Kenya one would think otherwise.

They are, I will agree, in Kenya; they have some improvement in human rights, but I think they have a long way to go. We still have serious human rights problems persisting there. The government continues to intimidate and harass those opposed to the government party, the Kenya Africa National Union known as KANU. These actions included violations of civil liberties like freedom of speech, freedom of press, assembly, and association in an attempt to silence critics. Security forces continue to arrest and temporarily detain opposition parliamentarians and journalists. They also harassed voters in several by-elections and have broken up lawful public gatherings.

The arrest of 15 opposition members of parliament after they brought relief supplies to a displaced persons camp; the government characterized the trip as an unlicensed meeting in which they uttered words calculated to incite the public against the President, President Moi.

As my colleagues know, the League of Women Voters attempted to hold a seminar in Kenya, and approximately 100 armed police chased participants from the place by beating them with clubs. Freedom of assembly is provided in the constitution, but is seriously limited by the Public Order Act which prohibits unlicensed meetings of 10 or more persons without an approval from the district commissioner, and the government denied the right to assemble by not granting the permits.

As my colleagues know, the Kenya citizens theoretically have a right to change their government through free and fair elections if they have free and fair elections. But their ability to do so is yet to be demonstrated fully. Their presidential and parliamentary election in 1992 were marked by violence, intimidation, fraud, other irregularities, but opposition candidates still won 63 percent of the vote. Diplomatic observers have viewed the 10 by-elections that have been held in 1994 as generally more free and fair despite some minor irregularities, however the government continued to harass and intimidate the political opposition.

The President, Moi, exercises sweeping powers over the local political structure as well as the National Assembly, and the KANU Party he heads controlled 118 out of the 200 National Assembly seats even though the opposition got 63 percent of the vote.

The President appoints both the powerful provincial and district commissioner, as well as a multitude of district and village officials. At the district and village level these political parties are responsible for security as well as disbursement of Federal development funds. At the national level a constitution authorized the President to dissolve the legislature and prohibits assembly debate on issues under consideration by the courts, and this very interesting:

This law, in conjunction with the Speaker of the Assembly's ruling that the subject of the President's conduct is inappropriate for parliamentary debate—reminds me a little bit of this place—has severely limited the scope of deliberation on many controversial political issues.

Members of the Parliament are entitled to introduce legislation, but in practice it is the attorney general who does so. As the head of the KANU, the President also influences the legislative agenda. He has also bolstered KANU's majority by acting on its constitutional authority by appointing 12 members of Parliament.

Three opposition parties, the Democrat Party, the FORD–K, and the FORD–A, hold the majority of the opposition's 82 seats. KANU used a variety of pressure tactics—and I would like for the gentleman to listen to this one—used a variety of pressure tactics to entice opposition, Members of Parliament, to defect to KANU, and by year's end six opposition Members of Parliament had done so. As a result, there were 10 by-elections including two forced by the death of two members of Parliament.

During the seven by-elections held in June, last year, there were credible reports that government and KANU officials bribed voters, purchased voters' cards, forcibly removed an election observer from a polling station. There was also violent incidents at public rallies prior to the June elections involving both opposition and KANU's reporters. Street skirmishes between supporters of contending parties also broke out on the day of two by-elections in October. A U.S. Embassy observer witnessed an assault in front of a polling station on a FORD–A candidate, who was later hospitalized. The assailant, who struck the candidate to the ground with repeated blows as armed police looked on, came to the polling station in a convoy of vehicles escorting the KANU Secretary General.

I wonder what President Moi has to say about that following the announcement of October's election results in which two opposition candidates won parliamentary seats. Fights again erupted resulting in the death of at least six people.

Another round of by-elections were held in January 1995—were to be held following the high court's decision in November that nullified opposition majorities, victories, in two 1992 parliamentary elections.

□ 1315

It appears that in Kenya, if you do not win at the ballot box, then they control the supreme court and you will win there and get rid of the opposition that way. The court overturned the result of one election because the opposition winner had allegedly administered tribal oaths to supporters, although the decision was based on contradictory testimony given by witch doctors.

Although there are no legal restrictions on participation of women and minorities in politics, the role of women in the political process, nonetheless, remains circumscribed by traditional attitudes. In 1994 there were six female members of parliament, no female cabinet ministers, and one female assistant minister. Within the political opposition, women figure most significantly in the Democratic Party, where 25 percent of the party's national office holders are women.

Mr. CALLAHAN. Mr. Chairman, I rise in opposition to the amendment.

The CHAIRMAN. The gentleman from Alabama is recognized for 15 minutes.

Mr. CALLAHAN. Mr. Chairman, I yield 2 minutes to the gentleman from Missouri [Mr. EMERSON].

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

Mr. EMERSON. Mr. Chairman, I thank the distinguished chairman of the subcommittee for yielding time to me.

Mr. Chairman, I rise to strongly urge my colleagues to vote against the Volkmer amendment. I want to address the issue raised in this amendment by speaking primarily from experiences I have personally gained through my involvement with our programs providing basic humanitarian assistance.

This amendment is counterproductive. In my judgment, it does not honor what has been a long-standing and supportive relationship between the governments of Kenya and the United States.

Speaking from personal experience, I recall having first met President Moi during a 1984 trip with the late Mickey Leland to address the famine relief operations in drought-stricken Ethiopia. Moi and his Government were entirely responsive to our requests that relief into Ethiopia be headquartered in Kenya. It was my experience then, as it

has been consistently since, that President Moi and his Government, for over a decade, have provided first-rate cooperation in meeting the requests of the humanitarian community, in including ours, as it mounts emergency relief operations within the Greater Horn of Africa.

As many of my colleagues concerned with humanitarian issues know, almost all national and multinational humanitarian relief organizations working in the region have retained their headquarters in Nairobi for many years. Kenya consistently has welcomed the humanitarian community and has afforded it the necessary political environment as well as dependable communication and logistical capabilities needed to do its work. Our operations providing emergency food and basic medical care in Somalia and to the refugees of Rwanda have all been headquartered in Nairobi.

Many of you are aware of Operation Lifeline Sudan through which the United Nations has airlifted food relief into southern Sudan to the victims of the decades-long Sudanese civil war. Begun in 1989, this life-sustaining operation could never have been possible, not to mention sustained, if Kenya had not consistently granted permission to the U.N. to base its operations within Kenya at a place called Lokichokio, just inside its border with Sudan. The border proximity of Lokichokio has made an airlift viable in terms of cost and flying conditions. With Kenya's unfaltering help, thousands of Sudanese lives have been saved.

Kenya has demonstrated its commitment to being a responsible member of the international community in other ways as well. For example, Kenya is the second largest contributor of peacekeeping troops in Africa, after Ghana. Kenya peacekeeping troops continue to assume significant roles in Iraq and Bosnia.

We must give full measure to the fact that Kenya has been a staunch supporter of the United States. For over a decade, with no questions asked, Kenya has always agreed to United States military requests to use Kenyan airports, roads, and port facilities. Specifically, during the Persian Gulf war, Kenya provided important logistical support to the United States military, and kept its critical facilities opened to support our military operations, with no questions asked.

This amendment aims to punish Kenya. Yet, to my mind, Kenya has been and continues to be one of the most valuable United States allies in Africa.

I am particularly concerned about the potential consequences of the Volkmer amendment because it comes at a time when we currently are renegotiating the access agreement. How irresponsible our Government would appear should we pass the Volkmer amendment while in the same breath request Kenya to continue to allow our military their free access to its ports, airports, and roads which it has enjoyed for more than a decade. It is incredibly irresponsible for such a proposal to even be put under floor consideration.

This amendment alleges that Kenya denies its citizens the right to free and fair elections. Yet, the facts show that Kenya is one of a handful of countries in Africa that kept a relatively open political system in an era where most countries opted for Marxism and Leninism. Since gaining independence in 1962, Kenya has held competitive elections six times, a record very few African countries can match.

In the recent 1992 general elections eight candidates competed for the presidency. President Moi won because the opposition was unable to unite behind one candidate and was deeply divided along ethnic lines. These opposition parties are now actively engaged in Kenya's parliament. And, I contend that our aim should be to encourage these opposition parties in their reform efforts rather than attempting to punish the entire country through a distorted review of an election which is by now 3 years old.

I say we should be supportive of such a strategic ally as Kenya has consistently been to us. Rather than punish her unfairly by threatening to cut this modest amount of $18 million aid, I urge this body to properly evaluate our long-standing and significant relationship with Kenya. Far better that we do not vote to diminish our valuable relationship with Kenya by inaccurately inflicting a punishment or threatening the embarrassment of requiring a presidential waiver. Rather, our vote should be to clearly support an even more active relationship, promoting more direct involvement both politically and economically, between our two countries.

I strongly urge my colleagues to vote against the Volkmer amendment.

Mr. CALLAHAN. Mr. Chairman, I yield 2 minutes to the gentleman from Texas [Mr. WILSON], the ranking member of the subcommittee.

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

Mr. Chairman, I would point out to all of my colleagues that the subcommittee has already cut assistance to Africa in general by 50 percent. That will, of course, affect Kenya. The gentleman's amendment relates human rights to the ability to receive funds in Kenya, and I submit that is a standard that could not be met by many other countries in Africa, and, indeed, many countries around the world.

I would add to what the gentleman from Missouri [Mr. EMERSON] said about Kenya being an important staging area for humanitarian relief into other countries in Africa, and certainly it has been an important staging area for our operations in Somalia, as well as other African countries. Mombasa is a very important logistics center for the United States.

We should continue to work with Kenya to improve its human rights record, but certainly this is an ill-advised amendment. We should not sever relations. We should certainly not have the funding cut off at this time.

Mr. CALLAHAN. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from New York [Mr. GILMAN], the chairman of the Committee on International Relations.

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

Mr. GILMAN. Mr. Chairman, I join with the gentleman from Alabama, Chairman CALLAHAN, in opposing this amendment.

Nevertheless, I am sympathetic to the concerns expressed by Mr. VOLKMER. The Government of Kenya's respect for human rights is, at best, erratic. Lately, the use of ethnic clashes—encouraging violence between different ethnic groups—has been a sad characteristic of the Moi regime. Under President Moi, the Government of Kenya has repressed political activities, the freedom of speech and other basic civil rights. This is the inevitable result of a government that does not have the support of a majority of the population.

But we must also look at the positive side of Kenya. For all of its faults, the Moi government held elections in 1992. But for the division of the opposition into competing parties, there would be a different government in Kenya today. In addition, Kenya has made a number of important and difficult economic reforms that we and other donor nations have encouraged.

Our assistance program reflects both the good and the bad in Kenya. Permit me to remind the gentleman from Missouri [Mr. VOLKMER] that in response to human rights abuses, we have reduced our assistance from $34 million in 1990 to $18 million next year. This level of assistance allows us to remain engaged in Kenya and to help bring reformist elements to the fore.

Mr. Chairman, the United States has had a strong bilateral relationship with Kenya for many years, including during the cold war. We have cooperated with Kenya on a number of issues, from military base rights to humanitarian relief efforts in the Horn of Africa. While Kenya's human rights record has deteriorated recently, I do not believe that we should disengage from Kenya at this time. Kenya has strongly supported our Navy's deployments to the Persian Gulf and for that I must oppose the Volkmer amendment.

Mr. CALLAHAN. Mr. Chairman, I yield 2 minutes to the gentleman from Florida [Mr. JOHNSTON].

Mr. JOHNSON of Florida. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I want to compliment the gentleman from Alabama [Mr. CALLAHAN]. I went to him 2 weeks ago at the conclusion, when we buttoned down then, and told him what an incredible job I thought he and the ranking member were doing under a lot of strain here. The gentleman felt it ironic that two out of four amendments were cutting Africa. I felt it ironic that the Committee on Rules authorized only four amendments, half of which cut money from Africa.

I have visited Kenya, talked to Moi. The election in 1992 was not perfect, but it at least gave them a chance to vote there. In Nairobi I had an opportunity to meet all the factions in southern Sudan which were killing each other down there. It was set out by the Kenyan Government there.

I strongly oppose the amendment proposed here, for a lot a different reasons, but the government has started

auditing their banks and things of that nature. While I was there they closed down one of the newspapers. They allowed me to approach and talk to the attorney general of that country and complain.

The gentleman from Missouri, Mr. EMERSON, and the ranking member, the chairman of the committee, Mr. GILMAN, mentioned the fact of what we did in Somalia through Kenya. I visited a refugee camp in Mombasa, where there were 50,000 Somalians, and they were principally there at the behest and at the consent of the Kenyan Government.

The Development Fund for Africa does not spend that much money in this country, and there was already a cut to $18 million from $34 million. Finally, I would like to point out that only 6 percent of the money goes to the government. The rest of it goes to NGO's and PVO's. And I strongly recommend that we seriously consider our future in this country, the fact that it has helped us in the adjoining countries, and the fact they are making some progress, though small I would admit, but I think they are making some progress. To cut them off now I think would be counterproductive.

Mr. Chairman, I strongly oppose the amendment.

Mr. CALLAHAN. Mr. Chairman, I yield myself such time as I may consume. I also am opposed to the amendment.

Mr. Chairman, let me start off by saying that everyone in this Chamber and everyone in this Congress, if not everyone in this country, is concerned about human rights violations throughout the world. Some come before us and talk as if we are not concerned about that when they offer these amendments.

Let me assure you that we are all just as concerned as the gentleman from Missouri [Mr. VOLKMER] about the possibility of any human right violations anywhere. So this is not the issue. The issue is whether or not we are going to tell Kenya that we disagree with what they have been doing with respect to improving the position of human rights violations.

Mr. Chairman, let me say that the Department of State has contacted me as late as this morning and they say to me, ''We object to the amendment that would prohibit aid to the Government of Kenya because it denies its citizens the right to free and fair elections. While we share Congress' concern about Kenya's human rights record, much of our assistance is directed to projects to improve Kenya's human rights performance, including its electoral practices. Passage of this amendment would undercut our efforts to build democratic institutions and promote good government. This amendment would also adversely affect our ability to use international military educational training funds to train the Kenyan military as a political force that has not yet been implicated in any human rights violations there.''

So let me just say there is going to come a time in the future when we need Kenya once again, when we are faced with a situation like in Rwanda or Somalia, and we are going to have to utilize the bases and help that Kenya provides to the United States and to other areas that are just as concerned about human rights violations as the gentleman.

Mr. Chairman, let me also say that this money, most of this money, that is not earmarked but that would be approved for Kenya, does not go to the Government of Kenya. It goes toward the humanitarian needs of the people of Kenya.

So while I appreciate where the gentleman is coming from with respect to his concerns of human rights, this is not the issue. I certainly take a back seat to the gentleman with respect to his knowledge of international affairs. I know that he is well informed and well read on that. I know of his personal concerns about Kenya. But I would respectfully submit once again that the gentleman go back to basic civics and understand that the people of this country elected President Clinton as President of these United States.

I did not vote for him, but he is my President, and the Constitution tells to the President, you select the Secretary of state that you think is the best person to run all of our international affairs, all of our foreign policy. He selected Mr. Christopher, and I think Mr. Christopher has done a tremendous job. I am a great admirer of his.

So I did not vote for the President, thus Mr. Christopher would not have been there if my candidate had won. But we have a responsibility to the President because he is the President of the United States, and the charge that the American people have given him includes an effective and humanitarian foreign policy. I think he is doing the best he can do, and I think to hamstring him further will be a tremendous mistake.

So I would respectfully request that we vote against this amendment, that we adhere to the request of the President and we adhere to the request of the Secretary of State, and recognize that we are also helping the people of Kenya.

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

Mr. ACKERMAN. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I regrettably rise in strong opposition to the amendment offered by my good friend and colleague, the gentleman from Missouri [Mr. VOLKMER]. Simply put, this is an unhelpful amendment proffered at the wrong time. While I can understand the gentleman's motivations, I certainly cannot agree with the approach.

Yes, Kenya's human rights record is blemished. Yes, democratic principles have not completely taken root there. And, yes, they have a long way to go before they achieve a full-fledged free market economy. Yes, we must continue to work to improve the situation there. However, by adopting this amendment, we will do serious damage to the important relationship between the United States and Kenya.

In the past few years we have seen unsteady progress in human rights, but in a telling sign, the press has remained sufficiently free, and that has been a consistently critical voice of dissent against the government. Whereas in years past we have overlooked Kenya's human rights violations, as we did similarly with other countries in order to keep their support during the cold war, we no longer tolerate these violations.

In fact, our assistance program has built in performance-based budgeting systems, and aid to Kenya has actually decreased over the past several years. Not only has development aid to Kenya dropped from $34 million in 1990 to $18 million today, but only 6 percent of this aid now goes through government channels.

There is no doubt that Kenya still has a long journey toward fulfilling democratic principles and we should continue to press for improvements in individual freedoms and human rights, but we must also keep in mind our overall relationship and Kenya's key role in the region as well as the loss of influence which will occur if we eliminate all government-to-government aid.

□ 1330

I stand prepared to work with the gentleman from Missouri [Mr. VOLKMER] in pressing for future and further reforms, but cutting off all aid to this government would eradicate the remaining lever we have preserved through a very small amount of aid, 6 percent of our DFA funding which is funneled through the government.

I urge our colleague to consider withdrawing this amendment. And in the absence of that, I urge its defeat.

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

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

Mr. Chairman, I think that everybody should read the amendment because the opponents talks like we are cutting off all aid. The gentleman from Alabama, he is correct, I agree with him completely, that the President should run the foreign policy. I think we should have some input into that, but basically it is up to the administration to do so.

The amendment, the last phrase of the amendment says, ''This section may be waived if the President determines such a waiver is in the United States national interest.''

I do not see how you can make it anymore easy for him to say, no, we

are not going to do this. That is all he has to say. So it really does not really cut off anything, as long as the President says we need to do it. I think that is probably what the President would do.

Basically what this amendment is attempting to do, and I think the gentleman from New York and maybe the gentleman from Florida really caught it better than anybody else, I am just trying to tell President Moi, the people of Kenya, especially the Kanu party, that, hey, let democratization take place, that as we have shown in this country, you do not have to have one party rule for the rest of your life for a country to survive, for a country to persevere.

As long as the people of the country work within the constitution that provides for a process in which you have a government continuation, as we have in this country, they could have the same thing in Kenya and other places in the world, that you do not have to use physical force and violence perfected by the Government and controlled to stymie, to stifle opposition. That you should actually, for the good of the country, permit that opposition to speak, to be able to gather, to be able to discuss, to be able to vote, to elect whoever they want to elect. That is up to them to decide. That is the voters' choice and the voters should be supreme in any nation as they are in this Nation. That is basically what I am trying to send a message.

I know that the country of Kenya has done well, as far as facilitating the supplies that are necessary for humanitarian relief in that part of Africa. I want to commend them on that. I want to thank them for that. But I want to tell them also, hey, wake up. President Moi, you do not have to be president forever. You are not going to be forever. I will guarantee you, you will not be forever. Somebody else is going to be president. Why do you not make it so that when that transition does come about that there is not the big breakup within the country as we have seen in other countries where one person tries to be the strong man and control it all himself. I think that you should be able to say, hey, there is somebody else in this country that can do this job, too.

Mr. JOHNSTON of Florida. Mr. Chairman, will the gentleman yield?

Mr. VOLKMER. I yield to the gentleman from Florida.

Mr. JOHNSTON of Florida. Mr. Chairman, this is a friendly observation, and I thank the gentleman for yielding to me.

In the previous amendment on Ethiopia, I made a commitment to the gentlewoman from Texas [Ms. JACKSON-LEE] that I hoped to be in Ethiopia and in Kenya in 3 weeks and that I would hand deliver a letter jointly by her and me to president Meles. I would make the same commitment to the gentleman that he and I sit down and draft out a letter to President Moi, which I will hand deliver to him, giving him my concerns but principally the gentleman's concerns.

Mr. VOLKMER. Mr. Chairman, I thank the gentleman very much. I will be glad to do it.

Mr. Chairman, I ask unanimous consent to withdraw the amendment.

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

There was no objection.

The CHAIRMAN. It is now in order to consider amendment No. 4 printed in House Report 104–167.

AMENDMENT OFFERED BY MR. SMITH OF NEW JERSEY

Mr. SMITH of New Jersey. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. SMITH of New Jersey: Page 20, line 25, strike the semicolon and all that follows through ''Code'' on page 21, line 5.

Page 21, line 7, strike the final comma and all that follows through line 9 and insert the following:

: *Provided*, That none of the funds appropriated under this heading shall be available for salaries and expenses of personnel assigned to the bureau charged with carrying out the Migration and Refugee Assistance Act.

The CHAIRMAN. Pursuant to the order of the House of today, the gentleman from New Jersey [Mr. SMITH] will be recognized for 15 minutes, and a Member opposed will be recognized for 15 minutes.

The Chair recognizes the gentleman from New Jersey [Mr. SMITH].

Mr. SMITH of New Jersey. Mr. Chairman, I yield myself such time as I may consume.

This amendment is designed to achieve several simple but important goals. First, it erects a firewall to ensure that money in the refugee assistance budget will be used for protecting refugees, not for general operating expenses at the State Department, which are adequately funded elsewhere.

Second, it avoids a back-door $12-million cut in the refugee assistance budget. We were very proud, in the Subcommittee on International Operations and Human Rights, to have been able to hold a few programs level with last year. One of those was child survival. And I am very pleased that the Subcommittee on Foreign Operations, Exporting Financing and Related Programs of the Committee on Appropriations has likewise looked to protect this important program. Another was refugee assistance. It was not easy, and I think we all know in these times of deficit reduction, holding anything harmless is very, very hard. But it was done.

Third, my amendment would avoid a corresponding $12-million back-door increase in the general operating budget for the State Department for which, again, we have authorized adequate funds. There is no need for the State Department to raid the refugee budget to pay its operating expenses. It already has $2.1 billion in the two largest operating accounts alone.

Under current law, the PRM Bureau gets its salaries and expenses from these accounts just like every other bureau in the State Department. The State Department operating accounts have not taken the steep cuts that the operating budgets of USIA or AID and other agencies have taken.

Finally, the refugees really do need the money more than the bureaucrats.

Let me cite three examples. In the current fiscal year at the height of the Rwanda refugee crisis, UNHCR found it necessary to reduce food rations in the camps that were holding Rwandan refugees. This was because the World Food Program had run out of food. The UNHCR said it had no money to pay for the food program, in large part because the State Department said there was not enough money in the refugee account to make a contribution for this purpose.

Surely an extra $12 million, perhaps even a smaller amount, would have made it unnecessary to cut those rations.

In Thailand, the State Department decided to shut down an English-language school for the Hmong refugees in order to save money. This will make it more difficult for these refugees to assimilate in the U.S., if they are resettled here. Shutting down the language school may also have had the effect of encouraging the Thai Government in its belief that the United States is not serious about accepting those people.

Finally, in the refugee centers in Croatia that hold victims of ethnic cleansing from Bosnia, the facilities are inadequate and the screening process is slow and it is erratic. Thousands of people have been in these centers for years. The United States claims it cannot find more than a handful of refugees who are eligible for resettlement. Refugee advocates point out that if you cannot find genuine refugees in Bosnia, we will never be able to find them anywhere else in the world. Many of these people can never go home. Their villages have been destroyed. Their families have been massacred. We have been unable or unwilling to commit the resources to do the job right.

Mr. Chairman, we all know we cannot solve all of the world's problems. There are over 40 million refugees and displaced persons in the world. We cannot accept more than a tiny number of them here in the United States, but we can at least keep our priorities right.

In this case, those priorities are so obvious that my amendment has been endorsed by human rights organizations as diverse as the U.S. Committee for Refugees, the Lutheran Immigration and Refugee Services, the U.S. Catholic Conference, the Council of Jewish Federations, the Christian Coalition and the Family Research Council.

The refugee budget has already absorbed real cuts this year, Mr. Chairman, both from inflation and from the dramatic decrease in the value of the dollar against European currencies. The money they are spending this year will buy 15 percent to 20 percent less overseas, less protection, less food, less water, fewer sanitary facilities than the same amount that we spent last year.

We could not afford to raise the refugee budget not even to keep our own spending power even with last year. My amendment, let me remind everyone, does not add a penny to the budget. It simply prohibits a back door transfer that would fund $12 million of spending here in Washington, DC.

I hope Members will vote ''yes'' on this pro-refugee, pro-fiscal responsibility amendment.

Mr. Chairman, I include for the RECORD the following letter:

U.S. COMMITTEE FOR REFUGEES,
Washington, DC, June 21, 1995.

Hon. CHRIS SMITH,
Chairman, House International Relations Subcommittee on Foreign Operations, House of Representatives, Washington, DC.

DEAR MR. SMITH: This letter is to inform you and your colleagues of our strong support for your proposed floor amendment that would prohibit using the Migration and Refugee Assistance (MRA) account to pay for the State Department's general salaries and administrative expenses.

The Foreign Operations Appropriations bill, H.R. 1868, would, as currently written, use $12 million of MRA funds to pay for salaries and expenses. This would be a damaging change from current law and would effectively result in a $12 million reduction in direct assistance to refugees. Your amendment would wisely retain current law, which allows all MRA expenditures to go toward programs, and pays for salaries and expenses by drawing from the Diplomatic and Consular Programs account.

Your amendment would prevent a backdoor cut in U.S. assistance to the world's 16.2 million refugees. H.R. 1868 should be amended. We wholeheartedly endorse your amendment and urge other Members to give it bipartisan support on the House floor.

Sincerely,

ROGER P. WINTER,
Director.

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

Mr. CALLAHAN. Mr. Chairman, I rise in opposition to the amendment.

The CHAIRMAN. The gentleman from Alabama [Mr. CALLAHAN] is recognized for 15 minutes.

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

Mr. Chairman, again, while I know what the gentleman from New Jersey wants to do, he wants to provide more money for the refugee assistance program, and we all do.

However, what he is saying in his amendment is that we do not want to provide out of the allocation of this appropriation bill any money to the program. Instead, he wants to transfer the administrative cost over to the State Department's jurisdiction, under the funding jurisdiction of the gentleman from Kentucky [Mr. ROGERS].

I am afraid that what the gentleman is doing is possibly just the opposite of what he intends to be doing with respect to the refugee funding program. The State Department may not be able to fund any of the $12 million because the State Department will not have the money or the authorization to administer the program.

I know where the gentleman is coming from. I know what the gentleman wants to do. But I am afraid also when we get into this jurisdictional problem through floor amendments, it is going to cause problems in the future. I know that the gentleman from Kentucky [Mr. ROGERS] has some concerns about that. He is going to speak to it in just a few minutes.

So while we all would like to do what the gentleman from new Jersey wants to do, transferring the responsibility of administering the refugee program to another appropriations subcommittee is not the right thing to do.

Mr. Chairman, I yield 5 minutes to the gentleman from Kentucky [Mr. ROGERS].

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

I share the gentleman's sentiments. I know that we both agree with the gentleman from New Jersey [Mr. SMITH], the sponsor of the amendment, emotionally, in that we want to provide as much aid as we can. However, I think this amendment is counterproductive in that we have already cut the State Department personnel account furiously. As a matter of fact, the administration's request would have required a reduction of 350 people from the State Department's personnel accounts and the closing of 21 posts around the world. That was before we got hold of it.

Our markup of the State Department accounts reduced the President's request another $40 million. And we are looking at double the proposed reductions. So if you want to administer this refugee and migration account, it ought to be done internally, because we just do not have the resources in the State Department to manage that kind of an operation. Neither do we have the authorization.

So I would hope that the gentleman would reconsider his amendment because, if it is successful, the only other place that the salaries and expenses to run this program could come from would be out of the State Department regular accounts; and we have already slashed them unmercifully and perhaps there is even more to come.

The amendment would transfer the costs of 90 employees from where they are now to the State Department to an account that is already requiring reductions of five times that number of people. The money is not there. It was not requested there. It was not appropriated there. And there is no room there for anything more.

So I would say to the gentleman from New Jersey, that if we want to ensure that there are enough people to run the migration and refugee program, we ought to leave the funding right where it is, in the program account, under the jurisdiction of the subcommittee whose bill is before us today. Otherwise, there may be a well-funded program but nobody to run it.

So I support the chairman of the Foreign Operations Subcommittee, the gentleman from Alabama [Mr. CALLAHAN]. I commend him for looking out as well as he has for the refugee programs, and I would hope that we would reject this amendment.

Mr. CALLAHAN. Mr. Chairman, I yield 2 minutes to the gentleman from Wisconsin [Mr. OBEY], the ranking member of the full committee.

□ 1345

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

I would like to follow up and express my agreement with the comments just made by the gentleman from Kentucky. Let me simply say, Mr. Chairman, that I think everyone on this floor is concerned about decent treatment of refugees. Certainly everyone in the subcommittee has demonstrated that over a lifetime.

However, I do want to suggest that there is a certain aspect to this amendment that bothers me, because what it in essence is saying is, ''Look, let us take in every possible refugee.'' But when it comes to actually paying for the administration of those programs, they expect somebody else to perform a magic loaves and fishes miracle in order to produce the resources to run those programs in an efficient way. In the real world, things do not work like that.

It just seems to me that whether we are asking the State Department to perform miracles with no resources, or whether in fact we are asking local communities who we have largely abandoned to take refugees without having the Federal Government meet its fair share of the cost for retraining and educating and resettling those refugees so that the full burden does not fall on local taxpayers, we have the same sort of unreality here.

Therefore, Mr. Chairman, I understand that the gentleman is going to accept the amendment. I understand why. However, that does not mean that this amendment does not have significant problems, both in equity and in practicality. I would say we are going to have to do a lot of work in conference to fix it up, because frankly, in its present form, I simply do not agree with it.

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

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

Now that the chairman has resolved the issue of the Smith amendment, I thought I would take a moment to once again commend him for his leadership in bringing this bill to the floor, working with our ranking member, the

gentleman from Texas [Mr. WILSON]. It was, indeed, very encouraging to hear in the course of the debate on this bill, which was a long debate, an overnight debate on the strong commitment to human rights expressed in this House of Representatives.

I also want to point out to our colleagues, Mr. Chairman, as we move to vote on the bill in another couple of motions, that the United States, with all this talk about our foreign aid, the United States gives .2 percent of our GDP to overseas development assistance. We rank 21st of the donor countries, behind countries including Portugal and New Zealand.

Mr. Chairman, I think in some ways our country must examine our priorities. I think in certain ways we are abdicating our responsibilities to promoting freedom and raising the living standard of people throughout the world. However, I do say that while commending our chairman for doing the good job that he did with this legislation.

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

Mr. SMITH of New Jersey. Mr. Chairman, I yield such time as he may consume to the gentleman from California [Mr. BECERRA].

Mr. BECERRA. Mr. Chairman, I thank the gentleman from New Jersey for yielding time to me.

Mr. Chairman, let me join with the gentleman from New Jersey [Mr. SMITH] in urging Members to vote for this particular amendment. What we are trying to do with this amendment is provide $12 million that was already allocated for refugee and migration assistance and make sure it goes for that particular purpose, to fund program expenses, not to fund salaries and not to fund administrative costs out of monies that should be spent for programming.

The biggest problem we have sometimes in Congress is making sure that the money we allocate is spent the way it was meant to be spent as it came out of committee. What we would have here, with the way that the bill currently is drafted, is money going not for programs, when it is earmarked for programs, but to pay for salaries and expenses. It may even be spent on salaries and expenses for people who do not even work on refugee and migration assistance issues.

It is $12 million. The State Department has over $2.1 billion to pay for staff and administrative expenses already. This $12 million would be taken from the program accounts for refugee assistance and would do great damage to a program that is already underfunded to try to help the refugees throughout this world.

There is no country that has been more generous when it comes to trying to help refugees in this entire world than the United States. We should not do it more harm by taking away $12 million to pay for things that do nothing to help the people that we are saying in the bill that we are going to try to do. The refugee assistance account needs the $12 million that would be cut so we can provide the assistance.

We should not let a back door attempt to get money to pay for salaries and expenses be used to try to fund further State Department salaries. We should make sure that the monies go where they are supposed to go, program funding for programs, not for administrative salaries and expenses.

Mr. Chairman, I would urge the Members to consider the Smith amendment as one that just repeats what we have said we want to do, not an authorization bill for foreign assistance. What we should be saying in our appropriations bill, that when we allocate money, do what we say we are going to do. If Members say they are going to give money to refugees and migration assistance, give it to refugees and migration assistance, they should not do a back door end around and give it to administration and salaries instead and say that they are giving it to refugees.

I urge Members to support the Smith amendment.

Mr. SMITH of New Jersey. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I thank the gentleman from California for his very fine statement. I urge Members to support this amendment. I think it is very pro refugee. As the gentleman pointed out, there are over $2 million in operating expenses for salaries for the State Department. We held seven hearings in my subcommittee. A portion of those hearings were looking at precisely that very point. There is room there, believe me, to fund the salaries and expenses of the PRN Bureau as there is using those proper spigots to fund the other bureaus and not take it away from the refugees, which again we tried to hold harmless.

I hope this amendment, if passed, will survive in conference, because again we are awash in refugees, and I think we need to recognize this is a modest effort we are making, and there is nothing above and beyond in preserving this $12 million.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New Jersey [Mr. SMITH].

The amendment was agreed to.

Mr. MARKEY. Mr. Chairman, I rise today to express my support for development aid for Africa, and to register my concern over the deep cuts in development assistance to that continent that are being considered as part of current proposals to cut foreign aid. For example, H.R. 1561, the American Oversees Interests Act, cuts funding for the development fund for Africa [DFA] by over $170 million from the $802 million requested by the administration for this important program. As we continue to review our foreign assistance budget, DFA stands to lose even more of its funding. Curtailing assistance to Africa—aid that has saved lives, promoted democracy, and created hope—is a bad decision.

Since its inception, United States development aid to Africa has been a foreign policy success story. The DFA, funded at less than one-tenth of 1 percent of the U.S. budget, has helped bring about great change. Since the 1960's, infant mortality rates in Africa have fallen by one-half, average life expectancy has risen by 17 years, and more than 24 countries on the African continent have graduated from foreign aid dependents to U.S. trading partners.

Yet still more than half of Africa's population—54 percent—lives in abject poverty, and as high as that number is, it is projected to grow by 50 percent by the turn of the century if African development efforts are deserted. If we abandon this cost-effective and successful program, our conflict resolution efforts, microenterprise, agriculture, and health care projects will be undermined. Forsaking the sustainable development programs that have made such a difference in the lives of Africa's poor and hungry will open the gates for hopelessness and despair to come rushing right back in.

Assistance to Africa enjoys widespread support among Americans. Two-thirds of the American people believe that the United States has a moral responsibility to help indigent nations. Over 60 percent deem it in our economic interest to aid developing countries. And over 75 percent feel we have a responsibility to aid starving people regardless of whether other foreign policy objectives will be promoted in the process.

Now, one sentiment that my colleagues are well aware of is the public's view that our Nation spends too much money on foreign aid. In a public opinion poll conducted in January 1995, participants asked to estimate the share of the Federal budget devoted to foreign aid responded, on average, that 15 percent of the budget went overseas. When asked what they thought the percentage should be, the average answer was 5 percent, and when informed that foreign aid amounts to less than 1 percent of the budget, fewer than 20 percent still thought we were spending too much.

The reality is that less than one-tenth of 1 percent of the Federal budget is spent on foreign aid to Africa. The reality is that U.S. exports to developing countries have more than doubled in the past decade, and that every additional $1 billion in exported goods creates an estimated 20,000 U.S. jobs. The reality is that the bulk of the money we budget for foreign aid is actually spent on goods and services in the United States. The reality is that assistance promoting self-help development and crisis prevention is cost-effective. And the reality is that a stronger Africa is in the long-term interests of America. I agree that we need to balance the budget. But balancing it on the backs of Africa's impoverished is clearly not the way to do it.

Mr. Chairman, we have a chance to help Africa become a self-sufficient, prosperous, democratic continent. We have the opportunity, we have the ability, and we have the moral obligation to do so. Let us rise and meet the call.

Mr. WALSH. Mr. Chairman, I rise today in strong support of the initiative the House has approved against expropriation in the Dominican Republic in the report accompanying H.R. 1868, the fiscal year 1996 foreign operations appropriations bill.

This initiative grew specifically from an egregious expropriation executed by the Dominican Republic's military in April 1994 against Western Energy, Inc. Western Energy is a United States company that was then operating an important liquid petroleum gas facility in the Dominican Republic, and operates a similar facility in my district.

The expropriation of Western Energy's property was clearly premeditated, and, I understand, in total disregard of specific Dominican contractual procedures for dispute resolution and without any opportunity for Western Energy to be heard or defend itself. The loss is very substantial for the company, but efforts to resolve the situation have thus far been unavailing.

Mr. Chairman, if the initiative the House has approved does not lead to a resolution of the expropriation Western Energy has suffered, then I urge my distinguished colleagues to support further steps to achieve that objective at the earliest opportunity. The United States must not tolerate expropriation of United States property in the Dominican Republic, and around the world.

Mrs. COLLINS of Illinois. Mr. Chairman, I rise in opposition to one more in an inevitable series of highly restrictive rules that have plagued this 104th Congress since its inception under the new Republican majority, the new rule governing debate on H.R. 1868, the Foreign Operations Appropriations for fiscal year 1996. I rise once again to accentuate what is increasingly evident to anyone watching the proceedings of this body over the last 6 months—accountability and democracy have once again become captive to the irrational, frenzied efforts of the Gingrich army to shove legislation through this House for no apparent reason.

Despite the fact that several Members on both sides of the aisle would like to have the opportunity to offer additional amendments to this disastrous piece of legislation, the new rule before us allows only four amendments, debateable for 20 minutes, and bars all others. The last I checked, Mr. Speaker, this was still the United States Congress, the outpost of free speech and open debate. Does the new majority want to turn it into Tiananmen Square? If they keep up these rules, they'll certainly continue to encounter vehement objects from myself and my Democratic colleagues.

I urge my colleagues to stand by the historically democratic processes of this institution and this Nation, vote against this rule, and work to end the outrageous tape over the mouth tactics of those on the other side of the aisle.

Mr. SMITH of Michigan. Mr. Chairman, I rise to address the issue of corporate welfare. As we eliminate the fat from the federal budget, we should recommit ourselves to making sure all projects and programs are closely examined—not just the politically easy ones.

The Export-Import Bank (Eximbank) subsidizes loans and loan guarantees to American exporters. These corporate welfare subsidies have been appropriated $787 million for 1996.

The experts agree; Eximbank should be abolished.

The Congressional Budget Office makes the following observation:

Eximbank has lost $8 billion on its operations, practically all in the last 15 years;

Little evidence exists that the bank's credit assistance creates jobs;

Providing subsidies to promote exports is contrary to the free-market policies the United States advocates.

The Congressional Research Service writes that:

Most economists doubt that a nation can improve its welfare over the long run by subsidizing exports;

At the national level, subsidized export financing merely shifts production among sectors within the economy, rather than adding to the overall level of economic activity;

Export financing subsidizes foreign consumption at the expense of the domestic economy;

Subsidizing financing will not raise permanently the level of employment in the economy. . . .

The Heritage Foundation recommends Congress ''close down the Export-Import Bank.''

Heritage further states:

Subsidized exports promote the business interests of certain American businesses at the expense of other Americans;

Little evidence exists to demonstrate that subsidized export promotion creates jobs—at least net of the jobs lost due to taxpayer financing and the diversion of U.S. resources into government-favored export activities at the expense of non-subsidized businesses.

According to Heritage, phasing out subsidies will save 2.3 billion over 5 years.

The Director of Regulatory studies at the Cato Institute calls the subsidy activity of Eximbank ''corporate pork.'' He stated, ''Even in the face of unfair international competition, the U.S. government doesn't have a right to use tax dollars to match equally stupid subsidies.''

Eximbank's financial statements show that the bank has paid $3.8 billion in claims from 1980 to 1994. These dollars paid off commercial banks who couldn't collect from foreign borrowers. American taxpayers took the hit.

Export financed by Eximbank actually hurt competitive U.S. exporters not selected for subsidies. The bank chooses winners and losers in the economy. The only winners are selected foreign consumers and selected U.S. corporations.

The Eximbank is a prime example of corporate welfare. The majority of Eximbank subsidies go to Fortune 500 companies that could easily afford financing from commercial banks:

Boeing—over $2 billion worth of loan guarantees

McDonnell Douglas—$647 million

Westinghouse Electric—$491 million

General Electric—$381 million

At&T—$371 million

To raise funds for its lending and guarantee programs, Eximbank puts additional pressure on Treasury borrowing, driving up interest rates for private borrowers. That's all of us. From a corner barbershop wanting to expand to a young family trying to finance their first home. We all pay the price.

Sadly, there's more.

Eximbank appears to have wasted money on frivolous items as well. After 50 years with the same agency logo, Eximbank decided it needed a new one. Designing a new logo—including creation, copyright search, and the redesign of bank brochures and literature—cost nearly $100,000 last year.

And in 1993, Eximbank spent $30,000 to train 20 employees how to speak in public—including chairman Kenneth Brody. An outside consultant was paid $3,000 a day for this task.

Mr. Chairman, I believe government shouldn't choose winners in the economy. With Eximbank, the big winners are foreign consumers, large corporations and professional speech coaches. The losers are American taxpayers.

Mr. Chairman, it's time to derail this gravy train.

The CHAIRMAN. Under the rule, the committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. DREIER) having assumed the chair, Mr. HANSEN, the 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. 1868, making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 1996, and for other purposes, pursuant to House Resolution No. 170, had directed him to report the bill back to the House with sundry amendments adopted in the Committee of the Whole.

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

Is a separate vote demanded on any amendment? If not, the chairman will put them en gros.

The amendments were 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 third time.

MOTION TO RECOMMIT OFFERED BY MR. OBEY

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

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

Mr. OBEY. In its present form, I am, Mr. Speaker.

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

The Clerk read as follows:

Mr. OBEY moves to recommit the bill H.R. 1868 to the Committee on Appropriations with instructions to report the same back to the House forthwith with the following amendment:

Insert at the end of the bill:

''Basic education for children

SEC. . Not more than $108,000,000 under the Agency for International Development Children and Disease Programs Fund may be used for basic education for children.''

Mr. OBEY. Mr. Speaker, this motion to recommit is really in essence a bipartisan motion. I understand it will be accepted by the committee. It simply clarifies that funds for basic education included under the children's fund may only be used for basic education programs for children. Other basic education programs for adults must be funded through other accounts. The motion has bipartisan support, and I would urge adoption of the recommital motion.

Mr. CALLAHAN. Mr. Speaker, we agree with the gentleman.

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

There was no objection.

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

The motion was agreed to.

Mr. CALLAHAN. Mr. Speaker, pursuant to the instructions of the House, I report the bill, H.R. 1868, back to the House with an amendment.

The SPEAKER pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

Amendment:

Insert at the end of the bill:

''Basic education for children

SEC. . Not more than $108,000,000 under the Agency for International Development Children and Disease Programs Fund may be used for basic education for children.''

The SPEAKER pro tempore. 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. Pursuant to clause 7 of rule XV, the yeas and neas are ordered.

The vote was taken by electronic device, and there were—yeas 333, nays 89, not voting 12, as follows:

[Roll No. 482]

YEAS—333

Ackerman
Allard
Andrews
Archer
Armey
Bachus
Baesler
Baker (CA)
Baker (LA)
Baldacci
Ballenger
Barcia
Barr
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Bentsen
Bereuter
Berman
Bevill
Bilbray
Bilirakis
Bishop
Bliley
Blute
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boucher
Brewster
Browder
Brown (FL)
Brownback
Bryant (TN)
Bunn
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cardin
Castle
Chabot
Chambliss
Chapman
Christensen
Chrysler
Clement
Clinger
Clyburn
Coble
Coleman
Collins (GA)
Collins (IL)
Collins (MI)
Costello
Cox
Coyne
Cramer
Crane
Crapo
Cremeans
Cubin
Cunningham
Davis
Deal
DeLauro
DeLay
Deutsch
Diaz-Balart
Dickey
Dicks
Dixon
Doggett
Dooley
Dornan
Doyle
Dreier
Dunn
Durbin
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Ensign
Eshoo
Evans
Ewing
Farr
Fawell
Fazio
Fields (TX)
Filner
Flake
Flanagan
Foley
Forbes
Fowler
Fox
Franks (CT)
Franks (NJ)
Frelinghuysen
Frisa
Funderburk
Furse
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Geren
Gilchrest
Gillmor
Gilman
Goodlatte
Gordon
Goss
Graham
Green
Gunderson
Gutierrez
Gutknecht
Hall (OH)
Hamilton
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hayworth
Heineman
Hilleary
Hinchey
Hobson
Hoekstra
Hoke
Holden
Horn
Hostettler
Houghton
Hoyer
Hunter
Hutchinson
Hyde
Inglis
Istook
Jackson-Lee
Johnson (CT)
Johnson (SD)
Johnson, E. B.
Johnson, Sam
Johnston
Kasich
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kim
King
Kingston
Kleczka
Klink
Klug
Knollenberg
Kolbe
LaHood
Lantos
Largent
Latham
LaTourette
Laughlin
Lazio
Leach
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Lightfoot
Linder
Lipinski
Livingston
LoBiondo
Longley
Lowey
Luther
Maloney
Manton
Manzullo
Markey
Martini
Mascara
Matsui
McCarthy
McCollum
McCrery
McDade
McHale
McHugh
McInnis
McIntosh
McKeon
McNulty
Meehan
Meek
Menendez
Metcalf
Mfume
Mica
Miller (FL)
Mineta
Molinari
Moorhead
Moran
Morella
Myers
Myrick
Nadler
Neal
Nethercutt
Neumann
Ney
Norwood
Nussle
Obey
Ortiz
Owens
Oxley
Packard
Pallone
Parker
Paxon
Payne (VA)
Pelosi
Peterson (MN)
Petri
Pickett
Pomeroy
Porter
Portman
Poshard
Pryce
Quinn
Radanovich
Ramstad
Reed
Regula
Riggs
Rivers
Ros-Lehtinen
Rose
Roukema
Roybal-Allard
Rush
Salmon
Sanford
Sawyer
Saxton
Scarborough
Schiff
Schumer
Scott
Seastrand
Serrano
Shadegg
Shaw
Shays
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Spratt
Stenholm
Stockman
Stokes
Studds
Stupak
Talent
Tate
Taylor (NC)
Tejeda
Thomas
Thornberry
Thurman
Tiahrt
Torkildsen
Torres
Torricelli
Towns
Tucker
Upton
Velazquez
Visclosky
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
Young (AK)
Zeliff
Zimmer

NAYS—89

Abercrombie
Barrett (NE)
Becerra
Beilenson
Brown (CA)
Brown (OH)
Bryant (TX)
Bunning
Chenoweth
Clay
Clayton
Coburn
Combest
Condit
Conyers
Cooley
Danner
de la Garza
DeFazio
Dellums
Dingell
Doolittle
Duncan
Everett
Fattah
Fields (LA)
Ford
Frank (MA)
Gonzalez
Goodling
Greenwood
Hall (TX)
Hancock
Hansen
Hayes
Hefley
Hefner
Herger
Hilliard
Jacobs
Jones
Kanjorski
Kaptur
LaFalce
Lincoln
Lofgren
Lucas
Martinez
McDermott
Meyers
Miller (CA)
Minge
Mink
Mollohan
Montgomery
Murtha
Oberstar
Olver
Orton
Pastor
Payne (NJ)
Pombo
Quillen
Rahall
Roberts
Roemer
Rogers
Rohrabacher
Roth
Royce
Sabo
Sanders
Schaefer
Schroeder
Sensenbrenner
Shuster
Stark
Stearns
Stump
Tanner
Tauzin
Taylor (MS)
Thompson
Thornton
Traficant
Vento
Volkmer
Watt (NC)
Young (FL)

NOT VOTING—12

Foglietta
Frost
Gibbons
Jefferson
McKinney
Moakley
Peterson (FL)
Rangel
Reynolds
Richardson
Skaggs
Yates

☐ 1418

The Clerk announced the following pairs:

On this vote:

Mr. Yates for, with Mr. Foglietta against.

Ms. McKinney for, with Mr. Peterson of Florida against.. Richardson for, with Mr. Jefferson against.

Mr. JONES, Mrs. CLAYTON, Mr. ROYCE, and Mr. HILLIARD changed their vote from ''yea'' to ''nay.''

Mr. WYNN, Mrs. MEEK of Florida, Ms. WATERS, Mr. TIAHRT, and Ms. EDDIE BERNICE JOHNSON of Texas changed their 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.

REFERRAL OF H.R. 1784, VALIDATING CERTAIN CONVEYANCES MADE BY THE SOUTHERN PACIFIC TRANSPORTATION CO. TO THE COMMITTEE ON RESOURCES

Mr. HANSEN. Mr. Speaker, I ask unanimous consent that the bill, H.R. 1784, a bill to validate certain conveyances made by the Southern Pacific Transportation Co. within the cities of Reno, NV and Tulare, CA, and for other purposes, be referred to the Committee on Resources.

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

There was no objection.

DIRECTING THE SECRETARY OF THE SENATE TO MAKE TECHNICAL CORRECTIONS IN ENROLLMENT OF S. 523, COLORADO BASIN SALINITY CONTROL ACT AMENDMENTS

Mr. HANSEN. Mr. Speaker, I ask unanimous consent for the immediate consideration of the concurrent resolution (H. Con. Res. 82) directing the Secretary of the Senate to make technical corrections in the enrollment of S. 523.

The Clerk read the title of the concurrent resolution.

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

There was no objection.

The Clerk read the concurrent resolution, as follows:

H. CON. RES. 82

Resolved by the House of Representatives (the Senate concurring), That in the enrollment of the bill (S. 523) to amend the Colorado River Basin Salinity Control Act to authorize additional measures to carry out the control of salinity upstream of Imperial Dam in a cost-effective manner, and for other purposes, the Secretary of the Senate shall make the following corrections:

(1) In the last sentence of paragraph (1) of section 1 of the bill (adding a new paragraph (6) to section 202(a) of the Colorado River Basin Salinity Control Act) insert a period after the words ''submits such report''.

(2) In paragraph (2)(B) of section 1 of the bill (amending section 205(a)(4)(i) of the Colorado River Basin Salinity Control Act)

strike ''section 202(a)(4) and (5)'' and insert ''sections 202(a)(4) and (5)''.

(3) At the end of paragraph (4) of section 1 of the bill (amending section 202(b)(4) of the Colorado River Basin Salinity Control Act) strike the period before the closing quotation marks.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

REPORT ON H.R. 2002, DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES APPROPRIATIONS BILL, 1996

Mr. WOLF, from the Committee on Appropriations, submitted a privileged report (Rept. No. 104–177) on the bill (H.R. 2002) making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 1996, and for other purposes, which was referred to the Union Calendar and ordered to be printed.

PROVIDING FOR CONSIDERATION OF H.R. 1905, ENERGY AND WATER DEVELOPMENT APPROPRIATIONS ACT, 1996

Mr. QUILLEN. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 171 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 171

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. 1905) making appropriations for energy and water development for the fiscal year ending September 30, 1996, and for other purposes. The first reading of the bill shall be dispensed with. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. After general debate the bill shall be considered for amendment under the five-minute rule. The bill shall be considered by title rather than by paragraph. Each title shall be considered as read. Points of order against provisions in the bill for failure to comply with clause 2 or 6 of rule XXI are waived except as follows: beginning with ''*Provided further*'' on page 6, line 6, through ''such transfer'' on line 13. Where points of order are waived against part of a paragraph, points of order against a provision in another part of such paragraph may be made only against such provision and not against the entire paragraph. Before consideration of any other amendment it shall be in order to consider the amendment printed in the report of the Committee on Rules accompanying this resolution if offered by Representative Shuster of Pennsylvania or his designee. That amendment shall be considered as read, shall be debatable for ten minutes equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against that amendment are waived. After disposition of that amendment, the provisions of the bill as then perfected shall be considered as original text. During further consideration of the bill for amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 6 of rule XXIII. Amendments so printed shall be considered as read. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore. The gentleman from Tennessee [Mr. QUILLEN] is recognized for 1 hour.

Mr. QUILLEN. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from California [Mr. BEILENSON] pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

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

Mr. QUILLEN. Mr. Speaker, House Resolution 171 is an open rule providing for the consideration of H.R. 1905, the Energy and Water Development Appropriations Act for fiscal year 1996. The rule provides 1 hour of general debate divided equally between the chairman and ranking minority member of the Committee on Appropriations. The bill will be read by title for amendment, with each title considered as read.

The rule waives clause 2 of rule XXI—prohibiting unauthorized appropriations and legislation in an appropriations bill—and also waives clause 6 of rule XXI—prohibiting reappropriations—against provisions of the bill except for the proviso beginning on page 6 at line 6 pertaining to the Cooper Lake and Channels, TX project.

Under the rule, it shall be in order to first consider an amendment offered by Representative SHUSTER of Pennsylvania printed in the Rules Committee Report to accompany this rule. The amendment shall be considered as read, shall be debatable for 10 minutes, equally divided between the proponent and an opponent of the amendment. This amendment is not subject to amendment or to a demand for a division of the question in the House or the Committee of the Whole. All points of order are waived against the amendment. If adopted, the amendment shall be considered as original text for the purpose of further amendment under the 5-minute rule.

The rule authorizes the Chair to accord priority in recognition to Members who have pre-printed their amendments in the CONGRESSIONAL RECORD. Finally, the rule allows one motion to recommit, with or without instructions.

Mr. Speaker, I'd like to congratulate my very good friend, Chairman JOHN MYERS and the ranking minority member, TOM BEVILL, for continuing their long-standing tradition of bringing forward a bipartisan, fiscally responsible bill. They've been working together on this committee for many years. This bill is $1.6 billion lower than the fiscal year 1995 level, and the committee has done an outstanding job in making these limited funds go a long way.

H.R. 1905 makes appropriations for the Corps of Engineers, the Bureau of Reclamation, the Department of Energy, and various independent agencies. I am particularly pleased that funding for the Appalachian Regional Commission and the Tennessee Valley Authority has been included in this bill. Although both received sizable reductions, the committee recognized the valuable contributions they make to recipient States.

The Appalachian Regional Commission is regional economic development agency established 30 years ago to bring almost 400 counties in the 13 Appalachian States into the mainstream of the American economy. ARC's mission is to equip Appalachian citizens with the skills and enterprise development resources they need to create self-sustaining local economies where people take control over their own economic destiny and contribute as taxpayers to the national economy.

Over the years, as a result of ARC programs, the regional poverty rate has been cut in half, the percentage of adults with a high school education has doubled, and the region's infant mortality rate has been cut by two-thirds. But much more remains to be done, and the funding provided in this bill will enable the ARC to continue its mission.

Mr. Speaker, of equal importance is the continued funding for the Tennessee Valley Authority. There seems to be some confusion and misinformation about the use of Federal dollars for TVA, and I want to emphasize that no Federal money goes toward subsidizing the electric power program. This program is entirely funded through power sales and the issuance of securities, and there is no Federal subsidy for the consumer.

□ 1430

Federal dollars are used specifically for maintenance of the Tennessee River System and stewardship of the Federal lands under TVA's control. This is comparable to the functions provided by the Corps of Engineers in other areas.

Federal dollars also go toward a variety of targeted economic development programs. And to the Land-Between-the-Lakes, a Federal recreation area in Tennessee and Kentucky, which is the largest contiguous forest east of the Mississippi River. These are important services mandated by statute, and we have an obligation to continue to provide funding.

Mr. Speaker, this open rule will allow all Members to fully participate in the amendment process, and I urge its adoption.

Mr. Speaker, alluding further to the Federal funding, for the TVA, already the committee has recommended a $42 million cut in the program. This is only $19 million for economic development, and the balance in the bill goes for operation of the dams, the tributaries of the Tennessee River, and the streams that flow into the river to prevent flood control. As I said, such other functions in other States are controlled by the Corps of Engineers and federally funded.

I understand there may be an amendment offered to eliminate these funds. I want to caution the proponents of TVA that this is an amendment that we must watch, that we must defeat when and if it is presented, because the purpose of the amendment is flawed in its inception, and we must watch carefully to ensure that the TVA is not scuttled from the program mandated by the Congress.

So I urge Members to be aware that the Federal Government provides funding for the programs of maintenance of flood control and operation of other dams and that this is a program that the Federal Government should continue. So, being alerted to that end, I urge the membership to be on the floor if such an amendment is offered, and to vote against it.

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

[As of July 10, 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	31	71
Modified Closed [3]	49	47	12	27
Closed [4]	9	9	1	2
Totals:	104	100	44	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 May 12, 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: v.v. (2/2?/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 (3/7/95)
H. Res. 108 (3/7/95)	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	A: 253–172 (4/6/95)
H. Res. 136 (5/1/95)	O	H.R. 655	Hydrogen Future Act of 1995	A: voice vote (5/2/95)
H. Res. 139 (5/3/95)	O	H.R. 1361	Coast Guard Auth. FY 1996	A: voice vote (5/9/95)
H. Res. 140 (5/9/95)	O	H.R. 961	Clean Water Amendments	A: 414–4 (5/10/95)
H. Res. 144 (5/11/95)	O	H.R. 535	Fish Hatchery—Arkansas	A: voice vote (5/15/95)
H. Res. 145 (5/11/95)	O	H.R. 584	Fish Hatchery—Iowa	A: voice vote (5/15/95)
H. Res. 149 (5/16/95)	MC	H. Con. Res. 67	Budget Resolution FY 1996	PQ: 252–170 A: 255–168 (5/17/95)
H. Res. 155 (5/22/95)	MO	H.R. 1561	American Overseas Interests Act	A: 233–176 (5/23/95)
H. Res. 164 (6/8/95)	MC	H.R. 1530	Nat. Defense Auth. FY 1996	PQ: 233–183 (6/13/95)
H. Res. 167 (6/15/95)	O	H.R. 1517	MilCon Appropriations FY 1996	PQ:223–180 A: 245–155 (6/16/95)
H. Res. 169 (6/19/95)	MC	H.R. 1854	Leg. Branch Approps. FY 1996	PQ: 232–196 A: 236–191 (6/20/95)
H. Res. 170 (6/20/95)	O	H.R. 1868	For. Ops. Approps. FY 1996	PQ:221–178 A: 217–175 (6/22/95)
H. Res. 171 (6/22/95)	O	H.R. 1905	Energy & Water Approps. FY 1996	
H. Res. 173 (6/27/95)	C	H.J. Res. 79	Flag Constitutional Amendment	PQ: 258–170 A: 271–152 (6/28/95)
H. Res. 176 (6/28/95)	MC	H.R. 1944	Emer. Supp. Approps.	PQ: 236–194 A: 234–192 (6/29/95)

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

Mr. Speaker, I thank the gentleman from Tennessee [Mr. QUILLEN] for yielding the customary 30 minutes of debate time to me.

Mr. Speaker, we support this rule for consideration of H.R. 1905, the energy and water appropriations bill for fiscal year 1996.

Mr. Speaker, the rule does contain waivers of standing House rules for several provisions in the bill. The waivers protect the provisions from points of order that could be raised against them because they violate House rules that prohibit appropriations for authorized projects and legislation in an appropriations bill.

We do not object to the waivers. My colleagues will recall, however, that the authors of this rule complained over and over again last year about legislating in an appropriations bill, calling it, and I quote, a cumbersome and inefficient way of doing business, end of quote. It appears many Members have now discovered that that is often necessary to waive points of order for that purpose. Since the majority raised

no objection to the waivers provision in the bill, we did feel it would have been fair to protect the amendments of several Members who requested waivers for them.

We sought unsuccessfully to make several of those amendments in order.

We asked that the Brewster-Harman amendment, which seeks to ensure that any savings from the bill be applied directly to deficit reduction, and the Traficant Buy America sense-of-Congress resolution, receive the necessary waivers. Unfortunately, our requests were defeated on straight party-line votes.

In addition, Mr. Speaker, we requested that the Chapman provision in the reported bill receive the same protection that was accorded all other unauthorized projects in the bill. We felt it was only fair that it be treated in the same way and not be singled out in this manner. Our effort in this respect was also unsuccessful.

Mr. Speaker, we are concerned about the clear shift in direction that is reflected in the funding priorities in this $18.7 billion spending bill. While we understand the budget constraints the Appropriations Committee faced in developing this bill, there is some concern that the choice to cut energy research so drastically was in exchange for maintaining a status quo approach to funding other projects.

Many Members are especially concerned about the severe cut of 51 percent recommended by the committee in renewable energy research an development funding. These energy sources are essential if we are to reduce the trade deficit, and curb greenhouse gas emissions, air pollution, and other waste generation from energy use. We very much regret that our commitment to renewable energy supplies is apparently foundering.

In any event, Mr. Speaker, under this essentially open rule, Members will be able to offer amendments to cut spending further and to change the spending priorities, and, in fact we anticipate quite a number of amendments on a wide range of issues.

We commend the new chairman of the committee, the gentleman from Indiana [Mr. MYERS] and the ranking member, the gentleman from Alabama [Mr. BEVILL] for their good work and their cooperation in bringing this bill to the House.

Mr. Speaker, to repeat, we support the rule. We urge our colleagues to approve it so that we may proceed to the consideration of the energy and water appropriation bill and amendments to it as soon as possible.

Mr. Speaker, we have no requests for time on this side, and I yield back the balance of my time.

Mr. QUILLEN. Mr. Speaker, I, too, have no other 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.

GENERAL LEAVE

Mr. MYERS of Indiana. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the consideration of the bill (H.R. 1905) making appropriations for energy and water development for the fiscal year ending September 30, 1996, and for other purposes, and that I be permitted to include tabular and extraneous material.

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

There was no objection.

ENERGY AND WATER DEVELOPMENT APPROPRIATIONS ACT, 1996

The SPEAKER pro tempore. Pursuant to House Resolution 171 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. 1905.

□ 1436

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. 1905) making appropriations for energy and water development for the fiscal year ending September 30, 1996, and for other purposes, with Mr. OXLEY 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 Indiana [Mr. MYERS] will be recognized for 30 minutes, and the gentleman from Alabama [Mr. BEVILL] will be recognized for 30 minutes.

The Chair recognizes the gentleman from Indiana [Mr. MYERS].

Mr. MYERS of Indiana. Mr. Chairman, I yield myself such time as I may consume.

(Mr. MYERS of Indiana asked and was given permission to revise and extend his remarks.)

Mr. MYERS of Indiana. Mr. Chairman, this appropriation bill that is for water and energy development in our country is a bill that touches every congressional district in the country, and it was a difficult job this year, but, through the leadership of our fine staff and the other Members, we were able to accomplish very close to what I would consider to be a miracle. I do want to thank my colleague, the gentleman from Alabama [Mr. BEVILL]. TOM and I came to Congress 29 years ago together, served on this committee for a great many years, he as chairman, and I was his ranking member, and he was always most courteous and considerate for the minority at that time, and that relationship has continued. Nothing goes in the bill unless we both agree, and we just do not have that—I will say not bipartisan, nonpartisan—everything that went into this bill was totally on the merits. Politics had nothing to do with it, and it was difficult this year. Many committees have experienced problems because we do have new staffs this year; we lost very experienced staff members last year; Hunter Spillan is gone, decided to retire this year, but Jim Ogsbury came in and filled those shoes with a few times that we had to take the racing stripes off, as they say in racing. But our staff, Jeanne Wilson, of course, great job; Bob, wherever Bob is here, and I guess he is here someplace, yes, Bob Schmidt—we had of course Judy, Judy Penry, came in to join us, and I do not see one of our staff members here, Lori Whipp. Lori is here someplace, but the great staff and our individual staffs who put the bill together this year——

But this year's bill is $18,700,000,000. This is the smallest appropriation bill for energy and water development we have had for 6 years. The important thing is that we are $1,600,000,000 below last year.

Now to put that in the vernacular of talk show hosts who often talk about ignoring baseline budgeting, this bill is $1.6 billion below the baseline budget. I want to emphasize $1.6 billion below the baseline budget, making real significant cuts. It is $2 billion less than the President requested. But, breaking it down, we have $3,200,000,000 for the Corps of Engineers. We have a few new start projects this year, but we have held those down.

We could not begin to respond to all the requests we had. But we did ignore the new proposal, the criteria for flood control that the administration recommended which was that to be eligible for flood control, historically the Corps of Engineers has provided flood control and preented floods as much as they could, but the administration proposed to be eligible a program, a project, would have to have more than 50 percent of the water falling in another State, a State different from where the flood treatment would be taken care of and reverse the local project sponsorship and payment from persently 75 percent Federal to 25 percent local to just the reverse. Under their proposal, 25 percent Federal, and 75 percent local, made a great many of these projects just impossible to fund.

In the second title, the Bureau of Reclamation, we have $813 million. This bill is $28 million less than last year, but it is $24 million more than the President requested, including the Central Utah Project where we are trying to expedite and get the project completed as soon as possible to reduce the cost.

In the Department of Energy we have $14,800,000,000. Surprisingly, $10 billion of this is defense and defense-related

projects. A lot of people do not understand that nuclear weapons come through this subcommittee. The nuclear weapons and the naval reactors for naval ships come through our subcommittee. So in this $10 billion out of the $14 billion is for defense activities.

One of the areas that we had some problems with this year is the nuclear waste disposal fund, which since 1982 utilities and utility users have been paying into a trust account to provide for a repository for the nuclear waste, high-level waste. In 1988–89 we started exploration of Yucca Mountain in Nevada. Up until this year they have been moving very slowly, but under the contract we had with the utility users in the country by 1998 we were to take the nuclear wastes away from the utilities and have it in permanent storage. It is obvious from this committee's hearings that that will not be possible, so we have decided this year we would back off, not back off from the consideration of Yucca Mountain, but we have to concentrate on finding a spot to take the nuclear waste; so, this year we have recommended $425 million, and that would include interim storage someplace so we can start meeting our contractual responsibility to taking the waste from some of the utilities. We now have 109 reactor sites in the country, and a number of those are already having dry storage, depositing their storage outside, which is dangerous, so we are thinking about and considering that we are going to have to find permanent storage, and we could not designate where that interim storage would be, but the authorizing committee will be talking about this later in our bill.

In title IV; that is, independent agencies, we have two agencies that we have been making reductions, particularly the Appalachian Regional Commission where this year we provide for $142 million, which is a $41 million reduction from last year or a 22-percent reduction. The Tennessee Valley Authority that the gentleman from Tennessee [Mr. QUILLEN] just spoke about earlier in the rule, we provide for $103 million, which is $37 million from last year for reduction of 25 percent below last year.

□ 1445

We did not fund the three River Basin Commissions. Historically, a number of years ago a number of States formed a compact over control of the rivers and recommendations for the operation of the rivers. The Delaware River, the Susquehanna River, and the Potomac River were three of those projects that no one came before our committee to testify for requests for money, so we did not put the money in. The compacts continue, but they serve the States a lot more than they do the Federal Government, so we took the money out for this.

We have had a number of repeals of legislation this year. We have three repeals in legislation. In the previous years, we prohibited any studies for privatizing the Power Marketing Administrations, the five of them. We refused to permit any study about privatization. We eliminated this restriction.

There has been a prohibition on study of optional rates and employment for the power administrations. We eliminated this. The privatization of hydropower and the rate fixing for those, we eliminated this prohibition. So we allow now reconsideration of rate making, and also other rate making prohibitions we had in previous years.

In closing my remarks, this is not the ideal bill that any of us would have written if we had had the sole responsibility for the 602(b) allocations, which is the allocation of how much money can be spent. If we had been operating as in the previous years where money was not an object, we, of course, would have taken a lot more into consideration for some projects that many of you requested.

But this bill touches every congressional district. As an example, in the Corps of Engineers, in general investigations, we touched this year 41 States. There are going to be investigations in 41 States. In construction, we have construction going in 38 States, plus Puerto Rico. In operation and maintenance, operating the locks and dams, the 25,000 miles of inland waterways we have in the United States, it touches 48 States, plus Puerto Rico and the District of Columbia.

So this is truly a bill that, when the gentleman from Alabama [Mr. BEVILL] and I came to Congress a good many years ago, was called the all-American bill. This year, again, it is the all-American bill. It is an austere bill, one that meets the minimum requirements, one that we can be proud of. Again, it is not the bill we would like to see, but one I hope that all can support.

Members are going to be offering some amendments to cut some projects that the committee in its wisdom and study believes we should consider and fund. We hope the Members will stick with the committee, which has had thousands of pages of hearings, heard thousands of witnesses, had five Governors appear before it, and a great many Members of Congress. It is good legislation, and we commend it for your consideration.

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

Mr. Chairman, I rise in support of H.R. 1905, the Energy and Water Development Appropriations Bill, 1996.

Because of unprecedented budgetary constraints, assembling this year's energy and water development bill has been a tremendous challenge. The Committee, however, has risen to the challenge and has produced a bill that is balanced and fair. Programs and projects that have marginal value for the taxpayer have been eliminated, while funding for essential activities has been preserved. The bill reflects difficult choices among competing priorities, and I congratulate my friends and colleagues on the Committee for their heroic efforts under difficult budgetary circumstances. I would like to extend special thanks to my good friend, the Honorable BOB LIVINGSTON, the chairman of the Committee and a Member of the Subcommittee, for his support and guidance.

By remaining within its 602(b) allocation, the Energy and Water bill turns the rhetoric of deficit reduction into a reality. The bill's total spending level of $18.7 billion is $1.6 billion below last year's level and $2 billion below the budget request. It is the smallest Energy and Water Development appropriations bill reported by the Committee since fiscal year 1990.

In recommending funding levels for programs funded by the bill, the Committee has worked closely and cooperatively with various authorizing committees of the House. I congratulate these committees for their dedicated efforts to report authorization bills this year, and I thank them for their cooperation.

Title I of H.R. 1905 appropriates $3.2 billion for the civil works program of the U.S. Army Corps of Engineers. This is $189 million (or 6%) lower than the FY 1995 level and $88 million (or 3%) lower than the President's request.

In considering the Administration's budget request, the Committee soundly rejected a proposed new policy of the Corps, which would limit Federal involvement to projects of national scope and significance. If adopted, this policy would eliminate the Corps' traditional participation in flood control projects, small harbor maintenance and shore protection activities. In rejecting this ill-advised proposal, the Committee has revalidated the Corps' proud tradition of protecting our citizens from the devastating impacts of floods. The Committee has also recognized the great value in continuing the Corps' important role in harbor maintenance and shore protection projects.

In order to maximize the value of the Corps' limited resources, the bill deletes funds for a number of low-priority programs and initiatives. These include the Construction Productivity Advancement Research program, research on the economic impacts of global warming, and environmental service partnerships.

Title II of the bill includes funds for the U.S. Bureau of Reclamation. The bill recommends an appropriation of $813 million for the Bureau. This is $28 million (or 3 percent) lower than the fiscal year 1995 level and $24 million (or 3 percent) higher than the President's budget request. Increases above the budget request are included to expedite water projects for which the Administration has not requested sufficient funding. The bill deletes funds for a number of low-priority programs and new initiatives of the Bureau, including a National Fish and Wildlife Foundation grant and the Water Conservation Challenge Partnerships program.

Title III of H.R. 1905 funds programs and activities of the Department of Energy. The appropriation of $14.8 billion for the Department is $940 million (or 6 percent) less than the fiscal year 1995 level and $1.9 billion (or 11 percent) below the Administration's request.

The bill effects serious reductions throughout the Department of Energy. Unneeded bureaucracy is cut from the budget, while essential and necessary activities of the Federal Government are preserved. General science

and research activities are preserved within funding constraints, while applied research and commercialization activities—especially those for which private industry investment is more appropriate—are eliminated or dramatically reduced.

The appropriation for general science is $991 million, a $7 million increase over last year's level. The appropriation for solar and renewable energy activities is reduced to $222 million, well under the budget request of $423 million.

The appropriation for defense environmental restoration and waste management is $5.3 billion, consistent with the authorization level developed by the National Security Committee. This is the largest single item within the $10 billion appropriation for the atomic energy defense activities of the Department of Energy.

The bill appropriates $425 million to pursue solutions to the country's growing nuclear waste problem. The Committee directs the Department of Energy to downgrade site characterization activities at Yucca Mountain in Nevada in order to develop a national interim storage program. Authorizing committees retain flexibility to craft a new direction for the civilian nuclear waste program.

The bill eliminates a number of departmental programs and initiatives, including: international solar research, hydropower research, and technology transfer programs. It also repeals a provision of law prohibiting the use of appropriated funds to study the sale of power marketing administrations.

Title IV of the bill includes funding for independent agencies and commissions. For fiscal year 1996, the independent agencies under the Committee's jurisdiction are funded at a level of $276 million. This represents a $195 million reduction from last year's level and a decrease of $93 million from the budget estimate.

As reported by the Appropriations Committee, the bill terminates Federal participation in three river basin commissions: the Delaware River Basin Commission, the Susquehanna River Basin Commission and the Interstate Commission on the Potomac River Basin. Furthermore, the bill effects dramatic reductions in the Appalachian Regional Commission and the appropriated programs of the Tennessee Valley Authority. At $142 million, the appropriation for ARC is 22 percent less than requested by the Administration and approximately one-half of the fiscal year 1995 level. Funding for the TVA is 25 percent less than requested in the budget, and for TVA's Environmental Research Center has been deleted altogether.

Mr. Chairman, I would like to take this opportunity to recognize the tremendous efforts of all Members of the Subcommittee on Energy and Water Development. Throughout an arduous hearing process and the difficult deliberations on program funding, the Members of the Subcommittee have put partisan concerns aside and have consistently acted in accordance with the best interests of all Americans. Their dedication and hard work have been an inspiration, and serving as their Chairman has been both an honor and a privilege.

Finally, Mr. Chairman, I would like pay special tribute to one of the most honorable and distinguished gentleman to ever serve in this chamber. My friend, the Honorable TOM BEVILL, proudly served as the Subcommittee's Chairman for 18 years. As Chairman, his virtues of honesty, fairness, and wisdom were always in abundant evidence. As Ranking Minority Member, his service has been no less honorable. His service to the Committee and to the country have been invaluable, and I am deeply grateful for his cooperation, his assistance, and his friendship.

Mr. Chairman, I urge all of my colleagues to support H.R. 1905.

I reserve the balance of my time.

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

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

Mr. BEVILL. Mr. Chairman, this 1996 appropriations bill, effective October 1, has been the most difficult bill Chairman MYERS and I have worked on. As the gentleman has pointed out so well, he and I have worked together for all these years. We have exchanged seats now. He is the chairman and I am the ranking member, and we are working right along just as we have been doing for the last 18 years. The gentleman is great to work with, and I just want to commend him. His leadership has always played a big role in getting this bill put together, making this bill possible and getting the support of the Congress. So we are proud of this bill, when we consider the circumstances and what we have had to face in the way of cuts.

For example, the appropriation bill this time contains $18.7 billion. Just 2 years ago it was $22 billion. It is 10 percent less than the President's budget request for this year. It is 7 percent less than what we appropriated last year. So we have done our part in taking our share of the cuts, and many good programs have not been funded as much as we feel like they should be.

As a matter of fact, there are many good programs we have had to actually just leave out. This is very, very difficult. As Chairman MYERS pointed out, the recommendation by the administration on the flood control projects in our judgment would be a disaster, and we are not going to do it. We are not going to accept that recommendation. The flood control projects are some of the most important work that the U.S. Army Corps of Engineers does, and they need every dollar in this bill that they will receive in the 1996 fiscal year.

In my judgment, if we had to pick out the most important thing the U.S. Army Corps of Engineers does, and they do a good job, it is flood control. There we are talking about not only saving property, but we are talking about saving lives. Certainly we cannot put any dollar value on saving lives.

The corps has estimated and they have testified before our panel several times to the effect that for every $1 that we invest in flood control projects, there are benefits in the amount of $6. So it is something that pays. Of course, the administration, for some reason, wants to change this formula that has been in effect for years, where the local governments would not be paying the 25 percent of the cost of the flood control projects, but it would change to where the local government would pay 75 percent. Actually when the division engineers were testifying, most of them, as Members know, are major generals in the U.S. Army Corps of Engineers, and I asked them the question, do you know of any State in the Union or any government or any level of government or any city in the United States that could afford to pay 75 percent of the cost of flood control projects that are needed and are critical? They actually tried to think of a place, but could not think of one in the whole United States.

So I think that tells the story pretty well. On nuclear waste the utilities are paying. The ratepayers in this Nation are paying today through their utility bills to dispose of the nuclear waste throughout the United States. As Chairman MYERS pointed out, we have been very unhappy with the success, or the lack of success would be a better way of putting it, of getting this waste disposed of, nuclear waste, and getting a storage place for it.

So the fund is in there, and the ratepayers are paying for it, and they are not getting it. We are supposed to have a place ready for this waste to start being hauled to and in place by 1997 or 1998. Certainly it does not look like we are going to meet that target. But we would say on the Yucca Mountain project, that while we have been very disappointed in the past on it, it does seem to be moving now. In the past few months, for the first time, it is actually moving and getting somewhere, and we feel that now we are on the right track, and we hope that we are, and we can do our duty and get this waste disposal underway.

Mr. Chairman, I urge Members to support this legislation. We recommend this bill to Members highly.

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

Mr. MYERS of Indiana. Mr. Chairman, I yield 3 minutes to the gentleman from Pennsylvania [Mr. WALKER].

Mr. WALKER. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I rise in strong support of this piece of legislation. The gentleman from Indiana [Mr. MYERS] has, to the extent possible within his subcommittee's 602(b) allocation, tracked the energy research and development priorities of the Committee on Science as outlined in the authorization bills that are still to come to the floor, but have been cleared out of our committee. I think that the work that the gentleman and his staff have done with my committee has been done to an unprecedented extent, and I want to thank the gentleman for it, and want to thank the gentleman from Alabama for the leadership he has provided to this subcommittee over the years, and I think that we are seeing the results of a lot of good work here in the course of the development of this bill.

The gentleman from Indiana [Mr. MYERS] worked closely with the gentleman from California [Mr. ROHRABACHER], the chairman of the Committee on Science Subcommittee on Energy and Environment, and I thank him for that as well.

This bill is proof that the appropriations process can work along with the authorization process, because we have a close cooperation here that I think is producing the right kind of policies in the energy area. The bill does reflect a very strong commitment to both good, fundamental science that is vital to this Nation's future, and to a balanced budget. The fact is that as we look at development of a lot of our basic science programs, we have to do it in the context of our need to balance the budget by the year 2002. This bill goes a long way down that road.

For example, this bill does specify a commitment to the hydrogen program that I think is a useful direction for the Nation to go. It is a very small program, but it is one that has gone through the right process. We authorized the program earlier this year out of this committee. We authorized it at a somewhat higher level than what is in the bill that comes before us, but, nevertheless, we are making a strong commitment to an energy resource that also happens to be an environmentally safe resource, and I think that is a very, very good direction to go in.

This is also a bill that does a lot in terms of basic energy sciences and in high energy and nuclear physics science. What we have here is a commitment to the idea that we ought to be doing basic research in this country, that there is an underlying need to develop those new knowledge bases that this country will depend upon in the years ahead.

We cannot afford, under a balanced budget scenario, to go out and fund every project that somebody wants to have on a live support system that has been developed in the past, but simply was not commercially viable at the time that it was developed. We cannot continue to do that. But we should and can continue to do the right kind of basic science work in this country. This bill moves in that direction. This bill is that kind of bill.

Mr. Chairman, I congratulate the leadership on both sides of the aisle for the bill they have brought forward, and look forward to supporting it strongly.

Mr. BEVILL. Mr. Chairman, I yield 4 minutes to the gentleman from New Jersey [Mr. PALLONE].

Mr. PALLONE. Mr. Chairman, I just want to take a moment to thank the chairman of the subcommittee, the gentleman from Indiana [Mr. MYERS], the gentleman from Alabama [Mr. BEVILL], and the gentleman from New Jersey [Mr. FRELINGHUYSEN], for their work on this bill, particularly with regard to the Army Corps policy and the recommendations made by the administration.

Mr. Chairman, I do support the bill. I think it is an excellent bill. But I think, in particular, the fact that the committee in its report language specifically says that they are not abiding by the recommendations of the President with regard to Army Corps projects is significant.

I cannot think of any proposal that has been made in the last 6 months

that is more ill-conceived than the administration's proposal with regard to Army Corps flood control, shore protection, and small scale navigational dredging. I think we all recognize that flood waters do not recognize state of coastal boundaries.

Just to give you an example, if this policy that was put forward by the administration were to come into effect, a large state like California, for example, would be responsible for flood control projects within its boundaries, which would easily qualify as interstate projects in another area of the country. So just because a state happens to be large or because a state happens to be largely along the coast of the United States, all of a sudden, because 50 percent of the flood waters that are affecting or damaging and resulting in the need for a flood control project are not within the state or not interstate, if you will, the project would no longer qualify.

In effect, I think the chairman and the gentleman from Alabama [Mr. BEVILL] mentioned that what we would be doing if this policy were to come into effect is simply not providing for these flood control or shore protection projects to move forward, because most of the states and the localities would not be able to afford to pay for them, particularly if the cost sharing, which is now 75 percent Federal and 25 percent non-Federal, were to switch and become 75 percent non-Federal or local.

Just to give you an example, in my own district, we have a major shore protection project along the coast. We have towns, I will give you an example, such as Bellmawr, where we have a few thousand residents, but in the summer are besieged by thousands of people who use the beach from Pennsylvania, New York and other states. There is no way that a small town like Bellmawr, and I have others that are even smaller, could possibly afford to contribute the amount of money that would be necessary for the state to go ahead with that project. Even though the flood waters are totally from within the state, if you will, because it is the ocean, the bottom line is that the people that use the beaches and take advantage of that shore protection project are from a number of states and many times not even a majority from our own State of New Jersey.

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So the policy simply makes no sense. Also I think about the fact that the Federal Government and the Corps have the expertise, the consulting, engineering and construction expertise to do these projects, which the state and the local municipalities do not.

So overall, I just wanted to commend again the subcommittee for moving ahead with projects and basically setting aside the President's recommendations.

One of the things I am still concerned about though is I do think it is necessary and I know that the subcommittee in its report asked the administration to essentially reverse its policy. I think that is important, because theoretically, even though we pass this bill and even though it ultimately is signed by the President, there still could be a certain amount of discretion on the part of the administration to withhold funds for some of these projects, unless they decide to reverse their policy. So I think it is also important that in the subcommittee report language, they specifically call upon the administration, and I call upon them as well, to reverse this policy because I would not want to see the various projects that are funded in this legislation to be jeopardized at all. I think that the overall presidential/administration policy was ill-conceived and should be reversed.

Mr. MYERS of Indiana. Mr. Chairman, I yield 2 minutes to the gentleman from New York [Mr. BOEHLERT].

Mr. BOEHLERT. Mr. Chairman, I want to engage the chairman in a colloquy. As you well know, one of the problems that led to the demise of the superconducting super collider was that it never received international support.

I said throughout that debate over the SSC that the infrastructure of physics must become as international as the science. High energy physicists here and abroad have taken the message to heart and are ready to move ahead with a large hadron collider. It is my understanding that this bill provides funding to enable preparatory work to proceed on the LHC; is that correct?

Mr. MYERS of Indiana. Mr. Chairman, will the gentleman yield?

Mr. BOEHLERT. I yield to the gentleman from Indiana.

Mr. MYERS of Indiana. Mr. Chairman, I hope his analogy is not analogous of what happened in Texas, but yes, we have provided $6 million as requested.

Mr. BOEHLERT. I thank the gentleman, because I think the authorization reported out by the Committee on Science last week gives a clear green light to negotiations with the Europeans on this project. I hope negotiations can move forward swiftly and that we can inaugurate a new, truly international era in research, an era that will also ensure that American physics continues to strive.

Mr. BEVILL. Mr. Chairman, I yield 3 minutes to the gentleman from Texas [Mr. BENTSEN].

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

Mr. BENTSEN. Mr. Chairman, I would first like to thank Mr. BEVILL, the ranking minority member on the Energy and Water Subcommittee, for the opportunity to speak on this important piece of legislation.

Earlier this year the Clinton administration and the Army Corps of Engineers proposed a phase-out of Federal funding for local flood control projects.

I am pleased that the subcommittee rejected this proposal during consideration of the fiscal year 1996 energy and water appropriations bill. In southeast Texas, the administration's plan would have been devastating.

During October 1994, southeast Texas suffered some of the worst flooding our area had ever seen. Several lives and millions of dollars in homes and property were lost.

Under the administration's proposal, seven severely needed projects in the Houston area, including Braes, Sims, Greens, and Clear Creek Bayous, would have been halted because the administration would not classify them as ''nationally significant.''

This designation would have left many vital flood control projects in my district and around the country in limbo.

In addition to threatening the safety of our constituents and their property, the loss of these funds would create a difficult financial burden on our State and local governments.

Local taxpayers would have been forced to fund the lion's share of the $1.5 billion needed to complete these projects. That's $1.5 billion they cannot afford.

More to the point, this plan would have penalized intrastate projects but not interstate projects.

Southeast Texas includes Houston, our Nation's fourth largest city, the bulk of the country's oil and gas infrastructure.

Under the administration's plan, local taxpayers would foot almost the entire bill, while taxpayers in smaller States with similar projects could still rely on majority Federal funds.

Most importantly, if we can prevent disasters with proper flood control planning, the Federal Government would not be forced to spend billions of taxpayers' dollars on emergency and disaster relief. It is clear that flood control projects save Federal dollars in the long run.

In a time when this Congress is considering turning over many responsibilities to State and local governments, I believe we should maintain Federal support for flood control projects.

The devastating damage from last year's floods are a clear reminder that our lives, our infrastructure, and our economy depend on these projects. This bill maintains that commitment. I applaud the work of the chairman, the ranking member, and my fellow Texan, Mr. CHAPMAN. I urge my colleagues to support H.R. 1905.

Mr. MYERS of Indiana. Mr. Chairman, I yield 2 minutes to the gentleman from Nebraska [Mr. BEREUTER].

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

Mr. BEREUTER. Mr. Chairman, this Member rises in strong support of H.R. 1905 and would like to commend the distinguished gentleman from Indiana

[Mr. MYERS], the chairman of the Energy and Water Development Subcommittee, and the distinguished gentleman from Alabama [Mr. BEVILL], the ranking member of the subcommittee, for their exceptional work in bringing this bill to the floor. Extremely tight budgetary constraints made the job of the subcommittee much more difficult. The subcommittee is to be commended for its diligence in creating such a fiscally responsible bill. In light of these budgetary pressures, this Member would like to express his appreciation to the subcommittee and formally recognize that the energy and water development appropriations bill for fiscal year 1996 includes funding for several water projects that are of great importance to Nebraska.

Importantly, the bill provides funding for two Missouri River projects which are designed to remedy problems of erosion, loss of fish and wildlife habitat, and sedimentation. First, the bill provides $5.7 million for the four-State Missouri River Mitigation project. This funding is needed to restore fish and wildlife habitat lost due to the federally sponsored channelization and stabilization projects of the Pick-Sloan era. The islands, wetlands, and flat floodplains needed to support the wildlife and waterfowl that once lived along the river are gone. An estimated 475,000 acres of habitat in Iowa, Nebraska, Missouri, and Kansas have been lost. Today's fishery resources are estimated to be only one-fifth of those which existed in predevelopment days.

The Missouri River Mitigation project addresses fish and wildlife habitat concerns much more effectively than the Corps' overwhelmingly unpopular and ill-conceived proposed changes to the Missouri River master manual. Although the Corps' proposed plan was designed to improve fish and wildlife habitat, these environmental issues are already being addressed by the Missouri River Mitigation project. In 1986 the Congress authorized over $50 million to fund the Missouri River Mitigation project to restore fish and wildlife habitat lost due to the construction of structures to implement the Pick-Sloan plan.

Second, the bill provides $200,000 for operation and maintenance and $20,000 for construction of the Missouri National Recreation River project. This project addresses a serious problem in protecting the river banks from the extraordinary and excessive erosion rates caused by the sporadic and varying releases from the Gavins Point Dam. These erosion rates are a result of previous work on the river by the Federal Government.

In addition, the bill provides funding for flood-related projects of tremendous importance to residents of Nebraska's First Congressional District. Mr. Chairman, flooding in 1993 temporarily closed Interstate 80 and seriously threatened the Lincoln municipal water system which is located along the Platte River near Ashland, NE. Therefore, this Member is extremely pleased the committee agreed to continue funding for the Lower Platte River and tributaries flood control study. This study should help to formulate and develop feasible solutions which will alleviate future flood problems along the Lower Platte River and tributaries. Additionally, the bill provides continued funding for a floodplain study of the Antelope Creek which runs through the heart of Nebraska's capital city, Lincoln.

Finally, Mr. Chairman, this Member strongly commends the subcommittee for rejecting the administration's proposed policy which would radically revise the Army Corps of Engineers' mission and severely restrict its role in local flood control projects. The rigid set of criteria proposed by the administration would greatly restrict the Corps' presence in numerous states.

Under the new criteria, projects would be limited to those in which first, more than half the damaging flood water comes from outside the boundaries of the State where the damage is occurring; second, the benefit-to-cost-ratio is two or greater; and third, the non-Federal sponsor is able and willing to pay 75 percent of the first cost of the project. These requirements set an impossibly high threshold for many necessary and worthy projects.

The administration's proposed changes would result in a seriously short sighted and misguided policy. They would delay urgently needed projects and result in unnecessary costs for states. Under such a policy, each state would be forced to obtain the contracting, engineering, and construction experience which the Corps already possesses. This Member is pleased the subcommittee firmly rejected this seriously flawed administration proposal.

Again, Mr. Chairman, this Member commends the distinguished gentleman from Indiana [Mr. MYERS], the chairman of the subcommittee, and the distinguished gentleman from Alabama [Mr. BEVILL], the ranking member of the subcommittee for their continued support of projects which are important to Nebraska and the First Congressional District, as well as to the people living in the Missouri River Basin.

Again, Mr. Chairman, I commend the distinguished gentlemen and the subcommittee for their work. Their efforts have been appreciated by this Member and my colleagues from Nebraska and elsewhere in the Missouri River Basin.

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

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

Mr. ACKERMAN. Mr. Chairman, I rise to engage the chairman of the committee in a brief colloquy, if I might.

Mr. Chairman, the committee has included money in H.R. 1905 to complete the reconnaissance portion of the coastal erosion study on the north shore of Long Island, but it does not contain money to begin the feasibility portion of that study.

As the chairman knows, the north shore has had an extensive history of tidal flooding and shore erosion and damage to shore-front development, most recently in 1992.

Since the committee has rejected the President's proposal with regard to shore protection studies and since New York State has already provided money for its share of the project, would the chairman be willing to work with me as the bill moves through the process to see that the Federal Government provides its share of the cost?

Mr. MYERS of Indiana. Mr. Chairman, will the gentleman yield?

Mr. ACKERMAN. I yield to the gentleman from Indiana.

Mr. MYERS of Indiana. Mr. Chairman, the committee has worked with the gentleman from New York on this erosion problem for a number of years and is well aware of the problem. We certainly shall be working to make sure that the reconnaissance study is done and be working toward solving the problem that you have.

Mr. ACKERMAN. Mr. Chairman, I thank the gentleman for his support in the past and for his pledge of support as this process moves forward. I am deeply appreciative.

I would also like to thank the gentleman from Alabama as well as for his support in the past on this project and ask the distinguished ranking member for his continued assistance in the future as this bill moves through the legislative process.

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

Mr. ACKERMAN. I yield to the gentleman from Alabama.

Mr. BEVILL. Mr. Chairman, I concur with the remarks of the gentleman from Indiana [Mr. MYERS] pertaining to this project.

Mr. ACKERMAN. Mr. Chairman, I thank both distinguished gentlemen.

Mr. MYERS of Indiana. Mr. Chairman, I yield 2 minutes to the gentleman from New Jersey [Mr. FRELINGHUYSEN], a very valued new member of this committee.

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

Mr. FRELINGHUYSEN. Mr. Chairman, I rise today in support of H.R. 1905 making appropriations for energy and water development for fiscal year 1996. As a new member of this subcommittee, I would like to thank Chairman MYERS and ranking member BEVILL for their leadership and direction. I would also like to thank the dedicated and capable staff of the subcommittee for their expertise and knowledge of these important issues.

The bill before the House today reduces spending and downsizes the Federal Government, while maintaining funding for critical flood safety projects, coastal protection, and important energy research programs like fusion energy.

We had to make the tough choices about where to reduce spending while supporting programs that are in the best interest of our country.

Overall the bill reflects the changing priorities of the new Congress by reducing spending for the Department of Energy, Bureau of Reclamation, and other agencies by almost $1.6 billion from last year's level: An 8-percent reduction. Unlike the budget resolution which passed the House in May, the decisions in this bill will directly reduce Federal spending and are essential in our efforts to reach a balanced budget.

I am also very pleased with the subcommittee decision to flatly reject the President's wish to end flood control and coastal protection projects. These projects are nationally significant and it is my belief that the President's policy, was ill-conceived and not founded on solid fact. By rejecting the President's policy, New Jersey's shore and flood prone areas will be protected again.

This bill represents real progress toward a smaller, smarter government. It is one more step closer to balancing the budget and keeping our promises to the American people. Mr. Chairman, I urge the adoption of this bill.

Mr. MYERS of Indiana. Mr. Chairman, I thank the gentleman for his remarks. The subcommittee continues to be a supporter of fusion, but the plasma research will continue.

Mr. Chairman, I yield 2 minutes to the gentleman from Illinois [Mr. FAWELL].

Mr. FAWELL. Mr. Chairman, I thank the gentleman very much and commend him for the leadership he has exercised in bringing this bill to the floor. I certainly rise in support of the Energy and Water Appropriation Act of 1995.

As a fiscal conservative Member, I believe that we have a moral imperative to balance the Federal budget. Surely every area of Federal spending must be open to the possibility of reduction, and no role of the Federal Government must remain unexamined. Equally important, however, is our quest to balance the budget, however, with the knowledge that we must and we cannot afford to be penny-wise and pound-foolish.

A few weeks ago, the House Committee on Science moved to reauthorize the budget for the Department of Energy and the science and technology programs it oversees. As a member of the committee, I commend the House Committee on Appropriations for its adherence to authorization legislation adopted by the Committee on Science.

During consideration of H.R. 1905, there may be an amendment to strike $18 million for the nuclear technology research and development at Argonne National Laboratory both in Idaho Falls and in the State of Illinois.

The environmental nuclear waste treatment program, electrorefining of spent nuclear fuel, has the strong potential to significantly reduce the amount of high level waste and spent nuclear fuel, decreasing the toxicity and the volume of over 100 different types of spent fuel, some 2700 metric tons, stored at DOE sites around the nation.

This electrometallurgical research could save taxpayers billions of dollars by treating spent fuel that cannot be disposed of safely. The National Academy of Sciences supports continued funding of this nuclear technology research, saying that it represents promising technology for treating a variety of DOE spent fuels.

In addition, further funding of the research is predicated on the continued approval of the National Academy of Sciences so that funding for the nuclear technology research and development program was requested by the Clinton administration and the Department of Energy.

At $18 million, the nuclear technology program has already been cut 28 percent below the fiscal year 1995 level, 50 percent below the fiscal year 1996 request, and I believe that it is sound science.

Again, I commend the gentleman from Indiana [Mr. MYERS] for the leadership that he has shown in a very difficult task, I know, in putting together this appropriation bill.

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Mr. MYERS of Indiana. Mr. Chairman, I thank the gentleman for his leadership. This committee has worked very closely with the authorizing committee, the gentleman from Illinois [Mr. FAWELL], and certainly the gentleman from California [Mr. ROHRABACHER], who we have worked very closely with.

Mr. Chairman, I yield 1 minute to the gentleman from California [Mr. ROHRABACHER].

Mr. ROHRABACHER. Mr. Chairman, I rise in support of this bill.

This energy and water appropriations bill reflects the tough choices made by members of the Appropriations Subcommittee to put us on the path to a balanced budget in 7 years.

As chairman of the authorizing subcommittee for a portion of this bill, I would like to commend both Chairman MYERS and the ranking minority member, Mr. BEVILL, and their staffs, for a good faith attempt to work with the Science Committee and its staff in crafting the portions of this bill that apply to programs under Science Committee jurisdiction.

This year's bill was not produced under ideal circumstances.

The press of legislation during the first 100 days before many of the committees were fully reorganized and staffed-up hampered the process.

The result is not an ideal product but does represent an historic change in the authorization/appropriations process.

Rather than take a meat-ax approach to budget reductions, the bill attempts, as we did in the Science Committee, to preserve basic research funding while terminating market and development programs that are best handled by the private sector.

Do I agree with every line item in the bill? Of course not.

But I see this bill as laying the foundation for a new partnership that we can build on next year.

I urge my colleagues to support this bill.

Mr. Chairman, I thank the ranking member, the gentleman from Alabama [Mr. BEVILL], and the gentleman from Indiana [Mr. MYERS], again for the great cooperation we have had in putting this together.

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

Mr. MYERS of Indiana. Mr. Chairman, I thank the authorizing committees for the nice words they have said. Mr. Chairman, I yield back the balance of my time, and I hope the authorizing committees continue to work as they have.

Mr. MILLER of California. Mr. Chairman, I rise in support of H.R. 1905 making appropriations for the energy and water development for fiscal year 1996.

This bill provides funds for critical flood control and navigation projects in Contra Costa County and the San Francisco Bay Area of California. I appreciate the Committee's continued support for these projects.

H.R. 1905 and the accompanying Committee report also raise several issues which I will address in my capacity as Ranking Democratic Member of the Committee on Resources.

First, H.R. 1905 will fund important individual projects and program activities of the Bureau of Reclamation. The Bureau of Reclamation has demonstrated consistent leadership in the Administration's efforts to implement significant reforms to Federal water management and construction programs.

Second, H.R. 1905 includes significant funding to implement various programs authorized by P.L. 102–575, the Reclamation Projects Authorization and Adjustment Act of 1992. In particular, title 34 of the law, the Central Valley Project Improvement Act [CVPIA], includes many innovative measures to conserve water and to restore fish and wildlife habitat that has been adversely affected by the development of water and power projects in California. Water marketing, changes in project operations and water allocations, incentives for conservation, and specific goals for fish and wildlife restoration are all included in this title.

I am in complete support of the Bureau of Reclamation's efforts to fairly and promptly implement the provisions of the CVPIA, and I strongly oppose any attempts to amend this law through the appropriations process. I specifically note at this time my strong objections to language contained in the Committee Report accompanying H.R. 1905 (House Report 104–149), which ''directs that the $1,000,000 requested for the San Joaquin River Basin Resource Management Initiative not be expended for that purpose.'' As my colleagues are well aware, this study is required by law; it is not optional. The study was authorized so that we could determine what needs to be done to restore fish to the San Joaquin River, where irrigation water deliveries have wiped out several stocks of commercially valuable anadromous fish.

The Appropriations Committee is obviously determined to kill this study and prevent people from learning the truth about the destruction of fishery resources in the San Joaquin River. The effort to kill this study is important only to a small group of CVP beneficiaries who continue to profit from their subsidized water supplies at the expense of California's commercial and sport fish resources. I wish to associate myself with the views of my colleague from California, Ms. PELOSI, who correctly noted that ''the San Joaquin study has been authorized by Congress and is being conducted properly by the Bureau of Reclamation. It should be allowed to proceed without interference from special interests.''

Third, with regard to the repayment of costs of cleaning up Kesterson Reservoir and conducting the San Joaquin Valley Drainage Study Program, I am concerned that the Appropriations Committee is again attempting to legislate matters of policy without consulting the authorizing Committee.

My colleagues will recall that the Federal Government has spent approximately $35 million for the cleanup of Kesterson Reservoir, a series of ponds in the San Joaquin Valley that were built in the 1970's to contain subsurface irrigation drainage water collected from farms in the Bureau of Reclamation's San Luis Unit, part of the Central Valley Project. The Kesterson facility was closed in March of 1985 by then-Secretary of the Interior Donald Hodel because the drainage water was contaminated with selenium and other chemicals. Many migratory birds using the Kesterson ponds were being killed in violation of the Migratory Bird Treaty Act. Other birds were hatched with grotesque deformities caused by selenium poisoning. Congress has appropriated tens of millions of dollars to clean up this mess on behalf of the project beneficiaries of the San Luis Unit, and we have also funded extensive multi-disciplinary and multi-agency studies of how to reduce or eliminate irrigation drainage contamination.

There is no legislative language in H.R. 1905 that would amend current law regarding repayment responsibilities for cleaning up Kesterson Reservoir and conducting the San Joaquin Valley Drainage Study Program. The report accompanying H.R. 1905, however (House Report 104–149), refers to a recent report from the Bureau of Reclamation, and concludes that San Luis Unit contractors should work with the Bureau of Reclamation ''to develop a reasonable and cost-effective drainage solution''. The Committee Report also contains the following statement regarding the subject of Kesterson and drainage study repayment:

> The Committee believes it is premature for Reclamation to collect any costs before these negotiations are complete and appropriate drainage service is provided. Therefore, the Committee directs that the Bureau of Reclamation take no action to collect costs associated with the Kesterson Reservoir Cleanup Program or the San Joaquin Valley Drainage Program until drainage service negotiations are complete, drainage service is provided, or the authorizing Committee has acted on this issue.

The above conclusion and Committee directive to the Bureau of Reclamation are unwarranted and are not supported by any facts whatsoever. Without even consulting the authorizing committee, the Appropriations Committee has decided to indefinitely forgive the repayment of tens of millions of dollars in expenses associated with the cleanup of Kesterson Reservoir and the completion of the San Joaquin Valley Drainage Study Program. Under current law, these costs are a legal responsibility of the water users whose contaminated irrigation wastewater has caused this massive pollution problem. They should be required to pay their bills just like everybody else.

I also remind my colleagues that committee report language from last year's Energy and Water bill specifically noted that repayment of these cleanup and study costs should begin soon after the Bureau's report was made available:

> It was and is the intent of the Committee that the [forthcoming Interior Department] report be used as a resource to assist in the fair and just apportionment of Kesterson and other drainage related costs and not serve as a method of delaying indefinitely repayment obligations. (House Report 103–533).

Since FY 1991, House Appropriations Committee Report language has directed the Department specifically not to collect payments from water users until the Bureau of Reclamation completed the report on allocation of costs. That report was received over four months ago. Now that the Bureau of Reclamation has submitted the report we requested, the water users have decided that they don't like the conclusions of that report and they have asked the Appropriations Committee to indefinitely delay the repayment. This is directly contrary to representations made to this House by the water users regarding their intention to proceed with repayment once the results of the Bureau's study were made available.

The fact of the matter is that the Central Valley Project and San Luis Unit water users are accountable by current law for the money that has been spent on Kesterson cleanup and the San Joaquin Valley Drainage Program.

Until the authorizing Committees and the Full House and Senate and the President have had an opportunity to review information on cleanup costs and decide whether changes to current law are appropriate or not, the Secretary of the Interior is obligated to begin collecting money. The study released this year by the Bureau of Reclamation supports that conclusion. There is no basis whatsoever for the Appropriations Committee to indefinitely forgive the proper repayment of these costs, and this language is not and should not be construed as binding on the Secretary.

Fourth, the elimination of funding for the Bureau of Reclamation and the Army Corps of Engineers to assist salmon migration in the Columbia River basin is outrageously shortsighted. These are not trivial actions by the Bureau and the Corps; the agencies agreed to take these steps only in response to a court order. The court concluded that ''business as usual'' in the Columbia basin could place endangered salmon in jeopardy of final extinction.

In part as a result of the court's decision, the agencies have tried to find the most cost-effective and least disruptive solution to salmon migration. The Bureau of Reclamation has been purchasing water from willing sellers in the Snake River basin and the Corps has been studying the possibility of lowering the John Day reservoir during migratory periods. These measures enjoy broad regional support, while the measures suggested by the Appropriations Committee will encourage conflict and will probably do little to sustain the salmon.

If the agencies cannot take the regionally-supported steps towards salmon recovery, far more disruptive and costly actions may be required to make sure the salmon are not driven to extinction. Forcing the agencies into this position defies common sense.

Finally, I note that the Committee recommendation includes $94,225,000 for construction of the Central Arizona Project, a generous $1,500,000 above the budget request. While I am generally supportive of plans to complete this project, I note that recent attempts to negotiate a ''restructuring'' of repayment terms for the Central Arizona Project have failed. It is likely that the project sponsors will soon begin a costly legal battle to settle their disputes with the United States over the amount of money owed for repayment of project construction costs. At the present time, hundreds of millions of dollars are in dispute, and there is no guarantee that these costs will ever be repaid. It should further be noted that we have already provided tens of millions of dollars to make extensive repairs to the CAP water delivery system, and I suspect we have just started to understand how much this project will eventually cost the taxpayers.

Mr. FAZIO of California. Mr. Chairman, I rise in strong support of H.R. 1905, the Energy and Water Appropriations bill.

I wish to thank the members of the subcommittee and full committee for their efforts in developing this measure. Developing this proposal was a difficult challenge for all of us considering the tough financial choices we had to make.

Even in that light, Mr. Speaker, this House appropriations bill reflects a relatively balanced approach for energy and water, although I have some reservations regarding solar and renewables which was cut in half.

As my colleagues know, I am and always have been a strong supporter of Solar and Renewable Energy and would have preferred an increased level of funding. I offered an amendment in committee to add back $15 million which was successful. While I am happy about this modest increase, more is still needed. That is why I have coauthored the Klug amendment which will restore funding for solar and renewable energy.

Mr. Speaker, I know there also will be an attempt to delete funds for the Gas Turbine-Modular Helium Reactor [GT-MHR] Program. I think deleting this funding would be a big mistake and I urge my colleagues to support the Appropriations Committee recommendation.

The bill includes funding for the biochemical conversion program in the solar and renewable accounts that fully supports the level recommended by the House Science Committee. This nation now consumes 70 percent of its energy in the transportation sector, predominantly liquid fuel petroleum. Once again, over half this oil is imported. Therefore, efficient production of ethanol should be a high national priority.

The bill includes critical water resource projects in every State and every region of the country which will help environmental restoration and improvement.

We have provided funding for the key energy, science and water projects, and we have

done so within our subcommittee's allocation. We are under the President's budget request, under the 602(b) allocation, and under the amount appropriated last year.

This bill is a joint effort to hold the line financially and continue the process of downsizing. It is about looking ahead for our children's future and making our economy stronger and our communities safer. I strongly urge a yes vote on this year's Energy and Water Appropriations bill.

Mr. LAZIO of New York. Mr. Chairman, I rise today to support H.R. 1905, the FY 1996 Energy and Water Appropriations bill.

As you may know, part of my district lies along New York's Atlantic Coast. Like coastal areas in many parts of the country, the barrier islands along the coast in my district have been hit extremely hard by the storms of the past few winters and remain in a delicate state, vulnerable to breaches and overwashes. Thankfully, this winter was relatively mild, but past damage has never been corrected, and a storm of any significance could be devastating to the mainland of Long Island.

The barrier islands protect Long Island in the same manner that the levees on the Mississippi River protect the river towns. A vulnerable barrier island system cannot protect Long Island's south shore, which has a multi-billion dollar economy and significant public infrastructure. The barriers afford protection to the freshwater wetlands and waters of the back bays, thus nurturing the clamming and fishing industries. Furthermore, Fire Island, Jones Island, Long Beach Island and the rest of Long Island's barrier system provide recreation for the citizens of Long Island and tourists from all over the world. As the tourism industry is the largest employer on Long Island, loss of this vital resource will means loss of jobs.

While the President's budget recommends that the Army Corps of Engineers get out of the business of local flood and shore protection, I believe the Army Corps has a cost-effective and justifiable role in these projects. Savings can surely be made in the way the Corps carries out its mission. But the mission itself is vital to the Nation's coastal communities, and it is not one that can be easily transferred to State or local governments. The shoreline protection projects the Corps is involved in are vitally important to the livelihood of the communities they seek to protect and often end up saving the taxpayers money in the long run.

The first project would provide New York with accurate, real-time information on its coastal processes. Many coastal states already have monitoring systems in place, and such a system is essential for New York. A federally funded monitoring system was authorized for New York in the 1992 Water Resources Development Act, and appropriations have been made over the past 2 years to initiate its implementation.

As the authorization states, successful implementation will take $1.4 million for up to 5 years, at which time the State of New York will take over funding and program implementation. The President has included the full $1.4 million for this program in his fiscal year 1996 budget request, and the fiscal year 1996 Energy and Water Development Appropriations bill also allocates this amount.

The second project has also been requested by the President. This project, the reformulation study of the area from Montauk Point to the Fire Island Inlet, will provide valuable long-term information on the coastal processes of Long Island's south shore. It is expected to take approximately 10 years and $14 million to complete. Over the past two fiscal years, a total of $5 million has been appropriated by this committee for the reformulation study. This has provided important information and will lay the groundwork for possible interim projects needed to shore-up Long Island's coastline. The fiscal year 1996 segment of the study will cost $2.18 million, and this amount was included in H.R. 1905 as part of a $10.4 million total appropriation in this area.

Moving away from flood protection, the final project is a navigation project. The waterways involved, Reynolds Channel and the New York State Boat Channel, run through the western portion of my district, part of Congressman PETER KING's district, 3rd CD, and part of Congressman DAN FRISA's district, 4th CD. The State and local municipalities have only been able to maintain these waterways on a limited basis, causing safety concerns among the parties that use them. Subsequently, the State and local municipalities have sought Federal assistance. A request for an appropriation of $170,000 has been included in the President's fiscal year 1996 budget in order to complete the reconnaissance phase and initiate the feasibility phase, and again, that amount was granted in this bill. There is strong local interest and support in improving navigation through Reynolds Channel and the New York State Boat Channel. These waterways provide important thoroughfares for large volumes of industrial and commercial traffic.

In this time of tight budgets on every level, I understand the fiscal constraints we face. I agree that every expenditure must pass stringent economic tests, and I am confident that, upon examination, expenditure for these projects will pass such tests. The importance of the waterways and the barrier islands to homes and businesses on Long Island and New York cannot be stressed enough. As Westhampton has taught us, the establishment of protective measures now will save the Federal, State, and local government millions of dollars in the long term. I urge my colleagues to support this bill.

Mr. MARTINI. Mr. Chairman, I want to commend the gentlewoman from Washington State with respect to her amendment.

I find it bizarre that the Federal Government of the United States would consider sending American taxpayer funds to some of the wealthiest countries in the world. Especially in a time when we are trying to take the necessary steps to balance our Federal budget within 7 years.

The Bureau of Reclamation is spending taxpayer funds on water projects in the oil rich countries of the Middle East. As my colleague realizes, the Bureau of Reclamation is a water resource agency in 17 contiguous western States, primarily for irrigation. It is supposed to focus its efforts on western water and power related issues. Apparently, the Agency has taken it upon itself to provide water projects for the rest of the world regardless of financial status. I think we need to take steps to ensure that we are providing for our country before we begin to provide this type of aid to our foreign neighbors.

The amendment from the gentlewoman from Washington State would cut the spending for the International Affairs Budget of the Bureau. In August 1993 the Commissioner stated,

> International Major Civil Works Construction does not fit or contribute to Reclamation's new direction and should be phased out in order to make human resources and funding available.

Even the Clinton administration's own officials agreed with this analysis and have adopted a policy to reduce the Bureau's spending.

The United States spends enough on foreign aid without subsidizing water projects in wealthy countries. Make the Bureau of Reclamation live up to its own claims of a new direction of responsible resource management.

Mr. Chairman, I am pleased that Mrs. SMITH has worked with the leadership on this important amendment and I am pleased to support the Smith amendment to the Energy and Water Appropriations bill. In addition, I want to commend the gentleman from Indiana, Mr. MYERS, for taking the steps to ensure that the important programs in this appropriation bill are protected while we continue to strive for a balanced budget for the American taxpayer.

Mr. MCDERMOTT. Mr. Chairman, I rise in strong opposition to the treatment of renewable energy and energy conservation programs in the fiscal year 1996 Appropriation bills. These bills threaten America's commitment to proven energy sources and their substantial economic and environmental benefits.

In the rush to cut the Federal budget, Congress should not recklessly endanger America's future environmental health and economic competitiveness. Renewable energy and energy conservation programs will improve America's future by offering clean energy sources at an affordable cost. Instead of cutting these programs, we should be expanding our commitment and support.

Gains in renewable energy are made almost daily. Energy generated by the wind is now being competitively marketed in the State of Washington at 3.5 cents per kilowatt hour. In addition to existing solar energy stations, plans for a high volume solar energy plant in Nevada will competitively market solar energy in rural areas at a price of 5.5 cents per kwh. Besides being cheap, there are no hidden costs—such as environmental degradation through air pollution or threats to human health.

Republican efforts to cut renewable energy research and development and conservation programs by almost 50 percent below fiscal year 1995 levels sets back the Nation's attempt to kick its harmful addiction to fossil fuels. While prices for fossil fuels fluctuate on a whim, fuel costs for renewable energy are zero. If strides are not made in finding alternative energy sources today, it is estimated that by the year 2010, foreign oil will make up 65 percent of U.S. oil consumption. Without an alternative energy plan, the Nation's addictive reliance on oil—both U.S. and foreign—will continue to harm the global environment and increase the Nation's trade deficit by billions of dollars.

In addition to finding new sources of energy, it is important to remember that much can be saved conserving what we already have. The Interior Appropriations bill, to be debated later this week, makes substantial cuts in energy conservation. For example, by the year 2000, a $150 million investment in energy conservation programs will save my own State of

Washington almost $700 million, reduce CO_2 emissions by 1.74 millions of metric tons per carbon equivalent [MMTCE]—and create more than 10,000 jobs across the State. If the conservation programs escape radical cuts from the budget knife, the country stands to save over $21 billion in energy costs in the year 2000 and would reduce its carbon emissions by 4.3 percent. Clearly, relatively small investments today could provide huge savings in the future.

Unfortunately, the Republicans don't want to hear these facts, and, instead, prefer to cut state weatherization programs by 50 percent. Programs that not only will save energy, they keep low income individuals warm in the winter, help institutions such as hospitals become more energy efficient, and spur the local economy.

We are so close to providing reliable alternative sources of energy—through renewables and energy conservation—which will have lasting benefits to us all. Why stop now?

Congress should be working to improve America's future by building on today's successes. Let's not squander this opportunity by turning our backs on sources of energy that are vital to improving America's economy and its environment.

The Republican budgetary treatment of renewable energy and energy conservation is short-sighted and foolish. I cannot support bills so absurd in thinking that they ignore the obvious benefits of establishing clean and efficient alternative sources of energy. I urge you to vote against this legislation. Thank you.

Mr. FRELINGHUYSEN. Mr. Chairman, I rise today in support of H.R. 1905 making appropriations for energy and water development for fiscal year 1996. As a new member of this subcommittee, I would like to thank Chairman MYERS and Ranking Member BEVILL for their leadership and direction. I would also like to thank the dedicated and capable staff of the subcommittee for their expertise and knowledge of these important issues.

The bill before the House today reduces spending and downsizes the Federal Government, while maintaining funding for critical flood safety projects, coastal protection, and important energy research programs like fusion energy. We had to make the tough choices about where to reduce spending while supporting programs that are in the best interest of our country.

Overall the bill reflects the changing priorities of the new Congress by reducing spending for the Department of Energy, Bureau of Reclamation, and other agencies by almost $1.6 billion from last year's level. An 8-percent reduction. Unlike the budget resolution which passed the House in May, the decisions in this bill will directly reduce Federal spending and are essential in our efforts to reach a balanced budget.

Specifically, the bill will fund fusion energy research at $229 million, slightly below the new authorized level. I am hopeful that as this bill moves through the committee process we will be successful in meeting this new number. In another area, the bill will close the Tennessee Valley Authority's environmental research center, a facility which I questioned the need for during our hearing process. This is clearly not a priority when we have a $5 trillion debt and we have an EPA that is responsible for these same activities.

I am also very pleased with the subcommittee decision to flatly reject the President's wish to end flood control and coastal protection projects. These projects are ''nationally significant'' and it is my belief that the President's policy was ill-conceived and not founded on solid fact. By rejecting the President's policy, New Jersey's shore and flood-prone areas will be protected again.

This bill represents real progress toward a smaller, smarter government. It is one more step closer to balancing the budget and keeping our promises to the American people. Mr. Chairman, I urge the adoption of this bill.

Mr. KNOLLENBERG. Mr. Chairman, I rise in support of this bill.

This is a good bill. This bill was created in the spirit of fiscal constraint, yet it prudently continues the gradual downsizing of the Federal energy and water program. I believe it is imperative for this Nation to set its priorities regarding Federal spending. This bill has cut almost $1.6 billion from the 1995 budget and over $2 billion from the Administration's recommendation. In consideration of these cuts, this bill prioritizes where the funds should be appropriated.

The Energy and Water Appropriation Subcommittee has placed a high priority on basic research and development. During the past 17 years since the creation of the Department of Energy, the DOE's focus has been dispersed to a wide array of large Federal programs. Solar and renewables, magnetic fusion, nuclear, and fossil energy begin the list of energy sources the Department of Energy spends billions of dollars each year in an attempt to find the safe and efficient answer to our energy needs.

Frankly, I believe an open and free market is a preferable forum to decide our Nation's energy policy. Withstanding my commitment to a free market, I do recognize that the Federal Government has a proper role in Energy policy to a limited extent, especially in basic research and development.

However, once an energy discovery becomes an applicable energy source, I believe the role of the Federal Government should be limited, and eventually eliminated. Let the entrepreneurial spirit of America apply technology obtained through basic research and development into a practical application. Let the working American family encourage the entrepreneur through the direct support of this entrepreneur's innovation. Encourage the individual innovator by removing burdensome and intrusive regulations. Don't stifle the scientists' imagination by forcing him to plod through a mountain of paper work to obtain Federal funding. And when the consumer chooses one energy source over another, don't interfere with the consumer judgment.

Although we have cut over $2 billion from the administration's budget, including over $1.8 billion cut directly from the Department of Energy's budget, we did not eliminate the Department of Energy itself. And it is not the Appropriations proper role to do so. The proper place for such legislation to be introduced is in the authorizing committees, where an open and full public debate can follow. It is important to understand that even if the Department of Energy is disbanded, a number of programs would remain which require Federal oversight and interaction. For example, the largest focus of the DOE is its defense and national security programs which take up over 60 percent of the Department's funding. These programs include nuclear research, weapons stewardship, and nuclear waste management.

To be candid, I am not happy about every provision of this appropriations bill. For example, I would support smaller cuts in the fusion energy program that promises a safe and inexpensive energy source for the future. And I would seek further cuts in some of the applied technologies, like the solar and renewable energy program. But we cannot let perfection be the enemy of the good. This bill restores prudence by balancing our interest in fiscal responsibility and our interest in a safe, clean and efficient energy and water program.

I seek and encourage your support of this bill.

Mr. SMITH of New Jersey. Mr. Chairman, I appreciate this opportunity to speak to several provisions of the Energy and Water Appropriations bill for fiscal year 1996 which will profoundly affect my home State of New Jersey.

First of all, I am pleased that the committee has soundly rejected President Clinton's short-sighted proposal to phase out the important work of the Army Corps of Engineers in shore protection, navigation, and flood study. The Army Corps has worked to reduce erosion along the Jersey Shore, to make waterways safe for fishing and commercial boat passage, and has protected homeowners from flooding. There is still work to be done.

The Shore is the lifeblood of my home State of New Jersey. The Coast Alliance estimates that three-quarters of the State is located in the coastal zone and that more than 90 percent of the people in the Nation's most populated State live in this coastal zone. These people depend on the Army Corps' experience and know-how to maintain the quality of life they have come to know. In addition, the coastal zone contributes more than $79 billion—or over half of the State's gross State product—to the New Jersey economy through tourism, fishing, and boating or other recreational activities.

While we all realize that cuts in Federal spending are necessary, they should not be arbitrary and they should be based on sound cost-benefit analyses. The President's proposal disregarded the long-term benefits of the Army Corps' work and simply shifted much of the cost of their work to the states. I am proud to have been part of a bipartisan group of legislators who successfully worked against this proposal from its very onset.

In addition, Mr. Chairman, as if to provide evidence of the importance of the Army Corps to New Jersey, H.R. 1905 includes two Corps projects in my district which will help to maintain our strong fishing and tourism industries. Specifically, the bill includes funding to complete a reconnaissance study of the erosion problem along the Shore from Manasquan Inlet to Barnegat Inlet. The study was begun in fiscal year 1995 and, with the $290,000 appropriated in H.R. 1905, will be completed this year. The bill also provides for $100,000 to begin work on maintenance dredging of the Manasquan Inlet.

These appropriations, Mr. Chairman, are modest, but the benefits they will bring to the State are enormous. Tourism is the second greatest contributor to the New Jersey economy, pumping in $22.6 billion in 1994 alone. A stable and preserved shoreline is vital to the success of that industry. In fact, in 1993, the New Jersey coastal regions received almost

14 million overnight visitors who spent an estimated $10.3 billion and created more than 171,000 jobs.

Fishing is also a key industry to the State economy. New Jersey leads the Nation in clam production and is a major producer of scallops and other seafood. In 1993, the New Jersey commercial fishing fleet caught more than $96 million worth of seafood. In addition, anglers contributed more than $649 million to the State economy in 1993. Waterways, like the Manasquan Inlet, must be maintained to allow the fishing industry to do its work.

Mr. Chairman, while I am pleased that the Committee gave these Army Corps proposals appropriate attention, I am disappointed that the Committee has neglected another industry of importance not only to New Jersey, but to the Nation, and that is fusion energy research.

For years, the Princeton Plasma Physics Lab in Princeton, New Jersey has been a key contributor to the United States' efforts to develop fusion energy for mass consumer use. Just this past year, the Lab reached record levels of energy production and seemed to be on its way to making this safe and clean energy source a reality. Unfortunately, H.R. 1905 stops their progress just as it is beginning to truly pay off. I am hopeful that this will be corrected as we move through the conference process.

Mr. PORTMAN. Mr. Chairman, I rise today in support of the Energy and Water Appropriations bill. This bill represents a good balance between competing interests for a limited pool of resources, and I applaud the Appropriations Committee for their good efforts.

One issue that I have closely monitored during the formulation of this bill is the appropriation for the Department of Energy's [DOE] Environmental Restoration and Waste Management Budget. Those of us who represent districts containing sites where the Department of Energy carried out nuclear energy or weapons research and production activities that resulted or weapons research and production activities that resulted in radioactive and hazardous contamination are committed to ensuring that this budget maintain responsible levels of funding to meet the Federal Government's clean up obligations. If there are no funds to clean up the environmental and health hazards caused by our nation's nuclear weapons production, the sites will continue to cause an imminent danger to citizens living near the facilities.

I believe the Environmental Restoration and Waste Management Budget appropriation is fair given the Government's budget constraints. The recommended appropriation represents a 7.6 percent increase from last year's budget, increasing spending from $4.9 billion in fiscal year 1995 to $5.3 billion in fiscal year 1996. I understand that the committee has sought to protect funding for cleanup milestones established in compliance agreements by directing cuts against support service contracts, excessive headquarters and field oversight, and by reducing the number of new construction starts proposed to begin in fiscal year 1996. I agree that it is important to ensure that this funding is sued for actual clean up of sites, instead of wasted on overhead costs.

The Fernald site, a former uranium processing center, lies in my congressional district. At no fault of their own, thousands of people living near Fernald have potentially been exposed to dangerous material in the air, soil and water. With DOE oversight, much progress has been made at Fernald in cleaning up these hazards. However, problems persist.

A specific proposal has been developed to accelerate remediation, so that the site will be clean in 10 years. Having reviewed the proposal and consulted with the various interested parties, I am convinced it is a sound approach. It enjoys widespread support, could serve as a model of successful cleanup efforts, and would result in significant savings to the taxpayer. In fact, I understand that accelerating the schedule for cleanup from 25 years down to 10 years would result in a savings to the taxpayer of approximately $1.4 billion.

I am extremely pleased that the Appropriations Committee has also specifically recognized the prospects for immediate cleanup at Fernald. The Committee Report cites that, ''the Committee supports [Fernald's] proposal to reduce costs and accelerate cleanup activities and expects the Department to make every effort to increase funding for this project.''

Again, I urge my colleagues to support this appropriations legislation. It provides fair funding levels for our national energy and water priorities, including the cleanup of the Government's nuclear waste sites, while still providing for savings that will help move us to a balanced budget by 2002. Thank you.

Mr. DE LA GARZA. Mr. Chairman, included in the fiscal year 1996 Energy and Water Appropriations package are two projects of great interest to me for which I want to express my support for funding. They are as follows:

Corpus Christi Ship Channel, Texas, is a navigation project which is budgeted for operations and maintenance at $2,190.000. Continued funding of this project is essential due to the impact on the local economy. The project provides for widening and deepening the existing channels to (40.5 miles) and basins from the Gulf of Mexico to deepwater ports at Harbor Island, Ingleside, and Corpus Christi, and a branch channel to the port of La Quinta to provide a project depth of 45 feet. It also includes the construction of mooring areas and dolphins at Port Ingleside, one mooring area and six dolphins constructed initially with seven others deferred to be constructed when required.

Lower Rio Grande Basin, South Main Channel, Texas, is a comprehensive flood control-drainage project which is budgeted at $900,000. It provides the major outlet component of an overall flood protection plan for Willacy and Hidalgo Counties. The authorized plan calls for construction of a major channel extending from near McAllen to the Laguna Madre, and related fish and wildlife mitigating measures. The authorized plan would provide two year protection to rural areas which drain into the South Main Channel; one hundred year flood protection to the cities of Edinburg, McAllen and Lyford; and 50-year flood protection for the cities of La Villa and Edcouch.

The CHAIRMAN. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered under the 5-minute rule by titles and each title shall be considered read.

Before consideration of any other amendment, it shall be in order to consider the amendment printed in House Report 104–154 if offered by the gentleman from Pennsylvania [Mr. SHUSTER] or his designee. That amendment shall be considered read, is not subject to amendment, and is not subject to a demand for division of the question. Debate on the amendment is limited to 10 minutes, equally divided and controlled by the proponent and an opponent of the amendment.

After disposition of that amendment, the bill as then perfected will be considered as original text.

During consideration of the bill for amendment, the Chairman of the Committee of the Whole may accord priority in recognition to a member who has caused an amendment to be printed in the designated place in the CONGRESSIONAL RECORD. Those amendments will be considered read.

The clerk will designate title 1.

The text of title 1 is as follows:

H.R. 1905

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 1996, for energy and water development, and for other purposes, namely:

TITLE I

DEPARTMENT OF DEFENSE—CIVIL

DEPARTMENT OF THE ARMY

CORPS OF ENGINEERS—CIVIL

The following appropriations shall be expended under the direction of the Secretary of the Army and the supervision of the Chief of Engineers for authorized civil functions of the Department of the Army pertaining to rivers and harbors, flood control, beach erosion, and related purposes.

GENERAL INVESTIGATIONS

For expenses necessary for the collection and study of basic information pertaining to river and harbor, flood control, shore protection, and related projects, restudy of authorized projects, miscellaneous investigations, and, when authorized by laws, surveys and detailed studies and plans and specifications of projects prior to construction, $129,906,000, to remain available until expended, of which funds are provided for the following projects in the amounts specified:

Norco Bluffs, California, $375,000;

Indianapolis Central Waterfront, Indiana, $2,000,000;

Ohio River Greenway, Indiana, $1,000,000; and

Mussers Dam, Middle Creek, Snyder County, Pennsylvania, $300,000.

CONSTRUCTION, GENERAL

For the prosecution of river and harbor, flood control, shore protection, and related projects authorized by laws; and detailed studies, and plans and specifications, of projects (including those for development with participation or under consideration for participation by States, local governments, or private groups) authorized or made eligible for selection by law (but such studies shall not constitute a commitment of the Government to construction), $807,846,000, to remain available until expended, of which such sums as are necessary pursuant to Public Law 99–662 shall be derived from the Inland Waterways Trust Fund, for one-half of the costs of construction and rehabilitation of inland waterways projects, including rehabilitation costs for the Lock and Dam 25, Mississippi River, Illinois and Missouri, Lock and Dam 14, Mississippi River, Iowa,

Lock and Dam 24, Mississippi river, Illinois and Missouri, and GIWW-Brazos River, Floodgates, Texas, projects, and of which funds are provided for the following projects in the amounts specified:

Red River Emergency Bank Protection, Arkansas and Louisiana, $6,600,000;

Sacramento River Flood Control Project (Glenn-Colusa Irrigation District), California, $300,000;

San Timoteo Creek (Santa Ana River Mainstem), California, $5,000,000;

Indiana Shoreline Erosion, Indiana, $1,500,000;

Harlan (Levisa and Tug Forks of the Big Sandy River and Upper Cumberland River), Kentucky, $12,000,000;

Williamsburg (Levisa and Tug Forks of the Big Sandy River and Upper Cumberland River), Kentucky, $4,100,000;

Middlesboro (Levisa and Tug Forks of the Big Sandy River and Upper Cumberland River), Kentucky, $1,600,000;

Salyersville, Kentucky, $500,000;

Lake Pontchartrain and Vicinity (Hurricane Protection), Louisiana, $11,848,000;

Red River below Denison Dam Levee and Bank Stabilization, Louisiana, Arkansas, and Texas, $3,800,000;

Broad Top Region, Pennsylvania, $4,100,000;

Glen Foerd, Pennsylvania, $200,000; and

Wallisville Lake, Texas, $5,000,000.

FLOOD CONTROL, MISSISSIPPI RIVER AND TRIBUTARIES, ARKANSAS, ILLINOIS, KENTUCKY, LOUISIANA, MISSISSIPPI, MISSOURI, AND TENNESSEE

For expenses necessary for prosecuting work of flood control, and rescue work, repair, restoration, or maintenance of flood control projects threatened or destroyed by flood, as authorized by law (33 U.S.C. 702a, 702g–1), $307,885,000, to remain available until expended.

OPERATION AND MAINTENANCE, GENERAL

For expenses necessary for the preservation, operation, maintenance, and care of existing river and harbor, flood control, and related works, including such sums as may be necessary for the maintenance of harbor channels provided by a State, municipality or other public agency, outside of harbor lines, and serving essential needs of general commerce and navigation; surveys and charting of northern and northwestern lakes and connecting waters; clearing and straightening channels; and removal of obstructions to navigation, $1,712,123,000, to remain available until expended, of which such sums as become available in the Harbor Maintenance Trust Fund, pursuant to Public Law 99–662, may be derived from that fund, and of which such sums as become available from the special account established by the Land and Water Conservation Act of 1965, as amended (16 U.S.C. 460l), may be derived from that fund for construction, operation, and maintenance of outdoor recreation facilities: *Provided,* That not to exceed $5,000,000 shall be available for obligation for national emergency preparedness programs: *Provided further,* That $5,926,000 of the funds appropriated herein are provided for the Raystown Lake, Pennsylvania, project: *Provided further,* That the Secretary of the Army is authorized to transfer an appropriate amount of land at the Cooper Lake and Channels, Texas, project, not to exceed 300 acres, from mitigation or low-density recreation to high-density recreation, and is further authorized to take whatever actions are necessary, including the acquisition of additional mitigation lands, to accomplish such transfer.

REGULATORY PROGRAM

For expenses necessary for administration of laws pertaining to regulation of navigable waters and wetlands, $101,000,000, to remain available until expended.

FLOOD CONTROL AND COASTAL EMERGENCIES

For expenses necessary for emergency flood control, hurricane, and shore protection activities, as authorized by section 5 of the Flood Control Act approved August 18, 1941, as amended, $10,000,000, to remain available until expended.

OIL SPILL RESEARCH

For expenses necessary to carry out the purposes of the Oil Spill Liability Trust Fund, pursuant to Title VII of the Oil Pollution Act of 1990, $850,000, to be derived from the Fund and to remain available until expended.

GENERAL EXPENSES

For expenses necessary for general administration and related functions in the Office of the Chief of Engineers and offices of the Division Engineers; activities of the Coastal Engineering Research Board, the Humphreys Engineer Center Support Activity, the Engineering Strategic Studies Center, and the Water Resources Support Center, $150,000,000: *Provided,* That not to exceed $60,000,000 of the funds provided in this Act shall be available for general administration and related functions in the Office of the Chief of Engineers: *Provided further,* That no part of any other appropriation provided in title I of this Act shall be available to fund the activities of the Office of the Chief of Engineers or the executive direction and management activities of the Division Offices: *Provided further,* That with funds provided herein and notwithstanding any other provision of law, the Secretary of the Army shall develop and submit to the Congress within 60 days of enactment of this Act, a plan which reduces the number of division offices within the United States Army Corps of Engineers to no less than 6 and no more than 8, with each division responsible for at least 4 district offices, but does not close or change the function of any district office: *Provided further,* That notwithstanding any other provision of law, the Secretary of the Army is directed to begin implementing the division office plan on May 1, 1996, and such plan shall be implemented prior to October 1, 1997.

ADMINISTRATIVE PROVISIONS

Appropriations in this title shall be available for official reception and representation expenses (not to exceed $5,000); and during the current fiscal year the revolving fund, Corps of Engineers, shall be available for purchase (not to exceed 100 for replacement only) and hire of passenger motor vehicles.

GENERAL PROVISION

CORPS OF ENGINEERS—CIVIL

SEC. 101. (a) In fiscal year 1996, the Secretary of the Army shall advertise for competitive bid at least 7,500,000 cubic yards of the hopper dredge volume accomplished with government-owned dredges in fiscal year 1992.

(b) Notwithstanding the provisions of this section, the Secretary is authorized to use the dredge fleet of the Corps of Engineers to undertake projects when industry does not perform as required by the contract specifications or when the bids are more than 25 percent in excess of what the Secretary determines to be a fair and reasonable estimated cost of a well equipped contractor doing the work or to respond to emergency requirements.

(c) None of the funds appropriated herein or otherwise made available to the Army Corps of Engineers, including amounts contained in the Revolving Fund of the Army Corps of Engineers, may be used to study, design or undertake improvement or major repair of the Federal vessel, MCFARLAND, or for any use of the MCFARLAND to perform work other than emergency dredging work.

The CHAIRMAN. Are there any points of order against title 1?

POINT OF ORDER

Mr. SHUSTER. Mr. Chairman, I make a point of order against page 6, line 6, beginning with the words ''provided further,'' through line 13 on page 6.

The CHAIRMAN. Does the gentleman from Indiana [Mr. MYERS] wish to be heard on the point of order?

Mr. MYERS of Indiana. Mr. Chairman, we concede the point of order.

Mr. SHUSTER. Mr. Chairman, if I might be heard in support of my point of order, nevertheless I want to emphasize that I am sympathetic to the language that my friend, the gentleman from Texas [Mr. CHAPMAN] has attempted to insert here. The problem is we have had many requests for authorizations come before our committee from both sides of the aisle, including Members of our own committee, which we have not agreed to. Therefore, I feel constrained to oppose this particular authorization because we have already disagreed and opposed so many.

Mr. Chairman, I want to emphasize that I understand the purpose of the provision, and that we will consider it very seriously and I believe favorably in the context of our authorizing legislation to be brought before the Congress. I want to give my good friend, the gentleman from Texas, that assurance.

The CHAIRMAN. The point of order is sustained.

It is now in order to consider the amendment printed in House Report 104–154.

AMENDMENT OFFERED BY MR. SHUSTER

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. SHUSTER: Page 8, line 3, strike ''May 1, 1996'' and insert ''August 15, 1996''.

Page 9, line 6, strike ''MCFARLAND,'' and all that follows through line 8 and insert ''MCFARLAND.''.

The CHAIRMAN. Pursuant to the rule the gentleman from Pennsylvania [Mr. SHUSTER] and a Member opposed will each be recognized for 5 minutes.

The Chair recognizes the gentleman from Pennsylvania [Mr. SHUSTER].

Mr. SHUSTER. Mr. Chairman, as the chairman of the authorizing committee having jurisdiction over the water resources programs of the Army Corps of Engineers, I rise to offer an amendment to title I of the bill. My amendment, Mr. Chairman, is in two parts: first, to change the effective date of a plan to close some of the Corps of Engineers divisions offices, and second, to delete a prohibition against the use of the dredge McFarland during fiscal year 1996.

Regarding the first part of my amendment, I certainly applaud the

Committee on Appropriation's efforts to streamline the corps and to save money. The Corps of Engineers must be allowed to downsize and make itself more efficient. The bill requires a plan to close three to five division offices. This plan will be only implemented after Congress has had an opportunity to review it. I have supported this aspect of the bill.

The effect of my amendment simply is to assure that by changing the effective date from May 1, 1996, to August 15, 1996, that the authorizing committee has a reasonable amount of time to review the plan after it has been transmitted to the Congress.

The second part of the amendment recognizes the need to avoid the expenditure of funds to rehabilitate a vessel that may not fit into the long-term plans for the corps' dredging program. Yet, this amendment allows the vessel to be kept operational while decisions are reached. We must carefully review the corps' long-term needs for hopper dredges and the private dredging industry's capability to provide timely and cost-effective dredging services. The proper place to conduct this review is in the context of Water Resource's authorizing legislation, which will be addressed by the Committee on Transportation and Infrastructure.

H.R. 1905 prohibits the use of funds available to the corps in fiscal year 1996 for rehabilitating the dredge McFarland and for use of the dredge for anything other than emergencies. The effect of my amendment is to retain the prohibition against rehabilitating the McFarland, but to allow continued use of the vessel in its current capacity as part of the corps' minimum dredge fleet. This will allow the authorizing committee to fully explore all options for the long-term disposition of the McFarland as well as the overall direction of the dredging program.

Both of these recommended changes to the bill will result in needed improvements and cost savings, and at the same time assure that the issues they represent are fully addressed in the proper form.

I certainly want to emphasize our appreciation for the cooperation shown by my colleagues on the Committee on Appropriations during the development of this legislation, especially from the chairman, the gentleman from Indiana [Mr. MYERS], and the ranking member, the gentleman from Alabama [Mr. BEVILL].

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

Mr. MYERS of Indiana. Mr. Chairman, will the gentleman yield?

Mr. SHUSTER. I yield to the gentleman from Indiana.

Mr. MYERS of Indiana. Mr. Chairman, we accept the gentleman's amendment. First let me state, it has been noted that the Corps has tried to consolidate, not close but consolidate, some of the division offices around the country. We could cut back to six or eight offices to be more efficient. We selected May 1 because by this time next year we will have a bill on the floor.

It is not just quite as easy as closing up an office and walking away. It requires appropriations to close some of these offices and to consolidate them. We chose May 1 in order to be able to next year appropriate for that consolidation. I hope the committee will make every effort to try to get the job done, to make these consolidations as soon as possible, so we can appropriate next year.

Mr. SHUSTER. Mr. Chairman, we have a responsibility to get our job done, I would say to the gentleman, and we will make every effort to get that done.

Mr. MYERS of Indiana. It was my understanding we had an understanding about May 1. We were not trying to be arbitrary, but it was just a misunderstanding between the authorizing committee and us.

Mr. SHUSTER. Mr. Chairman, if there is no Member in opposition, I ask unanimous consent that I be yielded that 5 minutes.

The CHAIRMAN. The Chair would inquire if there is any Member in opposition to the amendment offered by the gentleman from Pennsylvania [Mr. SHUSTER].

If not, without objection, the gentleman from Pennsylvania is recognized for 5 minutes

There was no objection.

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

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

Mr. SHUSTER. I yield to the gentleman from New Jersey.

Mr. FRELINGHUYSEN. Mr. Chairman, I rise to request a colloquy with the gentleman from Pennsylvania [Mr. SHUSTER], chairman of the Committee on Transportation and Infrastructure.

Mr. SHUSTER. Mr. Chairman, I would be happy to enter into a colloquy with the gentleman from New Jersey.

Mr. FRELINGHUYSEN. As author of section 101 of the bill, let me clarify my intent and the intent of the Committee on appropriations. Our primary motivation was saving extremely scarce dollars without adversely impacting essential Corps missions. In addition, we intended to take steps that would be supportive of the private sector which is so essential in ensuring the proper maintenance of the Nation's navigation channels. Specifically, the amendment I offered in Committee would prohibit the Army Corps of Engineers from going forward with major repairs and improvements to the government owned dredge McFarland, especially when earlier studies questioned the justification of the current Federal hopper dredge fleet and when the Corps is, once again, conducting a reevaluation of the Federal hopper dredge fleet and industry capability.

We on the Appropriations Committee have the responsibility of ensuring that Federal dollars are spent wisely. At the same time, we recognize that the authorizing committee has the major role in deciding the need for and the appropriate size and scope of the Federal hopper dredge fleet. Our intent was simply to defer expenditures for major repairs of one of the vessels until the ongoing study is completed.

Further, we felt that a more accurate assessment of the existing Federal fleet was through a market test—using industry first and the Corps vessel in reserve if industry can't do the job. It was never our intent to usurp the jurisdiction of the authorizing committee.

Mr. SHUSTER. I want to thank the gentleman for his reassurance and indicate that the authorizing committee also is seeking to find savings wherever possible and to support the private sector if it can demonstrate it can do the job. We intend to look carefully at the performance of the private sector in evaluating the appropriate scope of and need for a Federal dredging fleet at the earliest opportunity.

Mr. FRELINGHUYSEN. Just for clarification, the compromise that we have agreed to would prohibit the expenditure of funds for improvement or major repair of the dredge *McFarland*.

This language is intended to prohibit the Corps from going forward with any substantial new investment in upgrading the *McFarland* or extending the vessel's useful life, but not to limit the Corps' ability to undertake repairs needed to keep the vessel operational as part of the Corps' minimum dredge fleet and to meet Coast Guard certification. I would ask the gentleman whether this is his understanding as well.

Mr. SHUSTER. The gentleman is correct, that is our understanding. There is no expenditure of additional Federal funds involved here.

Mr. FRELINGHUYSEN. I thank the gentleman for his time and comments.

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

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

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

Mr. BORSKI. Mr. Chairman, I wish to express my support for the Shuster amendment which will allow the Dredge McFarland to keep operating to meet the dredging needs of the ports of the east coast and gulf throughout fiscal year 1996.

I compliment the Chairman of the Transportation and Infrastructure Committee for taking the initiative on this important matter.

I look forward to working with the chairman when our committee reviews this issue as part of our water resources development legislation later this year.

The continued operation of the Dredge McFarland is absolutely vital to the port of Philadelphia and the many businesses which depend on the Delaware River Channel.

The Delaware River ports handle almost 80 million tons of cargo annually. They generate $4 billion in commerce for the region.

These ports depend on the 120-mile Delaware River Channel being kept open. The river has a high silt content and frequently requires a rapid, effective response.

It is too much of a risk for the economy of the Greater Philadelphia region to eliminate the McFarland without having a proven substitute.

There has been no demonstration that the private dredging industry will provide an effective replacement to the McFarland.

The private dredging industry was offered an opportunity in last year's Water Resources Development Act to prove it can do the job while the McFarland was being repaired.

If private industry proved up to the task, the McFarland would be kept in reserve until it was needed for emergency work.

Mr. Chairman, contrary to some statements, there has been no Corps of Engineers study that finds that the corps' dredge fleet should be reduced.

The study that the corps submitted on this issue was rejected by the Army Audit Agency for using poor data and poor methodology.

The Acting Assistant Secretary of the Army, John Zirschky said, ''Given the uncertainties associated with dredging needs, the existing studies do not provide sufficient certainty that the dredging needs of the country can be met by the private sector alone.''

He said, ''It would not be prudent to reduce the fleet.''

The Army Audit Agency reviewed the proposed corps study and found that its data reliability was too low for its conclusions to be carried out. The Army Audit Agency asked for a new study.

That is why the corps is studying the issue again—because the previous studies were inadequate.

Again, I thank the chairman of the Transportation and Infrastructure Committee for offering this amendment and I thank the chairman of the subcommittee, Mr. MYERS, and the ranking Member, Mr. BEVILL, for accepting the amendment.

Mr. FOGLIETTA. Mr. Chairman, I rise in strong support of the amendment offered by Mr. SHUSTER.

I cannot stress enough the importance of the dredge *McFarland* to the operation of the Delaware River ports. These ports handle 80 million tons of cargo, and generate $4 billion in commerce for our region. Eight-five percent of the Northeast's heating oil also passes through these ports. Both our economy and environment could be devastated if the Delaware Channel was not served by the *McFarland*.

And as the only dredge currently operating with sea turtle deflectors, the *McFarland* is proven effective in preserving sensitive marine habitats. This has sent the *McFarland* to several key ports in Florida and Louisiana which have required dredging in sensitive waters. I urge support for the Shuster amendment, and continued operation of the *McFarland*.

Mr. SHUSTER. Mr. Chairman, I thank the gentleman, and I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania [Mr. SHUSTER].

The amendment was agreed to.

□ 1530

AMENDMENT OFFERED BY MR. STUPAK

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

The Clerk read as follows:

Amendment offered by Mr. STUPAK: Page 9, after line 8, insert the following new section:

SEC. 102. (a) SAND AND STONE CAP IN NAVIGATION PROJECT AT MANISTIQUE HARBOR, MICHIGAN.—The project for navigation, Manistique Harbor, Schoolcraft County, Michigan, authorized by the first section of the Act entitled ''An Act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes'', approved March 3, 1905 (33 Stat. 1136), is modified to permit installation of a sand and stone cap over sediments affected by polychlorinated biphenyls in accordance with an administrative order of the Environmental Protection Agency.

(b) PROJECT DEPTH.—

(1) IN GENERAL.—Except as provided in paragraph (2), the project described in subsection (a) is modified to provide for an authorized depth of 18 feet.

(2) EXCEPTION.—The authorized depth shall be 12.5 feet in the areas where the sand and stone cap described in subsection (a) will be placed within the following coordinates: 4220N–2800E to 4220N–3110E to 3980N–3260E to 3190N–3040E to 2960N–2560E to 3150N–2300E to 3680N–2510E to 3820N–2690E and back to 4220N–2800E.

(c) HARBOR OF REFUGE.—The project described in subsection (a), including the breakwalls, pier, and authorized depth of the project (as modified by subsection (b)), shall continue to be maintained as a harbor of refuge.

Mr. STUPAK (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

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

There was no objection.

Mr. STUPAK. Mr. Chairman, I would like to thank the gentleman from Indiana [Mr. MYERS] and the gentleman from Pennsylvania [Mr. SHUSTER] and the gentleman from Alabama [Mr. BEVILL] and the gentleman from California [Mr. MINETA] for their assistance on this amendment.

This amendment is to allow a harbor to be capped in accordance with an administrative order negotiated between the U.S. Environmental Protection Agency and the Army Corps of Engineers and potentially responsible parties at the Manistique Harbor.

EPA has agreed that a hybrid remedy of dredging and capping could be necessary to cap PCB's in the Manistique Harbor. This agreement was just entered into within the last 2 weeks. The dredging which is part of the remedy negotiated here has already begun in the Manistique Harbor.

We would like to cap yet this year. In order to cap this year, we would have to change the river level, the depth of the river. It is now 18 feet. We would have to change it to 12.5 feet. We would like to do it this year, before the ice moves in in northern Michigan, by the first of the year.

Mr. Chairman, we are scheduled, under the negotiated agreement between all the parties, to begin capping on August the 1st. I have been able to draft this amendment, and I again would like to thank the principals involved in helping me to draft this amendment to make it acceptable to this legislation.

We are not here asking for an authorization of any money now or in the future. Any costs associated with this amendment will be picked up by the potential responsible parties with this negotiated settlement.

I am not here for, nor does my amendment request, any authorizing funds or reprogramming funds. This is not an authorization amendment.

Therefore, I would ask my colleagues to adopt this amendment. Any delay would be a serious delay in the negotiated settlement between the parties, the Army Corps of Engineers and the EPA. As I said, capping is slated to begin next month. If we could pass it through with this legislation now, we will move on to the Senate and we are confident we can get it done yet this year.

Therefore, Mr. Chairman, I would once again ask that this amendment be adopted as written and I appreciate the cooperation of all the parties involved.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan [Mr. STUPAK].

The agreement was agreed to.

The CHAIRMAN. Are there further amendments to title I?

If not, the Clerk will designate title II.

The text of title II is as follows:

TITLE II

DEPARTMENT OF THE INTERIOR

CENTRAL UTAH PROJECT

CENTRAL UTAH PROJECT COMPLETION ACCOUNT

For the purpose of carrying out provisions of the Central Utah Project Completion Act, Public Law 102–575 (106 Stat. 4605), and for feasibility studies of alternatives to the Uintah and Upalco Units, $42,893,000, to remain available until expended, of which $23,503,000 shall be deposited into the Utah Reclamation Mitigation and Conservation Account: *Provided*, That of the amounts deposited into the Account, $5,000,000 shall be considered the Federal Contribution authorized by paragraph 402(b)(2) of the Act and $18,503,000 shall be available to the Utah Reclamation Mitigation and Conservation Commission to carry out activities authorized under the Act.

In addition, for necessary expenses incurred in carrying out responsibilities of the Secretary of the Interior under the Act, $1,246,000, to remain available until expended.

BUREAU OF RECLAMATION

For carrying out the functions of the Bureau of Reclamation as provided in the Federal reclamation laws (Act of June 17, 1902, 32 Stat. 388, and Acts amendatory thereof or supplementary thereto) and other Acts applicable to that Bureau as follows:

GENERAL INVESTIGATIONS

For engineering and economic investigations of proposed Federal reclamation projects and studies of water conservation and development plans and activities preliminary to the reconstruction, rehabilitation and betterment, financial adjustment, or extension of existing projects, to remain available until expended, $13,114,000: *Provided,* That, of the total appropriated, the amount for program activities which can be financed by the reclamation fund shall be derived from that fund: *Provided further,* That funds contributed by non-Federal entities for purposes similar to this appropriation shall be available for expenditure for the purposes for which contributed as though specifically appropriated for said purposes, and such amounts shall remain available until expended.

CONSTRUCTION PROGRAM

(INCLUDING TRANSFER OF FUNDS)

For construction and rehabilitation of projects and parts thereof (including power transmission facilities for Bureau of Reclamation use) and for other related activities as authorized by law, to remain available until expended, $417,301,000, of which $27,049,000 shall be available for transfer to the Upper Colorado River Basin Fund authorized by section 5 of the Act of April 11, 1956 (43 U.S.C. 620d), and $94,225,000 shall be available for transfer to the Lower Colorado River Basin Development Fund authorized by section 403 of the Act of September 30, 1968 (43 U.S.C. 1543), and such amounts as may be necessary shall be considered as though advanced to the Colorado River Dam Fund for the Boulder Canyon Project as authorized by the Act of December 21, 1928, as amended: *Provided,* That of the total appropriated, the amount for program activities which can be financed by the reclamation fund shall be derived from that fund: *Provided further,* That transfers to the Upper Colorado River Basin Fund and Lower Colorado River Basin Development Fund may be increased or decreased by transfers within the overall appropriation under this heading: *Provided further,* That funds contributed by non-Federal entities for purposes similar to this appropriation shall be available for expenditure for the purposes for which contributed as though specifically appropriated for said purposes, and such funds shall remain available until expended: *Provided further,* That all costs of the safety of dams modification work at Coolidge Dam, San Carlos Irrigation Project, Arizona, performed under the authority of the Reclamation Safety of Dams Act of 1978 (43 U.S.C. 506), as amended, are in addition to the amount authorized in section 5 of said Act.

OPERATION AND MAINTENANCE

For operation and maintenance of reclamation projects or parts thereof and other facilities, as authorized by law; and for a soil and moisture conservation program on lands under the jurisdiction of the Bureau of Reclamation, pursuant to law, to remain available until expended, $278,759,000: *Provided,* That of the total appropriated, the amount for program activities which can be financed by the reclamation fund shall be derived from that fund, and the amount for program activities which can be derived from the special fee account established pursuant to the Act of December 22, 1987 (16 U.S.C. 460l–6a, as amended), may be derived from that fund: *Provided further,* That funds advanced by water users for operation and maintenance of reclamation projects or parts thereof shall be deposited to the credit of this appropriation and may be expended for the same purpose and in the same manner as sums appropriated herein may be expended, and such advances shall remain available until expended: *Provided further,* That revenues in the Upper Colorado River Basin Fund shall be available for performing examination of existing structures on participating projects of the Colorado River Storage Project.

BUREAU OF RECLAMATION LOAN PROGRAM ACCOUNT

For the cost of direct loans and/or grants, $11,243,000, to remain available until expended, as authorized by the Small Reclamation Projects Act of August 6, 1956, as amended (43 U.S.C. 422a–422l): *Provided,* That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further,* That these funds are available to subsidize gross obligations for the principal amount of direct loans not to exceed $37,000,000.

In addition, for administrative expenses necessary to carry out the program for direct loans and/or grants, $425,000: *Provided,* That of the total sums appropriated, the amount of program activities which can be financed by the reclamation fund shall be derived from the fund.

CENTRAL VALLEY PROJECT RESTORATION FUND

For carrying out the programs, projects, plans, and habitat restoration, improvement, and acquisition provisions of the Central Valley Project Improvement Act, to remain available until expended, such sums as may be collected in the Central Valley Project Restoration Fund pursuant to sections 3407(d), 3404(c)(3), 3405(f) and 3406(c)(1) of Public Law 102–575: *Provided,* That the Bureau of Reclamation is directed to levy additional mitigation and restoration payments totaling $30,000,000 (October 1992 price levels) on a three-year rolling average basis, as authorized by section 3407(d) of Public Law 102–575.

GENERAL ADMINISTRATIVE EXPENSES

For necessary expenses of general administration and related functions in the office of the Commissioner, the Denver office, and offices in the five regions of the Bureau of Reclamation, $48,630,000, of which $1,400,000 shall remain available until expended, the total amount to be derived from the reclamation fund and to be nonreimbursable pursuant to the Act of April 19, 1945 (43 U.S.C. 377): *Provided,* That no part of any other appropriation in this Act shall be available for activities or functions budgeted for the current fiscal year as general administrative expenses.

SPECIAL FUNDS

(TRANSFER OF FUNDS)

Sums herein referred to as being derived from the reclamation fund or special fee account are appropriated from the special funds in the Treasury created by the Act of June 17, 1902 (43 U.S.C. 391) or the Act of December 22, 1987 (16 U.S.C. 460l–6a, as amended), respectively. Such sums shall be transferred, upon request of the Secretary, to be merged with and expended under the heads herein specified; and the unexpended balances of sums transferred for expenditure under the head ''General Administrative Expenses'' shall revert and be credited to the reclamation fund.

ADMINISTRATIVE PROVISION

Appropriations for the Bureau of Reclamation shall be available for purchase of not to exceed 9 passenger motor vehicles for replacement only.

The CHAIRMAN. Are there any amendments to title II?

AMENDMENT OFFERED BY MRS. SMITH OF WASHINGTON

Mrs. SMITH of Washington. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mrs. SMITH of Washington: Page 14, line 13, strike ''$48,630,000'' and insert ''$48,150,000''.

Mrs. SMITH of Washington. Mr. Chairman, the amendment I am offering is a $480,000 cut in the Bureau of Reclamation's appropriation for their international program. Let me explain why I am offering this amendment.

Mr. Chairman, I did not know that the Bureau of Reclamation had an international program until a constituent asked me at a town hall meeting why we were spending money on sewer systems in Egypt. First, I told him I did not think we were, but then I took a look.

What I found was that the Bureau of Reclamation is spending over a million dollars annually to help build water projects in some of the wealthiest nations on earth, including Saudi Arabia. Part of this is reimbursed, but not all.

These countries can afford to hire American private sector consultants to teach them to build dams or improve irrigation canals. They do not need the technical assistance that they can get from professionals in the international and private sector.

In fact, the American Consulting Engineers Council supports this amendment. There are 200,000 engineers that could do this in the private sector and not have to complete with public dollars. They support this amendment because they believe they can do the job and do it competitively.

The Bureau of Reclamation commissioner pledged, when he first came in, to phase this program out, but he did not do it. Mr. Chairman, I guess what I am asking today is that we put our vote behind what we have been saying and get unnecessary spending out, return to the private sector, and save the taxpayers some money.

But even if we do not cut this totally out of the budget, we can find somewhere where want to spend $480,000; somewhere else. I am sure there are projects on children or other projects that would be better served by this money than these wealthy nations.

Mr. MYERS of Indiana. Mr. Chairman, will the gentlewoman yield?

Mrs. SMITH of Washington. I yield to the gentleman from Indiana.

Mr. MYERS of Indiana. Mr. Chairman, the gentlewoman from Washington has discussed her amendment with the members of this committee and we find it acceptable.

Mrs. SMITH of Washington. I thank the gentleman.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from Washington [Mrs. SMITH]

The amendment was agreed to.

The CHAIRMAN. Are there further amendments to title II?

If not, the Clerk will designate title III.

The text of title III is as follows:

TITLE III

DEPARTMENT OF ENERGY

ENERGY SUPPLY, RESEARCH AND DEVELOPMENT ACTIVITIES

For expenses of the Department of Energy activities including the purchase, construction and acquisition of plant and capital equipment and other expenses incidental thereto necessary for energy supply, research and development activities, and other activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101, et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion; purchase of passenger motor vehicles (not to exceed 25, of which 19 are for replacement only), $2,596,700,000, to remain available until expended.

URANIUM SUPPLY AND ENRICHMENT ACTIVITIES

For expenses of the Department of Energy in connection with operating expenses; the purchase, construction, and acquisition of plant and capital equipment and other expenses incidental thereto necessary for uranium supply and enrichment activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101, et seq.) and the Energy Policy Act (Public Law 102–486, section 901), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion; purchase of electricity as necessary; $64,197,000, to remain available until expended: *Provided,* That revenues received by the Department for uranium programs and estimated to total $34,903,000 in fiscal year 1996 shall be retained and used for the specific purpose of offsetting costs incurred by the Department for such activities notwithstanding the provisions of 31 U.S.C. 3302(b) and 42 U.S.C. 2296(b)(2): *Provided further,* That the sum herein appropriated shall be reduced as revenues are received during fiscal year 1996 so as to result in a final fiscal year 1996 appropriation estimated at not more than $29,294,000.

URANIUM ENRICHMENT DECONTAMINATION AND DECOMMISSIONING FUND

For necessary expenses in carrying out uranium enrichment facility decontamination and decommissioning, remedial actions and other activities of title II of the Atomic Energy Act of 1954 and title X, subtitle A of the Energy Policy Act of 1992, $278,807,000, to be derived from the fund, to remain available until expended: *Provided,* That at least $42,000,000 of amounts derived from the fund for such expenses shall be expended in accordance with title X, subtitle A, of the Energy Policy Act of 1992.

GENERAL SCIENCE AND RESEARCH ACTIVITIES

For expenses of the Department of Energy activities including the purchase, construction and acquisition of plant and capital equipment and other expenses incidental thereto necessary for general science and research activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101, et seq.), including the acquisition or condemnation of any real property or facility or for plant or facility acquisition, construction, or expansion; purchase of passenger motor vehicles (not to exceed 12 for replacement only), $991,000,000, to remain available until expended.

NUCLEAR WASTE DISPOSAL FUND

For nuclear waste disposal activities to carry out the purposes of Public Law 97–425, as amended, including the acquisition of real property or facility construction or expansion, $226,600,000, to remain available until expended, to be derived from the Nuclear Waste Fund.

ATOMIC ENERGY DEFENSE ACTIVITIES

WEAPONS ACTIVITIES

For Department of Energy expenses, including the purchase, construction and acquisition of plant and capital equipment and other incidental expenses necessary for atomic energy defense weapons activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101, et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion; and the purchase of passenger motor vehicles (not to exceed 79, of which 76 are for replacement only, including one police-type vehicle), $3,273,014,000, to remain available until expended.

DEFENSE ENVIRONMENTAL RESTORATION AND WASTE MANAGEMENT

For Department of Energy expenses, including the purchase, construction and acquisition of plant and capital equipment and other incidental expenses necessary for atomic energy defense environmental restoration and waste management activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101, et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion; and the purchase of passenger motor vehicles (not to exceed 7 for replacement only), $5,265,478,000, to remain available until expended.

OTHER DEFENSE ACTIVITIES

For Department of Energy expenses, including the purchase, construction and acquisition of plant and capital equipment and other incidental expenses necessary for atomic energy defense, other defense activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101, et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion $1,323,841,000, to remain available until expended.

DEFENSE NUCLEAR WASTE DISPOSAL

For nuclear waste disposal activities to carry out the purposes of Public Law 97–425, as amended, including the acquisition of real property or facility construction or expansion, $198,400,000, to remain available until expended.

DEPARTMENTAL ADMINISTRATION

For salaries and expenses of the Department of Energy necessary for Departmental Administration and other activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101, et seq.), including the hire of passenger motor vehicles and official reception and representation expenses (not to exceed $35,000), $362,250,000, to remain available until expended, plus such additional amounts as necessary to cover increases in the estimated amount of cost of work for others notwithstanding the provisions of the Anti-Deficiency Act (31 U.S.C. 1511, et seq.): *Provided,* That such increases in cost of work are offset by revenue increases of the same or greater amount, to remain available until expended: *Provided further,* That moneys received by the Department for miscellaneous revenues estimated to total $122,306,000 in fiscal year 1996 may be retained and used for operating expenses within this account, and may remain available until expended, as authorized by section 201 of Public Law 95–238, notwithstanding the provisions of section 3302 of title 31, United States Code: *Provided further,* That the sum herein appropriated shall be reduced by the amount of miscellaneous revenues received during fiscal year 1996 so as to result in a final fiscal year 1996 appropriation estimated at not more than $239,944,000.

OFFICE OF THE INSPECTOR GENERAL

For necessary expenses of the Office of the Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, $26,000,000, to remain available until expended.

POWER MARKETING ADMINISTRATIONS

OPERATION AND MAINTENANCE, ALASKA POWER ADMINISTRATION

For necessary expenses of operation and maintenance of projects in Alaska and of marketing electric power and energy, $4,260,000, to remain available until expended.

BONNEVILLE POWER ADMINISTRATION FUND

Expenditures from the Bonneville Power Administration Fund, established pursuant to Public Law 93–454, are approved for official reception and representation expenses in an amount not to exceed $3,000.

During fiscal year 1996, no new direct loan obligations may be made.

OPERATION AND MAINTENANCE, SOUTHEASTERN POWER ADMINISTRATION

For necessary expenses of operation and maintenance of power transmission facilities and of marketing electric power and energy pursuant to the provisions of section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), as applied to the southeastern power area, $19,843,000, to remain available until expended.

OPERATION AND MAINTENANCE, SOUTHWESTERN POWER ADMINISTRATION

For necessary expenses of operation and maintenance of power transmission facilities and of marketing electric power and energy, and for construction and acquisition of transmission lines, substations and appurtenant facilities, and for administrative expenses, including official reception and representation expenses in an amount not to exceed $1,500 connected therewith, in carrying out the provisions of section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), as applied to the southwestern power area, $29,778,000, to remain available until expended; in addition, notwithstanding the provisions of 31 U.S.C. 3302, not to exceed $4,272,000 in reimbursements, to remain available until expended.

CONSTRUCTION, REHABILITATION, OPERATION AND MAINTENANCE, WESTERN AREA POWER ADMINISTRATION

(INCLUDING TRANSFER OF FUNDS)

For carrying out the functions authorized by title III, section 302(a)(1)(E) of the Act of August 4, 1977 (42 U.S.C. 7101, et seq.), and other related activities including conservation and renewable resources programs as authorized, including official reception and representation expenses in an amount not to exceed $1,500, $257,652,000, to remain available until expended, of which $245,151,000 shall be derived from the Department of the Interior Reclamation fund: *Provided,* That of the amount herein appropriated, $5,283,000 is for deposit into the Utah Reclamation Mitigation and Conservation Account pursuant to title IV of the Reclamation Projects Authorization and Adjustment Act of 1992: *Provided further,* That the Secretary of the Treasury is authorized to transfer from the Colorado River Dam Fund to the Western Area Power Administration $4,556,000 to carry out the power marketing and transmission activities of the Boulder Canyon project as provided in section 104(a)(4) of the Hoover Power Plant Act of 1984, to remain available until expended.

FALCON AND AMISTAD OPERATING AND MAINTENANCE FUND

For operation, maintenance, and emergency costs for the hydroelectric facilities at the Falcon and Amistad Dams, $1,000,000, to remain available until expended and to be derived from the Falcon and Amistad Operating and Maintenance Fund of the Western Area Power Administration, as provided in section 423 of the Foreign Relations Authorization Act, fiscal years 1994 and 1995.

FEDERAL ENERGY REGULATORY COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Federal Energy Regulatory Commission to carry out the provisions of the Department of Energy Organization Act (42 U.S.C. 7101, et seq.), including services as authorized by 5 U.S.C. 3109, including the hire of passenger motor vehicles; official reception and representation expenses (not to exceed $3,000); $132,290,000, to remain available until expended: *Provided,* That notwithstanding any other provision of law, not to exceed $132,290,000 of revenues from fees and annual charges, and other services and collections in fiscal year 1996, shall be retained and used for necessary expenses in this account, and shall remain available until expended: *Provided further,* That the sum herein appropriated shall be reduced as revenues are received during fiscal year 1996 so as to result in a final fiscal year 1996 appropriation estimated at not more than $0.

The CHAIRMAN. Are there any amendments to title III?

AMENDMENT OFFERED BY MR. BARRETT OF WISCONSIN

Mr. BARRETT of Wisconsin. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. BARRETT of Wisconsin: Page 16, line 1, after the dollar amount, insert the following: ''(less $5,000,000)''.

Mr. BARRETT of Wisconsin. Mr. Chairman, concern over the size of the deficit is at an all-time high, and the last thing taxpayers want to see right now is a Federal program receiving an unjustified 50 percent increase in funding. Yet, that is precisely what is happening with the Department of Energy's hydrogen research program.

Despite all of the hot air about cutting spending, the hydrogen research budget has ballooned. The administration asked for $7.3 million for fiscal year 1996, and the Energy and Water Appropriations Subcommittee responded by providing $10 million. Then the Appropriations Committee saw fit to increase funding in the bill to $15 million, more than double the administration's request and 50 percent more than this year's funding level.

Mr. Chairman, my amendment is very simple. It would reduce the appropriation for hydrogen research by $5 million. It would fund hydrogen research at its fiscal year 1995 level, and at the level recommended by the Energy and Water Subcommittee.

The generous funding for the hydrogen program is excessive when compared to other funding levels in this legislation. Take a close look at H.R. 1905 see how it compares to the fiscal year 1995 budget:

Energy and Water Appropriations are cut by 7 percent. Funding for energy supply research and development is cut by 22 percent. Funding for solar and renewable energy programs is cut by 43 percent.

Hydrogen research is the only program in the solar and renewable energy category that receives any increase, and the increase is enormous. By freezing the appropriation at last year's level, my amendment would restore fairness and balance to the energy research and development budget. Hydrogen research should not be immune to fiscal responsibility.

Opponents of my amendment will argue that $5 million in budget savings is insignificant and that Congress should go ahead and fund the hydrogen program at $15 million, as the committee recommends. Nobody can convince me, however, that $5 million is insignificant.

Moreover, allowing the funding for programs like these to be increased without adequate justification only worsens the deficit problem. The administration, which oversees the actual research, only requested $7.3 million. But if $15 million goes to the Department of Energy, we all know what will happen. DOE will find other ways to spend it. And when DOE makes its budget request next year, it will ask for more dollars to pay for the new initiatives that it launched with this year's appropriation. By providing more than is necessary, we are only feeding the appetite of the deficit.

Mr. Chairman, I want to make it clear that I am not opposed to Federal dollars going toward hydrogen research. Hydrogen research is legitimate science that holds the promise of substantial returns in the next century. But opponents of my amendment have not made the case for increasing it by 50 percent when so many other programs are being slashed.

If we are to craft a responsible budget and a fair budget, then we will have to learn to reject increases in spending for programs we like. My amendment provides the opportunity to save the taxpayers several million dollars while rejecting a meat-ax approach to cutting spending. I urge my colleagues to vote in favor for the amendment.

Mr. WALKER. Mr. Chairman, this is a disappointing amendment because I think it goes after an area where there is a legitimate attempt to try to do all of this process the right way.

Earlier in this Congress the House passed a hydrogen research bill. We actually passed an authorization bill. It is the only item in the energy portion of this bill on which the House has actually acted.

This amount of money that is in the bill represents 60 percent of the amount that the House has previously authorized in its attempt to upgrade hydrogen research in the country. When you try to do the process the right way, you then end up with an amendment like this one suggesting that you ought not follow the priorities as set by the House itself. I think that is disappointing. It is kind of a shame.

It is also, I think interesting to note that the programs that the gentleman from Wisconsin is defending because he says, well, they have been cut and this one is being increased, but the programs that he is defending, the solar program costs $149 million in the bill, nuclear is $164 million in the bill, $229 million for fusion, fossil is $379 million, conservation is $400 million, in the bill. The gentleman is complaining about the fact that there were cuts in those areas but that this one was increased.

Well, let's consider what we are talking about here. We are talking about an increase of a program that is at $10 million now and is going to $15 million. One of the reasons why we ought to be doing what we are doing is readjusting priorities. We ought to be saying that there are some areas of research that have had their day, where we have done good R&D, we have found out what we need to know, and then we ought to apply some money toward doing other areas of high priority research.

This House earlier this year determined that hydrogen was one of those areas that we want to do good research. The gentleman says he is not against hydrogen. Of course he is. Of course he is.

Ten million dollars is what we spent this year. If he does not want to move beyond where we are, then he is opposed to doing some research in an area that promises to be a very good energy resource as well as being an environmentally sound energy resource. You do not often get those kinds of combinations.

Is there scientific knowledge to be gained from this? Yes. This is a place where we could get some significant scientific discovery. The fact is that what this is an effort to do is to stop that from happening, is to simply say, ''We don't want to learn, we don't want new knowledge in this area. We would simply like to say where we are, despite the fact that the House has forced us to move ahead.''

As I said, that is disappointing. It is particularly disappointing when what the gentleman is doing is complaining about the fact that we are cutting programs in the areas of fossil, for example, where we have done research for many, many years, and are now spending $379 million in this bill versus the $15 million that we are spending in the hydrogen program.

I agree with the gentleman. Five million dollars is always a lot of money. But I have got to tell you, so is $379 million a lot of money. What we need to be doing is deciding what our priorities are in this kind of approach. Do we want to go with $379 million in research in energies that are admittedly environmentally questionable? Or should we do research in an area that is environmentally sound?

We are simply suggesting in this particular bill with this particular spending that we ought to, for once, direct the Energy Department to be doing some energy research in an area where we can produce environmentally sound energy. I am disappointed the gentleman from Wisconsin does not want to proceed down that track. I would hope that it would be something that we could unite around, particularly since the bill that passed the House of Representatives earlier in this Congress passed by an ovewhelming margin.

□ 1545

The role of the Federal Government should be in funding long-term basic research that does have a chance for significant scientific payoff. This is one of those places.

If you support the gentleman's approach of cutting out our investigation of that long-term research, I think that would be disappointing. I would hope that the House would stick with this modest increase in a program that has a chance for massive payoff for us in the years ahead.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin [Mr. BARRETT].

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

RECORDED VOTE

Mr. BARRETT of Wisconsin. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 182, noes 243, not voting 9, as follows:

[Roll No. 483]

AYES—182

Ackerman
Allard
Andrews
Baldacci
Ballenger
Barr
Barrett (NE)
Barrett (WI)
Bass
Becerra
Bishop
Bliley
Borski
Boucher
Brewster
Brown (OH)
Bryant (TN)
Burr
Chabot
Chambliss
Chapman
Chenoweth
Christensen
Clay
Coble
Collins (IL)
Combest
Condit
Conyers
Cooley
Costello
Coyne
Cubin
Danner
DeFazio
DeLauro
Deutsch
Diaz-Balart
Doggett
Duncan
Dunn
Edwards
Ehrlich
Engel
Ensign
Eshoo
Evans
Farr
Fattah
Foglietta
Ford
Frank (MA)
Frelinghuysen
Funderburk
Furse
Ganske
Gejdenson
Gephardt
Geren
Goodlatte
Gordon
Green
Greenwood
Gutierrez
Hamilton
Hancock
Hefley
Hilleary
Hinchey
Horn
Hostettler
Inglis
Johnson (SD)
Johnson, E. B.
Johnston
Kaptur
Kelly
Kennedy (RI)
Kennelly
Kildee
Kingston
Kleczka
Klink
Klug
LaFalce
LaHood
Lantos
Largent
Latham
Lewis (GA)
Lincoln
Lipinski
LoBiondo
Lofgren
Lowey
Luther
Maloney
Manzullo
Markey
Mascara
McCarthy
McDermott
McIntosh
McNulty
Meehan
Menendez
Metcalf
Meyers
Miller (CA)
Minge
Nadler
Neal
Nethercutt
Neumann
Ney
Oberstar
Obey
Olver
Ortiz
Orton
Owens
Parker
Pastor
Payne (VA)
Peterson (FL)
Peterson (MN)
Petri
Pomeroy
Portman
Poshard
Ramstad
Rangel
Reed
Rivers
Roemer
Ros-Lehtinen
Rose
Roukema
Royce
Rush
Sabo
Sanders
Sanford
Scarborough
Schroeder
Schumer
Sensenbrenner
Shays
Skaggs
Skelton
Slaughter
Smith (MI)
Smith (WA)
Solomon
Souder
Spratt
Stark
Stearns
Stenholm
Stockman
Stokes
Studds
Stump
Stupak
Tanner
Tate
Taylor (MS)
Tejeda
Thurman
Torres
Towns
Tucker
Vento
Volkmer
Ward
Watt (NC)
Weller
Whitfield
Williams
Wyden
Zeliff
Zimmer

NOES—243

Abercrombie
Archer
Armey
Bachus
Baesler
Baker (CA)
Baker (LA)
Barcia
Bartlett
Barton
Bateman
Beilenson
Bentsen
Bereuter
Berman
Bevill
Bilbray
Bilirakis
Blute
Boehlert
Boehner
Bonilla
Bono
Browder
Brown (CA)
Brown (FL)
Brownback
Bryant (TX)
Bunn
Bunning
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cardin
Castle
Chrysler
Clayton
Clement
Clinger
Clyburn
Coburn
Coleman
Collins (GA)
Cox
Cramer
Crane
Crapo
Cremeans
Cunningham
Davis
de la Garza
Deal
DeLay
Dellums
Dickey
Dicks
Dingell
Dixon
Dooley
Doolittle
Dornan
Doyle
Dreier
Durbin
Ehlers
Emerson
English
Everett
Ewing
Fawell
Fazio
Fields (LA)
Fields (TX)
Filner
Flake
Flanagan
Foley
Forbes
Fowler
Fox
Franks (CT)
Franks (NJ)
Frisa
Gallegly
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goodling
Goss
Graham
Gunderson
Gutknecht
Hall (TX)
Hansen
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefner
Heineman
Herger
Hilliard
Hobson
Hoekstra
Hoke
Holden
Houghton
Hoyer
Hunter
Hutchinson
Hyde
Istook
Jackson-Lee
Jacobs
Johnson (CT)
Johnson, Sam
Jones
Kanjorski
Kasich
Kennedy (MA)
Kim
King
Knollenberg
Kolbe
LaTourette
Laughlin
Lazio
Leach
Levin
Lewis (CA)
Lewis (KY)
Lightfoot
Linder
Livingston
Longley
Lucas
Manton
Martinez
Martini
Matsui
McCollum
McCrery
McDade
McHale
McHugh
McInnis
McKeon
Meek
Mfume
Mica
Miller (FL)
Mineta
Mink
Molinari
Mollohan
Montgomery
Moorhead
Moran
Morella
Murtha
Myers
Myrick
Norwood
Nussle
Oxley
Packard
Pallone
Paxon
Payne (NJ)
Pelosi
Pickett
Pombo
Porter
Pryce
Quillen
Quinn
Radanovich
Rahall
Regula
Richardson
Riggs
Roberts
Rogers
Rohrabacher
Roth
Roybal-Allard
Salmon
Sawyer
Saxton
Schaefer
Schiff
Scott
Seastrand
Serrano
Shadegg
Shaw
Shuster
Sisisky
Skeen
Smith (NJ)
Smith (TX)
Spence
Talent
Tauzin
Taylor (NC)
Thomas
Thompson
Thornberry
Thornton
Tiahrt
Torkildsen
Torricelli
Traficant
Upton
Velazquez
Visclosky
Vucanovich
Waldholtz
Walker
Walsh
Wamp
Waters
Watts (OK)
Waxman
Weldon (FL)
Weldon (PA)
White
Wicker
Wilson
Wise
Wolf
Woolsey
Wynn
Young (AK)
Young (FL)

NOT VOTING—9

Bonior
Collins (MI)
Frost
Hall (OH)
Jefferson
McKinney
Moakley
Reynolds
Yates

□ 1611

The Clerk announced the following pair:

On this vote:

Ms. McKinney for, with Mr. Yates against.

Messrs. MARTINEZ, GUNDERSON, HOLDEN, BROWNBACK, WAXMAN, and Ms. ROYBAL-ALLARD, Ms. PELOSI, Mr. ABERCROMBIE, Ms. VELÁZQUEZ, Mr. HALL of Texas, Mr. CRAMER, and Ms. WOOLSEY changed their vote from ''aye'' to ''no.''

Mr. KLUG, Mr. COOLEY, Ms. EDDIE BERNICE JOHNSON of Texas, and Messrs. GENE GREEN of Texas, LARGENT, HORN, PORTMAN, SCARBOROUGH, WELLER, TATE, MCINTOSH, GOODLATTE, HILLEARY, ORTON, and Ms. SLAUGHTER and Mr. STOCKMAN changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

Mr. YOUNG of Florida. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise to engage in a brief colloquy with the gentleman from Indiana [Mr. MYERS], the chairman of the Subcommittee on Energy and Water.

Mr. Chairman, as you and the members of the committee know, one of the Department of Energy facilities that is in the process of ceasing production is the Pinellas plant, which I have the privilege of representing. As noted in your report, we are engaged in a very innovative effort there to convert this defense facility to a commercial facility. As part of this effort, the Department of Energy has transferred ownership of the Pinellas facility to the Pinellas County Board of County Commissioners in an agreement that benefits both the Federal Government and the people of Pinellas County, FL, I represent. The Federal Government saves valuable resources by not having to bulldoze the facility and go through the time consuming process of surplusing the property. The county gains from retaining access to this facility which will save many of the jobs that would otherwise be lost from its closure.

Mr. Chairman, in decommissioning and closing out the defense mission of the Pinellas facility, the Department of Energy has certain obligations to leave the facility in compliance with various state and local codes and configured in such a way that it is safe and able to be utilized for its new commercial mission. The cost of these requirements is much less than the cost the Department would incur if it was to simply bulldoze the entire facility.

□ 1615

Mr. Chairman, I would like to clarify that nothing in the bill or accompanying report would in any way impede the ongoing effort to decommission and convert the Pinellas plant from a national defense to a commercial facility.

Mr. MYERS of Indiana. Mr. Chairman, will the gentleman yield?

Mr. YOUNG of Florida. I yield to the gentleman from Indiana.

Mr. MYERS of Indiana. The gentleman is correct. The committee is well aware of the innovative ideas and work that the Pinellas County Board of Commissioners is doing in Florida. We hope this will be a model that more industry can take over where the corporations or the government moves out and that corporation or industry can move in. So you are doing a good job, and we are very much aware of it.

Mr. YOUNG of Florida. Mr. Chairman, I thank the gentleman for that.

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

Mr. Chairman, I rise to enter into a colloquy with the gentleman from Indiana [Mr. MYERS].

Mr. Chairman, I would ask if my colleague, WAYNE GILCHREST, and I might engage with you in a colloquy on the future of beneficial use projects for the disposal of dredge spoils. We are particularly interested in the Poplar Island project, planned for the Chesapeake Bay, which could provide a model for such projects throughout the Nation.

As you are well aware, the Port of Baltimore is central to the Maryland, regional, and national economies. An estimated 87,000 jobs are directly or indirectly related to port activity in Maryland. In 1993 a total of 25 million tons of cargo passed through the Port of Baltimore. Over the past 2 years a total of 15 steamship lines have begun or expanded service at the port. Success in maintaining and improving ship channels will help assure the continued growth in activity at the Port of Baltimore into the 21st century and facilitate efficient international trade activity for the United States.

In order to maintain shipping channels serving the Port of Baltimore at their existing authorized depths, each year approximately 4 million cubic yards of material must be dredged from the Maryland waters of the Chesapeake Bay. Any new work, such as improvement or deepening of channels, requires dredging additional amounts of material.

In the past, the Port, working with the Army Corps of Engineers, has been able to meet its dredge disposal needs through careful use of overboard placement within Chesapeake Bay waters and by use of the Hart-Miller Island disposal site. Although limited overboard placement of dredged material will be continued—if and where it can be done without adversely impacting the marine environment—this option will nevertheless provide relatively little capacity. The remaining capacity of the Hart-Miller Island site is limited. Although we are in the process of developing a new containment site within the port, site constraints are such that its capacity will be relatively limited, too. In sum, in order to meet the dredging needs of the port, we must supplement these measures with other options.

Working with many concerned parties, the Corps of Engineers and the State of Maryland have studied a full range of placement options. As a result, four potential beneficial use projects have been identified. Based on a consensus of various Federal, State, and local agencies, our first priority is the Poplar Island project. Poplar Island will provide additional capacity for the placement of dredge materials, while simultaneously enhancing the quality of the Chesapeake Bay.

Across the Nation, many ports are facing similar constraints in finding large, new disposal sites for necessary dredging work. Unless methods are developed to allow this work to proceed, the efficiency of our ports is increasingly threatened and the costs of international trade could grow significantly.

Mr. Chairman, I know that my colleague, the gentleman from Maryland [Mr. GILCHREST], joins me in this colloquy, and I would say to the chairman, if I might, that we appreciate the subcommittee's report language this year supporting the Poplar Hill projects through the use of section 204 wetlands and aquatic habitat creation funds. In this Congress we will be working with the Committee on Transportation and Infrastructure to shape a comprehensive water resource project authorization package that will include Poplar Island. Recognizing tremendous fiscal restraints facing your subcommittee, I hope we can also work with you to see that Federal resources necessary to move this project forward as a national model will be made available over the coming years.

Mr. MYERS of Indiana. Mr. Chairman, will the gentleman yield?

Mr. CARDIN. I yield to the gentleman from Indiana.

Mr. MYERS of Indiana. I thank the gentleman for yielding. You, the gentlemen from Maryland, Mr. CARDIN and Mr. GILCHREST, have worked with our committee very closely in making sure that the Port of Baltimore, which is very important to the economy of our Nation, is kept open.

Spoil from dredging is a problem that our committee has been facing for a number of years, finding a site to dispose of it. The program you have worked out here with Poplar Island, of being able to dispose of the waste, of the dredged material, to enhance the ecosystem, to enhance the environment and wetlands, has been very, very beneficial. We appreciate the good work you have done, and the committee is very much aware of the project, as we have evidenced in our report.

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

Mr. CARDIN. I yield to the gentleman from Maryland.

Mr. HOYER. Mr. Chairman, I rise to echo the words of the distinguished gentleman from Maryland [Mr. CARDIN] who does such an outstanding job representing Baltimore, the port, and our State.

Mr. Chairman, I wanted to also rise to thank the gentleman from Indiana [Mr. MYERS], the chairman of the committee, who has been a longstanding supporter. I came here in 1981 and started working on the dredging of the Baltimore Harbor along with others. One of the predecessors on the committee was not too enthusiastic about that, as the gentleman may recall. But the gentleman from Indiana [Mr. MYERS] and the gentleman from Alabama [Mr. BEVILL] have been tremendously helpful to the Port of Baltimore. I thank them, thank the committee, and join my colleague from Maryland in his remarks.

Mr. CARDIN. Mr. Chairman, let me thank the chairman for the work of his committee.

Mr. DEFAZIO. Mr. Chairman, I ask unanimous consent to reopen title II for the purposes of an amendment which I have at the desk, and that the debate be limited, as per prior agreement, to 5 minutes per side.

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

Mr. MYERS of Indiana. Mr. Chairman, reserving the right to object, and I hope we will not, this is the only time we are willing to do this, with the understanding to limit the debate to 5 minutes pro, 5 minutes con, and no amendments to the gentleman's amendment.

Mr. DEFAZIO. Mr. Chairman, if the gentleman will yield, that is the understanding.

Mr. MYERS of Indiana. Mr. Chairman, I withdraw my reservation of objection.

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

There was no objection.

AMENDMENT OFFERED BY MR. DE FAZIO

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

The Clerk read as follows:

Amendment offered by Mr. DEFAZIO: Page 11, line 7, strike ''$417,301,000'' and insert ''$412,180,000''.

The CHAIRMAN. The gentleman from Oregon [Mr. DEFAZIO] will be recognized for 5 minutes, and a Member opposed will be recognized for 5 minutes.

The Chair recognizes the gentleman from Oregon [Mr. DEFAZIO]

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

Mr. Chairman, this goes to the ultimate commitment of $700 million of Federal taxpayer money. The Committee on Appropriations in its wisdom saw fit to add $5 million to the administration's request on the Animas-La

Plata project. The administration asked to continue studies and planning for the Animas-La Plata project, a potential $701 million Federal obligation. The committee has added $5 million to actually begin construction, that is, make an irrevocable commitment to go forward.

I would suggest that this is poor timing. We have a report from the inspector general of the Department of Interior dated July 1994 which finds that this project is not economically justified. Further, the report of the inspector general says,

> Inform the Congress of the economic and financial viability of the Animas-La Plate project based on the results of the reevaluation. If warranted, the commissioner should seek congressional approval for restructuring the project to limit the size and scope of the project to only those water supply functions that are either economically or financially viable or required under the terms of the Colorado Ute Indian Water Right Settlement Act.

Mr. Chairman, that report has been prepared. We know the numbers. It is being concealed downtown, withheld, by the Clinton administration. They have twice withheld release of this report, delayed release of this report, and were prepared to release it this week, but are now going to withhold until after we take this vote.

The last evaluation said that this had a cost-benefit ratio of 0.6 to 1, colleagues—$701 million of Federal money, and we will get back a return of 0.6. According to the rules of the Department of Interior, Bureau of Reclamation, the project should not go forward.

On a per acre cost, the irrigation will be $7,664 per acre, and the repayment will be $303. We would be better to buy out those irrigators or to give them half that amount of money, rather than spending all of this Federal money.

This is a project born in a very different time: Cheap power, cheap water subsidies to agriculture, limitless Federal resources. It was first authorized in 1968. Times have changed, and so should this project.

If we appropriate this additional $5 million and make an irrevocable commitment, begin to turn dirt, you all know how difficult it will be next year to revisit this after we get the new report from the Department of Interior, which is rumored to have lowered the cost-benefit ratio from 0.6 to 1 to 0.36 to 1. That is 36 cents on the dollar returned, in the most generous terms, to the Federal taxpayers for this project.

We should take out this $5 million. It will not kill the project, and it allows continued planning and evaluation and allows us to look for cheaper alternatives. There will still be $5 million in the bill for the project. But then we will have the benefit of the report from the inspector general, the new cost-benefit analysis, and perhaps have an opportunity to review less costly alternatives next year before we make this irrevocable commitment.

It does not make sense to go forward now and commit this Congress and the taxpayers of this country to a $701 million project, when less expensive alternatives are available and when this does not provide a position cost-benefit analysis to the American taxpayers.

Beyond that, it is particularly outrageous to go forward, when the Clinton administration is concealing a very, very negative report downtown, and they are going to release it just after we vote. If you vote to keep these funds in the bill, you will be very embarrassed next week when they finally release that report and show the benefit to be 0.36 to 1, 36 cents on the dollar to the Federal taxpayers.

Mr. MCINNIS. Mr. Chairman, I rise in opposition to the amendment.

The CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. MCINNIS. I yield to the gentleman from Alabama [Mr. BEVILL].

Mr. BEVILL. Mr. Chairman, I rise in support of the committee and opposed to this amendment. This project concerns two large Indian tribes in southwest Colorado. We have been working on this project for 10 years. The unemployment rate in the area is some 62 percent, and this is water over which the Indians have given up their water rights, very valuable water rights, that they were given 100 years ago. As a matter of fact, the negotiations have been going on for 100 years between the State of Colorado, the Bureau of Reclamation, the United States Government, and the Department of the Interior. This has been going on for 100 years, and they reached agreement. Secretary Babbitt says this is an obligation to the United States of America, and we are going to stick with our agreement. The subcommittee has supported this position for 10 years, and we expect this project to move on. We do not want to see this project sidetracked again. It has been an environmental matter for years, been in the courts, and now it is all wrapped up. We owe it to these Indians, who have given up very valuable rights in order to get this project going. I urge Members to vote ''no'' on the amendment.

Mr. MCINNIS. Mr. Chairman, I yield to the chairman of the Committee on Resources, the gentleman from Alaska [Mr. YOUNG].

(Mr. YOUNG of Alaska asked and was given permission to revise and extend his remarks.)

Mr. YOUNG of Alaska. Mr. Chairman, I rise in opposition to the amendment. The gentleman from Alabama put it very clearly: This is not about the author of the amendment's statement about money. This is about, very frankly, the environmental community opposes this dam. Let us get beyond that. Let us go to the commitment we have made to the American Indian. Let us make that commitment one not of the forked tongue. This project has been worked on for over 100 years. It is time that this Congress speaks with a straight tongue and fulfill our obligations.

I would suggest respectfully that if we do not do so, we have gone back and repeated what we have done over the years, breaking our word again and again. I would suggest respectfully this amendment is not appropriate if we are to fulfill our obligations. I urge a strong no vote. Let us speak with a straight tongue, and not forked tongue.

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

Mr. Chairman, first of all, let us start out, the gentleman from Oregon states that the President's recommendation did not include construction. The gentleman is wrong on that. The President did include construction. The President supports this, Bruce Babbitt supports it, there are a lot of people in support for this, except for the Sierra Club. Why are they in support of it? It is because we have a treaty with the native Americans. Let me read a letter, one of the most moving letters I have read.

□ 1630

This is from the Southern Ute Indian Tribal Council, from the chairman:

> After reading the article on the Animas-La Plata Projection the June 29, 1995, edition of The Washington Post, I knew how my ancestors must have felt when the United States government repeatedly broke treaties with the Colorado Ute Indians. First in 1863, then in 1868, 1873 and, finally, in 1880. With each treaty, the homelands of the Utes were reduced in size. Finally, in 1880, Congress confiscated all of the Ute lands in Colorado—over one-third of the state of Colorado. In the 1930's, a small remnant of our aboriginal homelands in Southwestern Colorado were restored to tribal ownership.
>
> Now, The Washington Post suggests that the United States government breach the agreement that was entered into in 1988. At that time, the Colorado Utes chose to negotiate rather than litigate and entered into another treaty, or contract, with America, in return for deferring the Colorado Utes' senior *Winters* water claims on the rivers in Southwestern Colorado that cross the reservation. Congress and then President Reagan said, ''We will build the Animas-La Plata Project. The Utes will have wet water—not paper water rights.'' Upon passage of the Colorado Ute Indian Water Rights Settlement Act, the legislation was hailed as a model for all tribes to follow—negotiate, do not litigate. Since passage, the States of Colorado, New Mexico, the water districts, the municipalities, and the Indian tribes, have been strangled in a swamp of red tape and bureaucratic backpeddling.
>
> Now comes The Washington Post, not unlike the Indian givers of the last century. Do not honor our commitment to the Indians. Ignore the trust responsibility the United States government has under the Constitution of the United States. Sacrifice the Indian water claims on the alter of economics. It is too expensive to build the Animas-La Plata. Let's give he Indians ''wampum'' instead of water. My ancestors were all too familiar with the ''beads for Manhattan'' mentality of the early Indian traders. Colorado Ute Indian tribes honorably negotiated the Colorado Ute Indian Water Rights Settlement Act, which mandates construction of the Animas-La Plata Project. In his inaugural message to the Congress, President Bush said ''great men, like great nations, must keep their promises. The Colorado Ute Indian tribes expect this great nation to keep is promise and construct the Animas-La Plata Project.''

Above everything else, the number one issue that we have to face as Members of the United States Congress and on this very amendment that is in front of us today is will we or will we not honor our treaty agreement with the native Americans. If you vote yes on this amendment, you once again walk away from the native Americans of this country. Vote ''no'' on DeFazio.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Oregon [Mr. DEFAZIO].

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

RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 151, noes 275, not voting 8, as follows:

[Roll No. 484]

AYES—151

Abercrombie
Ackerman
Andrews
Barcia
Barrett (WI)
Becerra
Bentsen
Berman
Boehlert
Bonior
Borski
Brown (FL)
Brown (OH)
Bryant (TX)
Cardin
Chabot
Chapman
Clayton
Coble
Coleman
Collins (IL)
Collins (MI)
Conyers
Cooley
Costello
DeFazio
DeLauro
Dellums
Deutsch
Dingell
Doggett
Dooley
Duncan
Durbin
Edwards
Engel
Eshoo
Evans
Farr
Fattah
Fields (LA)
Filner
Flake
Ford
Frank (MA)
Furse
Gejdenson
Gephardt
Geren
Gilchrest
Gilman
Goodlatte
Gordon
Green
Gutierrez
Hamilton
Harman
Hinchey
Hoyer
Jackson-Lee
Jacobs
Johnson, E. B.
Johnston
Kaptur
Kennedy (MA)
Kennelly
Kleczka
Klug
LaFalce
LaHood
Levin
Lewis (GA)
Lipinski
LoBiondo
Lofgren
Lowey
Luther
Maloney
Manzullo
Markey
Matsui
McCarthy
McDermott
McIntosh
Meehan
Meek
Menendez
Mfume
Miller (CA)
Mineta
Minge
Mink
Moran
Nadler
Neal
Ney
Obey
Owens
Payne (VA)
Pelosi
Peterson (MN)
Petri
Poshard
Rahall
Rangel
Reed
Rivers
Roemer
Rohrabacher
Roybal-Allard
Royce
Rush
Sabo
Salmon
Sanders
Sawyer
Schroeder
Schumer
Scott
Sensenbrenner
Serrano
Shaw
Shays
Skaggs
Slaughter
Smith (MI)
Solomon
Souder
Stark
Stenholm
Stockman
Stokes
Studds
Stupak
Tanner
Thurman
Torres
Torricelli
Towns
Tucker
Upton
Velazquez
Vento
Ward
Waters
Watt (NC)
Waxman
Woolsey
Wyden
Wynn
Zimmer

NOES—275

Allard
Archer
Armey
Bachus
Baesler
Baker (CA)
Baker (LA)
Baldacci
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Beilenson
Bereuter
Bevill
Bilbray
Bilirakis
Bishop
Bliley
Blute
Boehner
Bonilla
Bono
Boucher
Brewster
Browder
Brown (CA)
Brownback
Bryant (TN)
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Castle
Chambliss
Chenoweth
Christensen
Chrysler
Clay
Clement
Clinger
Clyburn
Coburn
Collins (GA)
Combest
Condit
Cox
Coyne
Cramer
Crane
Crapo
Cremeans
Cubin
Cunningham
Danner
Davis
de la Garza
Deal
DeLay
Diaz-Balart
Dickey
Dicks
Dixon
Doolittle
Dornan
Doyle
Dreier
Dunn
Ehlers
Ehrlich
Emerson
English
Ensign
Everett
Ewing
Fawell
Fazio
Fields (TX)
Flanagan
Foglietta
Foley
Forbes
Fowler
Fox
Franks (CT)
Franks (NJ)
Frelinghuysen
Frisa
Funderburk
Gallegly
Ganske
Gekas
Gibbons
Gillmor
Gonzalez
Goodling
Goss
Graham
Greenwood
Gunderson
Gutknecht
Hall (TX)
Hancock
Hansen
Hastert
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hefner
Heineman
Herger
Hilleary
Hilliard
Hobson
Hoekstra
Hoke
Holden
Horn
Hostettler
Houghton
Hunter
Hutchinson
Hyde
Inglis
Istook
Johnson (CT)
Johnson (SD)
Johnson, Sam
Jones
Kanjorski
Kasich
Kelly
Kennedy (RI)
Kildee
Kim
King
Kingston
Klink
Knollenberg
Kolbe
Lantos
Largent
Latham
LaTourette
Laughlin
Lazio
Leach
Lewis (CA)
Lewis (KY)
Lightfoot
Lincoln
Linder
Livingston
Longley
Lucas
Manton
Martinez
Martini
Mascara
McCollum
McCrery
McDade
McHale
McHugh
McInnis
McKeon
McNulty
Metcalf
Meyers
Mica
Miller (FL)
Molinari
Mollohan
Montgomery
Moorhead
Morella
Murtha
Myers
Myrick
Nethercutt
Neumann
Norwood
Nussle
Oberstar
Olver
Ortiz
Orton
Oxley
Packard
Pallone
Parker
Pastor
Paxon
Payne (NJ)
Peterson (FL)
Pickett
Pombo
Pomeroy
Porter
Portman
Pryce
Quillen
Quinn
Radanovich
Ramstad
Regula
Richardson
Riggs
Roberts
Rogers
Ros-Lehtinen
Rose
Roth
Roukema
Sanford
Saxton
Schaefer
Schiff
Seastrand
Shadegg
Shuster
Sisisky
Skeen
Skelton
Smith (NJ)
Smith (TX)
Smith (WA)
Spence
Spratt
Stearns
Stump
Talent
Tate
Tauzin
Taylor (MS)
Taylor (NC)
Tejeda
Thomas
Thompson
Thornberry
Thornton
Tiahrt
Torkildsen
Traficant
Visclosky
Volkmer
Vucanovich
Waldholtz
Walker
Walsh
Wamp
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Williams
Wilson
Wise
Wolf
Young (AK)
Young (FL)
Zeliff

NOT VOTING—8

Frost
Hall (OH)
Jefferson
McKinney
Moakley
Reynolds
Scarborough
Yates

□ 1653

The Clerk announced the following pair: On this vote:

Mr. Yates for, with Mr. Scarborough against.

Mr. ROSE and Mr. DIXON changed their vote from ''aye'' to ''no.''

Messrs. DEUTSCH, CONYERS, LAHOOD, KLUG, RAHALL, GILCHREST, TOWNS, and GILMAN changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

The CHAIRMAN. The Committee will rise informally in order that the House may receive a message.

MESSAGE FROM THE PRESIDENT

The SPEAKER pro tempore. (Mr. CAMP) assumed the chair.

The SPEAKER pro tempore. The Chair will receive a message.

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.

The SPEAKER pro tempore. The Committee will resume its sitting.

ENERGY AND WATER DEVELOPMENT APPROPRIATIONS ACT, 1996

AMENDMENT OFFERED BY MR. BARTON OF TEXAS

Mr. BARTON of Texas. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BARTON of Texas: On page 24, after line 18, insert:

Sec. . Appropriations made available by the Energy and Water Development Act, 1995 (P.L. 103–316), for a medical treatment facility at the site of the terminated Superconducting Super Collider project shall be rescinded on the thirtieth day after the date of enactment of this Act if: (1) the withdrawal by the State of Texas of its application to the Department of Energy for a contribution to the completion of such facility remains in effect on such thirtieth day, and (2) prior to such thirtieth day, the Attorney General of the United States has determined that the United States has constitutional authority to rescind such appropriation.

In the fiscal year 1995 Energy and Water Development Appropriations Act, Congress permitted the Department of Energy to make $65 million of previously appropriated funds available to the State of Texas for a one-time contribution for the construction of a medical treatment facility at the site of the terminated Superconducting Super Collider. The Committee understands that the State recently withdrew its application to the Department of Energy for the $65 million grant. Accordingly, the Committee has included language to rescind the $65 million, provided that: (1) the State's withdrawal of its application remains in effect thirty days after the enactment of this act, and (2) the Attorney General of the United States determines that the funds are subject to rescission.

Mr. BARTON of Texas (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

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

There was no objection.

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

Mr. BARTON of Texas. Mr. Chairman, last year on August 10 before this

body, we had the same piece of legislation, the Energy and Water Appropriations bill.

At that point in time there was an amendment offered by the Senate to specifically set aside $65 million as part of the settlement agreement with the State of Texas for the construction of the SSC to use to build a medical treatment center for cancer and research. I stood on this floor and supported that agreement, as did many other Members on both sides of the aisle.

At that time, there was some concern that the State might decide at a future point in time not to use the money for the building of the cancer treatment center, and I again said that that would not happen. To make a long story short, Since August 1994 the State of Texas has, in fact, decided not to use the $65 million to build and operate the cancer treatment center. They want to use the money for other purposes. I think that the only honorable thing to do, since I was a supporter of the agreement, is for me to offer an amendment to rescind that money, if it is constitutional to do so. That is what this amendment does.

I am told that a point of order can be made against it. The distinguished chairman of the subcommittee has reserved that point of order, so at the appropriate time, unfortunately, I will have to withdraw the amendment. However, I believe that we should put in the RECORD that we did intend for this money to be used to build a cancer treatment center. It was my purpose at the time to have the money spent for that reason. I still think that was the best use of those funds.

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

Mr. BARTON of Texas. I yield to the gentleman from Louisiana.

Mr. LIVINGSTON. Mr. Chairman, I just want to be sure that I understand the facts. I know that the gentleman for some 10 years was the most stalwart supporter of the super collider in the House of Representatives. I personally supported the super collider as well, and think that the House and the Congress as a whole made a terrible mistake when it turned its back on that productive science and chose not to go forward with what would have reaped great results for the American people.

However, Congress did decide to scrap the super collider as the project was well underway. There were facilities that were left, and there were moneys that were unexpended in the super collider account. If I am correct, Mr. Chairman, and I hope if I am not the gentleman would correct me, but as I understand it, the $65 million left in the super collider account which, in order to mollify, in effect, the people of Texas for the loss of this project that was begun and then abandoned by the Congress, was expected to go into a cancer research facility.

Mr. BARTON of Texas. Mr. Speaker, that is correct.

□ 1700

Mr. LIVINGSTON. Then the State of Texas asked for the money, accepted the money, and was to use the money for the cancer research facility, but since that decision has been made and all agreements were expected to go forward, the State of Texas has unilaterally decided not to go forward with that facility. Is that correct?

Mr. BARTON of Texas. That is correct. As a part of the settlement agreement, there is an alternative settlement procedure that gives the State the right to do so. That alternative settlement agreement was not a part of the public record.

What is a part of the public record is, and it was unequivocal in the conference report, in the report language and in all the public comments, was that if the House and the Senate would agree, this $65 million would in fact be used to build this cancer research and treatment center if it passed peer review, which it did.

Mr. LIVINGSTON. But if the gentleman would yield further, as I understand it, now that the State of Texas has decided to abandon its plans to go forward with the cancer research center, it still intends to use that $65 million on other projects that the State of Texas deems worthwhile; is that correct?

Mr. BARTON of Texas. That is correct.

Mr. LIVINGSTON. But was that not the intention of the Congress when they decided to leave the $65 million with the State of Texas after the super collider project collapsed?

Mr. BARTON of Texas. That is correct. In fact, we have a monologue by the gentleman from Indiana [Mr. MYERS], the chairman, last year on that very point. He asked the Department of Energy and they said specifically that they did not believe that they could authorize $210 million unilaterally; that they felt like the most they could give to the State in cash was $145 million, but they could support the $65 million for the cancer treatment center if it passed peer review.

Mr. LIVINGSTON. If the gentleman would yield further, do I understand it is the gentleman's position that if the money is not to be used as a cancer research and treatment center, then indeed the money should be rescinded?

The CHAIRMAN. Does the gentleman from Indiana [Mr. MYERS] continue to reserve his point of order?

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

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

Mr. Chairman, as I understand it, now that the super collider project has fallen through and the State of Texas has decided unilaterally not to go forward with the cancer treatment and research center, that it is the position of the gentleman from Texas that the right thing would be to return that $65 million to the U.S. Treasury; is that correct?

Mr. BARTON of Texas. If the gentleman would yield, it would be the intent of my amendment, if passed, to put the money back in Federal control, and let the authorizing committees in the House and the Senate reprogram the funds to the best purpose that they see fit. That would be the intent of my amendment.

Mr. LIVINGSTON. But because of House rules and the structure of the rule for this bill, the gentleman is not permitted to go forward with his amendment, or if he were to go forward, it could be struck on a point of order; is that correct?

Mr. BARTON of Texas. That is correct.

Mr. LIVINGSTON. At this point, there is nothing really that the gentleman can do except to clarify the record that it was not the intent of the Congress when this legislation first went through in fiscal year 1995 that the $65 million would be used for anything other than the cancer treatment center.

Mr. BARTON of Texas. All I am trying to do is keep my word to the House of Representatives when I stood on the floor and said these funds would go for cancer treatment and research. I believe that. I still at this point in time think that was the most appropriate use, but our State leaders have decided otherwise. They have the legal authority to do so.

I would just hope that between now and the conference, the subcommittee chairman will work with the ranking member to work with the Attorney General to see if there might be some way yet to rescind these funds.

Mr. LIVINGSTON. I commend the gentleman on his position. I think he has been true to his word from the very beginning, from the inception of his support for the Super Collider project, throughout that project, and since then.

Mr. MYERS of Indiana. Mr. Chairman, will the gentleman yield?

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

Mr. MYERS of Indiana. Mr. Chairman, this subcommittee did support the SSC up to its final blow. It is not quite as simple as has been presented here today.

In settlement for the SSC, the Federal Government agreed to a two-pronged approach, which this subcommittee opposed for quite some time, not so much the cash settlement with Texas but the fact that that $65 million is not left in the account, not at all. It was placed in escrow. It can be spent as far as this committee is concerned only for one purpose, the construction of the cancer treatment facility.

The subcommittee is not opposed to that by any means, but we did not feel that we should tie up the money. Texas should still have the right yet today to spend that money any way they wanted

to. So it is not quite like leaving the money there so it can be spent any way it wants to. It was committed.

When I was a trust officer some years ago, when something was put in trust, we had to fulfill that trust. We could not change that agreement by anyone.

We tried to say, just take the $210 million and give it to Texas. DOE would not accept that. With an agreement with the authorities in Texas, they said the only way we can do this is to give the State of Texas $145 million in cash, which they got, and then place $65 million for this cancer center, for which we were told Texas probably would never vote.

They wanted to bypass the system in Texas to obligate the money; am I not correct on this point? Now I think there is a serious legal question. How do we correct the mistake—and I call it a mistake—that was made 2 years ago when this $65 million was put into escrow.

This is the reason I must object today, until we find out what we can legally do. We do not want to hang it up here and leave it hanging again. Let's settle it once and for all how we approach this problem.

Mr. LIVINGSTON. Reclaiming my time, would the distinguished chairman of the subcommittee be inclined to at least address this issue in conference so that we get all the facts and understand really what happened there?

Mr. MYERS of Indiana. If the gentleman would continue to yield, in discussion with the gentleman from Texas [Mr. BARTON], we discussed that. Let's settle the legal question, whether we can do this as simply as we are trying to do it today, before we try to do it. If it gets settled before we go to conference, of course, we will agree with that.

Mr. BARTON of Texas. If the gentleman will yield further, I thank the subcommittee chairman and the full committee chairman.

Mr. Chairman, I submit material from last year's RECORD for this RECORD, as follows:

Senate amendment No. 35: Page 19, line 19, after ''tract'' insert: ''*: Provided further,* That of the amounts previously appropriated to orderly terminate the Superconducting Super Collider (SSC) project in the Energy and Water Development Appropriations Act, 1994, amounts not to exceed $65,000,000 shall be available as a one-time contribution to the completion, with modification, of partially completed facilities at the project site if the Secretary determines such one-time contribution (i) will assist the maximization of the value of the investment made in the facilities and (ii) is in furtherance of a settlement of the claims that the State of Texas has asserted against the United States in connection with the termination of the SSC project: Provided further, That no such amounts shall be made available as a contribution to operating expenses of such facilities''.

Mr. BOEHLERT. Mr. Speaker, the conference report before us today in effect approves the tentative agreement reached to settle the claims of Texas against the Department of Energy for shutdown of the superconducting super collider [SSC].

Much about this settlement disturbs me—and should disturb every Member of this body. Under the settlement, taxpayers will be forced to shell out more money for a dead project to pay off spurious claims by Texas—claims that were expressly rejected by this body in 1990.

Worse still, the agreement sets up a mock peer review process to provide additional funds to the States. The review process in the settlement has more in common with a shotgun wedding than with normal scientific merit evaluation.

Under the settlement, if the reviewers—whom Texas will have a say in selecting—do not approve the $65 billion grant, the entire settlement is nullified. This sounds more like peer pressure than peer review. I hope no potential source of future funds for the linear accelerator is taken in by this unusual arrangement.

Finally, I'm concerned that the Department of Energy already seems to be sidling away from its initial statements that the settlement can be funded entirely from fiscal 1994 appropriations. I hope the Department proves more capable of living within cost estimates than it has in the past.

Still, despite all this, and despite the covert way the Department has proceeded, I will reluctantly go along with this settlement because I believe delaying the shutdown now will cost taxpayers even more money. There's a benefit to be gained simply in putting this entire episode behind us.

In addition, my two primary concerns have been addressed. In a letter that I will include in the RECORD, the Department has pleaded that this will be the last Federal money going to the SSC site and that termination costs should be held to the level already appropriated.

HOUSE OF REPRESENTATIVES,
Washington, DC, July 29, 1994.

Hon. HAZEL R. O'LEARY,
Secretary of Energy, U.S. Department of Energy, Washington, DC.

DEAR MADAM SECRETARY: I appreciated the briefing I received from the deputy secretary and our staff last week on the terms of agreement with Texas. I hope the lines of communication can remain open in the future.

I do continue to have several concerns about the agreement with Texas that I hope you can allay.

First, the agreement seems to set up a situation in which Texas could be coming back quickly to the federal government for additional funds to operate former Superconducting Super Collider (SSC) facilities. The grant to complete the Linear Accelerator (LINAC) with its unusual peer review provisions and the continuation of the planning grant to Texas—also awarded under unusual procedures—would seem to indicate that Texas still wishes to encumber the federal government in the future with projects unrelated to national scientific priorities. Has the Department agreed—either in the agreement or in any other documents or discussions—to any future funding of former SSC facilities? I believe it is imperative that the federal government severe all ties (except those concerning liability) with the SSC site.

Second, I remain concerned that the settlement costs could exceed the funding available from existing appropriations. The uncertainties associated with environmental cleanup at the site, the proposed elimination of contingency funds and the continuing threat of claims and litigation from local authorities in Texas raise questions about the adequacy of the $735 million on hand to implement the settlement. And quite frankly, our experience with Department of Energy cost estimates is not good. How certain are you that the settlement outlined in the terms of agreement can be paid for out of existing appropriations?

The Department's proposed settlement with Texas goes much further toward satisfying the state's unreasonable claims than I would prefer. Still, like you, I would prefer to put this whole sorry chapter behind us (And in bills like the one Congressman Boucher and I have drafted, providing for high energy and nuclear physics, we are indeed looking toward the future.) I hope you can offer me the reassurances I need to back the proposed settlement on the House floor. I look forward to hearing from you.

Sincerely,

SHERWOOD BOEHLERT,
Member of Congress.

THE SECRETARY OF ENERGY,
Washington, DC, August 8, 1994.

Hon. Sherwood Boehlert.
U.S. House of Representatives, Washington, DC.

DEAR CONGRESSMAN BOEHLERT: I was very pleased to receive the advice contained in your letter of July 28, 1994 that the briefing on the Department's settlement terms with Texas conducted by Under Secretary Curtis was helpful to you. I share your hope that our lines of communication remain open and constructive.

Turning to your specific questions, the Department has made no commitment for future Federal funding of former Superconducting Super Collider facilities. To the contrary, the $65 million grant toward completion of the Lear Accelerator as a medical facility is described explicitly as a one-time contribution. The settlement terms clearly state that the Department is to have no continuing or additional obligation in financing this or any other former Superconducting Super Collider facility.

The full scope of termination activities includes costs of a settlement of the Texas reimbursement claim and the above-mentioned grant associated with Texas' future use of the Linear Accelerator. During negotiations with Texas, the Department has emphasized the importance of minimizing the prospect of requiring any additional appropriations for Super Collider activities. Based upon our current cost estimates and planning assumptions, the Department fully expects that all anticipated termination expenses—including settlement with Texas and a $65 million one-time Federal contribution toward completion of the LINAC—can be accommodated with existed appropriated funds. We will work aggressively to achieve this goal through management efficiencies and, to the extent possible, changing the scope of termination activities.

Your letter notes concerns regarding the reliability of prior Department of Energy cost estimates regarding the Superconducting Super Collider project, I share those concerns. Therefore I must acknowledge that judgments about estimated costs of termination necessarily will be reassessed as our knowledge increases while project termination progresses. Nonetheless our actions are directed to the goal, which thus far seems an achievable one, of concluding all termination activities—including the settlement—from within the current appropriations of $735 million.

In order to maximize our prospects of meeting our goals of funding all termination activities from within the $735 million we are conducting a complete rebaselining in order to identify the management efficiencies and potential changes in scope of work described above. We will provide you a supplemental report on this work when it is concluded.

I hope this information will help allay the concerns that you have raised, and that they will enable you to conclude, as I have, that

these settlement terms are in the national interest and merit your support.

Sincerely,

HAZEL R. O'LEARY.

Mr. BARTON of Texas. Mr. Chairman, I ask unanimous consent to withdraw the amendment.

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

There was no objection.

AMENDMENT OFFERED BY MR. KLUG

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. KLUG: Page 16, line 1 strike ''$2,596,700,000'' and insert ''$2,576,700,000''.

Mr. KLUG. My colleagues, this is an amendment to try to attempt to terminate the GTMHR program, which is a gas turbine nuclear reactor project. But let me, if I can, put two numbers in perspective.

Taxpayers have already spent more than $900 million to develop this technology. This bill in front of us appropriates $20 million under energy research supply activities to fund the project and if we continue to fund the project, the General Accounting Office estimates that we will spend nearly $2.6 billion in additional funds.

It is always interesting to come to this floor to try to argue to terminate science projects, because we are invariably told that science projects are either are in two stages of development. It is early enough in the project where we do not know if the technology is going to pay off, so we cannot stop it, or we have invested so much money in the project over the years, cannot afford to terminate it so we still have to spend the money.

This amendment will simply eliminate the funding this year from the appropriations bill for $20 million the amount appropriated to GTMHR. But let me make it clear to my colleagues immediately that this year's science authorization committee in full committee specifically struck all funding for this project.

Now, you know, you ask yourself why we did not go to the Committee on Rules and ask them to strike on a point of order since we have an appropriations today which has never been authorized. But we were told by the Committee on Rules that we could not do it that way. We had to fight it on the floor in order to kill it. But I think it is clear by the rules of the House, when the authorizing committee kills a program by a vote of 2 to 1, there is absolutely no way this program can stand.

Now, who wants this project killed? Let me start back with the Reagan administration which recommended it be killed; followed by the Bush administration which recommended the program be terminated; followed by the Clinton administration. The Senate voted to kill it last Congress. The National Academy of Sciences twice rejected this technology; once in 1992 and once in 1994.

The National Taxpayers Union and the Citizens Against Government Waste, Friends of the Earth, U.S. PIRG and a number of other groups are all opposed to the technology.

And may I add that a number of my colleagues in particular have been very supportive in my attempts to kill this funding: My colleague, the gentleman from Wisconsin [Mr. OBEY] the distinguished ranking member of the committee, who we will hear from in a few minutes and, particularly, I would like to pay tribute to the gentleman from Florida [Mr. FOLEY], a freshman Congressman who led the fight in the authorizing committee, in fact, over the objections of his committee chairman, to defund this technology.

Mr. Chairman, where does the Department of Energy stand on this? This is from a letter written to the gentleman from Florida [Mr. FOLEY], June 20, 1995. The Energy Department,

. . . does not support continued funding for the gas turbine nuclear helium reactor. There are significant questions about the viability of this reactor type, including whether the fuel will retain fission products to the extent necessary for safety.

There is little utility interest in this technology and we believe that development of this reactor concept would require Federal expenditures in excess of $1 billion over the next decade.''

Again the General Accounting Office says $2 billion.

Gas cooled reactor technology has been under development by the Federal Government for approximately 30 years without tangible benefits. The Department, therefore, proposes to terminate work on the gas turbine modular helium reactor.

Signed by Terry Lash, who works for Hazel O'Leary, who is the Secretary of Energy.

So we have the Reagan administration, the Bush administration, the Clinton administration, the Senate, the National Academy of Sciences, the authorizing committee. The bottom line is that nobody thinks this technology will work.

In fact, once upon a time there actually was a commercial project which attempted to use this technology. It was run in Colorado at Fort Saint Vrain. The reactor was closed down after 16 years after operating at a very impressive 14 percent of capacity.

I think it is abundantly clear that after 30 years of funding this technology, it is virtually impossible to find any support for it in the scientific community. As we saw last month, there is no support of it in our own Committee on Science. Our Committee on Science voted 2 to 1 to kill authorization for it.

Again, the Department of Energy, the Reagan administration, the Bush administration, and the Clinton administration all recommended this program be terminated. I urge my colleagues today, once and for all, to finally put this technology behind us.

Mr. OBEY. Mr. Chairman, I rise in support of the pending amendment.

Mr. Chairman, as the previous speaker indicated, this is a bipartisan amendment. It is being offered by the gentleman from Wisconsin [Mr. KLUG] and by myself, and the gentleman from Florida [Mr. FOLEY], and by the distinguished gentleman from Minnesota [Mr. LUTHER].

This amendment, as has already been indicated, cuts $20 million in the bill for the gas turbine modular helium reactor. This program is a prime example of the continuation of corporate welfare for a mature segment of the nuclear industry for a program with questionable technology.

Mr. Chairman, as was pointed out, the Committee on Science recently voted 23 to 15 to kill the program, despite the support of the Chairman of that committee. No funds have been requested for this program by the President for 3 years in a row. That is fiscal 1994, 1995, and 1996. And yet somehow Congress finds room, within a brutal budget for working people, to allocate funds for this program.

Over the past 30 years, taxpayers have been asked to spend 900 million smackeroos on gas-cooled reactor programs. And what do we have to show for it? Absolutely zip.

Mr. Chairman, as was indicated previously, the only commercial version ever built was in Colorado. That operation had the worst operating record of any nuclear facility. It was shut down in 1990, after it operated at only 14 percent of capacity. And despite the claims of the proponents of this technology about a new design and 50 percent private sector match, the technology is still not proven.

The real question is simply whether we are going to continue to fund this program at an eventual cost of $5.3 billion. I would hope not.

□ 1715

I would point out there has not been a nuclear power plant successfully licensed in this country since 1974. The nuclear industry itself is lukewarm to this particular type of reactor, and, third, even nuclear advocates admit that there are no utility orders for this type of plant based on this technology that would be placed before the year 2010. So it seems to me this is a little premature.

I would simply say that this Congress appears to be all too willing to cut Medicare, all too willing to cut education, all too willing to cut job training programs, all too willing to cut other science, all too willing to cut anything that benefits directly the working people of this country, but when it comes to hardware items, whether it is the F–22, which we do not need until the year 2014, whether it is this or whether it is several other reactor technologies in the bill, evidently the Congress feels comfortable in funding and providing funds for that. I think that represents misplaced priorities.

I would urge you to vote for this amendment. Turn down this project. Save some money, leave a few table scraps for programs that affect the welfare of working people.

This is a turkey. It is a boondoggle. It is unaffordable. It is not needed. We ought to kill it and kill it right now.

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

Mr. Chairman, I respect the gentleman's opinion. But let me put some actual facts.

First of all, it was said that the taxpayers were against this. This technology replaces $1 billion per week in oil that we are purchasing, $1 billion, and it is cleaner.

We say there is not benefit from this. There is 75 percent less nuclear heavy metal waste.

It was also mentioned that Colorado was a failure. It is because they used 25-year-old technology, mechanical technology. The system in Pennsylvania has been 86 percent efficient and produces 50 percent higher yield than any current nuclear operating plant that we have in existence. So there is benefit.

The private industry itself has put in over $800 million into this program, and it is good science. Only the modular helium reactor has got these characteristics, that it is also meltdown-proof, one of the problems that many people were afraid of in early nuclear technologies, which was that there was going to be a meltdown. This system will not do that, Mr. Chairman.

Early demonstration plans in Pennsylvania and Colorado have proved the integrity of the basic science. As I mentioned, in Colorado they used 25-year-old technology, and that is why you have a pilot program is to determine the pluses and the minuses. We determined that it was a minus. So we established a system in Pennsylvania which proved very, very effective.

The effort in the 1990's focused on driving down the cost, combining the modular helium reactor with direct drive gas turbine for higher efficiency. Combined with higher thermal outputs, it made dramatic increases in the power outputs.

I could tell you the per module kilowatt-hour, but I will not. It has more than doubled it, more than any current nuclear facility, and that is important, we feel, also.

The $20 million appropriation should be compared, as I mentioned, with $1 billion spent by U.S. foreign oil each week.

Several years ago the National Academy expressed some concerns over the economic competitiveness of GTMHR. Since the increase in power and the increase in costs have been lowered, we expect another report.

Nuclear provides 20 percent of our power today, nuclear energy. There are some Members on the floor, and they have a right to that opinion, are against nuclear energy. We feel that the energy policy of this country has got to involve nuclear energy.

And I think it is fair to ask the question: What would you replace it with? Do you replace it with oil at $1 billion a week? Do you replace it with hydro? Right now the environmentalists are trying to tear down dams because of salmon and fish and so on, and there is none left. Do you replace it with fossil fuels and coal, which is damaging to the environment? Of course, the answer is ''no.''

Twenty percent of our energy can be replaced with this system, and is, and it is a viable system.

Taxes and jobs and lower electricity costs: We heard about LIHEAP and that we are taking away the cost of supplementing because of energy costs for poor individuals in this country. Well, this reduces those energy rates for individuals not only in San Diego but across this Nation, and I think that is important also, Mr. Chairman.

Nuclear is part of a secure energy future. Can nuclear be improved? Yes, it can, and that is why we have these kinds of pilot programs.

If today's nuclear plants were as efficient as GTMHR, taxpayers would save about $10 billion a year just because of the increased proficiency that has been proven.

The Committee on the Budget said ''yes'' on the GTMHR. It fulfills the 6 criteria for priority funding for essential science.

I would also like to say to my freshman colleagues, this system was specifically mentioned in the Kasich budget because of its importance and is in the balanced budget. It specifically addresses it because of its importance. The Kasich budget that you voted for includes this program.

I would like to ask you to vote against this amendment and support the turbine because it is the future of energy and the future of science.

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

Mr. Chairman, I rise in opposition to the amendment and in support of continuing the modest funding for this gas turbine modular helium reactor.

I recognize that, as the distinguished gentlemen from Wisconsin indicated, that there is a bipartisan effort to strike this $20 million from the funding in this bill and hope that that will balance the Federal budget. I confess to having historic interest in this program and to indicate that there is bipartisan support for continuing with the program.

I note that Chairman WALKER and I both signed a ''Dear Colleague'' asking you to support this program, and when you get Chairman WALKER and me to agree, you cannot get any more bipartisan than that. And I suggest that our reasons for doing that are because we have been involved in supporting this program with good cause for the better part of the past generation. This is an evolving technology. It will not bear fruit overnight.

It has undergone several changes over the past decade. It has moved to the use of helium gas, for example, as the coolant because helium is inherently safer than any other kind of available coolant systems. There have been a number of other changes to improve the efficiency of the system. It employs a number of unique characteristics which take a great deal of time to fully develop. The pelletized system for containing the plutonium, for example, is a complex technology in itself. But it is my opinion and that of Chairman WALKER and obviously of the gentleman from California, Mr. CUNNINGHAM, who spoke so eloquently and has obviously done his homework on this technology about its potential value, it is our view that with the fairly modest expenditure of funds that this can make a substantial contribution to the energy technologies of the future.

Now, there is some complaint this is long-range, as much of our research and development is. It does not compare in long range to the fusion program, for example, which I have been trying to nurse along for the last 30 years, and I am still told that in another 30 years it may produce a commercially feasible energy technology, and I believe that it will. But that is quite a long-range program, and, of course, the cost of fusion is at least 10 times or more, 10 to 20 times what we are spending on this program, which could pay off sooner and could provide an opportunity for export in this country, which I think would be extremely useful.

The company that is mainly involved in developing this technology has spent tens of millions of dollars of its own money over the past 20 years. It is involved in conversations or discussions with the Russians about the possibility of using this to assist them to replace the present Russian nuclear commercial reactor facilities, and I think this is a very interesting and rater promising possibility.

There are reasons why this Committee on Appropriations, the authorizing committee, have both supported this over the past decade or more. It has this kind of promise that I have indicated. It is worth nursing along.

While we are pressed for funds, obviously, this is included in the budget projections, as the gentleman from California [Mr. CUNNINGHAM] has indicated, because it is a promising technology and it is a relatively expensive energy technology compared to most of the others that we are promoting at this time.

So I ask you to support the committee, support those of us admittedly in the minority on the authorizing committee. This was a generational thing. The senior Members voted for it, but we are outnumbered by the junior Members who want to make their impact by cutting out something, and this was their target of choice.

I do not think this is the proper way to legislate and disregard the efforts that have gone on, as I say, for the last

15 or 20 years to support promising technologies of this sort.

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

My colleagues, the distinguished gentleman who offered this amendment stated that there is no legitimate support for this reactor, but, in fact, there is, and I have a couple of letters, one here from Duke Power that says, ''GTMHR represents breakthrough potential for nuclear power.'' Maybe its opponents do not want a breakthrough, but if there is no breakthrough, it is hard to explain where the world's electricity is going to come from in the next century.

The Nuclear Energy Institute similarly writes a letter of support, stating, ''The nuclear industry also supports Federal funding for other advanced reactor technologies, such as the GTMHR. These technologies will have an important role in America's electricity supply, and the industry has invested more than $10 million in R&D efforts to date on advanced nuclear energy technologies.''

Now, my colleagues, we have got a lot of conservatives and a number of Members who are more liberal, alike, but who are concerned about government expenditures, who say, ''Well, doggone it, why is private industry not paying for this R&D?'' And I think the American nuclear society states it best when they explain why private industry is not coming forth with that money. It is because there is presently a chilling effect throughout this country and throughout industry on any type of reactor. When did we build the last reactor? How many decades ago was it we built the last reactor?

Let me just quote what is stated by the American Nuclear Society, a group which incidentally very strongly supports this reactor. They say, ''The United States no longer holds a position of competitive leadership within the international commercial nuclear industry, due, in large part, to a web of disincentives imposed upon nuclear energy technologies, including tax laws discouraging collaborative research and development among corporations.'' We cannot deny that. That exists today. That is why private industry is not coming forth. ''Nuclear plant liability coverage requirements far in excess of other industries, despite demonstrably lower risks to public safety.'' We cannot deny, in fact, that exists, that liability exists. That chills the industry and deters private industry from investing. ''Trade policies prohibiting sale of nuclear energy equipment,'' that does exist. ''Failure of governmental agencies to fulfill mandates for spent fuel storage and waste management, which creates overwhelming economic uncertainties for potential investors,'' my colleagues, all of those things exist in the private sector, and that is why, if we are going to meet this challenge for a reactor technology which does not melt down and which greatly reduces waste, we are going to have to spend some government dollars, and we, as conservatives and liberals and moderates in this body, have to accept and understand that.

Let me just say, the gentleman from California [Mr. BROWN], who just spoke, was very eloquent on that point. We have a common interest in this body in following this technology.

So, if you just want to be anti-nuclear, vote for this amendment. But if you want to approach and continue development in a rational manner, to meet the two great challenges, that is, meltdown and, second, waste disposal problems, with respect to nuclear reactors, then please vote to reject this amendment.

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

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

□ 1730

Mr. BILBRAY. Mr. Chairman, I appreciate the gentleman from California [Mr. HUNTER], my colleague. I think those of us that were involved in the nuclear debate back in the 1970's would recognize that waste production was the major concern at that time, and if that nuclear could have come before America and said, ''We will not only produce nuclear wastes, we will consume waste,'' then I think there would be a whole lot of different discussion by those of us who were involved in the debate at that time. This technology not only has the capability of avoiding those pitfalls, but it also has the ability of consuming a waste problem that has been totally ignored by this body at this time, and that is the fact that there is going to be over 100 metric tons of plutonium, military-grade plutonium between Russia and the United States; that all we are talking about right now is putting it in the ground and hoping, hoping that somebody does not know it is there, and use it for operations we do not care about.

I think one of the concerns we need to recognize is that this technology, it not only consumes waste, it not only produces power, but there is this national defense issue that I think we got to talk about. They will say, ''Why doesn't the private sector do this?'' I will tell my colleagues we cannot walk away from our obligation to address the plutonium issue, not only in the United States, but across the globe. We have 100 metric tons that this technology can address so that it would not be used against the people of the United States.

The CHAIRMAN. The time of the gentleman from California [Mr. HUNTER] has expired.

(By unanimous consent, Mr. HUNTER was allowed to proceed for 1 additional minute.)

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

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

Mr. BILBRAY. I think there is an issue there, and I would ask everybody that would love to vote for this amendment to recognize that if they want to try to kill this technology in this research, then be ready to go back to their district and say, ''I don't think the issue of our military-grade plutonium, the hundred tons that is going to exist between Russia and the United States, is an issue that we really need to worry about right now.'' This technology takes a problem and creates an answer to it, and for those of us that have been involved in environmental issues, we use a term called appropriate technology, and this is the appropriate technology for the use of an existing system, and it is probably the best example, Mr. Chairman, of military conversion.

I say to my colleagues, ''Let's take that military equipment, the plutonium, and let's convert it into power so the civilian use can help our economic prosperity built on past military expenditures.''

The CHAIRMAN. The time of the gentleman from California [Mr. HUNTER] has expired.

(By unanimous consent, Mr. HUNTER was allowed to proceed for 1 additional minute.)

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

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

Mr. PACKARD. Mr. Chairman, I will be very brief. I simply want to commend the committee chairman, the gentleman from Indiana [Mr. MYERS] and the gentleman from Alabama [Mr. BEVILL] for a very good bill, and on this issue I strongly urge the Members to resist the amendment and rise in support of the bill language.

Mr. HUNTER. Mr. Chairman, I thank the gentleman from California, and I also commend the chairman and ranking member for their excellent work. Please oppose this amendment. The committee put together a responsible mark here, and this is specifically included in the balanced-budget resolution. It is within that resolution.

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

Mr. Chairman, I rise today as a cosponsor of this amendment. Recently, along with the gentleman from Florida [Mr. FOLEY] I was part of the bipartisan effort that has been referred to here in the House Committee on Science which eliminated a $25 million authorization for this particular project. Now I stand before my colleagues to urge my colleagues to support this amendment which would eliminate the appropriations for the same project.

I respect the motives of the supporters of this particular program, but I believe it should be terminated because, based on all of the available information, it is too unlikely to become a competitive energy resource for the Congress to justify a request for more

taxpayer dollars. The scientific community in this country has rejected the claims of the supporters of this project. Studies by the National Academy of Sciences, the Department of Energy and the Electric Power Research Institute have pointed out that this technology is expensive, inefficient, potentially unsafe, and a poor option for the disposition of excess plutonium.

Funding for this program is also opposed by the National Taxpayers Union and Citizens Against Government Waste.

Last November, Mr. Chairman, the voters in my State of Minnesota and across the country sent a message to the U.S. Congress. They said the time has come for us to balance our budget by establishing priorities and making tough decisions. Like all programs, a case can be made for this particular program. But this program has been rejected by the administration, the scientific community, the U.S. Senate, the House Committee on Science. It is simply not a high enough priority to justify further expenditure of taxpayer dollars with the budget crisis that we face in this country.

When I came to Congress, people warned me, ''Be careful about what you start here because once a program is begun, it just keeps on going and going. You can never stop it here.''

I believe that this particular project is a classic example of that kind of self-perpetuation. But today we can disprove that admonition. We can stop this project today on the House floor.

Quite simply, Mr. Chairman, I leave my colleagues with this thought. If we cannot cut this program, what program can we cut in this Congress? I urge my colleagues to make the tough decision and show the American people that Washington can change, that we can prioritize and that we can cut programs. A vote in support of this amendment is a bipartisan vote to change the way Washington operates and a step toward restoring the confidence people have in government.

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

Mr. Chairman, the sponsors of this amendment to terminate the gas turbine-modular helium reactor [GT–MHR] program appear not to appreciate the environmental benefits provided by nuclear power and the particularly unique environmental advantages of the GT–MHR technology. To exploit the benefits of nuclear power, the development of advanced nuclear technologies needs to be continued with the objective of achieving higher efficiencies, enhanced safety characteristics, lower costs, greater proliferation resistance, and less environmental impact.

The GT–MHR is the only foreseeable option that offers an improvement in these characteristics. Today, over 20 percent of the Nation's electricity is being produced by nuclear power which is displacing, on a yearly basis, 600 million tons of carbon dioxide, 5 million tons of sulfur dioxide, and 2 million tons of nitrogen oxides. However, 70 percent of the electrical power is being provided by burning fossil fuels—mostly coal, some natural gas, and some oil. Combustion of these fuels results in the production of significant environmental pollution—greenhouse gases such as carbon dioxide, acid rain gases such as sulfur dioxide, and smog effluents such as nitrogen oxides.

Concern for environmental quality is placing an increased emphasis on development of electricity generation options which avoid the environmental impact of burning fossil fuels. Nuclear power has stalled in the United States because of concerns with uncertain safety, marginal economics, waste disposal, and proliferation resistance. The GT-MHR is designed to mitigate or to resolve these concerns. The GT–MHR has: First, the highest safety of any nuclear power system; second, the lowest cost of any alternative system; third, the least waste of any nuclear system; and fourth, the highest proliferation resistance of any nuclear power system. It couples a high-efficiency gas turbine to the passively safe modular helium reactor developed specifically in response to our requests for a simpler, safe nuclear power system.

It achieves a 50 percent improvement in generation efficiency over present nuclear systems. This efficiency improvement plus the physics characteristics of the modular helium reactor result in a 75 percent reduction in heavy metal radioactive waste generation and a 50 percent reduction in thermal discharges per kilowatt hour produced. These environmental advantages coupled with the absence of emissions make the GT–MHR a clear choice to reduce the environmental impact of burning fossil fuels.

The unique safety, economic, and environmental characteristics of the GT–MHR system are the reasons why its development was undertaken in the first place. We have made a significant investment and have made major progress in this technology. In the absence of an energy policy which indicates otherwise, now is not the time to abandon this technology and discard our investment. We are on the threshold of realizing the promise of the high temperature reactor technology. I urge my colleagues' support to defeat this amendment, and I hope we can make valid the investment that this committee and this Congress have made for a number of years. We have eliminated many of the alternatives. It seems to me we should stay the course on those that show the most promise.

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

Mr. Chairman, I rise to express my strong opposition to the amendment. When a similar amendment was introduced by the gentleman from Florida [Mr. FOLEY] during the Committee on Science markup, I strongly opposed it then, and I strongly oppose it today.

Today, nuclear energy produces about 20 percent of our electricity. This is the largest producer next to coal. World electricity demand is expected to triple over the course of the next century and I feel it would be extremely short-sighted to eliminate this program when we are going to need a means to meet the worlds increasing electricity demands.

Living in a country which now consumes $1 billion in foreign oil imports each week, I think it is imperative to explore other energy options.

The GT–MHR is one of the most promising next generation nuclear reactors. As a scientist, let me tell you why I am supportive of this reactor. It combines a meltdown-proof reactor and advanced gas turbine technology in a powerplant that can provide 50 percent more electrical power per unit of thermal energy than other reactors.

The current design dramatically lowers the production of radioactive wastes and thermal emissions which results in a new kind of powerplant that is efficient and safe provider of low-cost electricity.

Mr. Chairman, this is a prime example of the kind of technology we need to pursue and I urge a no vote on the amendment.

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

Mr. Chairman, I have an important announcement for the American people. Pork-barrel politics is alive and well in Washington.

My colleagues may have thought that the change which took place last November would bring an end to politics as usual. But that is not the case when it comes to bringing home the pork. True, we are making significant efforts to cut overall spending to balance the budget—and I support those efforts. But despite the deep spending cuts, members of the Appropriations Committee have managed to slip wasteful, unauthorized and unrequested projects into this spending bill for the benefit of local or special interests back home.

As a cochair of the Porkbusters Coalition, I rise today in strong support of the Klug amendment to cut the $20 million in this bill which is earmarked for researching an impractical nuclear technology referred to as the gas turbine-modular helium reactor. The GT–MHR is a prime example of what the Federal Government ought not to be funding. This $20 million appropriation was not requested by the President in his budget and has not been authorized by the Science Committee. In fact, as a member of the Science Committee, I participated in a bipartisan vote to eliminate the GT–MHR. This wasteful boondoggle was also opposed by the Reagan and Bush administrations. In addition, several expert organizations are opposed to funding the GT–MHR including the National Academy of Sciences, the Electric Power Research

Institute, and the Department of Energy.

Mr. Chairman, over the past 30 years, American taxpayers have seen nearly 900 million of their hard-earned dollars wasted on this inefficient reactor technology without any tangible benefit. Incredibly, the General Accounting Office has estimated that it will take another $5.3 billion to complete the GT–MHR. I ask my colleagues: Do you think your constituents would approve of throwing more of their money into this black hole of waste? I think not.

I urge my colleagues to take the high ground and suppress efforts such as this to pull a fast one on the American people. If we are insistent on cutting spending, it should begin with cutting the wasteful pork projects which are squandering taxpayer dollars. Support the Klug amendment to cut the GT–MHR.

□ 1745

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

Mr. Chairman, there has been a good deal of misinformation out here about GT–MHR, and I would like to at least clarify a point on a couple of things.

First of all, it was stated by someone that the vote in the authorizing committee to kill the GT–MHR was a two-to-one vote. In fact, that is not true. The vote was 23 to 15. A switch of four votes would have in fact passed the program in the committee. So it was nowhere close to a two-to-one vote in that committee.

Second, it has been stated that administrations for the past several years have not requested this program. Well, I have here the 1991 request from the Department of Energy. In fact, it was requested in 1991. It was only appropriated about half the level it was requested, but there had been in fact requests in the past.

This is also a program I would say that has been authorized. Back in 1992, when the Public Law 102–486 was passed, the Energy Policy Act of 1992, Congress specifically went on record saying ''The goals of the program established under subsection (a) shall include—to complete necessary research and development on high temperature gas-cooled reactor technology—by September 30th, 1998.'' We specifically said we ought to go forward with this program in the Energy Policy Act only a couple of years ago.

So the Committee on Appropriations is acting not on a pork-barrel program. They are acting on a direct authorized program, done by the Congress of the United States and our energy policy.

Finally, there is a real myth being perpetrated here on the floor that somehow we are going to save money in 1996 by passing this amendment. The fact is not a dime will be saved by passing this amendment. The amendment purports to save $20 million in this fiscal year. The fact is that there is a legal obligation of the Federal Government to pay the closeout costs of the project. The closeout costs for the project are going to approximate the same $20 million. So we end up with an amendment that absolutely saves no money and would require the same money to be spent in 1996 to terminate a program that in a matter of a couple of years, after several hundred million dollars' worth of spending, will be complete.

You tell me what the sense is on that. You cannot come to the floor and suggest that there are rational ways of doing these things if what you are proposing is irrational. It's absolutely irrational to come to the floor, claim you are going to save money when there are no savings, and in fact cancel out a program in which we have invested hundreds of millions of dollars. I have to tell you, I think what we ought to do is go forward with this.

Finally, let me state that one of the best reasons for proceeding ahead here is what this could mean to us in terms of global competition in the years just ahead. This is a reactor concept which, if it proves feasible, can be done in small factory fabricatable designs that are of modular construction. Now, what you have is then an opportunity to produce electricity in increments of 300 megawatts or less. This is what utilities say that they need in order to meet steadily growing marginal demands.

But the most important factor here is this has an enormous potential for export into developed markets such as Japan. It is needed in smaller, less capital intensive bites for less developed power grids such as those in the Far East and in Eastern Europe. So here is a technology that we have a chance to sell into the global marketplace.

Also, this is something where Russians have expressed an interest in a joint venture with us, in large part because this can destroy all weapons grade useful plutonium in a once-through fuel cycle. Ninety-five percent destruction of PU–239 is involved in this particular technology.

So it seems to me that what we have here is an opportunity to really be economical in what we are doing, support good science, and, in the end, end up with a product that takes us into the global marketplace. That seems like a pretty good bargain for the amount of money we are proposing to spend.

Mr. Chairman, I would suggest we vote against this amendment.

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

Mr. Chairman, I rise today as part of a strong bipartisan opposition to this amendment which would delete the funding for the GT–MHR Development Program.

I have heard the opponents to this program argue that it is a pork project, that it is an example of corporate welfare. They have said that this pork has cost the taxpayers $900 million. Well, let us set the record straight. Approximately $900 million has been appropriated from taxpayers' money to be spent on high temperature gas cooled reactor technology. But this expenditure has been a sound public investment for the following reasons. We have had in fact a sound public investment for these reasons:

Number one, an amount substantially equal to the taxpayers' $900 million has also been invested by private industry in the high-temperature gas-cooled reactor technology. This is the kind of government and industry partnership we want for research and development to advance promising technologies.

These funds together have permitted the design, development, and construction of two demonstration plants, permitted the gas-cooled reactor to be selected by the Department of Energy as a new production reactor, and provided the brood technology base which allows a GT–MHR project to proceed.

Second, much of the taxpayers' $900 million has gone to our national laboratories who are involved in research and development. At present, there are four prime contractors and several subcontractors involved in this technology. GT–MHR research and development is being performed throughout the country by several government laboratories and private companies. The prime beneficiary is our country.

Third, the breakthrough achieved by the GT–MHR provides high prospects—higher I am told than ever before—that there will be an investment payoff. Its safety, low cost, low environmental impact, and high proliferation resistance make it an ideal candidate for helping to meet the future electricity requirements which will provide jobs, an export product, and a technology to reduce our dependence on foreign oil.

The gas-cooled reactor was one of the two technologies selected in an exhaustive evaluation for development as a new production reactor and was evaluated to be the most cost-effective alternative. The project was deferred at the end of the cold war because of a lack of immediate need. However, the Department of Energy is now in position of having to identify a new tritium supply source and is in the process of spending significant additional taxpayers' dollars re-looking at tritium production alternatives. Why is this effort being performed again when it was evaluated less than 10 years ago? This is the kind of thing that should be examined to avoid wasting taxpayers' dollars.

The GT–MHR breakthrough is a result of the foresight which went into past congressional actions on this technology, but it is imperative that the research and development be seen through to completion. To stop it now would really be a waste of the investment. Worse yet, another country may step forward and capitalize on our investment. We cannot let that happen. I urge a ''no'' vote on this amendment.

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

Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I think it would be useful to start by correcting a few statements that have been made here on the floor that are just not supported by fact. It has been stated that the Electric Power Research Institute has decided that this technology is not worth pursuing. I have here a fairly thick study by the Electric Power Research Institute done by Commonwealth Edison, Duke Engineering, Yankee Atomic Energy Electric, here is the conclusion in the executive summary. This is a 1991 study:

> In conclusion, the utility review team recognizes that the high temperature gas reactor design offers a viable potential nuclear option to the power industry for the next century potential and deserves continuing development. This endorsement is consistent with previous opinions expressed by the utility industry and more recently by the endorsement of the Advance Reactor Corporation in the January 10, 1990, report, and the corporation's ad hoc committee on DOE's advanced reactor development plan.

By the same token, it has been said here on the floor that this program was terminated by the Reagan administration and terminated by the Bush administration.

In fact, the high-temperature gas-cooled reactor was one of two candidates for the new production reactor that would have gone to Savannah River or Idaho National Engineering Laboratory for the next tritium production source.

In fact the NPR team, the new production reactor team at the Department of Energy, headed by Dominique Mineta, had settled upon this particular design, the high-temperature modular gas-cooled reactor, for the new tritium production source, when Admiral Watkins as the Secretary of Energy decided that we did not need to incur the expense of building a new production reactor.

Why? Because that fall, in late September 1991, the Bush administration had entered into an agreement with the Soviet Union for the drawdown of nuclear weapons, and we had far more tritium generated as a result of that drawdown than we needed and there was no urgent immediacy or need for tritium. Indeed, we do not need any until the next century. That was the reason that the Bush administration did no go forward with the high temperature gas reactor at that time.

For the statement here on the floor that that administration canceled it, has nothing to do with the merits of this program, and it does have merits. It had merits, first of all, still for the Department of Energy as a tritium production source. Indeed, the Department of Energy, while they are not pursuing this as their primary source, did single it out and did say themselves, their Energy Research Committee, said a couple of years ago, this concept has the highest probability for success if we choose a second generation reactor.

Furthermore, they said that this concept, the high-temperature gas-cooled reactor, presents an opportunity for significant advantages in the level of safety over current commercial reactor experience.

Mr. Chairman, it has been stated here on the floor that this particular design has inherent safety features. It is worth taking those one by one to show the House and the committee why it is worth pursuing this particular technology.

First of all, the fuel particles, these uranium kernels, are encased in a ceramic coating that is pyrolytic, that is fired, that is made of silicone and carbon, and, as a result, the uranium is in an impermeable, impervious case. Consequently, once it is irradiated, it gives off heat, but it does not give off fissionable products. So you do not get the inner area of the reactor contaminated with fissionable products, with radionuclides. These are still contained in the ceramic case of the fuel particle.

Second, to the extent that any of these radionuclides do escape, they are captured by a graphite matrix that is part of the fuel assembly. They absorb them.

Third, the reactor itself has a helium moderator or coolant. Rather than using light water or regular water, it uses helium. Helium is inert. It does not chemically react with the reactor itself or with the fuel elements of the fuel assembly. And, unlike water, it does not boil. This gives it another passive safety feature.

Finally, the fuel core is arranged so that there is a negative temperature coefficient. As the temperature goes up, radioactivity of the core goes down.

All of these are passive safety features. Why is it important? Because this reactor is safe without depending upon the operator's interaction.

Mr. CHAIRMAN. The time of the gentleman from South Carolina [Mr. SPRATT] has expired.

(By unanimous consent, Mr. SPRATT was allowed to proceed for 2 additional minutes.)

Mr. SPRATT. Mr. Chairman, the important inherent safety features of this reactor means that it does not depend for its safety on an alert, astute operator, who is wide awake. Nor does it depend upon backup systems and a power system to supply these systems.

□ 1800

It is passively and inherently safe by its own design. This particular system has been endorsed and supported by a number of people who believe that nuclear power still has a role to play in this country. One of those is Duke Power Co., which is a prominent electric utility in my own district. And the head or chairman emeritus of that company, Bill Lee, wrote us all a letter, wrote the chairman of this committee a letter. I would just like to read what the chairman of that committee said.

People in the utility industry, this is Bill Lee talking, who look ahead, want the improvements in nuclear power that are represented by this technology. The electric utility industry supports the light water technology for its immediate potential benefits, but most people in the industry recognize that breakthrough potential of the gas turbine modular helium reactor and belief that these breakthroughs must be pursued and that it is the proper role of our Government for our Nation's longer term energy competitiveness to underwrite them.

In my opinion, it is essential that this technology be continued along with the advanced light water reactor. If it is not, I fear we will be buying much of our nuclear power generating equipment in the next century from abroad. This would mean the loss of an industry larger than the commercial airplane market, and it would be sad indeed for the U.S. economy, U.S. jobs and the U.S. standard of living.

Mr. Chairman, I urge the defeat of this amendment.

Mr. MARKEY. Mr. Chairman, I move to strike the requisite number of words, and I rise in support of the amendment.

Mr. Chairman, I rise in support of the amendment because I wanted to be part of this historic debate. The gentleman from Wisconsin [Mr. KLUG] has put together, in my opinion, the historic trifecta, Reagan, Bush, and Clinton, all supporting the position of the gentleman from Wisconsin; in addition, the National Taxpayers Union, the Friends of the Earth, and the National Academy of Sciences, a combination of truly all-star proportions, all gathered together to kill one technology.

Now, why does this technology deserve to be killed? Very simply, it is the second generation of the same technology. And it is not basic research that we are talking about, it is applied research. That is, it is the point at which they are building this monstrosity for commercial purposes.

Now, ordinarily if you are talking about a nascent industry, one that is just beginning to get off the ground, it would be one thing; and we can debate out here what the proper role is of the Federal Government in subsidizing a new industry. This, however, is one of the oldest industries in the United States and one of the two or three wealthiest industries.

We are talking about the electric utility industry of the United States. Every one of us, all 275 million Americans, has a wire that goes into our home. And every one of us has an electric utility that every time we turn on a light bulb or have our toast pop up, gets ready to send us another bill to charge us for. This multi-hundred-billion dollar a year industry makes an enormous amount of money from doing that. We are grateful to them for the wonderful service which they provide for us and do not really begrudge them

the incredible profits which this industry receives.

However, when they then turn to the very same 275 million people, as taxpayers, and say, by the way, we do not want to actually pay for the next generation of our electric utility generating capacity; we would like you, the taxpayers, to put up the money for that as well, well, this is the point at which the American taxpayer and Adam Smiths all begin to spin wondering what is going on with the capitalist system.

As we know, this technology is competing with oil and gas and geothermal and conservation and the new wheeling technologies and interconnection capacities which are reducing the need for electricity inside of our country or generating them in 20 and 30 megawatt size plants, using the new laws which we passed in 1992 to wheel that power to where it is needed around the country.

Now, the problem with the technology is that it goes back to an earlier era, the late 1970's and the early 1980's. During that period of time, the electric utility industry testified before Congress that we would need 500 more 1,000-megawatt nuclear power plants by the year 2000 or else we would face blackouts of electricity across the country. And that was, I am sure, their sincere testimony before the Congress in the late 1970's and early 1980's. It resulted in a lot of this basic research at least being invested in.

Well, it is 15, 20 years later. We did not build a single new nuclear power plant in our country during that period of time. We have electricity surpluses across the country because we have, because of the law changes, so many smaller independent generators of electricity who are using the wires to produce electricity using nonnuclear sources.

So as we hit the middle of the 1990's, we have a fundamental question to ask ourselves. Should we, as the Representatives of the taxpayers of the United States, be subsidizing the very wealthiest mature industry in the United States in applied research, as we build the reactor for them, when in fact the most that we can elicit from these electric utility executives are letters of support for us to spend taxpayers money?

The capitalist system demands that in the free market that private sector companies, especially those as well-to-do as the electric utilities of this country, make the investment in the new technologies. If they do not, they must step aside and allow these newer, smaller generators of electricity to continue to do the job for our country which they have over the past several years.

The gentleman from Wisconsin has an amendment which must be embraced, if capitalist, free market principles are to endure in the electricity marketplace of our country. I hope that all understand the importance of this amendment.

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

Mr. Chairman, I rise in strong support of this amendment. Let me quote the Bangor Daily News in their editorial calling it a nuclear turkey: ''What's tougher than the hide on a M–1 tank, more resilient than the hungriest garden pest and harder to shake than a bad reputation? Time's up. The answer is: a nuclear turkey.

''Most taxpayers remember the mohair subsidies that annually clipped them for millions before Congress recently found the courage to pull the plug.

''Today the target is the gas turbine modular helium reactor, a nuclear turkey that deserves to be carved from the federal budget.''

Taxpayers have been paying $900 million for this technology.

The gentleman from Massachusetts [Mr. MARKEY] made some nice points. He suggested that, if the nuclear and electric companies are so supportive of this, send a check. Send a check to support this technology. Do not just send a letter. The American public who is paying for this technology is paying over and over and over again for a system that clearly does not work.

You read all the documentation. I can read you editorial after editorial, the Oregonian, the San Francisco Chronicle, the Atlanta Constitution. All have weighed in on this subject. All have looked at the expert testimony. All have read the reports from the National Academy of Sciences. All have read the documentation.

Now, the gentleman from California, Mr. BROWN, suggested that it was only new Members of Congress that wanted to eliminate this technology. Let me correct the record, because three subcommittee chairman of the Committee on Science voted to end this project: the gentleman from New Mexico [Mr. SCHIFF], the gentlewoman from Maryland [Mrs. MORELLA], the gentleman form Wisconsin [Mr. SENSENBRENNER]; all subcommittee chairmen stood up and voted against this appropriation.

This is not an antinuclear amendment. I recognize and support the important role of nuclear technology in the Nation's energy needs. In my home State, nearly one-third of the electricity is provided by nuclear facilities. But what I am interested in is cutting funding for things that simply are never going to occur in my lifetime.

Now, the chairman of the Committee on Science suggests that we cannot cut this today because it is going to cost us 20 million more dollars to terminate the program.

Let me give you a letter from the Department of Energy that suggests it will require an additional 1 billion of expenditures to bring this project to fruition.

I will take that bet. I will spend $20 million to get out of this boondoggle before I will spend $1 billion to find out if it works.

Let me say to you in the hallways of this Congress, those listening on their TV sets around our Nation, as a freshman Republican, I came here to make a difference. I came here to cut things that are wasteful spending. If we are to meet the priorities of this Nation, we are going to have to start looking at things like this and saying no to projects like this.

I ask those private utilities again if they like this technology so much, send a check. Bring a check for us.

Let me also suggest to the committee, we had a vote. It may have been 23 to 15, but in my book of politics, 23 to 15 wins; 23 to 15 wins. When I ran for office, I was telling people every vote counts. People have won offices by one vote. So I think 23 to 15 is a fairly significant victory in the committee, the authorizing committee, for this project.

The appropriation is unauthorized. We won in committee, and we are here on the floor to ask the appropriations process of this Chamber to agree with us.

We know the Senate will agree with us because they voted on killing this project before. We know the President's budget. The last three Presidents, as has been mentioned, have not authorized this. Again, the vast majority of my colleagues on the Committee on Science supported the efforts of the gentleman from Minnesota [Mr. LUTHER], the gentleman from Wisconsin [Mr. KLUG], the gentleman from Wisconsin [Mr. OBEY], and myself to terminate this project.

Times have changed. Today we see a new coalition of Members on both sides of the aisle. These coalitions are taking the will of the American people into consideration on every single spending bill.

This amendment will keep the taxpayers from having to continue being high risk financiers for private corporations.

If this program holds the potential that its proponents claim, then let the private sector fund it. Stop ripping dollars out of the constituents hard-earned taxpayer monies for wasteful pork.

I urge every Member that comes to this floor to vote to do what is right for the American people and kill this boondoggle once and for all.

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

Mr. Chairman, I rise in strong support of this amendment. My colleagues, when the National Taxpayers Union, the Sierra Club, the Council of Citizens Against Government Waste, the Cato Institute, Ralph Nader, the National Academy of Sciences and the House authorizing committee all agree, I would submit that we have to pay careful attention.

This diverse group has concluded that the gas turbine modular helium reactor, a proposed gas-cooled nuclear fission reactor in San Diego, fails the

important test of scientific merit, environmental safety, and cost effectiveness. And yet, unless we act today, this project will continue to receive significant Federal support.

How much will taxpayers be saddled with before this project is completed?

The General Accounting Office says the project will cost $5.3 billion, and taxpayers will have to pick up half of that tab. Adopting this amendment will save taxpayers $20 million next year and more than $2.5 billion when all is said and done.

Two years ago the Senate voted to cut off funding for the reactor. Now is the time for this body, once and for all, to do the right thing.

At a time, my colleagues, when we are told that we must make massive cuts in Medicare that are going to affect thousands and thousands of people in my district and all of our districts and when we are going to be cutting student loans and when we will be cutting a whole range of education programs, it would be a shameful abdication of our responsibilities not to stop this wasteful spending.

I urge a yes vote on this amendment.

□ 1815

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

Mr. Chairman, the gas turbine modular helium reactor fails to meet the basic test of spending Americans' hard-earned tax dollars: Does it work? The only commercial version of this reactor closed after 16 years of operation and never achieved more than 14 years of capacity. Based on this failure, the National Academy of Sciences determined the reactor has low market potential and endorses its elimination. Even worse, as has been pointed out on the floor, the gas turbine is a budget-buster. Eliminating it will save $20 million now in fiscal year 1996 and $2.5 billion later.

Several opponents of this amendment, proponents of this boondoggle, have said it does not really save $20 million now. The fact is, every time there is a huge budget-busting engineering project on this floor, whether it is Super collider, whether it is the space station, whether it is this reactor, the proponents of these boondoggles always argue ''It will not save any money today,'' and they do not talk about how much money it will save in the future. That cost savings, that $2.5-billion cost saving in the long run, is what is so important.

Additionally, the gas turbine modular helium reactor, Mr. Chairman, is a potential environmental hazard. The reactor does not have a containment structure to prevent an accidental environmental catastrophe in the event of a problem. The gentleman from Massachusetts [Mr. MARKEY] called the support for this by Presidents Reagan, Bush, and Clinton, as a trifecta.

On this day, Mr. Chairman, of the baseball All Star game, I would use a slightly different metaphor. As six Cleveland Indians represent murderers' row in the American League this year in the All Star team, I would say that our murderers' row of Presidents Reagan, Bush, and Clinton, the National Taxpayers Union, Friends of the Earth, and Citizens Against Government Waste underscores the public opposition to this huge hunk of pork.

Mr. Chairman, I urge House support of the amendment.

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

Mr. Chairman, I rise in opposition to this amendment, and in support of the subcommittee. This is a project that this subcommittee is familiar with. We have supported it over the years. We hear all these things about the National Academy of Sciences, criticizing this technology and actually the last word on the GT–MHR from NAS was a letter to Senator BRADLEY dated December 10, 1993. The National Academy of Sciences' committee chairman notes and points out, ''The National Academy committee did not examine and therefore could not evaluate the gas turbine reactor.''

Then we hear about the Department of Energy's opposition to this project. The Department of Energy—we consider them the experts and we listen to them. Unfortunately, many times we have regretted listening to them. We have the Clinch River breeder reactor, which is a hole in the ground in Tennessee, because we followed DOE's advice. They said this is a great project. We put $1 billion in it, or so, and then DOE decided they had something else better and the project was terminated.

Then they start the gas concentrifuge plant, and the same thing happened. Then the mirror fusion, and again, the same thing. They get us to start these projects and then they come in and tell us they found something better. We just keep going.

Therefore, do not get carried away with what the Department of Energy says. I think there is more reliable information from people who actually deal with nuclear power and who so enthusiastically support this source of energy—the public utilities who use nuclear power.

Here is a letter from a friend of mine from the State of Alabama who has been involved with nuclear power ever since it came into being. He served as president of Southern Company Nuclear that handles all of Southern Companies' nuclear power plants in Georgia, Alabama, and northern Florida. He says,

> One of the most promising technologies for the future is the gas turbine engineering reactor program, which has been supported by the nuclear industry and by the Congress for a number of years. It is an extremely safe and efficient technology . . . and it creates less waste for disposition. With a program such as this, if it was terminated, it would be extremely difficult if not impossible to renew our investment. Valuable technology would be lost if we discontinue it.

Duke Power Co. Chairman Emeritus, another person who knows what they are talking about, who deals with these matters every day says, ''The cost of the gas turbine is very small when compared to its potential benefits. The gas turbine is a dramatically different helium reactor from that considered by the National Academy of Science.'' He states that; ''The gas reactor represents a breakthrough potential for nuclear power.''

These are people that deal with nuclear power and are sold on this project. So, I urge my colleagues to vote against this amendment and support the subcommittee's recommendation. This project has a future. It is long-range research. We are not talking about a large amount of money, as the former chairman of the Committee on Science and present ranking member, Mr. BROWN of California, has pointed out.

Japan and other countries are quick in pursuit of this project. They are putting money into it. They are working on it. They are very supportive of it. We support this research and urge Members to support the subcommittee and the full Committee on Appropriations of the House by voting against this amendment.

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

Mr. Chairman, I rise in strong support of the King-Foley-Luther-Obey amendment to cut $20 million to terminate the gas turbine modular helium reactor, the gas-cooled reactor. The fact is that before I came to the Congress of the United States I spent over 10 years building up an energy company. That energy company worked in oil, in gas, electricity. It worked in a range of renewable energies, from solar energy to conservation energy.

We ought to have a very simple energy policy in this country which is, ''Cheaper is better.'' If we followed that rule, we would be pumping not billions of dollars into this ridiculous technology, but we would be putting money into energy conservation. We would recognize that we could dramatically reduce the amount of administering that this country needs. We could dramatically reduce our balance of trade problems with all the countries around the world, where we have such tremendous difficulties these days. We could increase our own independence if we had a simple policy, if we got away from the kind of corporate welfare that this is the best single example of that exists in the budget of the United States.

Why should we be writing a taxpayer check to the richest industry in this country? The fact of the matter is that what we need is the kind of wheeling capabilities that allow us to trade energy among different utilities all across America that in and of itself will bring down our cost of electricity

and increase our capability dramatically. Those are the kinds of areas that we ought to be concentrating in.

Mr. Chairman, if we want to create greater energy independence, put money into basic research. However, this notion of applied research funded by taxpayers is absolutely outrageous. It does nothing to help out our country. All it does is line the pockets of a specific industry.

If we look at the actual technologies that are going into this particular thing, we have a proven failure. Colorado's Fort St. Vrain reactor, the world's only commercial version of this technology, has had one of the worst operating records of any nuclear facility and has consistently operated at a very low capacity. Both the National Academy of Sciences and the Electric Power Research Institute have concluded that the reactor is not commercially viable.

Therefore, why do we pick this particular technology to pump $1 billion into? Nobody can give us a reason. I know it has to be located in somebody's congressional district, but that is no reason to override the authorizing committee. That is no reason to override the best judgment of three Presidents, no reason to do anything other than finally kill this program, put the funds that are necessary into where this country can gain its efficiencies, can gain its independence, can do things that will help out ordinary citizens in their electrical utility needs.

There are a great many areas where we should be putting our money into research. Just because we are opposed to this kind of boondoggle does not mean that we should oppose the basic research budgets of this country. Our country needs vital investments in basic research, so we can have that kind of independence that America has always striven for. This is not basic research, Mr. Chairman. This is money to line the pockets of particular utilities that have already made this investment, and now want the taxpayer to bail them out. Let us not bail out the utility industry, let us bail out the American taxpayer and support the Obey-Foley amendment.

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

First off, Mr. Chairman, I would ask the gentleman, are his children and grandchildren going to have power, the electric energy we are using now to cool this building? The light water reactor has been the workhorse for the past 40 years for the Department of Energy, the only reactor we have. What is going to be the power source for our children and grandchildren? This is what we are looking to now. Sure, it is looking down the road a ways, but do we want safe, available power? Then this gas-cooled, yes, helium-cooled, but it is a gas turbine, an entirely different reactor than most of the Members have been describing here today.

First off, Mr. Chairman, I would say to the gentleman from Florida [Mr. FOLEY] and the gentleman from Massachusetts [Mr. KENNEDY], who mentioned the utilities putting their money up. There is more than $800 million spent by the utility companies, the utility consortium, they have put in $800 million of their own money so far, and they are still supporting it, as has been expressed here. It was said it cost over $2 billion, $2.6 billion, to continue the research. That would be a new power reactor which would be the reactor to destroy high level fuel. That has nothing to do with that, it would be entirely owned by government, entirely paid for by government. It is a different reactor entirely.

It has been estimated to us that this gas turbine modular helium reactor can be completed, all the research, all the development, and the certification can be completed for about $2 billion. The question here is, Mr. Chairman, are we going to have a new reactor or are we going to continue with the old workhorse, the light water reactor.

It has been stated here about the National Academy of Sciences. A letter by the chairman of the national committee says, ''The National Academy Committee did not examine and therefore could not evaluate the gas turbine reactor,'' only the old reactor, which was the high temperature gas reactor.

The one test they did in 1992, they only tested HTGR, which is an earlier version, not the modern one we are discussing here now. In 1994 the discussion there was about using HTGR to destroy plutonium. Again, it was decided it was not the efficient way, because the gas reactor could be used. However, if you were interested in destroying plutonium, as has been earlier said, this gas turbine can destroy 95 percent of plutonium, compared to about 50 percent with the light water reactor.

This is a reactor that can be used. It is of utility interest. That has been already discussed here. There has been one letter that no one has discussed. Many will remember Eddy Teller, Dr. Teller. He just sent us a letter, and I will just quote a couple of things, and he was kind of the father and knows more about nuclear industry and nuclear research than anybody else that I know of in the country:

> Of all the nuclear technologies, the GT–MHR is a promising and essential step to the ultimate reactors which will some day be deep under ground and have no moving parts . . . . The research and development of the gas turbine reactor is promising and I strongly recommend the continuation of its funding by the House.

In closing, it has been discussed about Fort St. Vrain in Colorado. Yes, it operated I think for 17 years, but here again, it is like comparing a Model T to the modern vehicles we have today. It was the first generation. It did have some problems. However, the problem was not with the reactor itself, the problem was in the cooling system. They could not keep the bearings and all of the cooling system working. It had a very low availability.

However, at the same time, Peach Bottom I, which was a gas reactor, had an 85-percent availability. Therefore, Members only looked at one, did they not, Fort St. Vrain in Colorado? The Public Service Company of Colorado sent us a letter saying it would be a serious mistake for the Department of Energy to turn its back on this superior technology. Mr. Chairman, it is easy to cut the money out, but if Members want to have a new source of reactor that is reliable, safe, then we have to start looking for the 21st century, and this is the reactor we should look to.

Mr. Chairman, I urge a ''no'' vote on this amendment.

Mr. KLUG. Mr. Chairman, I ask unanimous consent to strike the requisite number of words.

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

There was no objection.

Mr. KLUG. Mr. Chairman, I just want to make two points. The National Academy of Sciences in a report from this year says the basic HMHTGR design has been available for many years and has not been commercially successful. Let me reiterate the point made by the gentleman from Wisconsin [Mr. OBEY], the gentleman from Minnesota [Mr. LUTHER], and the gentleman from Florida [Mr. FOLEY]. If money talks, then in this case the utility industry has fundamentally walked.

□ 1800

Nothing in this amendment prevents any private utility company in the United States from going ahead with this design. It simply says, after $900 million, $2 billion more to finish the project, we have had enough of it.

It used to be called the MHTGR. It is now called the GTMHR, which is an interesting anagram. But, Mr. Chairman, I suggest that any way you spell it, it ultimately is a waste of billions of dollars and fundamentally it is a radioactive boondoggle and I urge a ''yes'' on the amendment.

Mr. ROEMER. Mr. Chairman, world electricity demands are expected to triple in the next century—we will need nuclear power to meet this need. We need technologies that reduce our dependence on foreign energy sources—we now consume $1 billion in foreign oil imports each week.

The Gas Turbine-Modular Helium Reactor produces only two-thirds of the high-level waste and one-third of the heavy metal waste as current reactors. Contrary to opponents' claims, the National Academy of Sciences has never evaluated this project. The 1988 study opponents of this project are waving around was for a completely different design of gas-cooled reactor.

The direct-drive turbine system of this reactor make it far more efficient than traditional steam-driven reactors. The GT–MHR could be meltdown-proof modular technology, creating a safe as well as efficient reactor technology.

And contrary to opponents' assertions, the project enjoys wide support from the utility industry.

The GT–MHR will also create economical production of hydrogen, and can destroy over 90 percent of surplus weapons-grade plutonium by using it as fuel to provide electrical energy. Development of new and advanced energy sources requires government support. Continued government support of this technology will create the technical base needed for industry to assume complete development.

Mr. Chairman, this is an important technological investment, and I urge my colleagues to oppose this amendment which would end the GT–MHR program.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin [Mr. KLUG].

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

RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 306, noes 121, not voting 7, as follows:

[Roll No. 485]

AYES—306

Allard
Andrews
Bachus
Baesler
Baldacci
Barcia
Barr
Barrett (NE)
Barrett (WI)
Barton
Bass
Becerra
Beilenson
Bentsen
Bereuter
Berman
Bishop
Blute
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Brewster
Browder
Brown (FL)
Brown (OH)
Brownback
Bryant (TN)
Bryant (TX)
Bunning
Burr
Camp
Castle
Chabot
Chambliss
Chapman
Christensen
Chrysler
Clay
Clayton
Clyburn
Coble
Coburn
Collins (GA)
Collins (IL)
Collins (MI)
Combest
Condit
Conyers
Cooley
Costello
Coyne
Crane
Cremeans
Cubin
Danner
Deal
DeFazio
DeLauro
Dellums
Deutsch
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Dornan
Doyle
Duncan
Dunn
Durbin
Edwards
Ehrlich
Engel
English
Ensign
Eshoo
Evans
Farr
Fattah
Fields (LA)
Fields (TX)
Flake
Foglietta
Foley
Forbes
Ford
Fowler
Fox
Frank (MA)
Franks (CT)
Franks (NJ)
Frelinghuysen
Frisa
Funderburk
Furse
Ganske
Gejdenson
Gephardt
Geren
Gibbons
Gillmor
Gilman
Goodlatte
Gordon
Goss
Graham
Green
Greenwood
Gunderson
Gutierrez
Gutknecht
Hall (OH)
Hamilton
Hancock
Hastings (FL)
Hefley
Heineman
Herger
Hilleary
Hilliard
Hinchey
Hobson
Hoekstra
Hoke
Holden
Horn
Hostettler
Hoyer
Hutchinson
Istook
Jackson-Lee
Jacobs
Johnson (CT)
Johnson (SD)
Johnston
Jones
Kanjorski
Kaptur
Kasich
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
King
Kingston
Kleczka
Klink
Klug
Kolbe
LaFalce
LaHood
Lantos
Largent
Latham
LaTourette
Laughlin
Leach
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Lincoln
Linder
Lipinski
LoBiondo
Lofgren
Longley
Lowey
Luther
Maloney
Manton
Manzullo
Markey
Martinez
Martini
Mascara
McCarthy
McCrery
McDermott
McHale
McHugh
McInnis
McNulty
Meehan
Meek
Menendez
Metcalf
Meyers
Mfume
Miller (CA)
Miller (FL)
Minge
Mink
Molinari
Moran
Morella
Myrick
Nadler
Neal
Nethercutt
Neumann
Ney
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Orton
Owens
Pallone
Paxon
Payne (NJ)
Payne (VA)
Pelosi
Peterson (MN)
Petri
Pomeroy
Porter
Portman
Poshard
Pryce
Quinn
Radanovich
Rahall
Ramstad
Rangel
Reed
Richardson
Rivers
Roberts
Ros-Lehtinen
Roth
Roukema
Roybal-Allard
Royce
Rush
Sabo
Salmon
Sanders
Sanford
Sawyer
Saxton
Scarborough
Schiff
Schroeder
Schumer
Scott
Seastrand
Sensenbrenner
Serrano
Shadegg
Shaw
Shays
Shuster
Sisisky
Skaggs
Slaughter
Smith (MI)
Smith (NJ)
Smith (WA)
Souder
Stenholm
Stockman
Stokes
Studds
Stump
Stupak
Talent
Tanner
Tate
Thompson
Thurman
Tiahrt
Torkildsen
Torres
Towns
Tucker
Upton
Velazquez
Vento
Visclosky
Volkmer
Waldholtz
Wamp
Ward
Waters
Watt (NC)
Watts (OK)
Waxman
Weldon (FL)
Weldon (PA)
White
Whitfield
Williams
Wilson
Woolsey
Wyden
Wynn
Zeliff
Zimmer

NOES—121

Abercrombie
Ackerman
Archer
Armey
Baker (CA)
Baker (LA)
Ballenger
Bartlett
Bateman
Bevill
Bilbray
Bilirakis
Bliley
Boucher
Brown (CA)
Bunn
Burton
Buyer
Callahan
Calvert
Canady
Chenoweth
Clement
Clinger
Coleman
Cox
Cramer
Crapo
Cunningham
Davis
de la Garza
DeLay
Diaz-Balart
Doolittle
Dreier
Ehlers
Emerson
Everett
Ewing
Fawell
Fazio
Filner
Flanagan
Gallegly
Gekas
Gilchrest
Gonzalez
Goodling
Hall (TX)
Hansen
Harman
Hastert
Hastings (WA)
Hayes
Hayworth
Hefner
Houghton
Hunter
Hyde
Inglis
Jefferson
Johnson, E.B.
Johnson, Sam
Kim
Knollenberg
Lazio
Lightfoot
Livingston
Lucas
Matsui
McCollum
McDade
McIntosh
McKeon
Mica
Mineta
Mollohan
Montgomery
Moorhead
Murtha
Myers
Oxley
Packard
Parker
Pastor
Peterson (FL)
Pickett
Pombo
Quillen
Regula
Riggs
Roemer
Rogers
Rohrabacher
Rose
Schaefer
Skeen
Skelton
Smith (TX)
Solomon
Spence
Spratt
Stearns
Tauzin
Taylor (MS)
Taylor (NC)
Tejeda
Thomas
Thornberry
Thornton
Torricelli
Traficant
Vucanovich
Walker
Walsh
Weller
Wicker
Wise
Wolf
Young (AK)
Young (FL)

NOT VOTING—7

Cardin
Frost
McKinney
Moakley
Reynolds
Stark
Yates

□ 1849

Mrs. CHENOWETH, Mr. WELLER, and Mr. BUNN of Oregon changed their vote from ''aye'' to ''no.''

Messrs. HANCOCK, SAXTON, BROWDER, and HERGER changed their vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. OBEY

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

The CHAIRMAN pro tempore (Mr. LAHOOD). The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. OBEY: On page 16, line 1, insert ''(less $18,000,000)'', before ''to remain''.

Mr. MYERS of Indiana. Mr. Chairman, will the gentleman yield?

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

Mr. MYERS of Indiana. Mr. Chairman, I wonder if the gentleman from Wisconsin [Mr. OBEY] would consider limiting the time on his amendment equally divided between yourself and myself, say, at 20 past 7 for this amendment?

Mr. OBEY. Half an hour, with three speakers on each side?

Mr. MYERS of Indiana. I would like to equally divide a half hour, but make the time certain and equally divided, yes.

Mr. OBEY. Surely. I have no objection.

Mr. MYERS of Indiana. Mr. Chairman, I ask unanimous consent for such a request.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from Indiana?

There was no objection.

The CHAIRMAN pro tempore. The Chair understands that the amendment and all amendments thereto will be debated for 30 minutes, divided evenly between both sides. The gentleman from Wisconsin is recognized for 15 minutes.

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

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

Mr. Chairman, I thank the House for their support on the last vote, and I would ask that they continue that support for the next two amendments.

This amendment simply cuts $18 million from the nuclear technology research and development program.

Mr. Chairman, last year the Congress voted decisively to kill the advanced liquid metal reactor program. It was judged to be too costly at $3.3 billion, and the technology too questionable to continue.

The Department of Energy, which has never been able to end a program on its own, sought and received approval from the subcommittee to reprogram $21 million to terminate this program. After receiving approval for this reprogramming, the department reneged on its commitment, terminated only a few people with buyouts, and sought $37 million more in fiscal 1996 to continue to pay the people affected while searching for a new mission for them.

One part of DOE claimed the concept of nuclear fuel reprocessing technology may be a potential treatment for DOE spent fuel, but internal documents from another entity of DOE show that there is no consensus within the department on the use of this technology and, in fact, DOE's waste managers have developed plans for spent fuel which do not involve reprocessing.

In fact, their preference is to obtain approval to haul spent fuel in canisters and dispose of it directly in a repository.

Opponents of my amendment are sending around a Dear Colleague saying that this program will actually save taxpayers' dollars. But, in fact, the National Academy of Science's report yesterday, on page 412, states that the pyro processing approach would require substantial additional engineering development and construction of major new facilities, and I am quoting now,

> including what would amount to a sizable liquid metal reactor fuel reprocessing plant to provide feed material, and it would produce a waste form that has not been characterized at all for long-term deposition, and it would probably be unsuitable for emplacement in Yucca Mountain. All of this is, it strikes our panel.

They went on to say,

> As a prescription for long delays and big investments in pursuit of a program for which satisfactory approaches are much closer at hand.

It would, therefore appear that the jury is still out, at minimum, on the position of the National Academy of Sciences on the issue of electro refining of spent nuclear fuel. It would also appear that the agenda of those who advocate this funding is to keep alive the possibility of reviving the advanced liquid metal reactor program or a hybrid of it.

What is really going on here is that the Department of Energy is seeking funds to keep Argonne National Labs in Idaho and Chicago going until somebody figures out a new mission for them.

The Department of Energy was singled out for elimination in the House budget, but the inability of this committee to recommend the termination of this tiny program, I think, is a perfect illustration of the difficulty that people seem to have in going from the general to the specific, when it comes to budget cutting.

How on Earth are we to take seriously all of the rhetoric about the necessity to abolish the Energy Department, if you cannot even abolish this tiny little program which most unbiased people recognize is a waste of money and a turkey?

Now, what made matters worse is that the committee added $8 million to the original subcommittee mark at the time we met in full committee at the request of the distinguished gentleman from Illinois [Mr. FAWELL].

Now, I have great respect for the gentleman, and I have great respect for the people whom he is trying to defend. But I can recall many an occasion when he has come to this floor saying we should be knocking out congressional pork in other peoples' districts. Well, this is, to me, an example of congressional pork which has no justification. It is an agency and a program in search of a mission. We ought to save this money.

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

□ 1900

Mr. MYERS of Indiana. Mr. Chairman, I yield 6 minutes to the gentleman from Illinois [Mr. FAWELL].

Mr. FAWELL. Mr. Chairman, it is too bad the time is a bit short, but, Mr. Chairman, I certainly rise in opposition to the Obey amendment. This amendment would zero out an appropriation of $18 million for what I believe is an extremely important ongoing environmental nuclear waste reduction research program being conducted by the Department of Energy in Illinois and Idaho. This environmental nuclear waste treatment program was funded at $25.7 million in fiscal year 1995, the current year. The administration and the Department of Energy requested funding this year at approximately $36 million. The House Committee on Science and the Subcommittee on Energy and Environment of that committee have both authorized funding for that amount in fiscal year 1996, so there is no question about authorization here. The House energy water appropriation bill wrestled with this. They have a long background and knowledge obviously of what they are talking about, and they cut the appropriation down to $18 million from the $36 million that had been authorized, a 50-percent reduction so that there has been some cutting that has taken place.

Now the Obey amendment would zero out this nuclear waste reduction program altogether, and apparently, and I want to stress this point on the mistaken conclusion that it represents continued funding for the Department of Energy's advanced liquid metal reactor IFR program, which was terminated by Congress last year, I think mistakenly, at a cost of something like $330 million over 4 years; but this is not the ALMRIFR program, an advanced nuclear research program aimed at developing a new and safe nuclear reactor which recycled and consumed its own nuclear waste, which I felt was good, but that is gone. It is terminated; it is in the process of termination at a cost, as I said, of $330 million.

Now the environmental nuclear waste treatment program here, which is the subject of this amendment, involves research on an electrometallurgical process that is aimed at decreasing the toxicity and the volume of over 2,700 metric tons of more than 150 different types of nuclear waste stored at the various DOE sites around this Nation in Idaho, Washington, Tennessee, South Carolina, and other places. In fact, Congress last year specifically reaffirmed the importance of this nuclear waste research program precisely because of its applications to help solve current problems with the storage and treatment of nuclear waste. I want to reemphasize it has got nothing to do with the program that was terminated last year.

Is this research supported by the sciences? Yes. The National Academy of Sciences does support continued funding of this research saying that it represents, and I quote, promising technology for treating a variety of Department of Energy spent fuels, end of quote. Indeed further funding of this research is predicated on the continued approval of the National Academy of Sciences, and I have the most recent report from the National Academy of Sciences, which came this day, which deals with the electrometallurgical process that we are talking about here in regard to the treatment of spent fuels, and their quotes, and I set this forth as a quote: ''Notwithstanding the above,'' and they went over disadvantages and concerns, ''it is desirable that this process technology based at Argonne National Laboratory be kept viable as a problem-solving research program.'' This is specifically in regard to the electrometallurgical process, and I believe that the gentleman from Wisconsin was talking about a National Academy's report of yesterday.

The safe disposal of more than 2,700 metric tons of nuclear waste is a dire responsibility of the Federal Government. It will not go away. We are not doing anything about being able to store this properly, and now we have reticence, I gather by some, to do something about the problem of treatment. We need places in which to store spent nuclear waste, and we need the technology to electrometallurgically treat these wastes in order to lessen their volumes and toxicity as well as to assure their safe disposal.

Now I want to emphasize this:

The committees of jurisdiction, both authorizing and appropriations, the administration, the Department of Energy, the National Academy of Sciences all have recommended continued funding of this research, and I believe it is good science. I certainly urge my colleagues to vote no on the Obey amendment.

Mr. OBEY. Mr. Chairman I yield 5 minutes to the distinguished gentleman from Massachusetts [Mr. MARKEY].

Mr. MARKEY. Mr. Chairman, just so everyone can understand what it is that we are debating out here on the floor, this is basically a baby breeder reactor. The name has been changed to protect the guilty, but it is just the next generation of the breeder reactor, that whole debate we had about the Clinch River Breeder Reactor and all of that. I say to my colleagues, ''If you remember, this miracle technology is

going to produce electricity too cheap to meter, and it is also going to solve our reprocessing problem, if such existed.''

The problem with it was that it created two problems. One, it, in fact, cost more than anyone had ever imagined that it could cost to generate electricity; and, second, it blew a hole right through our nonproliferation policy because, as we began the process of constructing a technology to reprocess plutonium, we were sending a signal to North Korea, and Iran, and Iraq, and Libya, and every other country around the world that was contemplating the use of this technology to extract nuclear-weapons-grade fuel and telling them, ''Don't listen to what we say. Don't in any was believe that we are sermonizing on the subject. Just look at this huge amount of money that we are willing to spend on the same technology that we are telling you that you should not in fact invest in.''

So the $18 million which the gentleman from Wisconsin seeks to cut out of this budget goes right to the heart of this debate. One, we should not be subsidizing once again private-sector technology which is supposed to ultimately reuse this spent fuel for other purposes. That would be wrong. Eighteen million dollars for the nuclear utility industry would be about $100,000 in electric utility per year. If they think it is such a wonderful technology for a hundred thousand bucks apiece, the wealthiest industry in America should be able to finance it.

But second, we all have to ask whether or not our 20-year-old policy of turning our back to this reprocessing technology which blows a hole into our nonproliferation regime is something we want to destroy. Now they can use this new term of pyral processing, but, if we are pyromaniacs here, we are basically going to burn up 18 million bucks and burn up our nonproliferation policy simultaneously out here on the floor this evening. The vote, the correct vote, is to insure that the private sector funds this if in fact it is deemed to be worthy as a generator of a new era of nuclear powerplant fuel, and second, we should understand that the $18 million we spend absolutely makes us look like hypocrites on the world stage, and we try to convince North Korea and others that the nonproliferation regime of the United States has any credibility.

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

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

Mr. VOLKMER. It is 18 million this year. How much next year, the following year, and the following year?

Mr. MARKEY. It is a pile as high as the Moon because ultimately this technology will never produce any final product which was an unfortunate experience which we had with the Clinch River Breeder Reactor. It never resulted in a final product.

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

Mr. MARKEY. I yield to the gentleman from Illinois.

Mr. FAWELL. I simply want to point out the gentleman said this is private-sector technology. We are talking about spent nuclear fuel that the public owns and creates. This is Department of Energy spent nuclear fuel which is spread all over this Nation at public sites. The private entities have nothing to do with this metallurgical processing of waste products. It has got nothing to do with any physical reactors.

I say to the gentleman, you have got all your information wrong.

Mr. MARKEY. Reclaiming my time, I do not have my information wrong. In fact, as the gentleman knows, the DOE has not even decided whether or not they want to use this technology at all. The gentleman is substituting his own scientific judgment for that of the Department of Energy.

Moreover, we are not even talking about the reprocessing of the spent fuel from the 40 years of the cold war. So what is at the heart, as the gentleman knows, is the plan to reuse this fuel in a civilian context. It is a source of fuel that could be used. The Clinch River Breeder Reactor was originally intended for that purpose. This technology ultimately has the same purpose. It is nothing more than a second generation of that same objective.

So, the DOE says that it will, in fact, cost $85 billion if we do reprocessing for spent fuel from civilian reactors. Eighty-five billion dollars is the number of the Department of Energy. There is no way we are going to spend that kind of money. This is a civilian pork barrel project that blows a hole through our nonproliferation policy.

Mr. MYERS of Indiana. Mr. Chairman, I yield 5 minutes to the gentleman from Michigan [Mr. EHLERS], who was a practicing scientist. A lot of us have been quoting scientific facts here today from what we have read, but our colleague is one of the few scientists we have in Congress.

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

Mr. EHLERS. Mr. Chairman, in the middle of the desert and underneath a mountain in the western United States we were building or trying to build a repository for nuclear waste. It is commonly known as Yucca Mountain. We have already collected billions and billions of dollars from the consumers in this country, consumers of electric power, in order to pay for that waste storage facility and the problems that arise from it in the future. And we are talking about billions and billions of dollars for that purpose alone.

The question is can we perhaps improve the operation of that facility, can we perhaps save some money by not simply dumping things in there, but rather processing them first, categorizing the waste, putting the short-lived waste in one type of container, putting the long-lived waste in another type of container?

One of the advantages of the project that is before us is that it is an attempt to separate waste into the high-activity, long-life waste and the high-activity, short-life waste, and, if we can do that, I would expect that to result, result in a substantial savings to the American taxpayers who are currently paying for the Yucca Mountain facility.

Getting rid of nuclear waste is a very complex business. If it were easy, it would have been done long ago, and I hope that in fact we do manage to resolve this problem and deal with nuclear wastes in a safe, sane, and less costly fashion in the future.

I do not claim to be an expert on the technology that is under discussion here in this particular amendment, but I will certainly say this is not a nuclear reactor, and certainly it does not deal with purely the private sector's waste. In fact, it is aimed primarily at the nuclear wastes that are produced by the Federal Government and its facilities at Hanford and elsewhere.

I think we ought to continue this. I agree with the report. That is we have a pre-publication copy of the report from the National Research Council. You have heard the Congressman from Illinois read a section from that a few moments ago.

□ 1915

They recommend that even though there are substantial concerns at this point, it is desirable to continue working on this process and keep it viable until we determine whether or not it in fact will assist us in disposing of our nuclear wastes at a lower cost.

I agree with that conclusion. I believe we should continue this project. We should try to determine whether or not it will work, because if it does work, the payoff is large.

The report goes on to say if this does not prove out, we should not hesitate to terminate it. I am sure if this does not prove to be a valid technology, the maker of the motion and those speaking in favor of the motion will be back next year or the year after, waving this language at us and saying ''See, it did not work. Let's cut it out.''

My response is if in fact that does happen and the National Research Council agrees with the conclusion it does not work, all of us should vote to cut it out. But at this point it looks like a promising, useful approach to dealing with nuclear waste, and I urge defeat of the amendment and continuation of the project until we determine precisely whether or not it will or will not work.

Mr. OBEY. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, I would simply like to make four points once again. After the Congress voted to end the advanced liquid metal reactor program, the agency asked Congress for money to terminate that program and to begin to lay off people at the labs associated with that program.

After they got permission from the Congress to do it, the agency then decided they wanted to change their mind. They asked for $37 million to continue employing 900 people at these labs who were going to be doing work on that project. They asked to continue to employ them rather than to terminate them. Yet they do not have any new mission. That seems to me to be a very big waste of money.

Second, DOE claims that reprocessing technology might be a treatment that can be used for disposing of spent fuel. But the fact is that internal documents in that very same agency show that there is no consensus within that agency on the subject, and they show that in fact their planners are proceeding ahead under the assumption that their plans for dealing with spent fuel will not involve reprocessing.

Third, I will read once again from the report of the National Academy of Sciences released just yesterday entitled ''Plutonium Disposition Reactor Related Options,'' page 412. It says, ''The pyro processing approach would require substantial additional engineering development and construction of major new facilities, and it would produce a waste form that has not been characterized at all for long-term disposition, and it would probably be unsuitable for emplacement in Yucca Mountain,'' which has just been mentioned.

They go on to say, ''All of this strikes our panel as a prescription for long delays and big investments in pursuit of a problem for which satisfactory approaches are much closer at hand.''

In plain English, it seems to me that says Don't waste the money.

Now, the last point I would simply make is that if you voted for the budget resolution which called for the abolition of the Energy Department, then you have no logical choice, it seems to me, but to vote to end this program. Why on Earth should the country believe that you are serious about abolishing thee Department of Energy if you cannot even vote to abolish a program which the Energy Department itself decided they had to close down and asked permission from the Congress in fact to do so? So if you voted for the budget resolution, which called for the abolition of that department, then how on Earth can you not follow through by voting to abolish some of the tiny programs which that department runs, programs which obviously right now are just spinning their wheels, spending money in search of a mission?

Mr. Chairman, I urge Members to defend the taxpayer rather than a piece of pork. I urge Members to vote for this amendment.

Mr. MYERS of Indiana. Mr. Chairman, I yield 1 minute to the gentleman from New York [Mr. SOLOMON].

Mr. SOLOMON. Mr. Chairman, let us be blunt and call a spade a spade. There are two kinds of people supporting this amendment. One is what I call the ''Screaming Greenies,'' the Green Peace group that goes out there and has been trying to sink the nuclear power industry in this country for years. Thank God they did not.

Then you have the other kind that are kind of political and they want to go after the gentleman from Illinois [Mr. FAWELL] because he is a noted pork buster.

Mr. Chairman, there is nothing in this amendment dealing with pork whatsoever. There is nothing in here that this gentleman put in this bill. It has been there. This is an ongoing program.

If you want to cut something, here is $900 billion in cuts, which I have given to every appropriator in this House and every Member of Congress. You can take it page by page, and you can cut, cut, cut, cut, cut. We want to see these amendments offered on the floor. They are real cutting amendments. It is how we can really balance the budget and bring back some fiscal responsibility to this body.

Please, I ask all Republicans, vote ''no'' on this, and you fiscally responsible Democrats, you do the same thing. Let us defeat this amendment.

Mr. MYERS of Indiana. Mr. Chairman, I yield 2 minutes to the gentleman from Idaho [Mr. CRAPO].

Mr. CRAPO. Mr. Chairman, once again I stand in strong opposition to the efforts to eliminate some of the critical nuclear research that is necessary for our country's nuclear energy programs. We fought these kinds of battles repeatedly, but I think it is important that we recognize, as we did in previous years, that the National Academy of Sciences has recognized this technology as critical, and the reports that have been talked about today do not correctly reflect the information that has come out of the National Research Council and their testing.

In fact, as the gentleman from Illinois has already indicated, today's report states that notwithstanding the above information in the report, it is desirable that the process technology here that we are talking about based at national laboratories be kept viable as a problem solving resource. We must recognize that, according to the DOE, this research can significantly reduce the amount of high level waste in spent nuclear fuel. This offers us the potential key for the safe treatment of our spent nuclear fuel.

Funding fur nuclear technology research and development was requested by the Clinton administration and the Department of Energy and authorized by the House Committee on Science. At these amounts, we are already seeing significant reductions for budget balancing purposes. Now we must follow the strong science in this country and support continuing nuclear research.

We have a problem in this country in dealing with spent nuclear fuel and nuclear waste. We have a scientific opportunity to find the solution, to unlock the problems and to get past the roadblocks that are facing us in the handling of our spent nuclear fuel, its storage and treatment.

This technology is critical. The scientists in the country say it is needed, the Clinton administration says it is needed, the Department of Energy says that it is needed, the authorizing committee says that it is needed. It is time that we stop undercutting the nuclear research in this country and move forward to the kinds of solutions that are critical to the handling of these issues.

Mr. MYERS of Indiana. Mr. Chairman, I yield 1 minute to the gentleman from Illinois [Mr. FAWELL].

Mr. FAWELL. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I think it is awfully important to understand that in this case there is no National Taxpayers' Union opposition to what we are doing here. There is no Citizens Against Government Waste opposition to what we are doing here. This has been authorized by the authorizing subcommittee, by the House Committee on Science itself, and then when it came over to the appropriators they did their job in cutting. I felt they cut too much, because it went down to $18 million.

So the job has been done. It has gone through the process. You have a National Academy of Sciences report that deals with electrometallurgical processing, and the gentleman from Wisconsin is talking about one that deals with plutonium disposition options. We are not talking about plutonium disposition options. We are talking about a metallurgical process on spent fuel that the public, that the DOE, has created.

Mr. MYERS of Indiana. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, the argument during the last amendment that successfully reduced by $20 million research for a reactor for the next century was the fact that, first, the President had not requested it, second, that the Department of Energy did not favor it and, third, it was not authorized.

This program meets all three of those criteria. The President requested $37.3 million, it is authorized, and DOE has strongly supported the program. So if you are going to be consistent, the 300 of you voted a while ago to cut funds for those reasons or some other reasons, now you have no other choice but to vote for this because it meets the three criteria you spelled out during the last amendment.

Mr. Chairman, one of our greatest threats today is nuclear waste. This is an attempt to, and hopefully it will, find a solution to the problem. I ask for a strong vote of no on their amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin [Mr. OBEY].

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

RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 155, noes 266, not voting 13, as follows:

[Roll No. 486]

AYES—155

Abercrombie
Ackerman
Andrews
Baesler
Baldacci
Barcia
Barrett (WI)
Bass
Becerra
Beilenson
Berman
Bishop
Blute
Bonior
Borski
Browder
Brown (FL)
Brown (OH)
Chabot
Chapman
Christensen
Clayton
Clyburn
Collins (GA)
Collins (MI)
Condit
Conyers
Danner
DeFazio
Dellums
Deutsch
Dingell
Dixon
Doggett
Doyle
Duncan
Edwards
Engel
Eshoo
Farr
Fattah
Fields (LA)
Foglietta
Furse
Ganske
Gephardt
Geren
Gonzalez
Goodling
Gordon
Green
Hall (OH)
Hamilton
Harman
Hefley
Hefner
Hilleary
Hinchey
Hobson
Holden
Hostettler
Jacobs
Johnson (SD)
Johnson, Sam
Johnston
Kanjorski
Kaptur
Kennedy (MA)
Kennedy (RI)
Kildee
Kleczka
Klug
LaFalce
Lantos
Levin
Lewis (GA)
LoBiondo
Lofgren
Lowey
Luther
Maloney
Manton
Markey
Martinez
Matsui
McCarthy
McDermott
McHale
McNulty
Meehan
Menendez
Mfume
Miller (CA)
Minge
Mink
Moran
Nadler
Neal
Neumann
Ney
Oberstar
Obey
Olver
Orton
Payne (NJ)
Pelosi
Peterson (MN)
Petri
Pomeroy
Rahall
Ramstad
Rangel
Reed
Rivers
Roemer
Rose
Roth
Roukema
Roybal-Allard
Sabo
Sanders
Sanford
Sawyer
Schroeder
Schumer
Scott
Sensenbrenner
Serrano
Shays
Skelton
Slaughter
Spratt
Stenholm
Stokes
Studds
Stupak
Tanner
Thompson
Torkildsen
Torres
Towns
Tucker
Velazquez
Vento
Visclosky
Volkmer
Ward
Waters
Watt (NC)
Waxman
Williams
Woolsey
Wyden
Wynn
Zimmer

NOES—266

Allard
Archer
Armey
Bachus
Baker (CA)
Baker (LA)
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bateman
Bentsen
Bereuter
Bevill
Bilbray
Bilirakis
Bliley
Boehlert
Bonilla
Bono
Boucher
Brewster
Brownback
Bryant (TN)
Bryant (TX)
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Castle
Chambliss
Chenoweth
Chrysler
Clay
Clinger
Coble
Coburn
Coleman
Collins (IL)
Combest
Cooley
Costello
Cox
Coyne
Cramer
Crane
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Cubin
Cunningham
Davis
de la Garza
Deal
DeLauro
DeLay
Diaz-Balart
Dickey
Dicks
Dooley
Doolittle
Dornan
Dreier
Dunn
Durbin
Ehlers
Ehrlich
Emerson
English
Ensign
Evans
Everett
Ewing
Fawell
Fazio
Fields (TX)
Filner
Flake
Flanagan
Foley
Forbes
Ford
Fowler
Fox
Frank (MA)
Franks (CT)
Franks (NJ)
Frelinghuysen
Frisa
Funderburk
Gallegly
Gejdenson
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goodlatte
Goss
Graham
Greenwood
Gunderson
Gutierrez
Gutknecht
Hall (TX)
Hancock
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Hastert
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Heineman
Herger
Hilliard
Hoekstra
Hoke
Horn
Houghton
Hoyer
Hunter
Hutchinson
Hyde
Inglis
Istook
Jackson-Lee
Johnson (CT)
Johnson, E. B.
Jones
Kasich
Kelly
Kennelly
Kim
King
Kingston
Klink
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Laughlin
Lazio
Leach
Lewis (CA)
Lewis (KY)
Lightfoot
Lincoln
Linder
Lipinski
Livingston
Lucas
Manzullo
Martini
Mascara
McCollum
McCrery
McDade
McHugh
McInnis
McIntosh
McKeon
Meek
Metcalf
Meyers
Mica
Miller (FL)
Mineta
Molinari
Mollohan
Montgomery
Moorhead
Morella
Murtha
Myers
Myrick
Nethercutt
Norwood
Nussle
Ortiz
Owens
Packard
Pallone
Parker
Pastor
Paxon
Payne (VA)
Peterson (FL)
Pickett
Pombo
Porter
Portman
Poshard
Pryce
Quillen
Quinn
Radanovich
Regula
Richardson
Riggs
Roberts
Rogers
Rohrabacher
Ros-Lehtinen
Royce
Rush
Salmon
Saxton
Scarborough
Schaefer
Schiff
Seastrand
Shadegg
Shaw
Shuster
Sisisky
Skaggs
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Stearns
Stockman
Stump
Talent
Tate
Tauzin
Taylor (MS)
Taylor (NC)
Tejeda
Thomas
Thornberry
Thornton
Thurman
Tiahrt
Torricelli
Traficant
Upton
Vucanovich
Waldholtz
Walker
Walsh
Wamp
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wilson
Wise
Wolf
Young (AK)
Young (FL)
Zeliff

NOT VOTING—13

Boehner
Brown (CA)
Cardin
Clement
Frost
Jefferson
Longley
McKinney
Moakley
Oxley
Reynolds
Stark
Yates

□ 1947

The Clerk announced the following pair:

On this vote:

Ms. McKinney for, with Mr. Yates against.

Messrs. EVANS, PETERSON of Florida, DE LA GARZA, and ENSIGN changed their vote from ''aye'' to ''no.''

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

So the amendment was rejected.

The result of the vote was announced as above recorded.

Mr. MYERS of Indiana. Mr. Chairman, I move to strike the last word.

Mr. Chairman, it is my understanding there has been a discussion and an agreement from the minority that this last vote will be the last vote for the evening, but we will have some colloquies with Members who have some expression here of the intent of legislation.

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

Mr. MYERS of Indiana. I yield to the gentleman from Wisconsin.

Mr. OBEY. Mr. Chairman, I would tell the gentleman, I certainly hope so.

Mr. MYERS of Indiana. Is that my understanding of the agreement we have?

Mr. OBEY. Mr. Chairman, if the gentleman will yield, that certainly would be my hope and expectation. We are being asked to go into a markup at this point at 8 p.m., and it seems to me if we are going to have an appropriation subcommittee markup we should not have to be in two places at the same time, so I see no reason for us to continue the session this evening.

Mr. MYERS of Indiana. Mr. Chairman, we will have the colloquies and the Committee will rise. There will be no more votes this evening, if it can be avoided.

AMENDMENT OFFERED BY MR. SKAGGS

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. SKAGGS: On page 19, line 7, strike ''$5,265,478,000'' and in lieu thereof insert ''$5,411,478,000''.

Mr. MYERS of Indiana. Mr. Chairman, on this amendment I reserve a point of order.

Mr. SKAGGS. Let me just reassure my colleagues, Mr. Chairman, even though we have called this up as an amendment, this will not involve a vote.

Mr. Chairman, I expect that the distinguished gentleman from Indiana [Mr. MYERS] may insist on his point of order. I appreciate the opportunity to have made these arguments on behalf of this issue.

Mr. Chairman, this amendment would add a modest amount, $146 million, in order to partially correct a serious mistake in this bill.

That mistake is a reduction in funding for the Energy Department's environmental management program—the program to clean up the enormous mess at the various nuclear weapons facilities—a reduction of more than $740 million. In making that reduction, the committee's leadership was taking its lead from the authorizing committee, which cut the authorization for these programs in order to increase spending for missile defenses—the ''Star Wars'' programs—by a like amount.

In this respect, the priorities in the defense authorization bill were exactly wrong. We shouldn't repeat the mistake. We need to clean up our room before we spend our allowance to buy new toys.

Through its environmental management programs, the Energy Department carries out the work of cleaning up the Rocky Flats site in Colorado, and the other facilities where America developed and built the nuclear weapons that enabled us to win the cold war.

The costs of this cleanup are part of the costs of that victory.

They have to be paid. There is nothing speculative about the environmental and safety problems at Rocky Flats, or Savannah River, or the Hanford Reservation, or any of the other sites. While the benefits that might come from spending more than the Defense Department proposes for the Star Wars programs are at best speculative, there is nothing speculative about the health, safety, and environmental benefits from cleaning up Rocky Flats and the other sites. Nor about the serious risks posed to worker and public health and safety unless funding is at least partly restored.

Much has been done already. The Office of Environmental Management has already safeguarded more than 20 metric tons of weapons-usable plutonium; prevented explosives in tanks of high-level wastes; treated more than 4 billion gallons of contaminated water; and removed or stabilized enough contaminated soil to fill trucks stretching from Alabama to Los Angeles. But more—much, much more—remains to be done.

Progress has been made recently in improving the efficiency of the clean-up. For example, the administration expects to save a billion dollars by privatizing some operations, to let market forces push costs down, and by changing contract incentives to reward efficiency and costs savings, reducing work forces, and focusing research and development on the areas of most pressing needs. But these improved efficiencies cannot make up for the excessive cuts that would be made by this bill.

The effects of this bill's underfunding are more severe because they come down on top of reductions self-imposed by DOE and rescissions adopted for fiscal 1995 funds. Last year, we cut these programs by more than $89 million below the fiscal 1994 level, providing $124.7 million less than the administration had said was needed for fiscal 1995. Compared to the nearly $6.58 billion requirement for fiscal 1996 contemplated in its previous budget submission, the Department this year has requested only $6 billion in the actual fiscal 1996 budget submitted this year. That reduction, more than $557 million, reflects an enormous internal effort by the Department to search out and implement savings and efficiencies on its own.

Unless it's amended, this bill would fall another $742.5 million below what DOE says it needs to do the job. That's why I am urging the House to adopt this amendment and to provide more funding than is now in the bill.

Even with this increase, the bill will not provide all that's necessary for this vital work in the next fiscal year. In fact, even with the amendment's increase the bill will fall short of the administration's request by nearly $600 million. But adoption of the amendment will at least partially close the gap, and I urge its adoption.

Mr. MYERS of Indiana. Mr. Chairman, will the gentleman yield?

Mr. SKAGGS. I yield to the gentleman from Indiana.

Mr. MYERS of Indiana. Mr. Chairman, what the gentleman speaks he speaks firsthand, because Rocky Flats in his State is one of the worst in the country as far as environmental clean-up. The committee has been well aware of the problem there. We have been trying to clean that up for the last several years. We finally, I think, are making more progress today.

However, the committee has realized that almost a $1 billion increase each year occurs in the environmental restoration and the clean-up, and it is a very serious problem this committee and the country faces, but we have not had much success that the gentlemen has been addressing here as far as DOE is concerned.

What we have done, without prejudice to the future, we have said, ''Look, you have to improve the efficiency and effectiveness of your clean-up,'' This is what we are trying to do here. We will work very closely with the gentleman to make sure we do get the most bang for our buck.

Mr. SKAGGS. Mr. Chairman, I understand and share the Chairman's interest in promoting greater efficiency in this area, DOE. As the gentleman knows, the department has taken some important steps itself. I hope the chairman would agree with me that while greater efficiency is desirable, that these programs meet an important responsibility and that we need to continue to provide necessary resources.

Mr. MYERS of Indiana. We certainly do.

Mr. SKAGGS. I hope we can work together on this in connection with the 1997 legislation.

Mr. MYERS of Indiana. The committee makes that commitment to all Members.

Mr. SKAGGS. With that in mind, Mr. Chairman, rather than putting the chairman to the point of order, I ask unanimous consent to withdraw the amendment.

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

There was no objection.

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

Mr. Chairman, I would like to engage my colleague, the gentleman from Indiana [Mr. MYERS], the chair of the Subcommittee on Energy and Water Development of the Committee on Appropriations, in a colloquy regarding H.R. 1905.

Specifically, I rise to inquire about title 3 for the Department of Energy in general science and research activities, subheading for nuclear physics. It is my understanding that the $304.5 million will be appropriated for fiscal year 1996. Of those dollars, I understand that is the intention of the committee to support the university-based accelerators under the nuclear physics account within the funds available.

Furthermore, I understand that it is the intention of the committee to support the Bates Linear Accelerator Center in Middleton, MA, again within the available funds. Is this understanding correct?

Mr. MEYERS of Indiana. Mr. Chairman, will the gentleman yield?

Mr. TORKILDSEN. I yield to the gentleman from Indiana.

Mr. MYERS of Indiana. Mr. Chairman, the gentleman is correct. The committee continues to support university-based research in high physics, recognizing that much of the research is done by universities. But even maybe more importantly, it supports the development and teaching of scientists for the future, so it really serves two purposes. The committee has been a long supporter and will continue. The gentleman is correct, we are continuing that support.

Mr. TORKILDSEN. Mr. Chairman, I thank the gentleman, and I want to thank the chairman of the appropriations subcommittee for clarifying this very important point.

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

Mr. Chairman, I do rise for the purpose of entering into a colloquy with the gentleman from Indiana [Mr. MYERS].

Mr. Chairman, as I understand it, H.R. 1905 provides $425 million for the nuclear waste program, which is a reduction from past levels. The committee report on H.R. 1905 states this funding level is insufficient to aggressively pursue site characterization activities at Yucca Mountain, and that the Appropriations Committee will be unable to provide resources to match the project's ambitious funding profile for the coming years.

The committee report also directs DOE to concentrate available resources on the development and implementation of a national interim storage program. I would ask the gentleman if this is correct, if I am reading this right.

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Mr. MYERS of Indiana. Mr. Chairman, will the gentleman yield?

Mr. SCHAEFER. I yield to the gentleman from Indiana.

Mr. MYERS of Indiana. The gentleman is correct. This committee has supported long-term storage. At this time we have continued to support the characterization of the site in Nevada known as Yucca Mountain, while recognizing our contractual responsibility as well as our moral responsibility to accept the nuclear waste that is now at 71 locations with 109 reactors around the country where much of the storage is outside in dry storage. We recognize we have to do something about meeting that obligation we have by accepting that storage of the nuclear fuel, spent fuel, from these reactors. That has to be accomplished by 1998. The only way we can see being able to do that is to focus on interim storage.

Mr. SCHAEFER. Reclaiming my time, I appreciate the gentleman's

comments. The committee report also directs DOE to downgrade, suspend or terminate its activities at Yucca Mountain. It is my understanding that the energy and water development appropriations bill does not force DOE to abandon site characterization work at Yucca Mountain and that DOE has testified in hearings before the Energy and Power Subcommittee that the funding level for the nuclear waste disposal program in H.R. 1905 is adequate to both develop a Federal interim storage facility and maintain site characterization activity at Yucca Mountain, although site characterization activity would be slow down.

Is it the gentleman's view that H.R. 1905 would permit continued site characterization at Yucca Mountain, although at a slower pace than in the past?

Mr. MYERS of Indiana. If the gentleman would yield further, the committee has of course worked with your subcommittee very closely on this issue. You have visited this mountain more recently than we have. It is exactly the criteria that we developed in this appropriation that while we are not trying to prejudice any future decision, the aggressive program we have had in the last year especially would have to be slowed own. Site characterization of some type will continue, but we just do not have the dollars to do both the aggressive characterization by the drilling in the mountain that we would have and still find the interim site.

Mr. SCHAEFER. Reclaiming my time, the committee report on H.R. 1905 also states the Department should anticipate enactment of expanded authority to accept waste for interim storage and should refocus the civilian radioactive waste program accordingly. I want to assure the gentleman from Indiana that the Committee on Commerce will soon take up the legislation to direct DOE to develop an interim storage site. I thank the gentleman for engaging in this colloquy.

Mr. MYERS of Indiana. I thank the gentleman for bringing the issue up and look forward to working with him in the future development of a site for our nuclear waste.

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

Mr. Chairman, I represent the First District of Kentucky, which includes the Land Between the Lakes. LBL is a 170,000-acre national recreation and environmental education area managed by the Tennessee Valley Authority. LBL supports a $400 million regional tourism industry and provides high-quality recreation and environmental opportunities to over 2 million visitors a year.

Mr. Chairman, TVA has been working to create a new public and private partnership to increase the rate of return from LBL. User fees are being collected from the public, and the need for Federal subsidies is expected to decrease as management builds more efficiencies into the LBL system.

As reported by the Committee on Appropriations, the recommended Federal contribution to LBL is $3.1 million, a reduction of $3 million from the budget request of $6.1 million. Although I appreciate the serious budgetary constraints under which the committee is operating, I fear that this reduced level of funding will frustrate TVA's ability to manage a smooth transition to LBL self-sufficiency.

In the past, TVA has used stewardship account funds to support functions of LBL. To the extent that TVA is able to realize reductions, savings, or efficiencies, I presume the committee will allow TVA the flexibility to allocate available resources so that stewardship funds could be used from LBL if necessary.

I would just like to enter into a colloquy with the chairman and ask him if he agrees with that understanding.

Mr. MYERS of Indiana. Mr. Chairman, will the gentleman yield?

Mr. WHITFIELD. I yield to the gentleman from Indiana.

Mr. MYERS of Indiana. This is exactly the position the committee took. We have long supported TVA but we realize with the limited resources you spoke of, we just cannot continue all of these. But we would be glad to work with the Tennessee Valley Authority and the Congressmen from that area, both Tennessee and Kentucky, because this is a problem we have to address but that we are not expecting to be addressed and solved overnight. We will be glad to work with the gentleman.

Mr. WHITFIELD. I appreciate the hard work that the committee has done and commend the chairman for trying to balance the needs of the public versus the resources that we are working with. I appreciate your working with TVA and allowing them some flexibility on these funds.

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

Mr. Chairman, at the outset, let me express as one member of the Subcommittee on Energy and Water Development of the Committee on Appropriations my appreciation to the gentleman from Indiana [Mr. MYERS], the chairman of the subcommittee, and the gentleman from Alabama [Mr. BEVILL], the ranking member, for their help in including in the fiscal year 1996 Energy and Water appropriations bill $250,000 in funds for the Sonoma County, California Vernal Pools Task Force. These funds which I sought along with my colleague the gentlewoman from California [Ms. WOOLSEY] will enable completion of the second phase of a preservation plan for Vernal Pools which are a very sensitive and fragile form of ecosystem and wetlands.

As the subcommittee chairman knows, the Vernal Pools Task Force was established at my initiative in 1991 before my sabbatical from Congress and its primary goal is simplification of the Army Corps of Engineers permitting process for areas that do not contain high-quality vernal pools. In Public Law 102–580, the 102d Congress directed the Secretary of the Army to provide technical assistance to the task force in drafting a plan for the development and preservation of high-quality seasonal wetlands on the Santa Rosa plain.

The task force has now completed the first phase of developing an application to the Army Corps of Engineers general permit, namely, identifying the areas to be considered potential high-quality sites. Specifically at this point, I would like to express my understanding of actions that the subcommittee encourages the Vernal Pools Task Force to undertake with respect to modifying its operations in a number of areas and then ask the subcommittee chairman if he concurs in those expectations.

First of all, approximately one-half of the current task force consists of representatives of Federal and State agencies. The involvement of the agencies as voting members of the task force has inhibited development of a plan that is community-driven. To rectify this, it may be preferable for Federal and State officials to serve in an advisory manner and not to have a vote on the task force.

Second, the committee understands that a large amount of land under consideration by the task force is agricultural in nature and in use, yet the agricultural community does not have sufficient representation on the task force. We would encourage three additional members be added to represent the agricultural community as determined by the Sonoma County Farm Bureau.

Third, the task force does not currently include a representative from my congressional office representing California's First District. The task force should include one nonvoting representative each from the First and Sixth Congressional District offices.

And finally, we believe that affected property owners should have a mechanism to appeal any task force decision to list their property as high-quality wetlands. Before completion of phase II with the funds appropriated by the subcommittee, all owners of property designated as high-quality wetlands should be notified of the pending designation and the task force should develop an appeals process for affected property owners.

So at this point, Mr. Chairman, I would like to yield to the gentleman from Indiana [Mr. MYERS], the subcommittee chairman, again commend him for his fine work in drafting this complex and important piece of legislation, and ask the gentleman if I am correct that the committee views these actions as appropriate.

Mr. MYERS of Indiana. Mr. Chairman, will the gentleman yield?

Mr. RIGGS. I yield to the gentleman from Indiana.

Mr. MYERS of Indiana. Mr. Chairman, the gentleman from California

[Mr. RIGGS] is correct. Under his strong leadership before, when the gentleman was here the first term, he became a leader in this field and much of what has been accomplished so far is because of the gentleman's endeavor and hard work. He continues to do the same job as a member of this subcommittee. We work closely with the gentleman and continue, as we have in the past, and the gentleman is correct in what we are trying to do .

Mr. RIGGS. Mr. Chairman, I thank the gentleman for his very kind remarks.

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

Mr. Chairman, I would like to enter into a colloquy with the gentleman from Indiana [Mr. MYERS]. I first want to compliment the gentleman and his staff for this fine bill, particularly in light of the fiscal situation with which we are faced, and the yeoman's job the gentleman has done today just staying with it and I know we will continue tomorrow.

Of great importance to Arkansas, and many other states in the Southwest United States, is the McClellan-Kerr navigation project on the Arkansas River. Grain, steel, lumber and finished products are shipped and received on this inland navigation system.

The surface level of the Mississippi River is expected to decline to 95 feet above sea level, roughly 15 feet lower than the original design elevation at the confluence of the river and the McClellan-Kerr project. Without corrective action, not even empty tows could go either way on the river. They would be resting on the bottom with no water for navigation.

Delays and unreliable service due to these low water levels will adversely impact industry as far west as Texas and Colorado and as far north as Iowa and Nebraska. As the President of Century Tube Corp. of my hometown of Pine Bluff, AR, Robert Pfautz, indicated in a letter last month,

> We have experienced river closing in the past which lasted several weeks and caused us to take emergency actions to keep our production lines running at significant cost and possible plant shutdowns. If barges are unable to enter into the Arkansas River from the Mississippi, then we are forced to offload steel at ports on the Mississippi and transport the steel by truck to our plant. This process is very expensive.

Shortage of water not only stops traffic on the river, it also causes people to initially choose more reliable and expensive transportation during certain times of the year.

In 1993, the Army Corps of Engineers finalized a study that detailed the necessity of the construction of lock and dam at the confluence of the Mississippi and the entrance to the McClellan-Kerr project. The other alternative was dredging. Dredging, which is a process that digs land from the bottom of the river to ensure that water levels are maintainable, costs between $6 million and $7 million every year.

I might add that the disposal of the dredged material is an environmental issue. At this time, there are few places we can dispose of this material, as it may risk 2,400 acres of hardwood-wetland wildlife habitat.

The highlights of the important of the Montgomery Point Lock and Dam thus are twofold. By constructing this lock and dam, we can provide industry with a less expensive means of transporting its good in and out of the Midwest and the Southwest United States.

Mr. Chairman, the gentleman from Indiana [Mr. MYERS], in his bill, indicates his recognition that this is a problem and has included $5.4 million to begin land acquisition for the planning and construction of roads and facilities for the Montgomery Point Lock and Dam.

For the past 5 years, Mr. Chairman, as you know, language has been included expressing congressional intent that this project be built. Unfortunately, the Corps, despite Congress' intent to move on this project, has not seen fit to act.

Mr. Chairman, I would ask the gentleman from Indiana [Mr. MEYERS] if it is his intent to direct the Army Corps of Engineers to undertake the activities in fiscal year 1996 as outlined in this bill's accompanying report, thereby enabling Century Tube of Pine Bluff, farmers, and other shippers to use this critical waterway year round.

Mr. MYERS of Indiana. Mr. Chairman, will the gentleman yield?

Mr. DICKEY. I yield to the gentleman from Indiana.

Mr. MYERS of Indiana. Mr. Chairman, the gentleman from Arkansas [Mr. DICKEY] has very accurately described the conditions on the McClellan-Kerr Waterway and it is a very severe problem and we are well aware of that. We have been trying to tell the Corps that we intend it to be built. We have had some difficulty getting it started, but we will work you and the Corps to make sure that they do fulfill the intent of Congress.

We thank the gentleman for his diligence. Perseverance is not lacking in his character.

Mr. DICKEY. Mr. Chairman, also patience and tolerance is not lacking in the gentleman's qualifications either. Let me ask the gentleman one other question. Does this action that he is directing constitute the start of the construction process?

Mr. MYERS of Indiana. Mr. Chairman, we think it is, yes. We will be working with the Corps to make sure that is carried out, and with the gentleman, I am sure.

AMENDMENT OFFERED BY MR. HOKE

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

The Clerk read as follows:

> Amendment offered by Mr. HOKE: At the end of the bill, insert after the last section (preceding the short title) the following new section:
>
> SEC. 505. The Secretary of Energy shall transmit a report to the Congress each time the Secretary authorizes the payment of travel expenses of the Secretary or other employees of the Department of Energy in excess of an aggregate of $5,246,200 for fiscal year 1996. Such report shall describe the amount authorized, the purposes for which such funds were originally allocated, and the travel expenses for which they are used.

Mr. HOKE (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

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

There was no objection.

Mr. MYERS of Indiana. Mr. Chairman, I reserve a point of order on this amendment.

The CHAIRMAN. The gentleman reserves a point of order.

The amendment as offered by the gentleman from Ohio [Mr. HOKE] goes to title V.

Mr. HOKE. Mr. Chairman, I withdraw the amendment.

The CHAIRMAN. Without objection the gentleman from Ohio withdraws the amendment.

There was no objection.

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

Mr. Chairman, I rise to engage the gentleman from Indiana in a colloquy. Mr. Chairman, as you know, I recently submitted for the RECORD this amendment which was designed to restore some degree of sanity to the official travel policies at the Department of Energy. I want to take a moment just to discuss the reasoning behind the amendment.

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Some months ago I began an investigation of the Secretary of Energy's proclivity to spend generously on herself and her aides in the course of what has been called or billed as ''official travel.'' Through a preliminary inquiry into the agency's activities, it is apparent that Secretary O'Leary has already transferred in excess of $400,000 from nuclear accounts, including accounts used by scientists and technicians in the department's nuclear safeguards and security programs by pay for this travel.

Although the Secretary claims that her use of official funds is not out of the ordinary, the facts paint an entirely different picture. According to a recent L.A. Times article, the Secretary believes in traveling in business and first class more often than not, and she spent approximately $815 per trip, for a total of nearly $50,000 on her domestic travels alone. That does not include the costs associated with those who are traveling with her, her staff, which has included as many has 10 people, nor does that take into account the Secretary's overseas junkets, which include bank-busting visits to Russia, to Italy and to France.

It is truly shocking and without precedent that the Department of Energy seems to become a travel service for the Secretary of Energy. In fact,

she has recently demanded that program offices responsible for safeguarding our Nation's nuclear deterrent cough up additional funds to pay for an August trip to South Africa.

The onset of this travel investigation has coincided with the resignation of the No. 2 official in the dependent and with rumors of other top-level officials leaving the department.

As we can all no doubt recall, the President campaigned in 1992 on a pledge his administration would be free from even the taint of inappropriate activity.

In light of all of these recent developments and because I am mindful of the fact my amendment may constitute legislating on an appropriations bill, I do not intend to offer it later today on part 5. However, I do intend to revisit the issue in the very near future, for that reason, I would like to yield for your thoughts and comments on this important issue.

Mr. MYERS of Indiana. Mr. Chairman, will the gentleman yield?

Mr. HOKE. I yield to the gentleman from Indiana.

Mr. MYERS of Indiana. I thank the gentleman for bringing up this issue. The committee is well aware of the press coverage and the accusations of extravagant, if not unnecessary, spending on travel.

We have reduced the administrative resources for the Department of Energy this year. They have done their part. We will be watching this very closely. Also, we appreciate you working with the committee. We will be watching it very closely. I assure you of that.

Mr. HOKE. I do appreciate the chairman's offer and expression of support on that.

Mr. MYERS of Indiana. Thank you for drawing our attention to that.

Mr. HOKE. I know gentleman from Kansas also wanted to add some thoughts on this.

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

Mr. HOKE. I yield to the gentleman from Kansas.

Mr. TIAHRT. I know we have some limited time. We do not have time to talk about how the Secretary averages more on a 3-day trip than the next person in the Cabinet averages on a 5-day trip. We really do not have time to talk about the time when the Secretary went to Boston and spent $337 per night in a hotel when the head of the EPA was just there subsequently and only spent $83 per night. We do not have time a talk about how the Secretary of the Department of Energy always travels with 7 or more, as an average, aides. We do not have time to talk about upgrading costs when she took a trip from Chicago to London along with members of her staff, and the upgrades alone cost $10,265 to the taxpayer.

What really is kind of bothering me about this is it is being charged not to just this budget but also to the future. We are borrowing this money. We are going to go out and borrow this money.

On July 4, I had a nephew born, Keenan Tiahrt. He was born July 4, 1995, and because of spending like this that goes to the debt, he is going to have to pay $197,000 in taxes just to pay the interest on the debt. So we are charging it to his account and to my children's account and to the next generation's account.

So it is a little bit difficult. We do not want to micromanage this. But I am not sure what we are going to have to do, whether we have to shame the Secretary of the Department of Energy to travel on the same budget the rest of us travel on. Why does she have to be excessive on the taxpayers' dollars?

I wanted to say I understand why you cannot offer this because of the way the rules are written, but I think that we should have some sanity in the way of traveling. I appreciate Chairman MYERS watching the Secretary.

I know that I had an amendment that I was going to offer. I am not going to offer it because he has done a good job of reducing the Administration's budget, forcing the Secretary of Energy to travel differently.

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

I just wanted to, before I yield to the gentleman from Ohio, I would just like to say I think Chairman MYERS has done a good job of taking one step forward in seeing we reduce the administrative budget by about approximately 20 percent.

All the corporations across the United States have reduced, and I think it has made them more efficient. If you talk to the corporations, you will find out that by downsizing, they have become more efficient.

So I think this is a good step in the right direction. That is why I am not offering my amendment. I understand the rules, you know, that we cannot micromanage and we cannot put this onto the appropriations bill. I think we are taking the right steps to downsize.

I have a bill that will eliminate the Department of Energy. I think we are in line towards even that goal. So we are taking the right steps as a Congress, and I just want to commend Chairman MYERS.

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

Mr. TIAHRT. I yield to the gentleman from Ohio.

Mr. HOKE. The fact is we have got a problem at the Department of Energy with travel, and it is not just a small problem, because what it does do is it takes money away from the accounts that safeguard our nuclear energy program, and it is spending it in a way that is very difficult, to say the least, to understand by Members of Congress who are charged with oversight of the Department of Energy.

I will give you one other example of this, because I think it is instructive, because I think it is important that our colleagues know that there is a real problem. It is a genuine problem, and it is a problem that we want the Department of Energy and the Secretary of that department to take seriously and to get under control and to do it now.

As you know, government officials are permitted to claim up to 100 percent of the maximum per diem in special or unusual circumstances. However, Secretary O'Leary has sought reimbursement for expenses in excess of the maximum per diem on 61 of the 71 occasions when she stayed at a hotel in the United States. She appears to believe that the special or unusual circumstances are the rule when she travels.

Now, she has transferred $400,000 from other program accounts to finance this travel. She has just returned from a trip to Paris, Florence, and Baku. She is currently in Russia for the 8th time, and she is soon going to be off to South Africa. It is enough. Enough is enough, Mr. Chairman, and we want this kind of extravagant travel to stop, and we want the money to be stopped being taken from the accounts and wasted on the travel account.

Mr. TIAHRT. Reclaiming my time, I wanted to note, I want you to know this goes beyond just the travel budget. We have instances pointed out by Vice President GORE in his National Performance Review that the Department of Energy, in their environmental management area, has missed 20 percent of their milestones, which means they are behind schedule. They are 40 percent inefficient. It could cost us $70 billion over the next 30 years. I think Vice President GORE's National Performance Review is clear we need to do something about the management practices at the Department of Energy.

Mr. MYERS of Indiana. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I hope the Secretary was watching C-SPAN in Russia and got the message firsthand.

We are about to finish here the committee's business this day. On behalf of the committee, I want to thank the professional staff here as well as our staff members for the patience and understanding and cooperation today.

Tomorrow will be chapter 2, and we expect to finish by noon tomorrow, noon someplace, anyway, but we have a few more amendments tomorrow, but with the understanding and cooperation, we can finish it. Be here at 10 o'clock sharp, tomorrow morning.

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

Mr. MYERS of Indiana. I yield to the gentleman from Missouri.

Mr. VOLKMER. Mr. Chairman, I was listening to the latest discussion by the gentleman from Ohio and the gentleman from Kansas.

Sitting here, it just struck me, if we are really talking about saving money, and I am not taking up with the Secretary of Energy, Secretary O'Leary, the amounts, or urge the amounts that have been set out. I am not taking up for her. But what was interesting for

me to hear that we are running up the big deficit by Secretary O'Leary charging hotel rooms and airplane flights and everything else and just, well, an hour ago, everybody had a chance to save $18 million. I do not think Secretary O'Leary has spent $18 million.

Mr. MYERS of Indiana. She is not home yet.

Mr. VOLKMER. She has not spent $18 million. We could have saved $18 million. They did not want to save that.

Mr. MYERS of Indiana. Mr. Chairman, today's business for the committee is finished at this point.

Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. BARR) having assumed the chair, Mr. LAHOOD, Chairman pro tempore of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 1905), making appropriations for energy and water development for the fiscal year ending September 30, 1996, and for other purposes, had come to no resolution thereon.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 1977, DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS ACT, 1996

Mr. SOLOMON, from the Committee on Rules, submitted a privileged report (Rept. No. 104–182) on the resolution (H. Res. 185) providing for consideration of the bill (H.R. 1977) making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1996, and for other purposes, which was referred to the House Calendar and ordered to be printed.

REPORT TO CONGRESS CONCERNING EMIGRATION LAWS AND POLICIES OF ROMANIA—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 104–93)

The SPEAKER pro tempore (Mr. BARR) 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 Ways and Means and ordered to be printed:

To the Congress of the United States:

On May 19, 1995, I determined and reported to the Congress that Romania is in full compliance with the freedom of emigration criteria of sections 402 and 409 of the Trade Act of 1974. This action allowed for the continuation of most-favored-nation (MFN) status for Romania and certain other activities without the requirement of a waiver.

As required by law, I am submitting an updated Report to Congress concerning emigration laws and policies of Romania. You will find that the report indicates continued Romanian compliance with U.S. and international standards in the area of emigration policy.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *July 11, 1995.*

□ 2030

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. BARR). Under the Speaker's announced policy of May 12, 1995, and under a previous order of the House, the following Members are recognized for 5 minutes each.

COMMUNICATION FROM THE CHAIRMAN OF THE COMMITTEE ON THE BUDGET REGARDING CURRENT LEVELS OF SPENDING AND REVENUES FOR FISCAL YEARS 1995–1999

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio [Mr. KASICH] is recognized for 5 minutes.

Mr. KASICH. Mr. Speaker, on behalf of the Committee on the Budget and pursuant to sections 302 and 311 of the Congressional Budget Act, I am submitting for printing in the CONGRESSIONAL RECORD and updated report on the current levels of on-budget spending and revenues for fiscal year 1995 and for the 5-year period fiscal year 1995 through fiscal year 1999.

This report is to be used in applying the fiscal year 1995 budget resolution (H. Con. Res. 218), for legislation having spending or revenue effects in fiscal years 1995 through 1999.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON THE BUDGET,
Washington, DC, July 10, 1995.

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

DEAR MR. SPEAKER: To facilitate application of sections 302 and 311 of the Congressional Budget Act, I am transmitting a status report on the current levels of on-budget spending and revenues for fiscal year 1995 and for the 5-year period fiscal year 1995 through fiscal year 1999.

The term ''current level'' refers to the amounts of spending and revenues estimated for each fiscal year based on laws enacted or awaiting the President's signature as of June 30, 1995.

The first table in the report compares the current level of budget authority, outlays, and revenues with the aggregate levels set by H. Con. Res. 218, the concurrent resolution on the budget for fiscal year 1995. This comparison is needed to implement section 311(a) of the Budget Act, which creates a point of order against measures that would breach the budget resolution's aggregate levels. The table does not show budget authority and outlays for years after fiscal year 1995 because appropriations for those years have not yet been considered.

The second table compares the current levels of budget authority, outlays, and new entitlement authority of each direct spending committee with the ''section 602(a)'' allocations for discretionary action made under H. Con. Res. 218 for fiscal year 1995 and for fiscal years 1995 through 1999. ''Discretionary action'' refers to legislation enacted after adoption of the budget resolution. This comparison is needed to implement section 302(f) of the Budget Act, which creates a point of order against measures that would breach the section 602(a) discretionary action allocation of new budget authority or entitlement authority for the committee that reported the measure. It is also needed to implement section 311(b), which exempts committees that comply with their allocations from the point of order under section 311(a). The section 602(a) allocations printed in the conference report on H. Con. Res. 218 (H. Rept. 103–490) were revised to reflect the changes in committee jurisdiction as specified in the Rules of the House of Representatives adopted on January 4, 1995.

The third table compares the current levels of discretionary appropriations for fiscal year 1995 with the revised ''section 602(b)'' suballocations of discretionary budget authority and outlays among Appropriations subcommittees. This comparison is also needed to implement section 302(f) of the Budget Act, since the point of order under that section also applies to measures that would breach the applicable section 602(b) suballocation. The revised section 602(b) suballocations were filed by the Appropriations Committee on September 21, 1994.

The aggregate appropriate levels and allocations reflect the adjustments required by section 25 of H. Con. Res. 218 relating to additional funding for the International Revenue Service compliance initiative.

Sincerely,

JOHN R. KASICH,
Chairman.

REPORT TO THE SPEAKER FROM THE COMMITTEE ON THE BUDGET STATUS OF THE FISCAL YEAR 1995 CONGRESSIONAL BUDGET ADOPTED IN H. CON. RES. 218—REFLECTING ACTION COMPLETED AS OF JUNE 30, 1995

[On-budget amounts, in millions of dollars]

	Fiscal year	
	1995	1995-1999
Appropriate Level (as set by H. Con. Res. 218):		
Budget authority	1,238,705	6,892,705
Outlays	1,217,605	6,767,805
Revenues	977,700	5,415,200
Current Level:		
Budget authority	1,233,103	(1)
Outlays	1,216,173	(1)
Revenues	978,218	5,383,557
Current Level over(+)/ under(−) Appropriate Level:		
Budget authority	−5,602	(1)
Outlays	−1,432	(1)
Revenues	518	−31,643

[1] Not applicable because annual appropriations Acts for Fiscal Years 1997 through 1999 will not be considered until future sessions of Congress.

BUDGET AUTHORITY

Enactment of measures providing more than $5.602 billion in new budget authority for FY 1995 (if not already included in the current level estimate) would cause FY 1995 budget authority to exceed the appropriate level set by H. Con. Res. 218.

OUTLAYS

Enactment of measures providing new budget or entitlement authority that would increase FY 1995 outlays by more than $1.432 billion (if not already included in the current level estimate) would cause FY 1995 outlays to exceed the appropriate level set by H. Con. Res. 218.

REVENUES

Enactment of any measures producing any net revenue loss of more than $518 million in FY 1995 (if not already included in the current level estimate) would cause FY 1995 revenues to fall below the appropriate level set by H. Con. Res. 218.

Enactment of any measure producing any net revenue loss for the period FY 1995 through FY 1999 (if not already included in

the current level estimate) would cause revenues for that period to fall further below the appropriate level set by H. Con. Res. 218.

DIRECT SPENDING LEGISLATION—COMPARISON OF CURRENT LEVEL WITH COMMITTEE ALLOCATIONS PURSUANT TO BUDGET ACT SECTION 602(a)

[Fiscal years, in millions of dollars]

	1995		NEA	1995–99		NEA
	BA	Outlays		BA	Outlays	
HOUSE COMMITTEE						
Agriculture:						
Allocation	0	0	0	0	0	4,861
Current level	499	−155	0	497	−152	0
Difference	499	−155	0	497	−152	−4,861
National Security:						
Allocation	0	0	0	0	0	0
Current level	42	37	0	221	210	82
Difference	42	37	0	221	210	82
Banking, Finance and Urban Affairs:						
Allocation	0	0	0	0	0	0
Current level	−25	−25	0	–75	–75	0
Difference	−25	−25	0	–75	–75	0
Economic and Educational Opportunities:						
Allocation	0	0	309	0	0	5,943
Current level	8	−13	297	104	81	1,674
Difference	8	−13	−12	104	81	−4,269
Commerce:						
Allocation	0	0	0	0	0	0
Current level	0	0	0	0	0	0
Difference	0	0	0	0	0	0
International Relations:						
Allocation	0	0	0	0	0	0
Current level	5	4	0	11	11	0
Difference	5	4	0	11	11	0
Government Reform and Oversight:						
Allocation	0	0	0	0	0	0
Current level	0	0	0	4	4	−3
Difference	0	0	0	4	4	−3
House Oversight:						
Allocation	0	0	0	0	0	0
Current level	0	0	0	0	0	0
Difference	0	0	0	0	0	0
Resources:						
Allocation	0	0	0	0	0	0
Current level	−8	−8	4	0	−2	4
Difference	−8	−8	4	0	−2	4
Judiciary:						
Allocation	0	0	0	0	0	0
Current level	−58	−58	0	−6	−6	0
Difference	−58	−58	0	−6	−6	0
Transportation and Infrastructure:						
Allocation	2,161	0	0	64,741	0	0
Current level	2,161	0	0	4,375	0	0
Difference	0	0	0	–60,366	0	0
Science:						
Allocation	0	0	0	0	0	0
Current level	0	0	0	0	0	0
Difference	0	0	0	0	0	0
Small Business:						
Allocation	0	0	0	0	0	0
Current level	0	0	0	0	0	0
Difference	0	0	0	0	0	0
Veterans' Affairs:						
Allocation	0	0	340	0	0	5,743
Current level	2	2	334	3	3	1,888
Difference	2	2	−6	3	3	−3,855
Ways and Means:						
Allocation	0	0	0	0	0	214
Current level	44	−37	98	−3,674	−5,711	−3,655
Difference	44	−37	98	−3,674	−5,711	−3,869
Total Authorized:						
Allocation	2,161	0	649	64,741	0	16,761
Current level	2,670	−253	733	1,460	−5,637	−10
Difference	509	−253	84	−63,281	5,637	−16,771

DISCRETIONARY APPROPRIATIONS FOR FISCAL YEAR 1995—COMPARISON OF CURRENT LEVEL WITH SUBALLOCATIONS PURSUANT TO BUDGET ACT SECTION 602(b)

[In millions of dollars]

	Revised 602(b) Suballocations (September 21, 1994)				Current level				Difference			
	General purpose		Violent crime		General purpose		Violent crime		General purpose		Violent crime	
	Budget authority	Outlays	Budget authority	Outlays	Budget authority	Outlays	Budget authority	Outlays	Budget authority	Outlays	Budget authority	Outlays
Agriculture, Rural Development	13,397	13,945	0	0	13,396	13,945	0	0	−1	0	0	0
Commerce, Justice, State	24,031	24,247	2,345	667	23,821	24,205	2,345	667	−210	−42	0	0
Defense	243,432	250,515	0	0	241,405	249,636	0	0	−2,027	−879	0	0
District of Columbia	720	722	0	0	712	714	0	0	−8	−8	0	0
Energy & Water Development	20,493	20,888	0	0	20,293	20,784	0	0	−200	−104	0	0
Foreign Operations	13,785	13,735	0	0	13,492	13,717	0	0	−293	−18	0	0
Interior	13,521	13,916	0	0	13,516	13,915	0	0	−6	−2	0	0
Labor, HHS & Education	69,978	69,819	38	8	69,678	69,807	38	7	−300	−12	0	−1
Legislative Branch	2,368	2,380	0	0	2,367	2,380	0	0	−1	0	0	0
Military Construction	8,837	8,553	0	0	8,735	8,519	0	0	−102	−34	0	0
Transportation	13,704	36,513	0	0	13,622	36,511	0	0	−82	−2	0	0
Treasury-Postal Service	11,741	12,256	40	28	11,575	12,220	39	28	−166	−36	−1	0
VA-HUD-Independent Agencies	70,418	72,781	0	0	70,052	72,780	0	0	−366	−1	0	0
Reserve	2,311	6	0	0	0	0	0	0	−2,311	−6	0	0
Grand total	508,736	540,276	2,423	703	502,664	539,133	2,422	702	−6,072	−1,143	−1	−1

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, July 10, 1995.

Hon. JOHN KASICH,
Chairman, Committee on the Budget,
U.S. House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: Pursuant to section 308(b) and in aid of section 311 of the Congressional Budget Act, as amended, this letter and supporting detail provide an up-to-date tabulation of the on-budget current levels of new budget authority, estimated outlays, and estimated revenues for fiscal year 1995. These estimates are compared to the appropriate levels for those items contained in the 1995 Concurrent Resolution on the Budget (H. Con. Res. 218), and are current through June 30, 1995. A summary of this tabulation follows:

[In millions of dollars]

	House current level	Budget resolution (H. Con. Res. 218)	Current level +/− resolution
Budget authority	1,233,103	1,238,705	−5,602
Outlays	1,216,173	1,217,605	−1,432
Revenues:			
1995	978,218	977,700	518
1995–1999	5,383,557	5,415,200	−31,643

Since my last report, dated June 8, 1995, there has been no action to change the current level of budget authority, outlays or revenues.

Sincerely,

JUNE E. O'NEILL,
Director.

PARLIAMENTARIAN STATUS REPORT, 104TH CONGRESS, 1ST SESSION, HOUSE ON-BUDGET SUPPORTING DETAIL FOR FISCAL YEAR 1995 AS OF CLOSE OF BUSINESS JUNE 30, 1995

[In millions of dollars]

	Budget authority	Outlays	Revenues
ENACTED IN PREVIOUS SESSIONS			
Revenues			978,466
Permanents and other spending legislation	750,343	706,271	
Appropriation legislation	738,096	757,783	
Offsetting receipts	−250,027	−250,027	
Total previously enacted	1,238,412	1,214,027	978,466
ENACTED THIS SESSION			
1995 Emergency Supplementals and Rescissions Act (P.L. 104–6)	−3,386	−1,008	
Self-Employed Health Insurance Act (P.L. 104–7)			−248
Total enacted this session	−3,386	−1,008	−248
ENTITLEMENTS AND MANDATORIES			
Budget resolution baseline estimates of appropriated entitlements and other mandatory programs not yet enacted	−1,923	3,154	
Total Current Level [1]	1,233,103	1,216,173	978,218
Total Budget Resolution	1,238,705	1,217,605	977,700
Amount remaining:			
Under Budget Resolution	5,602	1,432	
Over Budget Resolution			518

[1] In accordance with the Budget Enforcement Act, the total does not include $3,905 million in budget authority and $7,442 million in outlays for funding of emergencies that have been designed as such by the President and the Congress, and $841 million in budget authority and $917 million in outlays for emergencies that would be available only upon an official budget request from the President designating the entire amount requested as an emergency requirement.

VALUE AND IMPORTANCE OF THE PEACE CORPS

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, I rise today with my colleagues who will be on the floor a little bit later tonight to discuss the value and the importance of the Peace Corps and how the corps is affected by this year's budget.

As with most other Federal programs, the Peace Corps is facing cuts. The current budget for the Peace Corps is $231 million. Let me repeat that. The current budget for the Peace Corps is $231 million. That is a very little amount of money in light of what we have been discussing here today in relevance to the history that the Peace Corps has played for this country.

But today the House only appropriated $224 million, a cut of $7 million from the current budget. This cut is going to have a profound effect on the Peace Corps operations. It will cut at least 500 volunteers who could be serving, who would be sent overseas next year. There are approximately 6,500 currently serving this country in countries all over the world. Given the enormous contributions just a few of the volunteers can provide, this means major loss of aid for thousands of needy people.

I am a former Peace Corps volunteer, now serving in Congress. There are six of us in this House, and we are very proud of that service. We remember the vital programs that served the countries that we were invited by those countries to serve in, Programs will be ended entirely in many countries, several countries, in addition to the programs in Nigeria and the Cook Islands, which are already scheduled to be closed.

What my colleagues and I are here to discuss today is the valuable and effective Peace Corps experience, that experience that is shown everywhere around the world, and how we will need to guarantee a stable budget for the Peace Corps in the future, not to go on a roller coaster road that this Congress is starting on.

Let me give you just a few examples of what makes the Peace Corps so unique and effective. Then I will yield time to my colleagues who have also served in the Peace Corps.

In Lesotho, wells and rain catchment systems built by volunteers provide drinking water for 32,000 people. In Benin, volunteers trained 400 people from 1,700 villages in parasite eradication, and worm cases in those areas fell by some 64 percent. In Ghana, volunteers created locally staffed vaccination clinics in 20 villages, which today serve nearly 50,000 people.

Now, I would like to remind the viewers and my other colleagues who will be here in a minute, and particularly Mr. SHAYS, who served in the Peace Corps in Fiji and has been a strong supporter of the Peace Corps, and Mr. WARD, who served in Gambia as a Peace Corps volunteer.

Cuts in the Peace Corps are going to hurt States with large populations, and I represent one of those, California, with 32 million people. Our State has more volunteers serving than any other State in the Union, 827 this year alone. A recent study by the University of Maryland found that 85 percent of the public support maintaining or increasing Peace Corps's budget.

The Peace Corps consumes only $1.50 of every $10,000 spent by the Federal Government. These dollars are well and cost-effectively spent. In Kazakhstan, volunteers are teaching English to 3,000 primary, secondary, and university students; in Armenia the first independent radio station in the country was established with help from the volunteers; in Cameroon, volunteers helped to develop a textbook for teaching AIDS prevention. The result is there are 5,000 students learning how to prevent AIDS. In Ghana, over 1 million seedlings are planted each year to help volunteers helping in the prevention of erosion.

Mr. Speaker, let me conclude by just saying that the Peace Corps has had over 30 years of bipartisan support. It has earned this support because everyone knows that the Peace Corps works. Just ask the villager who learned how to irrigate his farm, or the hundreds of people who did not die from parasites because their doctors were taught how to prevent them, or the thousands of students around the world that now speak English because of the Peace Corps teaching them English.

We need to continue this valuable and cost-effective program. Let us not let our budget cutting frenzy cut merely for the sake of cutting. The Peace Corps is probably one of America's proudest symbols of how we, living in this affluent country, can reach out and help countries around the world. I cannot think of a more cost-effective program in the Federal Government. I would urge my colleagues to reconsider the cuts that were made.

COST EFFECTIVENESS OF THE PEACE CORPS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Connecticut [Mr. SHAYS] is recognized for 5 minutes.

Mr. SHAYS. Mr. Speaker, I just want to be here tonight to say that the Peace Corps changed my life in an extraordinary way, as it did my wife, but I get my greatest satisfaction in thinking about what volunteers have done through the course of the past 30 years to change the lives of so many people around the world.

Joining with my colleague to just express the tremendous satisfaction I have in knowing that Peace Corps volunteers are not those fancy consultants, high priced consultants going to countries, staying for a month or two and writing a report, the thing about a Peace Corps volunteer is that they are actually living in the communities. They are riding the buses that the indigenous people ride, they are living in the same communities, in the huts that they live in, eating the food and speaking their language.

While I am not here to criticize the 4-percent reduction in cuts to the Peace

Corps, given the other cuts that are taking place throughout our budget, I am here to just caution my colleagues to make sure that we recognize that the Peace Corps is one of the most cost-effective organizations that you could possibly have. The real fact is that you cannot ask for an organization that has done more to help people in Third World countries than this organization begun by President Kennedy and continued by Presidents of both parties.

At this time I would like to yield to the gentleman from California [Mr. FARR] and just thank him for his willingness to speak out on this issue.

Mr. FARR. Mr. Speaker, I thank the gentleman very much.

Mr. Speaker, we wanted to show tonight that there is a bipartisan support for the Peace Corps, that this is not an issue that has ever been just a one party effort.

I would just caution my colleagues in the House that as the world grows smaller and as we need to have more effort to sort of hypereducate the world population, there is not a more cost effective way of doing that than allowing young Americans and old alike, because there is no limit on serving in the Peace Corps, to be able to volunteer. They get paid, we got paid a small amount when we were in the Peace Corps, a stipend.

Mr. SHAYS. Reclaiming my time, it was not quite the minimum wage, but it sure met our needs.

I notice our colleague from Kentucky, and we have very little time left. I would love to yield time to my colleague.

Mr. WARD. Mr. Speaker, I appreciate the gentleman yielding that time. I have a 5-minute opportunity coming up, and we can continue this discussion, because I think it is important to recognize and to emphasize that this is a bipartisan effort.

Mr. Speaker, there are six former Peace Corps volunteers who serve in the House of Representatives, and it is evenly divided, three Democrats and three Republicans. I think that speaks to the fact that all sorts of folks have made the commitment, have been willing to spend the time and go far afield from where they grew up to give a little back and to learn a lot, because one thing that I often tell people about my time in the Peace Corps is that I benefited far more than the people I was there helping.

Mr. SHAYS. Mr. Speaker, I just would say to my colleague, I think about this experience, remembering being in a Fijian hut and seeing a picture of President Kennedy, and how much the Third World reached out to this President who was reaching out to the Third World, and thinking about a great African leader who visited President Kennedy, and President Kennedy, who was sensitive to the culture of the African community, instead of inviting him into the East Room or the Green Room or the Blue Room, invited him up into his own personal living quarters. And volunteers know the symbolism and the significance of when we were visiting a neighbor, if they would actually bring us into the most personal part of their own home, it was a great honor. That electrified the Third World, that he had shown such respect to a great African leader by inviting him into his own personal quarters.

Becoming sensitive to the concerns and the ways that people live in other countries was just a definite part of this whole Peace Corps experience. Candidly, this has brought a tremendous ability for me to interact with people of all income levels and all different social economic circumstances, all educational levels, and realize that behind that income level or that education is an extraordinarily real person that I am about to interact with.

IMPORTANCE OF THE PEACE CORPS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Kentucky [Mr. WARD] is recognized for 5 minutes.

Mr. WARD. Mr. Speaker, I yield to the gentleman from California.

Mr. FARR. I thank the gentleman from Kentucky.

Mr. Speaker, I was commenting that one of the unique feelings we all had was that each of us had the ability to live in a minority in another land and learn another language and learn another culture, and essentially be able to really understand what it is like to be outside of our own culture and our own values, because I think in order to educate people and bring them into changing behavior patterns that may have been in existence for hundreds of years, behavior patterns that might not have been good health, sanitary conditions, or nutritional habits, that you really have to be a part of them in order to bring that about. That learning that other culture, that other language, and the language I learned in Spanish, they say with every language comes a second soul.

Mr. SHAYS. I notice that the gentleman from New York [Mr. SOLOMON] is here, who has been so active in support of the veterans and what they have done. In Fiji, Mr. SOLOMON, the impact that Americans had during World War II had such an incredible result to the people of Fiji, because this was a British colony and yet the Americans went and just comfortably lived with the Fijians where they lived and went in the same buses they did.

In fact, there is a wonderful story of an American soldier being driven by an Indian in Fiji, because there are a lot of Indians around the world as we know, and when he came to this British hotel, the Indian was not allowed in. And the American soldier said the hell with that, and just brought his Indian taxicab driver in to stay with him. But this kind of interaction, this one on one on the street, living as they live, has a tremendous benefit to helping us understand their culture, but also having them appreciate Americans. So it is not just the Peace Corps, but it was our American soldiers who were there before us.

Mr. WARD. Mr. Speaker, reclaiming my time for a moment, that was one of the things that was most striking to me, as an American in Gambia, West Africa, which was also a former British colony. And when I would meet folks, meet Gambians and begin to talk to them, I would find there was in the country a certain negative feeling about Europeans, as you might expect, in a former colony.

But I found that the minute I said I was a Peace Corps volunteer, a Peace Corps, the ''s'' was pronounced, although I was pronouncing the ''s'' before I got in it, the minute I said that though I found that barriers fell, just as the gentleman from Connecticut says. I found that people became more open, more willing to listen.

Then as the gentleman from California said, when I began to speak Wolloff, which is the language of the Ollif people, there may be 1.5 million people in Western Africa who speak Wolloff, when I began to speak the language, certainly not with the ability to discuss nuclear physics, but with an ability to go through a number of greetings and to ask after family and friends and, to get to the point, we discussed about the total familiarity of saying ''Summa harit, sa harit,'' ''My house is your house.''

□ 2045

That was the phrase that really tended to bring people together and to bond us, as humans, as people who populate the Earth. I think that there is no better way for America to be represented. That is why I was very discouraged when I heard proposals which have since been dropped but proposals that would have made the Peace Corps part of the State Department. I feel very strongly that the Peace Corps needs to remain an independent entity so that there is no question of its allegiance, of its goals, of its motives.

Mr. SHAYS. When I was in the Peace Corps, one experience you are talking about, we were visiting with a whole number of villagers. We were landing on the moon. And I can remember the aura that my villagers had with the fact that Americans were on the moon and the pride that I had as an American. But to be able to sit with them in their environment and to talk about what we were actually doing was quite an experience for me.

Mr. WARD. Of course, as I would remind the gentleman, I was in high school that year. Sorry. But that is the kind of reaction that you got. When I was up country one time to go to a little tiny store, literally 200 miles in the interior of Africa and there is a picture of Mohammed Ali, another great American who is probably the most famous person in the world, along with President Kennedy. And I said that he was

from my home town. And there were a lot of questions, they wanted to discuss it. That is what we really get with the Peace Corps.

Mr. SHAYS. Mr. Speaker, I thank the gentleman for yielding to me.

GOVERNMENT 101

The SPEAKER pro tempore (Mr. BARR). Under a previous order of the House, the gentleman from Georgia [Mr. KINGSTON] is recognized for 5 minutes.

Mr. KINGSTON. Mr. Speaker, a good friend of mine Dave Reed from Savannah, Georgia sent me an article which he entitled Democracy and Government 101. It was an article written by Cecil Hodges, also from Savannah, Georgia who is a friend of mine and pastor of Bible Baptist.

He talks in the article about the size of government and basically what happens when government gets too big. I am going to read parts of this article, Mr. Speaker:

> When government is strong, especially when it is centralized, it poses a real threat to its citizens who are liable to many abuses. Every democracy faces the tendency of government demanding more and more taxes because some of its citizens are seeking ever-increasing benefits of the state.

I thought this was a very telling article. It goes on to say that a great portion of the manpower in the country becomes employed in governmental services. This becomes a problem because when the government seeks to establish a strong bureaucracy, it has to support itself. And of course, we know in this congress that the way it supports itself is by requiring the citizens through confiscatory policies to pay more and more taxes.

Then it says: All people living in a democratic society must be aware that the more government provides, the more they take from the producing citizens, and the more they control and exercise over the people. And in fact the article goes on, Dr. Hodges points out to us that eventually it enslaves its people.

This is a problem that we are faced with in our government today. This is one of the things that I am so proud of, the current freshman class, the 73 new Republican freshmen who have come in here to cut down on the size of government because they cannot do that without cutting down on the bureaucracy.

Just to give you an idea, most people always say, I hate to see the land all going away. The size of the Federal Government, Mr. Speaker, I know you probably will be shocked to learn; the Federal Government owns, listen to this number, 726,686,000 acres of land in the United States of America. The Federal Government, not mentioning the state and local government, owns 32 percent of the land in America.

Now, what does that mean? Of course it needs the taxes to support the services required on that land, people who have to take care of it. What does it also mean? It means 32 percent of the land cannot be owned by the private sector. Therefore, to pay for the upkeep of that land and all the other governmental services, we are only working with 68 percent. But actually it is less than 68 percent when you take out the state and the locally owned land.

Two hundred seventy million acres is managed by the Bureau of Land Management. This is the size, Mr. Speaker, of California, Oregon, Washington, and Arizona. And about half of the 270 million acres is severely restricted for environmental reasons, and the public cannot even go on it.

You may remember the story last year of a Boy Scout troop that was hiking in the wilderness area and one 12-year-old got lost on the trail. And the Boy Scout troop started looking for him and could not find him. Finally they called out all the correct authorities, and he was located by helicopter. They found the 12-year-old boy by helicopter. They spotted him and then they called, I believe it was the Park Service, Mr. Speaker. They said: We need permission to land because this is a motorized vehicle, and this is a pubic land that restricts motorized vehicles. And sure enough the jar-headed bureaucrats said no, you cannot do it.

How would you like to be that 12-year-old. How would you like to be the parents of that 12-year-old? They told the kid to wait where he was, that they would try to locate him on foot. Eventually they figured out they could not find him on foot. They did give permission for the helicopter to land. But what an absurd notion that we have. But that is what happens when the government owns too many things, when the government gets too big for practical and common sense.

Mr. Speaker, I bring that up just to further illustrate the story of what Dave Reed called, Dr. Hodges' article, Government and Democracy 101.

Government gets too big, our own freedoms pay the price.

Mr. Speaker, I include for the RECORD the article to which I referred.

GOVERNMENT FOR THE PEOPLE

(By Cecil Hodges)

> When government is strong, especially when it is centralized, it poses a real threat to its citizens, who are liable to many abuses.
>
> Every democracy faces the tendency of government demanding more and more taxes because some of its citizens seek ever-increasing benefits from the State.
>
> For three hundred years a nation was governed by Judges. They brought chaos to this nation. The people demanded a king. They were warned to be prepared for dangers inherent in government under sinful men. Three hazards to a strong centralized authority were given.
>
> They were warned that a king would conscript their sons for military service. He would appoint leaders and engage workers to render civil service to him and his organization of bureaucrats.
>
> Thus a great portion of the manpower of the country would be employed in governmental service. This has been one of the problems of every society when government seeks to establish a strong, self-serving bureaucratic organization.
>
> They were also warned that in order to pay for an ever-increasing bureaucratic organization, they would pay more and more taxes.
>
> All people living in a democratic society must be aware that the more government provides, the more they take from producing citizens and the more control they exercise over the people.
>
> Whenever the State increases its control over the nation's economy, enlarging its staff of officials and workers, and exacts an ever-growing portion of the nation's wealth through taxation, it becomes a monster which no longer serves the people but enslaves them.
>
> The great privileges of a free people must be safeguarded by every citizen's commitment to and participation in government that maintains law and order, administers economic justice, prevents oppression of the weak, and resists the temptation to serve its own ends.
>
> All Americans should ask themselves, ''Is the government here for us or are we here for the government?'' Our government should be of the people and for the people.

TRIBUTE TO SHARON PORTMAN

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey [Mr. PALLONE] is recognized for 5 minutes.

Mr. PALLONE. Mr. Speaker, I rise today to pay tribute to a community activist whose passing has left a void in the lives of our many friends at the New Jersey shore and in the lives of many other people who did not know her personally but who have been touched in one way or another by her good work.

Sharon Portman of Ocean Township, New Jersey died last week at the age of 54 after a two-year battle with cancer. She was one of the most caring members of our community in Monmouth County. Sharon received much praise and honor for her many years of kind and generous contributions to both the Jewish community and the community at large.

Back in September of 1993, on the occasion of the historic signing of the peace accord between Israel yell and the Palestinians on the White House lawn, I brought Sharon as my guest. She had dedicated so much of her time and energy to working for a strong and secure Israel. She believed passionately that one day Israel would achieve peace with her Arab neighbors, and she recognized that the best way to accomplish this goal was to build a State of Israel that remained true to the values of Jewish teaching and a democratic political system process, while maintaining the ability to resist military invasion and terrorism.

When the PLO leadership finally decided to give up its relentless hostility against Israel and work for mutual recognition and peace, the view that Sharon Portman had always supported and worked for was finally vindicated.

Sharon Portman was a lot of things to a lot of people. She was a staunch environmentalist and advocate for the

disadvantaged, a women's rights advocate, a friend of animals, and a businesswoman, as well as a wife and mother. I knew her best because of her love of politics. She exemplified for me that motto that we often see on bumper stickers that says, think globally, act locally.

She commented incessantly on international and national issues, but she understood that the best way she could influence public policy was by working in New Jersey for candidates and causes in which she believed. But Sharon did not just work herself. She had an incredible ability to get others involved.

At her funeral service last Sunday, I was talking about politics with a group of people and one person said that he had little interest in running for office. If Sharon were present, she would have talked to that man and encouraged him to participate for the future of his local community, for the state and for the country. She would know how to get him involved.

Sharon was above all a friend to me and everyone else that she could help in difficult times. She suffered for two years from a brain tumor, and she refused to give up. She wanted to help others who were afflicted by the same disorder.

Last summer my father-in-law was diagnosed with brain cancer, and every time I spoke to Sharon she asked me about him and wanted to help. She suggested literature, hospitals, methods of treatment, and just general information on how our family could deal with the problem and all this while she suffered so much herself.

Sharon Portman will be remembered by me and others for a long time because she served as such a wonderful example of what helping others is all about.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York [Mr. TOWNS] is recognized for 5 minutes.

[Mr. TOWNS 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 gentlewoman from Ohio [Ms. KAPTUR] is recognized for 5 minutes.

[Ms. KAPTUR addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.]

THE FIRST 6 MONTHS OF THE 104TH CONGRESS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Wisconsin [Mr. NEUMANN] is recognized for 5 minutes.

Mr. NEUMANN. Mr. Speaker, I stayed late tonight to tell the American people that we have come a long way in the first 6 months of this new Congress. We came here realizing that this nation was $4.8 trillion in debt, $19,000 for every man, woman, and child in the United States of America. For a family of five like mine, the nation faces a $95,000 debt. In our district, the income, the average income is about $32,000 a year and to do nothing but pay the interest on that federal debt, the families in my district will be saddled with the payment of over $6,000 a year, $6,000 a year out of a $32,000 average household income going to do nothing but pay the interest on the federal debt.

We came here, the 104th Congress, realizing that something had to be done about it. And after 6 months, I am happy to tell you that something has started. We have a long way to go but we have taken a lot of steps in the right direction.

First, we have passed a seven-year balanced budget plan that at least is going to stop the continued growth of this debt that seems to be endless when we start looking at it and how big the numbers are. Although we have passed that, we have done some other things that I think are equally significant. We have talked about budgets that go even further than the seven-year plan.

Out of my office we introduced a plan that would have balanced the budget in five years, and for the first time out here in Washington we started talking about paying off the debt. Our plan included a repayment plan so that in a 30-year period of time we could have repaid the entire federal debt.

It did a third thing as we produced this plan on the floor of the House about 3 months ago, our first 6 months in office. For the first time we did not use the Social Security surplus as part of the computations to balance the budget. That is a significant step forward for this country.

Our plan would have balanced the budget in five years, paid off the debt in 30 years, and not used the Social Security trust fund to do it. It is important the American people understand that the Social Security system every year collects more money in taxes than what it pays back out to our senior citizens in benefits and those extra monies that are selected should be set aside and our budget plan would have done just that.

In addition to the budget plans that were debated here, we also had introduced by my good friend from New York a plan that actually would have balanced the budget in five years. The specific cuts were laid out item for item that would have gotten us to a balanced budget in a five-year period of time. This bill is still pending in the House of Representatives and still may pass during this term of Congress. It is my hope and my desire that we see our way clear to actually passing those cuts that get us to a balanced budget in five years instead of seven.

The best news of all is that the people that are here right now in this Congress realize that government cannot keep doing for people what people ought to be doing for themselves. It is with that note that I would conclude this evening. We have got a great start, folks. We have a long ways to go. I am happy to tell you that the first 6 months have been successful, and I look forward to continued successes here in this Congress.

DRUG INTERDICTION STRATEGY

The SPEAKER pro tempore. Under the Speaker's announced policy of May 12, 1995, the gentleman from Maryland [Mr. EHRLICH] is recognized for 30 minutes as the designee of the majority leader.

Mr. EHRLICH. Mr. Speaker, I yield to the gentleman from New York [Mr. SOLOMON].

NOVEMBER'S ELECTION

Mr. SOLOMON. Mr. Speaker, I am here tonight basically to commend something that has happened in this House, and that was the election that took place back in November, because you know it brought 73 new Republican faces to this Congress that have literally changed this Congress.

I can recall last year, the year before, the year before that, when very few of us even talked about a balanced budget. The real problem facing this Nation being the national deficit that is literally turning this country into a sea of red ink and is threatening our children and our grandchildren.

□ 2100

Mr. Speaker, when I look at what has happened now, when we brought the budgets to the floor of this Congress, all the alternatives this year were with a balanced budget. Even the liberals were forced to come on this floor and offer a balanced budget. Theirs decimated the defense budget, it ruined our foreign policy. Nevertheless, every vote that was taken was on a balanced budget. Now we even have the President of the United States talking about doing it sometime into the next century, which is not satisfactory.

Mr. Speaker, what we were debating was this. Here is a 1,700-page document that is a legislative encyclopedia containing more than 500 specific spending reform proposals, as the gentleman from Wisconsin, MARK NEUMANN, has spoken to earlier. It contains more than $900 billion in budget savings over 5 years, itemized program by program in a format that is so easily transformed into other individual bills or amendments.

The bill is not intended to be used in total but as a resource document that

any Member of this Congress can use. Whether it is page 47 or page 1,600, the work has been done for each of the 435 Members of Congress that want to live up to their rhetoric, and that is to bring about a balanced budget and stop this irresponsible spending by this Congress.

Mr. Speaker, I will not go on any further, but the bill, of course, does something that needs to be done. I recall back in 1985 when we had something called a Gramm-Rudman bill that was supposed to balance the budget in 5 years. Of course, the bill was well-intentioned, but the truth of the matter is that after a couple of elections, and the changing faces of the Congress, Congress decided they could not live up to the Gramm-Rudman piece of legislation, and consequently, we abandoned it entirely, and so did we abandon any kind of fiscal responsibility.

Mr. Speaker, I would offer this again to every single Member of the Congress, and hope that as we debate these appropriation bills one by one over the next 5 weeks, that Members will take advantage of what has been done here in this legislation, use it, and let us bring about some fiscal sanity to this Congress.

Again, Mr. Speaker, I want to commend the freshman Republican class for what they have done. We are really going to do it this time, and it is so exciting. The American people really ought to be excited about it. I commend all of the Members for their great work.

Mr. EHRLICH. Mr. Speaker, on behalf of the freshman class, the chairman of the Committee on Rules is an honorary Member of the freshman class. His enthusiasm, his leadership, has pulled a lot of us through, not just during the campaign, but certainly during the first 6 months of our term here in the 104th Congress. We love him and we look to him for leadership and we thank him.

Mr. Speaker, I yield to the gentleman from Kansas.

Mr. TIAHRT. Mr. Speaker, I thank the gentleman from Maryland for yielding to me. Mr. Speaker, I came to Washington because I was concerned about the future for my children. I have three children: Jessica, who is 14; John, who is 10; and Lucas, 7. They are very important to me. I wanted to preserve for them the same opportunity I had while growing up in this free society. I wanted to preserve a future for them. However, when I look at the budget and our mounting Federal debt, and the obligations we have for the trust fund, like the Social Security trust fund, I get very concerned.

There are some schools of thought that think that this country may in fact be bankrupt, that our obligations actually exceed our assets, including all the ground that we have accumulated and highways and buildings. Mr. Speaker, I was very concerned about the future, and I think many others of us are. We want to see that we balance the budget.

As the gentleman from Wisconsin, Mr. NEUMANN, has pointed out, we have made great strides to get the budget balanced and restore faith in our economy. However, it is also important that we do other things like preserve Medicare. In order to achieve those goals we are going to have to look with a close eye to the details of what has been going on inside Congress.

I have headed up, with a group of others and over 50 cosponsors, a bill that will eliminate the Department of Energy as a Cabinet-level position. We are not doing this just to put some type of a goal to achieve, we are doing this because we are concerned about the future. When I got home before July 4 for the in-district work period, I landed about 9:30 at Wichita, Kansas. I got out of the airplane, walked out of Midcontinental International Airport, my necktie blew over my shoulder, I knew I was in Kansas. At home I saw out in the wheat fields farmers that were combining at 10:30 at night, trying to get a few more bushels before the next rainstorm came through.

I thought about how hard they are working for their dollars, and that over half of their money goes to the government, by the time you add up State and local and Federal taxes, and taxes upon taxes, about half their income. I thought about the factory workers who work at Boeing, where I used to work, that works a little overtime so their kids can have something extra.

I saw my brother-in-law who had been working some overtime, he works at Boeing. he showed me his overtime check. Over half the money was going over to taxes for the Federal Government, and how he is struggling to provide a little extra for his kids, and most of it is going to the government because we have so much we are spending.

I think about the single mother who is working a second shift trying to provide a future for her children. That is what balancing the budget is about. It is about that single mother who is working so hard, trying to preserve a future, just like I am for my children. She is trying to preserve a future for hers.

We are all off on the task of trying to balance the budget, and in doing that we are going to have to eliminate agencies, to quote Fred Smith from the Competitive Enterprise Institute. He said, ''If we cannot eliminate the Department of Energy as a Cabinet-level position, we have no hope of downsizing government.'' If we have no hope of downsizing government, we have no hope to balance the budget and preserve the future for our kids.

Mr. Speaker, in looking at the details of the Department of Energy, I found out that we have been spending billions of dollars trying to create jobs, but actually we have failed at it. The government has not done a very good job. In fact, there is $293 million that has gone to eight large corporations.

In spending this money for them we have in effect given them corporate welfare. We have required that welfare reform comes to those who are truly in need, and they are going to have to work for their benefits and do a lot of things through block grants. Now it is time I think that we look at corporate welfare.

I just have eight big beneficiaries here that I have uncovered that have been receiving corporate welfare. Some, I think, are notable because they are spending less and less money on research and development and yet they are spending government money whenever possible.

One is Citicorp. They are a $250 billion corporation according to 94 revenues. Their profits were $3.4 billion. Yet, they required $10 million from the government to help them with research.

They are taking scientists off of their payroll and funding them with our tax dollars, even when they have $3.4 billion in revenues. Another company that I would like to talk about was IBM, $64.1 billion in revenues, and $3.0 billion in profits in 1994. Yet over the last 4 years, we have spent $58 million helping them with research. I think it is time we get a handle on this. All this by the way goes through the Department of Energy. That is how I uncovered it.

What we have been trying to do is create jobs and encourage the private sector. They say ''We have some success stories.'' They do not really name the factories or the individuals that have been successful. They usually talk about their CRDAs, cooperative research and development agreements, with companies. They have about 1,400 of those. How many jobs have they actually created?

Here is one they think is a success story. A guy up in Fairbanks, Alaska has come up with a self-composting toilet. We gave him $90,000, and we thought it was a great idea. We gave him that money in 1990. Since then he has sold 12, for $10,000 each. They declared that a success story.

We have another gentleman that used to work for the Los Alamos lab, but he had a good idea, so he went home and he wanted to create this software package that he could use as kind of electronic mail. He was going to sell it to a Japanese company.

Then he found out that his biggest competitor was the United States Government. The very people that he worked with in Los Alamos wanted to give away this software program to the same Japanese company that he was trying to sell it to. It is going to cost him $600,000 because we are giving away this money.

We have a lot of problems in the Department of Energy, and I think it is time we start uncovering these. If we look at the way it has been run, as many parts of government, it cannot

withstand the scrutiny of the public eye. It is time for us to look. It is time for us to work to balance the budget, to get rid of the waste, and preserve the future for our children.

Mr. EHRLICH. Mr. Speaker, I congratulate all my colleagues for the wonderful job they have done in bringing the true message about the budget and the fiscal problems we have in this country today to the American people.

Mr. Speaker, I rise today to engage my colleague, the gentleman from New Hampshire [Mr. ZELIFF], the honorable chair of the Subcommittee on National Security of the Committee on Government Reform and Oversight, in a colloquy.

Mr. Chairman, I know we have a lot of things to talk about tonight. I know we have a lot of numbers, we have graphs to show the American public, but before we get into that I would like to thank you as your vice chairman on our subcommittee for the leadership you have shown with respect to what is in my mind the most important issue confronting this country today, the drug epidemic that drives so many of our social problems in our country.

Mr. Speaker, I know the gentleman brought some graphs and he has some opening remarks. What the gentleman does not know and what I had actually not planned on was a group of kids came to my office today from the Hickey school in Baltimore County, Maryland, troubled kids. These kids had made a wrong decision at some point in their life but now they are turning their lives around. They came to tell me about the fact they had chosen the right way. This was what in past days would have been referred to as a reform school, but we have privatized it and the vendor there is doing a good job.

Just out of curiosity, I asked every kid, there must have been a dozen kids in my office, ''How many of you abused drugs?'' Every one raised their hands. I asked them ''How many thought that drug abuse had led you down the wrong path?'' which ended them up at the Hickey school, and every one raised their hands. What a timely incident in my office today to be the predicate to our colloquy here tonight.

I really want to thank you for talking about this issue. We talked about so many different issues on this floor in the course of our campaigns, the first 6 months of the 104th Congress: drug abuse, prison construction, welfare reform, the budget deficit. However, in some way or another, every major issue in this country today, every major issue, is in some very direct way related to the drug epidemic that has hit this country, particularly in the last 15 years. I know you have some charts you want to share with us tonight. Mr. Speaker, I yield to the gentleman from New Hampshire.

Mr. ZELIFF. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I thank the gentleman for his leadership as a vice chair, and particularly his leadership within the committee that has made this such an important priority. We are dealing with Waco, a bunch of other things, but the most important thing we can possibly deal with is the drug war for America.

If we combine drugs and crime into one statistic, it has to be the most overriding issue of national importance to our national security. It is our hope within our committee that we are able to put this on the front burner again and start getting everybody to take a leadership role. I think it is absolutely vital to the future of our country and to our kids.

You just reminded me of my trip to Framingham, MA, to a women's prison, the first time I have ever been inside a prison. That is pretty scary when you hear the closing of those doors.

We visited, Dr. Lee Brown, the President's drug czar, and myself, visited with some of those ladies in there, in their probably late thirties that were in for 7 or 8 or 9 times. They were in involving drug abuse. That is basically where they started going wrong, finally they have hit the bottom and are trying desperately to put their lives back together.

It is a tragic set of events, and what is happening right now, drug use is up in all age categories and drastically up. As these charts will show, you can just see, 17- to 18-year-olds, 15- to 16-year-olds, 13- to 14-years-olds, each category, and particularly I just broke it up into various administrations, Reagan, Bush, and Clinton.

We can just see the difference here where when we stop talking about leadership in drugs, we stop as a country talking about this in our living rooms, in the rotary clubs, in the chambers of commerce, and every day talking about just say no, like Nancy Reagan talked about in her leadership, when we stop doing it, we stop doing interdiction. You just see as we stopped on the chart of interdiction, we stopped putting resources into interdiction, drug use starts to go up. It coincided with our national policies.

We are desperately trying very hard to get the President to join us in this war. I hope he will. We talked to BOB DOLE in the Senate and NEWT GINGRICH in the House. What we are hoping to do is through the efforts of our committee, get a nonpartisan across-the-board support group going where we take leadership roles.

We individually go across the States, across the country, and we go to our TV stations, our radio stations, give public service announcements. Let us start bringing this issue out front. It is very, very serious. I know the gentleman has some thoughts that he would like to add to that.

Mr. EHRLICH. Mr. Speaker, harking back to our visit from the former First Lady, Nancy Reagan, and her testimony before our committee, was it not interesting when she said she never thought ''Just say no'' would take off the way it did. I know you recall and we all recall Nancy Reagan just offhand, at some stop on her tour, on her anti-drug tour, talked about ''Just say no, it is wrong.'' It was funny, in a very cynical sense, because she became the target of some people in this country who like to make fun of ''Just say no.''

Mr. ZELIFF. Right, but she also became a role model for those people.

Mr. EHRLICH. Absolutely, absolutely, because there are some people in this country who had just given up. Nancy Reagan never said the entire strategy consists of ''Just say no.'' She never did. But for some, really on the cynical side of politics, she became a target of abuse. How unfortunate that a part of our total strategy must be ''Just say no,'' because there is a moral context to this whole argument. That is what we are trying to bring back as well.

Mr. ZELIFF. Mr. Speaker, I would ask the gentleman, if I can, do we not need to have the leadership of just saying no, role models, along with treatment programs, along with interdiction programs? Do we not need to combine all of these pieces together to have an effective package that will confront drug use in America?

Mr. EHRLICH. It is demand, it is treatment, it is source country, and it is interdiction zone, the transit zone. I know we are going to talk about that, those four elements more in the future. We have talked about this a great deal. As I have said earlier, I really commend your leadership on this, because there is no more important issue facing parents in this country today.

Like you, when I go to schools, particularly junior high schools and senior high schools, I search for something, anything, I can say to leave a message, to maybe just impact one kid. We have taken a trip recently down South, down to Florida, and talked to DEA, talked to Customs, talked to the Coast Guard, talked to Navy.

Mr. ZELIFF. People in the front lines.

Mr. EHRLICH. Right on the front lines, people truly putting themselves in harm's way for our country.

□ 2115

One thing that I feel very positive about as a result of our trip and something that I intend to talk about a lot, on many occasions during my visits to schools, is the relationship between young American men and women being put in harm's way, many miles from home, and the demand for illegal substances in this country.

I really trotted this out recently at a high school in my district. I talked to the kids. Their eyes became wider when I said, you know, there's a relationship between a demand for cocaine at this school in Baltimore County, MD and deaths of American DEA agents in South America. There was a disconnect there. They never really thought about that relationship. But in our unending campaign to strike a responsive chord with the youth of this country in trying to get this message across, I think

we have to be innovative. One way certainly is to draw that direct parallel, that direct line, between the demand for drugs in this country, which some people just laugh off, saying we cannot win the war, and the fact that we put DEA agents, FBI agents, CIA agents and Coast Guard personnel and Navy personnel and all these fine young men and women that we met in the course of our trip in harm's way. Making that connection in the minds of young people I think is certainly one very positive way we can get the message across.

Mr. ZELIFF. Another interesting thing, we visited on Saturday afternoon down there the folks that served on board the USS *Mellon*, the Coast Guard cutter that had a successful pickup on the high seas of some 5,000 pounds of marijuana. Each bale is $88,000. Just picture how that can influence people, how that can influence basic infrastructure in terms of the money value, how that can destroy economies, how that can destroy countries, how that can destroy people.

What it is doing to us is just a quiet cancer day by day. The amount of drugs that are coming up through Puerto Rico, because once it gets into Puerto Rico, it is just like a State, it goes straight into the United States. The amount of drugs coming out of Colombia and going right into Mexico, being dropped off in the middle of Mexico and then just transported across the border into the United States. Yes, demand is important.

Here is yesterday's Washington Post: U.S. Falling Far Short in Drug War, Global Criminal Groups Expand Production, Markets.

The United States and other developed countries are falling further behind in the war on drugs as criminal organizations in Latin America and Asia have increased production and become more sophisticated in distributing cocaine and heroin, according to recent U.S. intelligence reports.

We have got to wake up. If we don't we are going to be in serious trouble.

Mr. EHRLICH. I have some more recent statistics to back up, in fact, that story. If our purpose is to awaken the American public, hopefully colloquies like this will assist us in that goal. A 1994 University of Michigan study showed that 33 percent of all 8th graders, 40 percent of all 10th graders, and 50 percent of all 12th graders, high school seniors, have used some type of illicit drug.

Marijuana. Among eighth graders, twice as many have experimented with marijuana in 1993 as compared to 1991. Daily use by high school seniors in this country is up by 50 percent. The drug abuse warning network showed an 8 percent increase in drug-related emergency room visits in 1991 due to overdoses, suicide attempts, and drug-related diseases.

The numbers go on and on. I have many, many numbers here. Approximately 70 percent of the illegal drugs coming into our country today enter by land, in cargo trucks, in cars over the Mexican border, an issue we have talked about a great deal. Over half of all cocaine, 20 percent of all heroin, and 60 to 80 percent of foreign-grown marijuana available in the United States pass through or originates in Mexico. The demand in this country is so great.

We have talked a lot about putting more resources into the transit zone. The Clinton administration, as you know, has taken resources away from transit, put it into source country. The source country is part of the strategy, but the fact is the demand in this country drives this problem.

Mr. ZELIFF. Let me just add a couple of things to your very important comments.

Our third and fourth drug hearings which were held on June 27 and June 28 had testimony from the head of the DEA, head of U.S. Customs, head of the Coast Guard, President Clinton's interdiction coordinator and GAO investigators who revealed they have just completed, and this is GAO, a major study of the Clinton administration's drug strategy in source countries.

Here is what we learned:

The head of the DEA, Administrator Constantine, admitted that our exploding drug use in this country which was falling until 3 years ago and the international drug cartels should be seen as the No. 1 national security threat. He ranked it above ballistic missiles for the impact on our Nation. Yet he admitted that it is not given that ranking by his own administration's National Security Council. He spoke from the heart and called this threat a time bomb.

What he is saying is that if you put crime and drugs together, the National Security Council should look at this threat as being the No. 1 issue facing our country.

The President's interdiction coordinator, Admiral Kramek, admitted that his office which is supposed to coordinate the Nation's whole drug interdiction effort has just 6 people and that the whole interdiction effort has been cut for 3 straight years. We got admissions from DEA, the President's interdiction coordinator and the head of U.S. Customs that Clinton's drug strategy is not fulfilling expectations.

I just hope and pray that we can all get this thing together and start putting this on the front burner.

Most important of all was the GAO bombshell dropped in the hearing. This is available to anybody that would like to have a copy. After investigating the drug strategy in source countries, including extensive interviews in Colombia and Mexico, they released a study that shows that the Clinton antidrug strategy in the source countries is very badly managed, poorly coordinated among agencies, and holds a low priority in key embassies including the United States embassy in Mexico, even though 70 percent of the cocaine coming into the United States comes in through Mexico, and that the Clinton administration's drug strategy in the source countries has serious accountability problems.

What we need to do together in a nonpartisan way, we need to declare war on this effort. We need to pool resources that are needed. Yes, we do have budget problems, but we need to place priorities. We need to beef up the interdiction effort. We need to declare this a No. 1 issue. We need to go after it in a serious way and win that war.

Mr. EHRLICH. Very well put. The numbers are indeed compelling. There is one last point I would like to make. You have cited the numbers. Our strategy obviously needs to change. But people always come up to me, particularly parents, and say, ''What can I do?'' We have talked about this a great deal in our private conversations. There is one thing that every single man and woman in this country can do, particularly those who enjoy leadership positions, not just Members of Congress, not just the President, not just Members of State legislatures, but Cub Scout troop leaders, Lions Club presidents, little league coaches. If anyone in this country is in a position of authority, I believe it is incumbent upon that person to renew our commitment to a coherent drug strategy in this country.

That means when you have a stage, whether you are addressing your Lions Club, your little league team, your neighbors, it does not matter the forum, venue is irrelevant. When you have the opportunity to talk, particularly to kids, we need to get the message across. It is incumbent upon every adult in this country to help our kids make the right decision. Because we all know, it only takes one night, one single occasion, to make the wrong decision and you can be dead.

Mr. ZELIFF. Right.

Mr. EHRLICH. We have wonderful parents in this country and most parents do a wonderful job. We have peer pressure in this country on the other side. But the fact is parents and coaches and politicians cannot go with kids when they go out on Friday night and they are with their friends. That is really the troublesome time. That is the time that these kids need to make the right decision. One bad decision out of a million could end them up on the wrong side of the street.

Mr. ZELIFF. I just want to add, again to all of the things you have just said very ably, I was with Dan Golden on Monday with astronaut David Lowe, and I also had Rick Seerfoss, the astronaut on a previous mission that was up in New Hampshire, we went and in 2½ days visited with 7500 kids. You talk about a 38-year-old colonel with 3 kids, an Eagle Scout, a role model that can talk about math and science and doing your homework and reaching out and doing the things that we should be doing in an exciting way and how exciting life is in general and talking about his travels in space and some of

the products that we have been able as a by-product of the space program, the space station, and all of this.

I asked Dan Golden on Monday morning if he would be willing to have the astronauts join us in our effort in terms of role models so that we can start talking about this in space as the next mission goes up. I hope that will be successful. We have just got to be able to reach out. We ought to think about doing drug testing for Members of Congress in terms of a volunteer effort, and then staffs, and then potentially maybe every person that gets a Government paycheck, because what is the big deal if we really want to do this, we have got to declare war on it and we have got to be prepared to win the war. We have got to just say that, hey, we have a choice. We can lose everything we have got in terms of the next generation, we can lose our country, we can lose, for example, in Puerto Rico, in those source countries, in Mexico, but the bottom line is we have got to start speaking out so that we curb demand.

Mr. EHRLICH. Roles models become role models because they set an example. I look forward to working with you and the members of our subcommittee in a bipartisan manner to reenergize the leadership in this society. As I said, not just the political leadership, the leadership in all respects as we again reemphasize the message that just saying no is the right thing. It is the right thing for your future.

Mr. ZELIFF. I publicly invite, on behalf of the committee, President Clinton, NEWT GINGRICH, and BOB DOLE to join us at the very top as we will support their efforts at the very top across this country as we fan out to every single State in this country, and hopefully we can get it back on the front burner.

Mr. EHRLICH. There is no more important thing that we are going to accomplish in the 104th Congress than to reenergize the people with respect to this issue. I thank the gentleman again for his leadership.

THE REVOLUTIONARY 104TH CONGRESS

The SPEAKER pro tempore (Mr. BARR). Under the Speaker's announced policy of May 12, 1995, the gentleman from Pennsylvania [Mr. FOX] is recognized for 30 minutes as the designee of the majority leader.

Mr. FOX of Pennsylvania. Mr. Speaker, I appreciate the opportunity to have some of my colleagues join me tonight.

I first wanted to thank Chairman ZELIFF and Vice Chairman EHRLICH for the outstanding job that they have conducted, not only tonight the colloquy but for the ongoing work they have done in the war against drugs. We look forward to working with them on legislative matters that are coming up, not only their hearings but the other work that follows. We congratulate them for their efforts.

IN MEMORIAM SISTER JUDITH CLEARY

Mr. Speaker, before beginning or colloquy tonight with the gentlewoman from Washington [Mrs. SMITH] and the gentleman from Minnesota [Mr. GUTKNECHT], I did want to discuss just for a moment if I could a special part of the order tonight dealing with someone who was close to me and I think close to many people in my area, the Delaware Valley. This week just suddenly a tragic death, Sister Judith Cleary of the St. Joseph Order in Philadelphia who suddenly died.

She was someone who was 50 years old, did many accomplishments in her lifetime, many more than those who may live twice her age. She was a great humanitarian, a great teacher, dean of students at Bishop Conwell Egan, a great friend to all.

What was great about Sister Judith Cleary and I think that her life is instructive to all of us who are looking for role models and heroes and heroines, Sister Judith Cleary would take those students, making sure no one was left behind and no one left out, she would look to each person to find that which was special about them and to inspire them to greatness. I think that is really what made her life and her accomplishments a special milestone in the St. Joseph Convent and the Bishop Conwell Egan School and, for that matter, in the life of those who are in Philadelphia and the Delaware Valley.

She was really the spirit of the St. Joseph Convent where she made sure that everything got organized and done in a real humanitarian way. The world will not be the same without her but it is richer for her contributions. While God will need another angel in heaven to help in His works, we will continue remembering Sister Judith Cleary by making sure that what we do in our life for many of us whose lives she touched, to try to live life a little bit closer to others who need us, to do those things that have to be done that could be forgotten but are often remembered because we took the time to do them.

I hope that this one great American is someone that others who hear about her and who have seen her will try to carry on her great work. We will always miss her. We love her.

At this time, I would ask the gentleman from Minnesota [Mr. GUTKNECHT] and the gentlewoman from Washington [Mrs. SMITH] to join us in this special continued presentation dealing with the 104th Congress march to revolution for change, a revolution to be more accountable, a revolution to spend less of the public's money and return more to the American people.

□ 2130

In that regard I would ask Congressman GUTKNECHT to give us an update where he thinks we are in the first 6 months of this revolution as a new entering freshman; how he thinks we have done to date and where he sees us going from this point.

Mr. GUTKNECHT. Representative FOX, I want to thank you for reserving this time tonight to speak to other Members who are watching in their offices, and Americans who may be watching, to talk a little bit about what has happened in the last six months. It really has been an exciting and historic time to be here in Washington.

And I think it is important. As I flew home for the 4th of July recess, I said to myself, how lucky we are to be a part of this important point in history. And more importantly, how much has really been accomplished, if you look back in just six short months.

In fact, I remember when some of our critics and cynics were saying in October, ''Well, the Republicans have this Contract With America, but they will never be able to pass it.'' And then as we went through the contract on the first day, as you will remember, as Representative SMITH will remember, our very first official act in this congress was to pass the Shays Act, H.R. 1, which was to make certain that Congress had to play by the same laws and the same rules as everybody else. So that process began.

We also cut the size of Congress itself. We eliminated three full committees. We eliminated 25 subcommittees. We cut our committee staff by a third. We banned proxy voting, which had become so customary, where Members would not even show up for committee meetings anymore. Now we have to actually show up to cast our vote.

Those meetings are open to the public so people can see what actually happens. And we also required a three-fifths vote to pass any kind of a tax increase. That all happened on the very first day. Then we went through the Contract. The Fiscal Responsibility Act, Take Back Our Streets Act, Personal Responsibility Act, the Family Reenforcement Act, the American Dream Restoration Act, right on down through the list.

We passed all of those bills with one exception, and that was term limits, and the Speaker has promised that that will be H.R. 1 in the next Congress. And I would not hesitate to mention that we got 85 percent of our Members on this side of the aisle to vote for it, while approximately 85 percent of the people on the other side voted against it. But even with that, the American people I think ultimately will prevail.

We have made tremendous progress in beginning. As Representative NEUMANN said so well, when we came here the budget was a serious concern to all of us, the legacy that we are going to leave for our kids. And now as the appropriations bills come to the floor, we are seeing bill after bill that is actually meeting the mark and we are moving on that path toward a balanced budget. I think things are happening.

Let me just mention one other thing. I serve on the Washington, DC, subcommittee and when I volunteered to

serve on that subcommittee, I did not realize how serious the problems were here in Washington, DC. The more I learned, the more I wished I had volunteered for a different subcommittee.x

But even there, I think there is reason for hope and there is progress being made. We have appointed a special oversight board to watch over the District, and largely, I have to give a tremendous amount of credit to our chairman on the subcommittee, TOM DAVIS, from just across the river in Virginia, who has been a tremendous leader and negotiator. But we are on the right path, I think, even in the city of Washington to getting the city's fiscal house in order.

More important than even that, it was announced just last week that the Mayor and the chairman of the school board now have come together and they are talking about privatizing at least 11 of the most troubled schools here in Washington, DC, and if that is not enough, they are even going to experiment with vouchers here in Washington, DC.

Mr. FOX of Pennsylvania. Whoever thought that we would have such a revolution right here in the Capital?

Mr. GUTKNECHT. It is amazing. I am just amazed, and I would like to see their voucher plan expanded to nonpublic, private, religious-related schools. That is not going to be the case, at least for the first phase of this.

But as I said, back in the Midwest we have an expression. When people say that will never happen, one of the ways of saying that is ''When pigs fly.'' Believe it or not, here in Washington we are seeing vouchers and experimentation with privatizing the schools. So I am not going to criticize them for not going full scale with a voucher plan, because when pigs fly, I do not think we should criticize them for not staying up very long. So, we are making tremendous progress.

Mr. FOX of Pennsylvania. I think what you are talking about is what the freshman class is working on, and the gentlewoman from Washington, LINDA SMITH, has been a leader on that, when it comes to our Federal agencies looking at reducing, privatizing, consolidating and eliminating. I know that Congresswoman SMITH from Washington State was a leader in her own state in making sure that the taxpayers got their money's worth and no tax increase got through as long as she was around.

I would like to get her impression on where we are in the reform movement now after the first 6 months.

Mrs. SMITH of Washington. This was a person who this time last year said I was not going to run for Congress because Congress never did anything. And then I was a write-in candidate, and in about seven weeks I was here.

I have to say I was wrong. This is a new Congress. Those first votes were the most exciting things I have ever done; cutting this place by a third. We did not just say we were going to do it. And starting to sell a building. How exciting. We are going to cut back the staff, and there is not going to be an office if they try to expand it again.

This is a new place and it is absolutely exciting. One thing that we have done that I like a lot, too, is that we are actually going after the size of the budget in tangible ways. We have had amendment after amendment, on top of the appropriations bills already coming out lower, that are trimming them back or peeling back each layer of bureaucracy, looking underneath it to see if it is necessary.

And even today we took out millions of unnecessary bureaucracy that just did not need to be there. We passed an amendment today that said we will not build sewers and water systems in Egypt. Egypt and Saudi Arabia, where the money was going to, have their own money.

So we are just marching on, but I think there is something that we have not done and something that keeps getting shuffled around, because it is so difficult, and that is clean house. We still have things that are old ways, because they have always gone that way, that we have to fix, and one of those is any fund-raising in Washington, DC.

There is a little bit of trouble when you have to explain that to people and they say, ''Why don't you do that at home?'' A lot of good people are elected here. They come here, often running against, like one man in our state had to run against a woman called the ''PAC Queen.'' She was an incumbent. She raised millions from PACs. So he ran against her, ended up with a debt, came here and has to raise money all the time to try to pay off his debt. Good man; bad system. We need to go to and change that system.

Mr. FOX of Pennsylvania. Do you not have legislation to try to address some of these reforms?

Mrs. SMITH of Washington. Yes, there is a package coming out with a group of people, freshmen and old-timers too, that will literally stop fundraising in Washington, DC. It also abolishes all gifts and all trips.

You know, good people do things because the system is the way it is. In our State of Washington in 1992, we passed a package of legislation in an initiative that literally changed Washington, and we just got the 1994 reports out. When we abolished all these big groups' ability to give a lot of money, it dropped the cost of campaigns down by over a third and it increased individual involvement.

We literally had an explosion of grassroots activity. And people would have never thought they could run because they were not running against these big groups. If they could get a grassroots group together, then they could run.

Mr. FOX of Pennsylvania. Do not you think these kinds of reforms that Congressman GUTKNECHT is talking about, and the ones you are talking about, are going to restore the confidence of the public in the institution so that more people will want to run? We will have the term limits, so we will have the infusion of new ideas and we will be more accountable back home about spending less?

Mrs. SMITH of Washington. Yes.

Mr. FOX of Pennsylvania. Do you see that already happening in your district?

Mrs. SMITH of Washington. Yes, and when people see that they are not going to have to be running a campaign against every big special interest group in the Nation, it kind of encourages them to get involved.

And I am encouraged because I believe that there is enough guts in this area now to make this big change. But can you just imagine just running your election in your district, not having to worry about tobacco money from the South or Jane Fonda or actors from California?

I had to run against all the PAC's in the Nation, including most of the money from outside my district. But I want to tell you, you can do it. My race was so short, but it was mostly people, and it shows you can do it.

Mr. FOX of Pennsylvania. The power of the individuals over the special interests.

Mrs. SMITH of Washington. That is right. I was an incumbent in our State. I had an 88 percent name ID, and so that gave me a help. But what if you were just some good person that wanted to run and you were going to have to run against an incumbent called the ''PAC Queen,'' would you have much of a chance?

I think when we change the selection system to where you put the elections back in the States, you take good people and allow them to run good, clean campaigns, and you do not put them here, having to work, I consider it like swimming around in a polluted pond. It would be a lot more fun to swim in a clean structure. And we put good people here under a system that just needs to be changed.

Mr. FOX of Pennsylvania. It is certainly true. One of the items that I would like to get the Congressman from Minnesota to talk about.

Mr. KINGSTON. If the gentleman would yield.

Mr. FOX of Pennsylvania. Before you could, Congressman KINGSTON, reglatory reform was an area that I wanted to touch on.

Mr. KINGSTON. I just wanted one second. I never would have accused the gentlewoman from Washington [Mrs. SMITH] of being concerned about Jane Fonda. And I was curious about that, because I see her pawing the ground each night in the House Chamber looking for somebody to debate. So, I just could not let that go by, and I yield back.

Mr. FOX of Pennsylvania. Congressman KINGSTON, thank you. I would like you to join us in this colloquy. We do want to see the continuation, I believe, of what Congressman GUTKNECHT has

been working on; that is, the regulatory reform.

Many of the businesses and individuals in this country have been stifled in their individual effort to try to start a business, to in fact have the quality of life they want, because regulations and taxation have been so heavy that they cannot move forward. And the problem has been the Federal Government.

GIL, if you could take a moment to reflect on where you think we are on that war against over-regulation, burdensome rules, and over-taxation, I am sure the American people would like to hear, and my colleagues, where you think we are on that issue.

Mr. GUTKNECHT. I thank the gentleman from Pennsylvania. I would just, in follow-up to what Representative SMITH was talking about, I think the key component of what is happening here in Washington today is something, it is a line from Representative PAT ROBERTS, he said, ''The status quo doesn't live here anymore.''

And we were talking about this earlier today and one of our colleagues used the example of Cortez, when he came to the New World, he had his people burn their ships because there was no turning back. And hopefully we have come to a new world here in Washington. And there is going to be no turning back.

In fact, the Vikings when they would invade the foreign country, Vikings are more popular in the neighborhood where I come from, they would do the same thing. They would burn their ships so they understood that there was no turning back and there was only one way they were going to leave and that was victorious.

And the battles that we have in front of us, whether it be on regulatory reform, ethics reform, campaign finance reform, downsizing the Federal Government, bringing real sanity to the way the Federal Government spends our tax dollars, and more importantly our grandchildren's tax dollars, I think we have to keep that reformist attitude that there is no turning back. We cannot go back. There is only one way that we can leave.

I want to share a couple of things, because we talked about the six-month anniversary that we celebrated last week of coming here as the new Members of the 104th Congress. But we also celebrated a couple of special holidays last week.

One was, of course, Independence Day, the Fourth of July. But most Americans do not know that we celebrated on July 9th Independence from Government Day. Most people know that we work for the Federal and State government for a long, long time, but what most people do not know is if you add the total cost of regulations, regulatory reform has got to be on our list and certainly is, but the average American will work this year through Sunday, July 9th to pay all the costs of Federal, State, and local taxes and regulations.

Mrs. SMITH of Washington. Will the gentleman yield? Average?

Mr. GUTKNECHT. July 9th. The average American will work this year until July 9th to pay all of the costs of government.

Mr. FOX of Pennsylvania. Regulations and taxes and all fees?

Mr. GUTKNECHT. Regulations and taxes. The average American, and this is according to some research done, and most of the numbers I think originally came from CBO, the average American will work 190 days this year to pay his or her share of government.

That is 13 days to pay interest on the national debt, 15 days to pay for national defense, 29 days to pay for Social Security and Medicare, 36 days to pay for all other Federal programs, 42 days to pay for Federal regulations, and 55 days to pay for State and local taxes and other local regulations. The remaining 175 days, they get to work for themselves.

Mr. KINGSTON. Will the gentleman yield?

Mr. GUTKNECHT. I would be happy to yield to the gentleman from Georgia.

Mr. KINGSTON. You know, one of the tax statistics we do hear over and over again is that in the 1950's a middle-class family paid as a percentage of their income tax on the Federal level 2 percent. In 1972, that was 16 percent. In 1995, on an average, that is 24 percent.

□ 2145

So you can imagine the middle-class tax squeeze. The Secretary of the Treasury says often that we are not gaining. Of course, we are not. Any gains we make the Federal Government takes, and they are just taking it right off the plate.

Mr. FOX of Pennsylvania. I thank the gentleman from Georgia. We appreciate your leadership, being an honorary freshman and keeping your enthusiasm for the positive things we do.

Mr. KINGSTON. Does that mean I get paid what Rush Limbaugh is getting paid? He is an honorary freshman.

Mr. FOX of Pennsylvania. I do not think so. You would not want the money anyhow.

The gentleman from Florida [Mr. FOLEY] has been a leader on another reform, and I would like him to join our colloquy, if he would, on the idea of having a lockbox to make sure when we have savings achieved they actually go to deficit reduction. I think you should share with the colleagues what you did this morning on the Government Reform and Oversight Committee and joint committee with Rules, and if you would share that with us now, we would appreciate hearing about it.

Mr. FOLEY. I thank the gentleman from Pennsylvania. You have been a leader of the freshmen, and I really enjoy working with you.

The thing that is so exciting, as the gentleman from Minnesota [Mr. GUTKNECHT] and the gentlewoman from Washington [Mrs. SMITH] and the gentleman from Georgia [Mr. KINGSTON] mentioned, is the fact that the new Congress is about change. It is about proving to the American public we did not come to Washington to be a part of a system. We came from the communities. We love our communities. We want to go back to our communities. More importantly, we want to go back to our communities with the respect that we asked them to send us here in Washington.

The lockbox will provide us the opportunity for monies we save in the budget; if members of the freshman class or Members of Congress in general find $5 million or $10 million, the concept basically is to put that money in a reserve account, a lockbox, to pay off the Federal debt and deficit of this country.

For too long, if somebody found a savings, if somebody found $10 million, and around here that is small money, I am sad to say to the American public, and $10 million to me is a fortune, so much money I cannot even envision, but up here they talk about billions as if it is, Do not worry about it, America, that is not a lot of money. The lockbox provides us an opportunity to put that money aside, take it away from the hands of the politicians and say you cannot have access to that $25 million, $50 million, $100 million, $1 billion. It is in a lockbox for deficit reduction.

Now, we testified before the Committee on Rules, because they are finally getting serious about it. For the longest time, the Committee on Rules said, no, we cannot use a lockbox; that takes away the power of the appropriators, that really ruins the system of Congress being able to negotiate, you know, you hear all the terms around here, negotiate, satisfy, placate, work it out, conference. The American public did not send us here for happy games, Here, you take care of me this week, I will take care of you next week.

Mrs. SMITH of Washington. If the gentleman will yield, I think I get this, it just simply means when my amendment passed today, when we got rid of money going to Saudi Arabia and Egypt, I could have put that against the deficit.

Mr. FOLEY. Absolutely; absolutely.

Mrs. SMITH of Washington. Instead of maybe somewhere along the lien somebody says, ''Oh, she saved $500,000, let's use it over there.'' We have to do this. I totally agree.

Mr. FOLEY. A greater tragedy was the other day in the Science Committee I saved $25 million on one project. I did not commit it to anything else. I said that money should be saved.

The next day, a colleague on the other side of the aisle found that $25 million, fully committed it to another program. So after my efforts to save $25 million, they were all in vain. Today, you had that excellent amendment on the foreign operations budget. That money represents savings for the American public for the first time if

we, in fact, have a lockbox, and LINDA SMITH can say to her constituents, ''I saved millions of dollars, and it is tucked away, no longer available for pork projects.''

Mrs. SMITH of Washington. If the gentleman will yield, see, I do not look at it as savings to people right now. I look at it and look at my five grandchildren and I say it is not charging that to your future, because we are spending $200 billion a year, and it is like the charge card with my grandchildren's picture on it. We are charging away their future, and so for me it is just like every time I find something, I want to make sure that it goes to reducing the deficit, the debt, and establishes a future for my grandkids. They are just tiny little tikes, but I do not know how we can face them after a while if we do not do something serious now.

Mr. FOLEY. It is important you mention that. But you have to think of your families. The wonderful wife of the gentleman from Pennsylvania, Judy, is home in Pennsylvania talking to the constituents that sent her husband here. She has to explain the work he is doing while we are in session. We come to Washington.

We get caught up in that beltway mentality; this charge card, this card we vote with, is the largest credit card in the world, unlimited expenditures.

We have got to be able to once and for all explain to our constituents we are serious about saving their money.

I suggested the other day on a radio show maybe some Members of Congress need to go on Oprah Winfrey, have a therapist there, and talk about working it out.

They are so hungry and hell bent on spending money that does not belong to them.

If this was my Master Card or your Visa——

Mrs. SMITH of Washington. I would be maxed out. They would not let me charge more.

Mr. FOLEY. You would be very cautious about charging on that account.

Mrs. SMITH of Washington. No, the difference is they would tap me somewhere.

Mr. FOLEY. This is phony.

Mr. KINGSTON. I had an interesting experience the other day. A friend of mine from Savannah, where I am from, asked me, he has a son up here, he said, ''Would you mind taking an engagement ring up to them?'' They did not want to mail a diamond ring at the Post Office. I could not imagine why. They did not want to trust this family heirloom, and they wanted me to take it up there, so I said I would be glad to take it up tomorrow. So I picked up the ring, and I started, and, you know, in the airplane, I started thinking, you know, I have got a $5,000 or $10,000 diamond ring here in my briefcase. I pulled the briefcase up closer to my chest, put a bear hug around it. I started getting a little nervous. I went through the Charlotte airport on the way. I did not go to the bathroom. I did not want to part with my briefcase and the diamond ring. I got real nervous about it. I came up here, and I think within 30 minutes of being here, I voted, as you said, on $2 billion or $3 billion of appropriations. I thought how silly I am, getting worked up and paranoid, about this diamond ring, and yet with that same voting card, I have got one, too, readily vote for billions and billions of appropriations, and as the gentlewoman from Washington [Mrs. SMITH] was saying about that $25 million from Egypt or your amendment on $25 million, what we have been doing is we cut it, but we really just non-earmark it. We free it up, and then the bill goes to the Senate. Your $25 million is sitting there, and some Senator says, ''Ah-hah, I have got a new water project in my district. I am going to get that $25 million,'' and if for some reason it goes through the Senate and that $25 million is setting there, then it comes back to the House, and then the conference committee, they see that $25 million, and you can bet every single dollar ends up being earmarked. So these hours and hours we have debating, cutting the budget, we are not really cutting the budget. We are just not earmarking it.

Mr. FOX of Pennsylvania, I think the fact is that we are all saying, we are talking about accountability, whether it is lockbox legislation, which the gentleman from Florida [Mr. FOLEY] and the gentlewomen from Washington [Mrs. SMITH] and the gentleman from Georgia [Mr. KINGSTON] were talking about, which is going to force the Congress to spend less and make sure we worry about our children and grandchildren and to make sure we actually spend money on things that help people, not more bureaucrats, more bureaucracies. That is what it comes down to. I call on, if I can, the gentleman from Minnesota [Mr. GUTKNECHT] to talk about leading by example, because, frankly, if we do not continue the same kind of verve and spirit this next 6 months and the next year and a half in this Congress that we have in the first 6 months, then the public will not be supporting us with the new reforms we are going for.

Mr. GUTKNECHT. I thank the gentleman. I would just share, you know, in any football game, there are 60 minutes. If you look in the box scores, it will show time of possession, and you either are on offense or you are on defense. The games are almost always won by teams on offense most of the time.

The good news about this freshman class, and we are happy to have the gentleman from Georgia [Mr. KINGSTON] as an honorary member, is we are staying on offense, whether we are talking about campaign finance reform, lockbox reform, budget reform, and we are leading by example. As you say, we actually cut our own franking privileges by one-third in this Congress.

We cut total legislative appropriations by $155 million, and again, you know, in a place where we talk about billions, that may not seem like a lot of money, but if we would reduce the entire Federal budget by that same percentage point, we would pay off the debt or we would get to a zero deficit within about 5 years rather than 7 years, and let me also say that we are contributing more to our pensions. We are reducing congressional pensions. I have a bill, and I hope you will all help me get it passed, which will limit pension accrual for Members of Congress to 12 years, which will mean the end of $100,000 pensions. It will mean the maximum pension a Member could collect would be $27,000. The good news about the 104th Congress and particularly the freshman class, and I thank you again for reserving this time, is we are staying on offense. We are pressing reforms, and I think as long as we do that, I think we are going to win. We are going to get more points on the board. I think that is the key. I think that is what the American people want.

Mr. KINGSTON. If the gentleman will yield, since I am only an honorary member, I wanted to say this, what I say about the freshman class, when I go back home, on a bumper sticker, the freshman class is a group of normal people who do not want to be President, they do not want to be in the U.S. Senate, they do not want to be here forever, but some of that may happen. But for the time being, they want this, and that is to cut the budget and go home, and you are a class of business people, of homemakers, of lawyers, of teachers, of entrepreneurs, you have all kinds of different people there, but, again, you want less regulation, less government, less micromanagement out of Washington, more personal freedom. I think because of that that is why you are on the offense, because the American people are with you 100 percent.

Mr. FOX of Pennsylvania. One of the other items we are embracing, I think, is the idea of Corrections Day, whether it is the gentleman from Florida [Mr. FOLEY], yourself, the gentlewoman from Washington [Mrs. SMITH], the gentleman from Minnesota [Mr. GUTKNECHT], we are trying to make sure we get through those special reforms to make this institution be more accountable, now that we are working closely with the Speaker, NEWT GINGRICH, to make sure that when we have noncontroversial items, we can bypass the committee system so we get the changes the American people want, not get it to the next Congress or next year.

Mr. FOLEY. I think it is appropriate at this point to talk about leadership of this Chamber. You know, past Congresses, many freshman Members came to Congress with the idea of reform, and they were told by the leadership, ''Listen, sit in the back row, be quiet, you will get a chance to participate, wait 4, 5, 6 years, you, too, may be vice

chairman of a committee. Don't rock the boat.''

What I found in the leadership here with the gentleman from Georgia [Mr. GINGRICH], the gentleman from Texas [Mr. DELAY], the gentleman from Texas [Mr. ARMEY], is the fact they said, ''Listen, you were sent here by your constituents. You are equal to us. We are not any higher than you are in the electoral process. We are all Members of the House of Representatives. We each have constituents to answer for. Give it your best shot.'' I have never once been called down to the office, as happened in the past, for a scolding or a lecture or being told, ''You know, Mark, you are going out on a limb. You are embarrassing the Congress,'' or, you know, ''That is not appropriate, you are a freshman, let a senior Member lead.'' I have got to tell you, I am gratified in this process that I have been able, as a freshman, a new Member coming here from the very first day to speak on the floor, I have been given the opportunity to be in the chair, as I know the gentleman from Pennsylvania [Mr. FOX] has, and I believe the others have, that is a unique opportunity to participate fully in this democracy.

So I have to tip my hat to our leadership for giving us the chance to participate fully.

Mr. KINGSTON. I would only say if they had not given you the chance, you would have made it or taken it.

Mrs. SMITH of Washington. I just want to make a comment on what the gentleman from Florida [Mr. FOLEY] said, not only is this freshman class anxious but we are able to fully join. I did not even think about being a freshman. In fact, you do not remember who freshman are.

Have you ever seen a time in history, I am chairing a subcommittee. Now, that is not a major job, but it used to take you 20 years to get there. I do not think there is any woman on the other side, as well as most men, who have had an opportunity to chair unless they have 10, 20 years under their belt. I had 10–20 minutes under my belt and was chairing the Subcommittee on Taxation and Finance for Small Business. They have taken the energies and the talents of all Members, taken a look at them, whether they have been here 1 minute, 2 years or 20 years, and they said, ''Let us use them for the people instead of let us let them wait until they have become ripe,'' and that is just different, and I appreciate the leadership, too, and the other freshman, because this freshman class has just been fantastic at working together. It has been competitive, but competitive for the people, and the American people are really winning by this.

Mr. FOX of Pennsylvania. I think all the Members who joined me for this special colloquy. I hope we can continue a report back to the American people on a regular basis.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. YATES (at the request of Mr. GEPHARDT), on Tuesday, July 11, on account of illness in the family.

Miss COLLINS of Michigan (at the request of Mr. GEPHARDT), between 2 p.m. and 4:15 p.m. today, on account of medical reasons.

Mr. FOGLIETTA (at the request of Mr. GEPHARDT), on Monday, July 10, on account of medical reasons.

Ms. MCKINNEY (at the request of Mr. GEPHARDT) for today, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. PALLONE) to revise and extend their remarks and include extraneous material:)

Mr. FARR, for 5 minutes, today.
Mr. WARD, for 5 minutes, today.
Mr. PALLONE, for 5 minutes, today.
Mr. TOWNS, for 5 minutes, today.
Mr. OWENS, for 5 minutes, today.
Ms. KAPTUR, for 5 minutes, today.

(The following Members (at the request of Mr. FOX of Pennsylvania) to revise and extend their remarks and include extraneous material:)

Mr. DIAZ-BALART, for 5 minutes each day, on July 12 and 13.
Mr. KASICH, for 5 minutes, today.
Mr. SHAYS, for 5 minutes, today.
Mr. KINGSTON, for 5 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revised and extend remarks was granted to:

(Mr. MILLER of California, during consideration of H.R. 1905, in the Committee of the Whole today.)

(The following Members (at the request of Mr. PALLONE) and to include extraneous matter:)

Mr. TEJEDA.
Mr. UNDERWOOD.
Mr. KLECZKA.
Mr. HAMILTON in two instances.
Mrs. KENNELLY.
Mr. MILLER of California.
Mr. SKELTON in two instances.
Mr. COLEMAN.
Mr. STARK.
Mr. BENTSEN.
Mr. VISCLOSKY.
Mr. TORRICELLI.
Mr. CARDIN.

(The following Members (at the request of Mr. FOX of Pennsylvania) and to include extraneous matter:)

Mr. DAVIS.
Mr. MOORHEAD.
Mr. WELLER.
Mr. WHITE.
Mr. HUNTER.
Mr. WATTS of Oklahoma.
Mr. PORTMAN.
Mr. CUNNINGHAM.
Mr. GALLEGLY.
Mr. RADANOVITCH.
Mr. SOLOMON.
Mr. SMITH of New Jersey.
Mr. PACKARD.
Mr. SHAW.
Mr. HANSEN.

(The following Members (at the request of Mr. KINGSTON) and to include extraneous matter:)

Mr. HORN.
Mr. BROWN of California.
Mr. DE LA GARZA.
Mr. GILLMOR.
Mr. FATTAH.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under this rule, referred as follows:

S. 533. An act to clarify the rules governing removal of cases to Federal court, and for other purposes; to the Committee on the Judiciary.

S. 677. An act to repeal a redundant venue provision, and other purposes; to the Committee on the Judiciary.

BILL PRESENTED TO THE PRESIDENT

Mr. THOMAS, from the Committee on House Administration, reported that that committee did on the following date present to the President, for his approval, a bill of the House of the following title:

On July 5, 1995:

H.R. 483. An act to amend the Omnibus Budget Reconciliation Act of 1990 to permit Medicare select policies to be offered in all States.

ADJOURNMENT

Mr. KINGSTON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock and 59 minutes p.m.), the House adjourned until tomorrow, Wednesday, July 12, 1995, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1165. A letter from the President and Chairman, Export-Import Bank of the United States, transmitting a report involving United States exports to Indonesia, pursuant to 12 U.S.C. 635(b)(3)(i); to the Committee on Banking and Financial Services.

1166. A letter from the Executive Director, Thrift Depositor Protection Oversight Board, transmitting the annual report of the Oversight Board on the Resolution Funding Corporation for the calendar year 1994, pursuant to Public Law 101–73, section 511(a) (103 Stat. 404); to the Committee on Banking and Financial Services.

1167. A letter from the Executive Director, Thrift Depositor Protection Oversight Board, transmitting the audited financial statement of the Resolution Trust Corporation as

of December 31, 1994, and for the year then ended, pursuant to Public Law 101–73, section 501(a) (103 Stat. 385); to the Committee on Banking and Financial Services.

1168. A letter from the Executive Director, Thrift Depositor Protection Oversight Board, transmitting the annual report of the Oversight Board for the calendar year 1994, pursuant to Public Law 101–73, section 501(a) (103 Stat. 387); to the Committee on Banking and Financial Services.

1169. A letter from the National Center for Education Statistics, Commissioner, Office of Educational Research and Improvement, transmitting the National Center for Education Statistics [NCES] report entitled, ''The Condition of Education,'' pursuant to 20 U.S.C. 9005; to the Committee on Economic and Educational Opportunities.

1170. A letter from the Director, Defense Security Assistance Agency, transmitting notification concerning the Department of the Air Force's proposed Letter(s) of Offer and acceptance [LOA] to Singapore for defense articles and services (Transmittal No. 95–31), pursuant to 22 U.S.C. 2776(b); to the Committee on International Relations.

1171. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting notification of a proposed license for the export of major defense equipment and services sold commercially to Germany (Transmittal No. DTC–41–95), pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

1172. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting notification of a proposed license for the export of major defense equipment sold commercially to the Netherlands (Transmittal No. DTC–42–95), pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

1173. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting notification of a proposed license for the export of major defense articles and and services sold commercially to Australia (Transmittal No. DTC–32–95), pursuant to 22 U.S.C. 2776 (c) and (d); to the Committee on International Relations.

1174. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting notification that the President proposes to exercise his authority under section 614(a)(1) of the Foreign Assistance Act of 1961, as amended, to provide $3 million in defense articles and services to countries participating in the Rapid Reaction Force [RRF] in Bosnia, pursuant to 22 U.S.C. 2364(a)(1); to the Committee on International Relations.

1175. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a copy of Presidential Determination No. 95–31: suspending restrictions on United States Relations with the Palestine Liberation Organization, pursuant to Public Law 103–236, section 583(b)(2) (108 Stat. 489); to the Committee on International Relations.

1176. A letter from the Secretary, Department of the Interior, transmitting 1994 annual report of the Southwestern Pennsylvania Heritage Preservation Commission, pursuant to Public Law 100–698, section 104(b) (102 Stat. 4621); to the Committee on Resources.

1177. A letter from the Inspector General, Department of Justice, transmitting audit of the Department's private counsel debt collection program, pursuant to Public Law 102–589, section 6 (106 Stat. 5135); to the Committee on the Judiciary.

1178. A letter from the Architect of the Capitol, transmitting report of the accomplishments in achieving the requirements of the Architect of the Capitol Human Resources Act, pursuant to Public Law 103–283, section 312(d)(1)(B) (108 Stat. 1444); jointly, to the Committees on House Oversight and Appropriations.

1179. A letter from the Secretary, Department of Defense, transmitting semi-annual report on program activities to facilitate weapons destruction and nonproliferation in the former Soviet Union, October 1, 1994, through March 31, 1995, pursuant to 22 U.S.C. 5956; jointly, to the Committees on International Relations, National Security, and Appropriations.

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. WALKER: Committee on Science. H.R. 1175. A bill to amend Public Law 89–454 to provide for the reauthorization of appropriations; with an amendment (Rept. 104–123 Pt. 2). Referred to the Committee of the Whole House on the State of the Union.

Mr. LIVINGSTON: Committee on Appropriations. Report on the Subdivision of Budget Totals For Fiscal Year 1996 (Rept. 104–175). Referred to the Committee of the Whole House on the State of the Union.

Mr. YOUNG of Alaska: Committee on Resources. H.R. 1091. A bill to improve the National Park System in the Commonwealth of Virginia; with an amendment (Rept. 104–176). Referred to the Committee of the Whole House on the State of the Union.

Mr. WOLF: Committee on Appropriations. H.R. 2002. A bill making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 1996, and for other purposes (Rept. 104–177). Referred to the Committee of the Whole House on the State of the Union.

Mr. MOORHEAD: Committee on the Judiciary. H.R. 587. A bill to amend title 35, United States Code, with respect to patents on biotechnological processes (Rept. 104–178). Referred to the Committee of the Whole House on the State of the Union.

Mr. MOORHEAD: Committee on the Judiciary. H.R. 1170. A bill to provide that cases challenging the constitutionality of measures passed by State referendum be heard by a 3-judge court; with amendments (Rept. 104–179). Referred to the Committee of the Whole House on the State of the Union.

Mr. MOORHEAD: Committee on the Judiciary. S. 464. An Act to make the reporting deadlines for studies conducted in Federal court demonstration districts consistent with the deadlines for pilot districts, and for other purposes (Rept. 104–180). Referred to the Committee of the Whole House on the State of the Union.

Mr. MOORHEAD: Committee on the Judiciary. S. 532. An act to clarify the rules governing venue, and for other purposes (Rept. 104–181). Referred to the Committee of the Whole House on the State of the Union.

Ms. PRYCE: Committee on Rules. House Resolution 185. Resolution providing for consideration of the bill (H.R. 1977) making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1996, and for other purposes (Rept. 104–182). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. WOLF:

H.R. 2002. A bill making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 1996, and for other purposes.

By Mr. DE LA GARZA (for himself, Mr. EMERSON, Mr. BALDACCI, Mr. BROWN of California, Ms. DELAURO, Mr. DELLUMS, Mr. FARR, Mr. FAZIO of California, Mr. FRANK of Massachusetts, Mr. FROST, Mr. GEJDENSON, Mr. HALL of Ohio, Ms. KAPTUR, Mrs. KENNELLY, Mr. OLVER, Mr. PASTOR, Mr. SANDERS, Mr. STENHOLM, and Mr. WILSON):

H.R. 2003. A bill to authorize the Secretary of Agriculture to make temporary assistance available to support community food security projects designed to meet the food needs of low-income people, increase the self-reliance of communities in providing for their own food needs, and promote comprehensive, inclusive, and future-oriented solutions to local food, farm, and nutrition problems; to the Committee on Agriculture.

By Mr. BOEHNER:

H.R. 2004. A bill to amend the Internal Revenue Code of 1986 to exclude from the Social Security tax on self-employment income certain amounts received by insurance salesmen after retirement; to the Committee on Ways and Means.

By Mr. FORBES:

H.R. 2005. A bill to direct the Secretary of the Interior to make technical corrections in maps relating to the Coastal Barrier Resources System; to the Committee on Resources.

By Mr. GEKAS:

H.R. 2006. A bill to amend title 31, United States Code, to provide an automatic continuing appropriation for the U.S. Government; to the Committee on Appropriations, 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.

H.R. 2007. A bill to amend titles 5, 31, and 37 of the United States Code to provide for the continuance of pay and the authority to make certain expenditures and obligations during lapses in appropriations; to the Committee on Appropriations, and in addition to the Committee on Government Reform and Oversight, 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. SHAYS (for himself, Mr. JACOBS, Mr. ARCHER, Mr. ARMEY, Mr. BAKER of California, Mr. BARRETT of Wisconsin, Mr. BASS, Mr. BEILENSON, Mr. BERMAN, Mr. BLUTE, Mr. BONO, Mr. BORSKI, Mr. BROWN of Ohio, Mr. CASTLE, Mr. CHABOT, Mrs. COLLINS of Illinois, Mr. COX, Mr. DELLUMS, Mr. DORNAN, Mr. DOYLE, Mr. DREIER, Mr. ENGLISH of Pennsylvania, Mr. ENSIGN, Mr. FAWELL, Mr. FOGLIETTA, Mr. FRANK of Massachusetts, Mr. FRANKS of New Jersey, Mr. FRANKS of Connecticut, Mr. FRELINGHUYSEN, Mr. FRISA, Ms. FURSE, Mr. GALLEGLY, Mr. GEJDENSON, Mr. GEKAS, Mr. GILLMOR, Mr. GOODLING, Mr. HALL of Ohio, Mr. HANCOCK, Mr. HANSEN, Mr. HEFLEY, Mr. HINCHEY, Mr. HOEKSTRA, Mr. HOKE, Mr. HORN, Mr. HUTCHINSON, Mr. HYDE, Mr. KANJORSKI, Mr. KASICH, Mr. KIM, Mr. KING, Mr. KLINK, Mr. KLUG, Mr. KNOLLENBERG, Mr. KOLBE, Mr. LATOURETTE, Mr. LAZIO of New York, Mr. LIPINSKI, Mr. LOBIONDO, Mrs. LOWEY, Mr. LUTHER, Mr. MARKEY, Mr. MARTINEZ, Mr. MARTINI, Mr. MEEHAN, Mr. MENENDEZ, Mr. MILLER of Florida,

Mr. MOAKLEY, Mr. MOORHEAD, Mrs. MORELLA, Mr. NEY, Mr. ORTON, Mr. OXLEY, Mr. PACKARD, Mr. PALLONE, Mr. PORTER, Mr. PORTMAN, Mr. RADANOVICH, Mr. RAMSTAD, Mr. REED, Mr. REGULA, Mr. RIGGS, Ms. RIVERS, Mr. ROHRABACHER, Mrs. ROUKEMA, Mr. ROYCE, Mr. SALMON, Mr. SAXTON, Mrs. SCHROEDER, Mr. SCHUMER, Mr. SENSENBRENNER, Mr. SHAW, Mr. SKAGGS, Mr. SMITH of New Jersey, Mr. SOLOMON, Mr. SOUDER, Mr. STARK, Mr. STOCKMAN, Mr. TALENT, Mr. TORKILDSEN, Mr. TORRES, Mr. TORRICELLI, Mr. TRAFICANT, Mr. UPTON, Mr. VISCLOSKY, Mrs. WALDHOLTZ, Mr. WALKER, Mr. WAMP, Mr. ZELIFF, and Mr. ZIMMER):

H.R. 2008. A bill to repeal the quota and price support programs for peanuts; to the Committee on Agriculture.

By Ms. WOOLSEY:

H.R. 2009. A bill to amend title 5, United States Code, to include medical foods as a specific item for which coverage may be provided under the Federal Employees Health Benefits Program; to the Committee on Government Reform and Oversight.

By Mr. ZIMMER (for himself, Mr. SCHUMER, Mr. MILLER of Florida, Mr. FRANK of Massachusetts, Mr. SHAYS, Mr. JACOBS, Mr. PORTER, Mr. ROHRABACHER, Mr. ANDREWS, Mr. SAXTON, Mr. MEEHAN, Mr. SALMON, Mr. FRANKS of New Jersey, Mr. GREENWOOD, Mr. HORN, Mr. ENSIGN, and Mr. FRELINGHUYSEN):

H.R. 2010. A bill to reduce target prices for wheat, feed, grains, rice, and cotton, to provide for the determination of deficiency payments and marketing loans of these crops, to abandon the use of acreage reduction programs regarding these crops, to prohibit the provision of deficiency payments for acreage diverted from these crops, to impose income limitations on participation in programs regarding these crops, and to limit Commodity Credit Corporation outlays on behalf of these crops; to the Committee on Agriculture.

By Mr. CARDIN (for himself, Mrs. ROUKEMA, Mr. MCDERMOTT, Mr. TOWNS, Mr. PALLONE, Ms. RIVERS, Mr. NADLER, Mr. WISE, Mr. LEWIS of Georgia, Mr. FAZIO of California, Mr. MORAN, Mr. BEILENSON, and Mr. JOHNSON of South Dakota):

H.R. 2011. A bill to assure equitable coverage and treatment of emergency services under health plans; to the Committee on Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CREMEANS:

H.R. 2012. A bill to amend the Internal Revenue Code of 1986 to revise the income, estate, and gift tax rules applicable to individuals who lose U.S. citizenship; to the Committee on Ways and Means.

By Mr. FOX (for himself, Mr. SPENCE, Mr. MONTGOMERY, Mr. CUNNINGHAM, Mr. TATE, Mr. DORNAN, Mr. STOCKMAN, Mr. HOLDEN, Mr. KING, Mr. STEARNS, Mr. ROYCE, Mr. GALLEGLY, Mr. WELLER, Mr. LIPINSKI, Mr. FROST, Mr. SAXTON, Mr. LARGENT, Mr. WELDON of Pennsylvania, Mr. RAHALL, Mr. CRAMER, Mr. SOLOMON, Ms. WATERS, Mr. KENNEDY of Massachusetts, Mr. MCHALE, Mr. DOYLE, Mr. MASCARA, Mr. QUINN, Mr. FLANAGAN, Mr. BUYER, Mr. HANCOCK, Mr. ARMEY, Mr. HAYWORTH, Mr. HOEKSTRA, Mr. PETERSON of Minnesota, Mr. GUTIERREZ, Mr. COSTELLO, Mr. EVANS, Ms. DUNN of Washington, Mr. SMITH of New Jersey, Mr. DELAY, Mr. ENGLISH of Pennsylvania, Mrs. KELLY, Mr. TAUZIN, Mr. NEY, MR. GILMAN, Ms. ESHOO, Mr. MORAN, Mr. HASTINGS, of Washington, Mr. WATTS of Oklahoma, and Mr. GUTKNECHT):

H.R. 2013. A bill to provide for the display of the POW/MIA flag at each Department of Veterans Affairs medical center until the President determines that the fullest possible accounting of all Vietnam-era POW/MIA's has been made; to the Committee on Veterans' Affairs.

By Mr. HERGER (for himself, Mr. HANCOCK, and Mr. CHRISTENSEN):

H.R. 2014. A bill to amend the Internal Revenue Code of 1986 to allow a credit or refund of motor fuel excise taxes on fuel used by the motor of a highway vehicle to operate certain power takeoff equipment on such vehicle; to the Committee on Ways and Means.

By Mrs. KENNELLY:

H.R. 2015. A bill to amend the Internal Revenue Code of 1986 to provide tax incentives for the economic recovery of areas affected by the loss of employment in the financial institution and real estate sectors; to the Committee on Ways and Means.

By Mr. UNDERWOOD:

H.R. 2016. A bill to amend title 10, United States Code, to eliminate the requirement that commissioned officers of the armed services be initially appointed as reserve officers regardless of the source of their commission; to the Committee on National Security.

By Mr. MOORHEAD:

H.J. Res. 100. Joint resolution to encourage States to study and adopt interstate compacts for the regulation of interstate insurance; to the Committee on the Judiciary, and in addition to the Committee on Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. YOUNG of Alaska:

H. Con. Res. 82. Concurrent resolution directing the Secretary of the Senate to make technical corrections in the enrollment of S. 523; considered and agreed to.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

127. By the SPEAKER: Memorial of the Senate of the State of Nevada, relative to urging the Congress of the United States to investigate the utility of importing water to Nevada from sources outside Nevada; to the Committee on Resources.

128. Also, memorial of the Senate of the State of Nevada, relative to the management of public rangelands in the State of Nevada; to the Committee on Resources.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 43: Mr. ENGEL.

H.R. 60: Mr. WICKER, Mr. BACHUS, Mr. CHRYSLER, Mr. CALLAHAN, and Mr. FLANAGAN.

H.R. 65: Mr. WATTS of Oklahoma.

H.R. 104: Mr. LATOURETTE, Ms. NORTON, and Mr. WELDON of Pennsylvania.

H.R. 109: Mr. ENGEL.

H.R. 123: Mr. TANNER, Mrs. CUBIN, Mr. BASS, Mr. KLUG, and Mr. ROTH.

H.R. 157: Mr. HEINEMAN.

H.R. 218: Mr. WHITFIELD.

H.R. 240: Mr. THOMPSON.

H.R. 259: Mr. DORNAN.

H.R. 303: Mr. MCHALE, Mr. WATTS of Oklahoma, and Mrs. MINK of Hawaii.

H.R. 311: Ms. FURSE.

H.R. 312: Mr. STOCKMAN.

H.R. 357: Mr. LUTHER and Mr. BARCIA of Michigan.

H.R. 359: Mr. PICKETT.

H.R. 394: Mr. DICKEY, Mr. CLEMENT, Mr. CHRYSLER, and Mr. JOHNSON of South Dakota.

H.R. 436: Mr. DOOLITTLE, Mr. HAYES, Mr. LEACH, Mr. POMBO, Mr. PACKARD, Ms. DUNN of Washington, Mr. LIGHTFOOT, and Mr. COX.

H.R. 460: Mr. DEFAZIO, Mr. HANCOCK, Mr. BILIRAKIS, Mr. LEWIS of California, Mr. DAVIS, Mr. OBERSTAR, Mr. GUTKNECHT, and Mr. FORBES.

H.R. 468: Mr. ACKERMAN and Mr. MARKEY.

H.R. 488: Mr. EVANS.

H.R. 598: Mr. DIAZ-BALART, Mr. BROWN of Ohio, Mr. BARCIA of Michigan, Mr. MILLER of Florida, Mr. ORTON, Mr. OBERSTAR, Mr. HASTINGS of Florida, Mr. COX, Mr. FOLEY, Mr. LARGENT, and Mr. CLEMENT.

H.R. 662: Mr. LATOURETTE, Mr. ROHRABACHER, Mr. FIELDS of Texas, and Mrs. KELLY.

H.R. 682: Mr. ENGEL.

H.R. 703: Mr. ZIMMER.

H.R. 713: Mr. ENGEL and Mr. JACOBS.

H.R. 739: Mr. EMERSON.

H.R. 752: Ms. EDDIE BERNICE JOHNSON of Texas, Mr. PAXON, Mr. COLEMAN, Mr. HOEKSTRA, Mr. STUPAK, Mr. SHADEGG, Mr. BREWSTER, Mr. MARTINEZ, Ms. RIVERS, Mr. FOLEY, and Mr. SCHIFF.

H.R. 789: Mr. PAYNE of Virginia.

H.R. 797: Mr. ENGEL.

H.R. 806: Mr. NETHERCUTT and Mr. BRYANT of Tennessee.

H.R. 866: Mr. MANZULLO and Mr. KENNEDY of Massachusetts.

H.R. 952: Mr. STUMP, Mr. FOLEY, Mr. INGLIS of South Carolina, Mr. HEFLEY, Mr. PAXON, and Mr. PETE GEREN of Texas.

H.R. 972: Mr. POMEROY, Mr. MCHALE, and Mr. HALL of Texas.

H.R. 973: Mr. MCHALE.

H.R. 979: Mr. COOLEY.

H.R. 997: Mr. BARTON of Texas, Mr. EVANS, Mr. HINCHEY, Mr. NEY, and Mr. ORTIZ.

H.R. 1023: Mr. KILDEE.

H.R. 1073: Mr. OWENS, Mr. MORAN, Mr. ORTIZ, Mr. WILLIAMS, Mr. MARTINEZ, Mr. ANDREWS, Mr. FRAZER, and Mr. WELDON of Pennsylvania.

H.R. 1074: Mr. OWENS, Mr. MORAN, Mr. ORTIZ, Mr. WILLIAMS, Mr. FRAZER, Mr. STUDDS, and Mr. WELDON of Pennsylvania.

H.R. 1114: Mr. WELDON of Florida, Mr. FOLEY, Mr. LAHOOD, and Mr. JOHNSON of South Dakota.

H.R. 1127: Mr. LATHAM, Ms. DUNN of Washington, Mr. CHRISTENSEN, Mr. ENSIGN, Mrs. CUBIN, Mr. SAXTON, Mr. CHAMBLISS, Mr. SANFORD, Mr. OXLEY, and Mr. FRANK of Massachusetts.

H.R. 1172: Mr. FLAKE, Ms. RIVERS, Mr. LEACH, Mr. GUNDERSON, Mr. DEUTSCH, and Mr. FOX.

H.R. 1222: Ms. WOOLSEY.

H.R. 1299: Mr. MILLER of California and Mr. ENGEL.

H.R. 1318: Mr. STENHOLM.

H.R. 1363: Mr. BAKER of Louisiana.

H.R. 1370: Mr. EDWARDS, Mr. PETE GEREN of Texas, and Mr. STENHOLM.

H.R. 1386: Mr. DORNAN.

H.R. 1454: Mr. RADANOVICH, Mr. CLEMENT, Mr. TORRES, Mr. SKEEN, Ms. ROYBAL-ALLARD, and Mr. PETRI.

H.R. 1547: Mr. BONIOR.

H.R. 1637: Mr. EWING, Mr. PORTER, Mr. ENGLISH of Pennsylvania, and Mr. ZIMMER.

H.R. 1644: Mr. SOUDER and Mr. SANFORD.

H.R. 1661: Mr. CUNNINGHAM, Mr. BAKER of Louisiana, Mr. PICKETT, Mr. MINGE, Mr. UNDERWOOD, and Mr. TALENT.

H.R. 1662: Mr. KLECZKA, Mr. KINGSTON, Mr. JOHNSON of South Dakota, Ms. DUNN of Washington, and Mr. MINGE.

H.R. 1684: Mr. JOHNSON of South Dakota and Mr. OXLEY.

H.R. 1687: Mr. SALMON.

H.R. 1735: Ms. RIVERS and Mr. THOMPSON.

H.R. 1739: Mr. MINGE.

H.R. 1744: Mr. EHLERS, Mr. MINGE, and Mr. SMITH of New Jersey.

H.R. 1749: Mr. DOYLE, Mrs. MORELLA, and Mr. ARMEY.

H.R. 1758: Mr. HILLIARD.

H.R. 1781: Mr. MARTINEZ.

H.R. 1807: Mr. LEWIS of Georgia and Mr. CLEMENT.

H.R. 1818: Mr. SOUDER, Mr. MCKEON, Mr. MCINTOSH, and Mr. EHLERS.

H.R. 1853: Mr. SERRANO and Mr. LAFALCE.

H.R. 1856: Mr. BONO and Mr. BILBRAY.

H.R. 1883: Mr. CREMEANS and Mr. STENHOLM.

H.R. 1904: Mr. STUPAK.

H.R. 1915: Mr. HASTINGS of Washington, Mr. BEREUTER, Mr. COMBEST, and Mr. BARTLETT of Maryland.

H.R. 1950: Mr. MARTINI, Mr. PAYNE of New Jersey, Mr. MORAN, Mr. MARTINEZ, and Ms. WATERS.

H.R. 1957: Mr. TRAFICANT.

H.R. 1963: Mr. LAZIO of New York, Mrs. THURMAN, and Mr. FLAKE.

H.R. 1967: Mr. CAMP, Mr. ENSIGN, Mr. LEWIS of Georgia, and Mr. MCCRERY.

H.R. 1972: Mr. HOKE, Mr. LAHOOD, and Mr. PETERSON of Minnesota.

H.R. 1984: Mr. OXLEY and Mr. ZIMMER.

H.R. 1987: Mr. ROTH, Mr. ROYCE, Mr. MANZULLO, Mr. BALLENGER, Ms. ROS-LEHTINEN, Mr. ROHRABACHER, Mr. KING, Mr. BROWNBACK, Mr. FUNDERBURK, Mr. CHABOT, Mr. SALMON, Mr. HOUGHTON, Mr. SANFORD, and Mrs. MEYERS of Kansas.

H. Con. Res. 21: Ms. MOLINARI, Ms. NORTON, and Mr. FRANK of Massachusetts.

H. Con. Res. 23: Mr. WYNN, Mr. LATHAM, and Miss COLLINS of Michigan.

H. Con. Res. 79: Mr. DELLUMS, Mr. BOUCHER, Mr. MARTINEZ, Mr. THOMPSON, Mr. EVANS, and Ms. WOOLSEY.

H. Res. 174: Mr. KENNEDY of Massachusetts, Ms. PELOSI, Mr. DEFAZIO, Mr. FARR, Mr. FRAZER, Ms. RIVERS, Mr. OBERSTAR, and Mr. BEILENSON.

AMENDMENTS

Under clause 6 of rule XXIII, proposed amendments were submitted as follows:

H.R. 1976

OFFERED BY: MR. DEUTSCH

AMENDMENT NO. 5: Page 71, after line 2, insert the following new section:

SEC. 726. None of the funds made available in this Act may be used to provide assistance to, or to pay the salaries of personnel who carry out a market promotion program pursuant to section 203 of the Agricultural Trade Act of 1978 (7 U.S.C. 5623) that provides assistance to, the U.S. Mink Export Development Council or any mink industry trade association.

H.R. 1976

OFFERED BY: MR. DURBIN

AMENDMENT NO. 6: Page 71, after line 2, insert the following new section:

SEC. 726. None of the funds made available in this Act to the Department of Agriculture may be used (1) to carry out, or pay the salaries of personnel who carry out, any extension service program, market news program, or market analysis program for tobacco or tobacco products; or (2) to provide, or to pay the salaries of personnel who provide, crop insurance for tobacco for the 1996 or later crop years.

H.R. 1976

OFFERED BY: MR. GUTIERREZ

AMENDMENT NO. 7: Page 55, line 24 insert after ''law'' the following:

, and which includes a reasonable amount that shall be expended to prepare a report, to be submitted to the Congress not later than 30 days after the date of the enactment of this Act, identifying the nature and extent of the adverse health effects that would be caused by restricting eligibility for food stamp benefits as a result of enacting section 403 of H.R. 4 as passed on March 24, 1995, by the House of Representatives

H.R. 1976

OFFERED BY: MRS. LOWEY

AMENDMENT NO. 8: At the appropriate place in the bill, insert the following new section:

SEC. . None of the funds made available in this Act may be used to provide deficiency payments and land diversion payments described in paragraph (1), or other payments described in paragraph (2)(B), of section 1001 of the Food Security Act of 1985 (7 U.S.C. 1308) to any person when it is made known to the Federal entity or official to which the funds are made available that the person has an annual adjusted gross income of $100,000 or more from off-farm sources.

H.R. 1976

OFFERED BY: MRS. LOWEY

AMENDMENT NO. 9: At the appropriate place in the bill, insert the following new section:

SEC. . None of the funds made available in this Act may be used for a quota support rate greater than $550 per ton for the 1996 crop of quota peanuts.

H.R. 1976

OFFERED BY: MR. SCHUMER

AMENDMENT NO. 10: Page 29, line 24, strike ''$10,400,000,000'' and insert ''$10,290,000,000''.

H.R. 1976

OFFERED BY: MR. SCHUMER

AMENDMENT NO. 11: Page 71, after line 2, insert the following new section:

SEC. 726. None of the funds made available in this Act may be used to pay the salaries of personnel who carry out a market promotion program pursuant to section 203 of the Agricultural Trade Act of 1978 (7 U.S.C. 5623).

H.R. 1976

OFFERED BY: MR. SCHUMER

AMENDMENT NO. 12: Page 71, after line 2, insert the following new section:

SEC. 726. (a) LIMITATION ON USE OF FUNDS.—None of the funds made available in this Act may be used to pay the salaries of personnel who carry out a market promotion program pursuant to section 203 of the Agricultural Trade Act of 1978 (7 U.S.C. 5623).

(b) CORRESPONDING REDUCTION IN FUNDS.—The amount otherwise provided in this Act for ''Commodity Credit Corporation Fund—Reimbursement for Net Realized Losses'' is hereby reduced by $110,000,000.

H.R. 1977

OFFERED BY: MR. CHABOT

AMENDMENT NO. 11: Page 73, strike line 16 and all that follows through page 74, line 15.

H.R. 1977

OFFERED BY: MRS. CLAYTON

AMENDMENT NO. 12: Page 55, line 5, strike ''$384,504,000'' and insert ''$304,504,000''.

Page 66, strike lines 14 and 15 and insert the following: ''For necessary expenses for the Office of Indian Education, $81,000,000.''.

H.R. 1977

OFFERED BY: MRS. CLAYTON

AMENDMENT NO. 13: Page 66, strike lines 14 and 15 and insert the following: ''For necessary expenses for the Office of Indian Education, $81,000,000.''.

H.R. 1977

OFFERED BY: MR. COBURN

AMENDMENT NO. 14: Page 5, strike lines 11 through 17.

Page 11, strike lines 9 through 17.

Page 17, strike lines 15 through 26.

Page 47, strike lines 17 through 25.

Page 66, strike lines 11 through 15 and insert the following:

DEPARTMENT OF EDUCATION

OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

INDIAN EDUCATION

For necessary expenses to carry out, to the extent not otherwise provided, title VI of the Elementary and Secondary Education Act of 1965, $52,500,000, to be allocated directly to local educational agencies in direct proportion to the funding received in fiscal year 1995, with no administrative costs at the Federal level.

H.R. 1977

OFFERED BY: MR. COBURN

AMENDMENT NO. 15: Page 5, strike lines 11 through 17.

Page 11, strike lines 9 through 17.

Page 17, strike lines 15 through 26.

Page 47, strike lines 17 through 25.

Page 66, strike lines 11 through 15 and insert the following:

Department of Education

OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

INDIAN EDUCATION

For necessary expenses to carry out, to the extent not otherwise provided, title VI of the Elementary and Secondary Education Act of 1965, $52,500,000.

H.R. 1977

OFFERED BY: MR. CREMEANS

AMENDMENT NO. 16. Page 94, after line 24, add the following:

SEC. 318. None of the funds appropriated or otherwise made available by this Act may be used for the purposes of acquiring lands in the counties of Lawrence or Washington, Ohio, for the Wayne National Forest.

H.R. 1977

OFFERED BY: MR. FAZIO OF CALIFORNIA

AMENDMENT NO. 17. Page 2, line 11, strike ''$570,017,000'' and insert ''$569,417,000''.

Page 2, line 12, strike ''of which'' and all that follows through '', and'' on line 17.

Page 3, line 4, strike ''$570,017,000'' and insert ''$569,417,000''.

H.R. 1977

OFFERED BY: MR. FAZIO

AMENDMENT NO. 18: Page 2, line 11, strike ''$570,017,000'' and insert ''$569,417,000''.

Page 2, line 12, strike ''of which'' and all that follows through '', and'' on line 17.

Page 3, line 4, strike ''$570,017,000'' and insert ''$569,417,000''.

Page 16, line 10, strike ''$1'' and insert ''$1,700,000''.

H.R. 1977

OFFERED BY: MR. FAZIO

AMENDMENT NO. 19: Page 2, line 11, strike ''$570,017,000'' and insert ''$569,417,000''.

Page 2, line 12, strike ''of which'' and all that follows through '', and'' on line 17.

Page 3, line 4, strike ''$570,017,000'' and insert ''$569,417,000''.

Page 16, line 5, strike ''$1,088,249,000'' and insert ''$1,088,849,000''.

Page 16, line 9, strike '', and'' and all that follows through ''serve'' on line 12.

H.R. 1977

OFFERED BY: MR. FAZIO

AMENDMENT NO. 20: Page 2, line 11, strike ''$570,017,000'' and insert ''$569,417,000''.

Page 2, line 12, strike ''of which'' and all that follows through '', and'' on line 17.

Page 3, line 4, strike ''$570,017,000'' and insert ''$569,417,000''.

Page 16, line 10, strike ''$1'' and insert ''$1,700,000''.

H.R. 1977

OFFERED BY: MR. FAZIO

AMENDMENT NO. 21: Page 2, line 11, strike ''$570,017,000'' and insert ''$569,417,000''.

Page 2, line 12, strike ''of which'' and all that follows through '', and'' on line 17.

Page 3, line 4, strike ''$570,017,000'' and insert ''$569,417,000''.

Page 16, line 5, strike ''$1,088,249,000'' and insert ''$1,088,949,000''.

Page 16, line 10, strike ''$1'' and insert ''$1,700,000''.

H.R. 1977

OFFERED BY: MR. FAZIO

AMENDMENT NO. 22: Page 16, line 9, strike '', and'' and all that follows through ''serve'' on line 12.

H.R. 1977

OFFERED BY: MR. FAZIO

AMENDMENT NO. 23: Page 16, line 5, strike ''$1,088,249,000'' and insert ''$1,088,849,000''.

Page 16, line 9, strike '', and'' and all that follows through ''serve'' on line 12.

H.R. 1977

OFFERED BY: MR. FAZIO

AMENDMENT NO. 24: Page 16, line 10, strike ''$1'' and insert ''$1,700,000''.

H.R. 1977

OFFERED BY: MR. FAZIO

AMENDMENT NO. 25: Page 16, line 5, strike ''$1,088,249,000'' and insert ''$1,088,949,000''.

Page 16, line 10, strike ''$1'' and insert ''$1,700,000''.

H.R. 1977

OFFERED BY: MR. GALLEGLY

AMENDMENT NO. 26: Page 34, line 24, strike ''$69,232,000'' of which (1) $65,705,000 shall be'' and insert ''$52,405,000, to remain''.

Page 34, line 25, strike ''technical assistance'' and all that follows through ''controls, and'' on line 1 of page 35.

Page 35, strike lines 11 and 12 and insert: ''272): *Provided*''.

Page 35, line 25, strike ''funding:'' and all that follows through line 23 on page 36 and insert ''funding.''.

H.R. 1977

OFFERED BY: MR. GILCHREST

AMENDMENT NO. 27: Page 19, line 17, insert after ''program'' the following:

when it is made known to the Federal official having authority to obligate or expend such funds that the volunteers are not properly trained or that information gathered by the volunteers is not carefully verified.

H.R. 1977

OFFERED BY: MR. GUTKNECHT

AMENDMENT NO. 28: Page 94, after line 24, insert the following new section:

SEC. 318. None of the funds provided in this Act may be made available for the Mississippi River Corridor Heritage Commission.

H.R. 1977

OFFERED BY: MR. KENNEDY OF MASSACHUSETTS

AMENDMENT NO. 29: Page 55, line 5, strike ''$384,504,000'' and insert ''$379,524,000''.

H.R. 1977

OFFERED BY: MR. KENNEDY OF MASSACHUSETTS

AMENDMENT NO. 30: Page 55, line 5, strike ''$384,504,000'' and insert ''$379,524,000''.

Page 56, line 3, strike ''$552,871,000'' and insert ''$557,851,000''.

Page 56, line 10, strike ''$133,946,000'' and insert ''$138,926,000''.

Page 56, line 17, strike ''$107,446,000'' and insert ''$112,426,000''.

H.R. 1977

OFFERED BY: MR. KLECZKA

AMENDMENT NO. 31: Page 55, line 5, strike ''$384,504,000'' and insert ''$379,524,000''.

H.R. 1977

OFFERED BY: MR. MILLER OF CALIFORNIA

AMENDMENT NO. 32: Page 5, line 15, strike ''$8,500,000'' and insert ''$14,750,000''.

Page 11, line 16, strike ''$14,100,000'' and insert ''$67,300,000''.

Page 17, line 21, strike ''$14,300,000'' and insert ''$84,550,000''.

Page 17, line 26, strike ''$1,500,000'' and insert ''$3,240,000''.

Page 47, line 23, strike ''$14,600,000'' and insert ''$65,310,000''.

Page 55, line 5, strike ''$384,504,000'' and insert ''$200,854,000''.

H.R. 1977

OFFERED BY: MR. MILLER OF CALIFORNIA

AMENDMENT NO. 33: Page 45, line 24, strike ''$1,276,688,000'' and insert ''$1,245,720,000''.

H.R. 1977

OFFERED BY: MR. MILLER OF CALIFORNIA

AMENDMENT NO. 34: Page 47, line 13, strike all that follows after ''United States'' through line 16 and insert a period.

H.R. 1977

OFFERED BY: MR. OWENS

AMENDMENT NO. 35: Page 94, after line 24, insert the following new section:

SEC. 318. (a) RESERVATION OF ROYALTY.—Production of all locatable minerals from any mining claim located under the general mining laws, or mineral concentrates or products derived from locatable minerals from any mining claim located under the general mining laws, as the case may be, shall be subject to a royalty of 8 percent of the gross income from such production. The claimholder and any operator to whom the claimholder has assigned the obligation to make royalty payments under the claim and any person who controls such claimholder or operator shall be jointly and severally liable for payment of such royalties.

(b) DUTIES OF CLAIM HOLDERS, OPERATORS, AND TRANSPORTERS.—(1) A person—

(A) who is required to make any royalty payment under this section shall make such payments to the United States at such times and in such manner as the Secretary may by rule prescribe; and

(B) shall notify the Secretary, in the time and manner as may be specified by the Secretary, of any assignment that such person may have made of the obligation to make any royalty or other payment under a mining claim.

(2) Any person paying royalties under this section shall file a written instrument, together with the first royalty payment, affirming that such person is liable to the Secretary for making proper payments for all amounts due for all time periods for which such person as a payment responsibility. Such liability for the period referred to in the preceding sentence shall include any and all additional amounts billed by the Secretary and determined to be due by final agency or judicial action. Any person liable for royalty payments under this section who assigns any payment obligation shall remain jointly and severally liable for all royalty payments due for the claim for the period.

(3) A person conducting mineral activities shall—

(A) develop and comply with the site security provisions in operations permit designed to protect from theft the locatable minerals, concentrates or products derived therefrom which are produced or stored on a mining claim, and such provisions shall conform with such minimum standards as the Secretary may prescribe by rule, taking into account the variety of circumstances on mining claims; and

(B) not later than the 5th business day after production begins anywhere on a mining claim, or production resumes after more than 90 days after production was suspended, notify the Secretary, in the manner prescribed by the Secretary, of the date on which such production has begun or resumed.

(4) The Secretary may by rule require any person engaged in transporting a locatable mineral, concentrate, or product derived therefrom to carry on his or her person, in his or her vehicle, or in his or her immediate control, documentation showing, at a minimum, the amount, origin, and intended destination of the locatable mineral, concentrate, or product derived therefrom in such circumstances as the Secretary determines is appropriate.

(c) RECORDKEEPING AND REPORTING REQUIREMENTS.—(1) A claim holder, operator, or other person directly involved in developing, producing, processing, transporting, purchasing, or selling locatable minerals, concentrates, or products derived therefrom, subject to this Act, through the point of royalty computation shall establish and maintain any records, make any reports, and provide any information that the Secretary may reasonably require for the purposes of implementing this section or determining compliance with rules or orders under this section. Such records shall include, but not be limited to, periodic reports, records, documents, and other data. Such reports may also include, but not be limited to, pertinent technical and financial data relating to the quantity, quality, composition volume, weight, and assay of all minerals extracted from the mining claim. Upon the request of any officer or employee duly designated by the Secretary or any State conducting an audit or investigation pursuant to this section, the appropriate records, reports, or information which may be required by this section shall be made available for inspection and duplication by such officer or employee or State.

(2) Records required by the Secretary under this section shall be maintained for 6 years after cessation of all mining activity at the claim concerned unless the Secretary notifies the operator that he or she has initiated an audit or investigation involving such records and that such records must be maintained for a longer period. In any case when an audit or investigation is underway, records shall be maintained until the Secretary releases the operator of the obligation to maintain such records.

(d) AUDITS.—The Secretary is authorized to conduct such audits of all claim holders, operators, transporters, purchasers, processors, or other persons directly or indirectly involved in the production or sales of minerals covered by this title, as the Secretary deems necessary for the purposes of ensuring compliance with the requirements of this section. For purposes of performing such audits, the Secretary shall, at reasonable times and upon request, have access to, and may copy, all books, papers and other documents that relate to compliance with any provision of this section by any person.

(e) COOPERATIVE AGREEMENTS.—(1) The Secretary is authorized to enter into cooperative agreements with the Secretary of Agriculture to share information concerning the royalty management of locatable minerals, concentrates, or products derived therefrom,

to carry out inspection, auditing, investigation, or enforcement (not including the collection of royalties, civil or criminal penalties, or other payments) activities under this section in cooperation with the Secretary, and to carry out any other activity described in this section.

(2) Except as provided in paragraph (4)(A) of this subsection (relating to trade secrets), and pursuant to a cooperative agreement, the Secretary of Agriculture shall, upon request, have access to all royalty accounting information in the possession of the Secretary respecting the production, removal, or sale of locatable minerals, concentrates, or products derived therefrom from claims on lands open to location under the general mining laws.

(3) Trade secrets, proprietary, and other confidential information shall be made available by the Secretary pursuant to a cooperative agreement under this subsection to the Secretary of Agriculture upon request only if—

(A) the Secretary of Agriculture consents in writing to restrict the dissemination of the information to those who are directly involved in an audit or investigation under this section and who have a need to know;

(B) the Secretary of Agriculture accepts liability for wrongful disclosure; and

(C) the Secretary of Agriculture demonstrates that such information is essential to the conduct of an audit or investigation under this subsection.

(f) INTEREST AND SUBSTANTIAL UNDERREPORTING ASSESSMENTS.—(1) In the case of mining claims where royalty payments are not received by the Secretary on the date that such payments are due, the Secretary shall charge interest on such under payments at the same interest rate as is applicable under section 6621(a)(2) of the Internal Revenue Code of 1986. In the case of an underpayment, interest shall be computed and charged only on the amount of the deficiency and not on the total amount.

(2) If there is any underreporting of royalty owed on production from a claim for any production month by any person liable for royalty payments under this section, the Secretary may assess a penalty of 10 percent of the amount of that underreporting.

(3) If there is a substantial underreporting of royalty owed on production from a claim for any production month by any person responsible for paying the royalty, the Secretary may assess an additional penalty of 10 percent of the amount of that underreporting.

(4) For the purposes of this subsection, the term ''underreporting'' means the difference between the royalty on the value of the production which should have been reported and the royalty on the value of the production which was reported, if the value which should have been reported is greater than the value which was reported. An underreporting constitutes a ''substantial underreporting'' if such difference exceeds 10 percent of the royalty on the value of production which should have been reported.

(5) The Secretary shall not impose the assessment provided in paragraphs (2) or (3) of this subsection if the person liable for royalty payments under this section corrects the underreporting before the date such person receives notice from the Secretary that an underreporting may have occurred, or before 90 days after the date of the enactment of this section, whichever is later.

(6) The Secretary shall waive any portion of an assessment under paragraph (2) or (3) of this subsection attributable to that portion of the underreporting for which the person responsible for paying the royalty demonstrates that—

(A) such person had written authorization from the Secretary to report royalty on the value of the production on basis on which it was reported, or

(B) such person had substantial authority for reporting royalty on the value of the production on the basis on which it was reported, or

(C) such person previously had notified the Secretary, in such manner as the Secretary may by rule prescribe, of relevant reasons or facts affecting the royalty treatment of specific production which led to the underreporting, or

(D) such person meets any other exception which the Secretary may, by rule, establish.

(7) All penalties collected under this subsection shall be deposited in the Treasury.

(g) EXPANDED ROYALTY OBLIGATIONS.—Each person liable for royalty payments under this section shall be jointly and severally liable for royalty on all locatable minerals, concentrates, or products derived therefrom lost or wasted from a mining claim located or converted under this section when such loss or waste is due to negligence on the part of any person or due to the failure to comply with any rule, regulation, or order issued under this section.

(h) EXCEPTION.—No royalty shall be payable under subsection (a) with respect to minerals processed at a facility by the same person or entity which extracted the minerals if an urban development action grant has been made under section 119 of the Housing and Community Development Act of 1974 with respect to any portion of such facility.

(i) EFFECTIVE DATE.—The royalty under this section shall take effect with respect to the production of locatable minerals after the enactment of this Act, but any royalty payments attributable to production during the first 12 calendar months after the enactment of this Act shall be payable at the expiration of such 12-month period.

H.R. 1977

OFFERED BY: MR. RICHARDSON

AMENDMENT NO. 36: Page 23, line 19, strike ''$87,000,000'' and insert ''$60,220,000''.

Page 55, line 5, strike ''$384,504,000'' and insert ''$357,724,000''.

Page 55, line 22, strike ''$151,028,000'' and insert ''$124,247,000''.

Page 66, strike lines 11 through 15 and insert the following:

DEPARTMENT OF EDUCATION

OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

INDIAN EDUCATION

For necessary expenses to carry out, to the extent not otherwise provided, title VI of the Elementary and Secondary Education Act of 1965, $81,341,000.

H.R. 1977

OFFERED BY: MR. RICHARDSON

AMENDMENT NO. 37: Page 29, line 15, strike ''*Provided further,*'' and all that follows through ''November 30, 1997:'' on line 18.

H.R. 1977

OFFERED BY: MR. SANDERS

AMENDMENT NO. 38: Page 37, line 19, strike ''$55,982,000'' and insert ''$53,919,000''.

Page 75, line 15, strike ''$1,000,000'' and insert ''$3,063,000''.

H.R. 1977

OFFERED BY: MR. SANDERS

AMENDMENT NO. 39: Page 37, line 19, strike ''$55,982,000'' and insert ''$53,919,000''.

Page 75, strike lines 14 through 17 and insert ''For expenses necessary for the Advisory Council on Historic Preservation, $3,063,000''.

H.R. 1977

OFFERED BY: MR. SANDERS

AMENDMENT NO. 40: Page 55, line 5, strike ''$384,504,000'' and insert ''$284,504,000''.

Page 56, line 3, strike ''$552,871,000'' and insert ''$652,871,000''.

Page 56, line 10, strike ''133,946,000'' and insert ''$233,946,000''.

Page 56, line 17, strike ''$107,446,000'' and insert ''$207,446,000''.

H.R. 1977

OFFERED BY: MR. SCHAEFER

AMENDMENT NO. 41: Page 57, line 7, strike ''$287,000,000'' and all that follows through ''Reserve'' on line 21, and insert the following:

$187,000,000, to remain available until expended, which shall be derived by transfer of unobligated balances from the ''SPR petroleum account''.

H.R. 1977

OFFERED BY: MR. SCHAEFER

AMENDMENT NO. 42: Page 57, line 9, strike ''and'' and all that follows through ''Reserve'' on line 21.

H.R. 1977

OFFERED BY: MR. SCHAEFER

AMENDMENT NO. 43: Page 57, line 11, strike '': *Provided*'' and all that follows through ''Reserve'' on line 21.

H.R. 1977

OFFERED BY: MR. SKAGGS

AMENDMENT NO. 44: On page 5, line 10, after the period insert the following:

None of the funds appropriated to implement such Act shall be used for payments with respect to entitlement lands (as defined in such Act) whose ownership is subject to litigation or with respect to which a State or political subdivision of a State has asserted a formal claim of ownership.

H.R. 1977

OFFERED BY: MR. SKAGGS

AMENDMENT NO. 45: On page 17, line 5, strike ''$114,868,000,'' and in lieu thereof insert ''$89,868,000 to be used at the discretion of the Secretary of the Interior and ''

H.R. 1977

OFFERED BY: MR. SKAGGS

AMENDMENT NO. 46: On page 56, line 10, strike ''$133,946,000,'' and in lieu thereof insert ''$148,946,000''; on page 56, line 17, strike ''$107,446,000'' and in lieu thereof ''$120,446,000''; and on page 56, line 18, strike ''$26,500,000'' and in lieu thereof insert ''$28,500,000''.

H.R. 1977

OFFERED BY: MRS. SMITH OF WASHINGTON

AMENDMENT NO. 47: Page 72, line 12, strike ''$6,152,000'' and insert ''$5,140,100''.

H.R. 1977

OFFERED BY: MR. ZIMMER

AMENDMENT NO. 48: Page 94, after line 24, insert the following new section:

SEC. 318. None of the funds made available in this Act may be used (1) to demolish the bridge between Jersey City, New Jersey, and Ellis Island; or (2) to prevent pedestrian use of such bridge, when it is made known to the Federal official having authority to obligate or expend such funds that such pedestrian use is consistent with generally accepted safety standards.

H.R. 1977

OFFERED BY: MR. ZIMMER

AMENDMENT NO. 49: Page 94, after line 24, insert the following new sections:

SEC. 318. DEFICIT REDUCTION TRUST FUND.

(a) ESTABLISHMENT.—A trust fund known as the ''Deficit Reduction Trust Fund'' (hereinafter in this Act referred to as the ''Fund'') shall be established in the Treasury of the United States.

(b) CONTENTS.—The Fund shall consist only of amounts contained in the deficit reduction lock box provision of any appropriation Act. Such amounts shall be transferred to the Fund as specified in subsection (c).

(c) TRANSFERS OF MONEYS TO THE FUND.—Within 10 days of enactment of any appropriation Act which has a deficit reduction lock box provision, there shall be transferred from the general fund to the Fund an amount equal to that amount.

(d) USE OF MONEYS IN THE FUND.—Notwithstanding any other provision of law, the amounts in the Fund shall not be available, in any fiscal year, for appropriation, obligation, expenditure, or transfer.

SEC. 319. DOWNWARD ADJUSTMENTS OF DISCRETIONARY SPENDING LIMITS.

(a) DOWNWARD ADJUSTMENTS.—The discretionary spending limit for new budget authority for any fiscal year set forth in section 601(a)(2) of the Congressional Budget Act of 1974, as adjusted in strict conformance with section 251 of the Balanced Budget and Emergency Deficit Control Act of 1985, shall be reduced by the amount of budget authority transferred to the Fund for that fiscal year under section 2(c), as calculated by the Director of the Office of Management and Budget. The adjusted discretionary spending limit for outlays for that fiscal year and each outyear as set forth in such section 601(a)(2) shall be reduced as a result of the reduction of such budget authority, as calculated by the Director of the Office of Management and Budget based upon such programmatic and other assumptions set forth in the joint explanatory statement of managers accompanying the conference report on that bill. All such reductions shall occur on the same day that the amounts triggering the reductions are transferred to the Fund.

(b) DEFINITION.—As used in this section, the term ''appropriation bill'' means any general or special appropriation bill, and any bill or joint resolution making supplemental, deficiency, or continuing appropriations.

SEC. 320. DEFICIT REDUCTION LOCK-BOX PROVISIONS OF APPROPRIATION MEASURES.

(a) DEFICIT REDUCTION LOCK-BOX PROVISIONS.—Title III of the Congressional Budget Act of 1974 is amended by adding at the end the following new section:

''DEFICIT REDUCTION LOCK-BOX PROVISIONS OF APPROPRIATION BILLS

''SEC. 314. (a) Any appropriation bill that is being marked up by the Committee on Appropriations (or a subcommittee thereof) of either House shall contain a line item entitled 'Deficit Reduction Lock-box'. The dollar amount set forth under that heading shall be an amount equal to the section 602(b)(1) or section 302(b)(1) allocations, as the case may be, to the subcommittee of jurisdiction over the bill of the Committee on Appropriations minus the aggregate level of budget authority or outlays contained in the bill being considered.

''(b) Whenever the Committee on Appropriations of either House reports an appropriation bill, that bill shall contain a line item entitled 'Deficit Reduction Account' comprised of the following:

''(1) Only in the case of any general appropriation bill containing the appropriations for Treasury and Postal Service (or resolution making continuing appropriations (if applicable)), an amount equal to the amounts by which the discretionary spending limit for new budget authority and outlays set forth in the most recent OMB sequestration preview report pursuant to section 601(a)(2) exceed the section 602(a) allocation for the fiscal year covered by that bill.

''(2) Only in the case of any general appropriation bill (or resolution making continuing appropriations (if applicable)), an amount not to exceed the amount by which the appropriate section 602 (b) allocation of new budget authority exceeds the amount of new budget authority provided by that bill (as reported by that committee).

''(3) Only in the case of any bill making supplemental appropriations following enactment of all general appropriation bills for the same fiscal year, an amount not to exceed the amount by which the section 602(a) allocation of new budget authority exceeds the sum of all new budget authority provided by appropriation bills enacted for that fiscal year plus that supplemental appropriation bill (as reported by that committee).

''(c) Whenever a Member of either House of Congress offers an amendment (whether in subcommittee, committee, or on the floor) to an appropriation bill to reduce spending, that reduction shall be placed in the deficit reduction lock-box unless that Member indicates that it is to be utilized for another program, project, or activity covered by that bill. If the amendment is agreed to and the reduction was placed in the deficit reduction lock-box, then the line item entitled 'Deficit Reduction Lock-box' shall be increased by the amount of that reduction.

''(d) It shall not be in order in the House of Representatives or the Senate to consider a conference report that modifies any Deficit Reduction Lock-box provision that is beyond the scope of that provision as so committed to the conference committee.''.

(b) CONFORMING AMENDMENT.—The table of contents set forth in section 1(b) of the Congressional Budget and Impoundment Control Act of 1974 is amended by inserting after the item relating to section 313 the following new item:

''Sec. 314. Deficit reduction lock-box provisions of appropriation measures.''.

SEC. 321. CBO TRACKING.

Section 202 of the Congressional Budget Act of 1974 is amended by adding at the end the following new subsection:

''(i) SCOREKEEPING ASSISTANCE.—To facilitate compliance by the Committees on Appropriations with section 314, the Office shall score all general appropriation measures as passed the House of Representatives and as passed the Senate and have such scorecard published in the Congressional Record.''.