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House of Representatives

The House met at 10:30 a.m. and was called to order by the Speaker pro tempore [Mr. EVERETT].

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
July 17, 1995.

I hereby designate the Honorable TERRY EVERETT to act as Speaker pro tempore on this day.

NEWT GINGRICH,
Speaker of the House of Representatives.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12, rule I, the House will stand in recess until 12 noon.

Accordingly (at 10 o'clock and 31 minutes a.m.), the House stood in recess until 12 noon.

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. EVERETT) at 12 noon.

PRAYER

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

We speak about Your sovereignty, O God, and yet we often act as if You did not exist; our prayers of devotion call upon Your name and yet we think we can walk alone; our public petitions invoke Your grace and yet privately we do not care; our mouths call upon You with requests and appeals and yet our hearts and souls go their own way. Slow us down, O gracious God, and turn us to the truth to see You as the author of all creation, the redeemer of all that is good, the pilot that gives us direction and our guardian through all the perils of life. Bless us this day and every day, we pray. Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

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

Mr. DINGELL 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.

ON MEDICARE

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

Mr. DINGELL. Mr. Speaker, like the many seniors who have contacted me, I am shocked that the Republican budget slashes Medicare by $270 billion.

It now appears that Republicans are preparing to end Medicare as we know it. Recent media reports indicate that they want to privatize this valuable program, as they did when it was enacted in 1965.

Sadly, the Republicans are hiding their plans for reforming Medicare. The current legislative schedule allows for only a few days in September to introduce, review, and vote on their proposed changes. If my colleagues across the aisle have such wonderful ideas for ensuring the solvency of Medicare and the health of their seniors, why are they keeping them a secret? What are they afraid of?

It appears that they are trying to sneak their radical and extreme cuts by the American public. I can understand why they would be inclined to do so, given the fact that they are also pushing a $240 billion tax cut for the wealthy.

Raiding Medicare to pay for this unwise tax cut will inflict unacceptable pain on this Nation's seniors. Out-of-pocket expenses for seniors will rise by $850 by the year 2002. These cuts will also greatly diminish the ability of older Americans to access quality care.

Seniors have a right to know what is in store for Medicare, especially if they are being asked to bear skyrocketing premiums and limited access to care to help finance tax breaks for the wealthy.

I call upon my Republican colleagues to deliver a full and open debate on how best to improve and strengthen Medicare. I also urge them to join me in rejecting the unfair tax break/Medicare cut tradeoff being advanced.

DO NOT TAKE AWAY HEALTH CARE SECURITY FROM OUR SENIORS

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

Mr. LEWIS of Georgia. Mr. Speaker, while I was in my district yesterday, I met senior citizens who are frightened. They don't have much money to spare, and they watch what they spend. They are worried that they will lose the security of Medicare.

They understand that cuts to Medicare are not reform. They understand that they will pay more.

I share their concern. The Republicans say they will give seniors more

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choice. But they do not mention that many seniors cannot afford the choice. Our elderly will pay more and get less.

Republicans say they must cut Medicare to save it. If my Republican colleagues are concerned about the Medicare Program, why do they cut Medicare to pay for tax cuts for the rich? This will not help Medicare.

Thirty years ago, Congress and the President signed a sacred trust with our seniors—Medicare. We must not stand by while that trust is broken.

WAKE UP, AMERICA

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

Ms. FURSE. Mr. Speaker, I want to issue a wake-up call to the American people. I want to say to the American voters: Please watch closely what's happening here in Congress. I don't think you'll like what you'll see.

What you'll see during this appropriations process is a back-door attack on the environment. Instead of reauthorizing and finetuning laws in the light of day, this Congress is covertly starving programs to death through lack of funding.

The American people trust that the environmental laws that we've had on the books for the past two decades will continue to be enforced, because they're law. Wrong. This new Republican Congress is in the process of: Taking away money from the Fish and Wildlife Service which lists species that are on the brink of extinction; taking away money from the EPA which stops polluters from dumping waste into our rivers; and taking away money from the Forest Service which ensures logging operations don't harm salmon spawning habitat.

So even if though there's a law soon to protect the environment, there will be no money to enforce it.

America, is this really what you voted for? I don't think so.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

U.S. HOUSE OF REPRESENTATIVES,
Washington, DC, July 14, 1995.

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

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 5 of Rule III of the Rules of the U.S. House of Representatives, I have the honor to transmit a sealed envelope received from the White House on Friday, July 14, 1995 at 10:18 a.m. and said to contain a message from the President whereby he transmits the fourth biennial report (1995–2000) to the United States Arctic Research Plan.

Sincerely yours,

ROBIN H. CARLE,
Clerk, U.S. House of Representatives.

BIENNIAL REVISION TO U.S. ARCTIC RESEARCH PLAN—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

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

To the Congress of the United States:

Pursuant to the provisions of the Arctic Research and Policy Act of 1984, as amended (15 U.S.C. 4108(a)), I transmit herewith the fourth biennial revision (1996–2000) to the United States Arctic Research Plan.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *July 14, 1995.*

REPUBLICAN SNEAK ATTACK ON THE ENVIRONMENT

The SPEAKER pro tempore. Under a previous order of the House the gentleman from Colorado [Mr. SKAGGS] is recognized for 5 minutes.

Mr. SKAGGS. Mr. Speaker, I am afraid that the new Republican majority in the House is carrying out what is in effect a sneak attack on public health, on environmental protection and on our national park system, among other things.

Following the unfortunate example of James Watt, they are distorting the normal legislative process around here, acting against House rules by using the appropriations process to rewrite law and reshape policy, so that they can achieve, by stealth, objectives that lack real public support.

We saw the start of this pattern with the first rescissions bill, with its pages of legislative language waiving environmental and forest management laws, language that under the normal rules of the House should not have been in any bill of that kind.

We are seeing it again now in the Interior appropriations bill, which we will take up again later today, with its provisions to dissolve the National Biological Service, transfer its functions to the U.S. Geological Service, again, legislating on an appropriations bill, again, an attack on research and on sound wildlife conservation; also, in the same bill, with its provisions to essentially eliminate the Mojave National Preserve in California as a unit of the National Park Service, by a back door attack instead of a straightforward proposal to repeal or amend the California Desert Protection Act.

Later this week we will see it in even more outrageous ways when the full Committee on Appropriations takes up the bill to fund the Environmental Protection Agency. That bill has more riders than the Long Island Railroad. Most of them are intended to prevent the government from doing its job in protecting our water, our air, our wetlands, our health. Let us just take a look quickly at the passenger count, the number of riders on that bill.

In just 7 pages of the bill dealing with the EPA, there are 21 anti-environment riders, including the following provisions: blocking enforcement of air pollution permits; limiting enforcement of storm water and sanitary sewer provisions in the Water Pollution Control Act; handicapping the EPA's ability under the Clean Air Act to regulate toxic emissions from certain refineries; putting other limits on enforcing environmental laws affecting other parts of the oil and gas industry; stopping EPA from taking steps to keep arsenic, radon and other radionuclei out of our drinking water; limiting the EPA's efforts to control toxic releases from cement kilns and other incinerators; restricting the gathering and publishing of information about the use of chemicals; restricting the protection of the country's wetlands, blocking efforts to encourage car pooling; restricting efforts to improve water quality in the Great Lakes; and, undermining the regulation of pesticides in foods.

Mr. Speaker, the pattern could not be clearer. Just take a look at it, page after page of regressive anti-environmental and underhanded provisions aimed at handcuffing efforts to protect our food supply, keep our air and water clean, protect vital wetlands, all things vital to our natural systems all over the country.

It is no wonder, Mr. Speaker, that Carol Browner, the EPA administrator, has concluded that we are seeing ''an organized, concerted effort to undermine public health and safety and the environment.''

If anything, Carol Browner understates the situation. The American people need to know what is going on. They need to know that this new Republican majority is determined to undermine the progress that we have made in the last several decades in protecting our environment, progress that the American people are proud of and want to see continued. They need to know that we are in the midst of a full-fledged attack on the safeguards of the water we drink and the air we breathe. They need to know because, when they do know, they will reject this assault on public health, public safety and public lands.

We need to be doing more, not less, to clean up the environment and to protect people's health.

For instance, two new studies this year tell us that 53 million Americans are drinking tap water that is below standards. What is the response of the new majority here in the Congress to this? To do more to clean up the nation's water? No. The Republican response is to come up with eight different legislative riders to determine the Clean Water Act and the Safe Drinking Water Act. Hard to imagine.

This Republican sneak attack on the environment should not and will not go unopposed. The American people did not vote last November to roll back 25 years of environmental progress. They

did not vote for more pollution or for backhanded legislative shenanigans to under cut environmental standards just to satisfy the greed and the campaign access paid for by many industrial polluters.

Together with other members of the Committee on Appropriations and of this House as a whole, we must do all that we can to spread the word about this sneak attack and to keep it from succeeding.

Nothing is more important than protecting our air, our water, our lands, the public's health.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12 of rule I, the Chair declares the House in recess until 4 p.m. today.

(Accordingly (at 12 o'clock and 14 minutes p.m.), the House stood in recess until 4:00 p.m.

□ 1602

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. SHAYS) at 4 o'clock and 2 minutes p.m.

PROVIDING FOR CONSIDERATION OF H.R. 1976, AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 1996

Mr. DREIER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 188 and ask for its immediate consideration.

The Clerk read as follows:

H. RES. 188

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. 1976) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs 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, and the amendment printed in the report of the Committee on Rules accompanying this resolution shall be considered as pending. That amendment shall be considered as read, shall be debatable for ten minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations, 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. If that amendment is adopted, the provisions of the bill, as amended, shall be considered as the original bill for the purpose of further amendment under the five-minute rule. Further consideration of the bill for amendment shall proceed 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. 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 California [Mr. DREIER] is recognized for 1 hour.

Mr. DREIER. Mr. Speaker, for purposes of debate only, I yield the customary 30 minutes to my very good friend, the gentleman from Ohio [Mr. HALL], pending which I yield myself such time as I may consume. During consideration of this rule, all time yielded is for purposes of debate only.

(Mr. DREIER asked and was given permission to include extraneous matter).

Mr. DREIER. Mr. Speaker, House Resolution 188 is an open rule providing for consideration of H.R. 1976, the Agriculture, Rural Development, Food and Drug Administration and Related Agencies appropriations bill for fiscal year 1996.

The rule provides for 1 hour of general debate divided equally between the chairman and ranking minority member of the Committee on Appropriations. The bill is to be read by title for amendment, and each title is to be considered as read.

The rule waives clause 2 of rule XXI—which prohibits unauthorized appropriations and legislation on an appropriations bill—and also waives clause 6 of rule XXI—which prohibits reappropriating unexpended balances of appropriations in general appropriations bills—against provisions of the bill.

Under the rule, it is in order to consider first an amendment printed in the rule to be offered by Mr. SKEEN of New Mexico. This amendment shall be considered as read. The amendment is debatable for 10 minutes divided between the chairman and ranking member of the Appropriations Committee. The amendment offered by Mr. SKEEN is not subject to amendment or to a demand for a division of the question in the House or Committee of the Whole. If this amendment is adopted, it shall be considered as a part of the original text for the purpose of further amendment under the 5 minute rule. In allowing this amendment, we are following past practices of previous Congresses, in order to be as fair as we possibly can be on these appropriations bills.

This rule accords priority in recognition to Members who have preprinted their amendments in the CONGRESSIONAL RECORD. The rule does not require pre-printing, but simply encourages Members to take advantage of the option in order to facilitate consideration of amendments on the House floor.

Finally, House Resolution 188 provides for one motion to recommit, with or without instructions, as is the right of the minority members of the House.

Mr. Speaker, this is the fifth open rule to be offered during the consideration of the 1966 appropriations process—the sixth if you count the first Interior appropriations rule. House Resolution 188 is a typical open rule to be considered for general appropriations bills. This rule does not restrict the normal open amending process and any amendments that comply with the standing rules of the House may be offered.

H.R. 1976 appropriates a total of $62.7 billion dollars, which is $6.3 billion less than was appropriated last year. This bill provides $13 billion in discretionary spending and $49 billion in mandatory spending, a decrease of about $5.3 billion below the amount available for fiscal year 1995. Clearly, the Appropriations Committee has had to balance a wide array of interests and had to make very difficult choices with drastically reduced resources.

With that in mind, I want to commend the close work of the authorizing and appropriating committees in crafting the legislation that will soon be before the House. They have worked together under an incredibly tight budget to ensure that all funding is spent where it is needed most. Together, they have responsibly sought to maintain functions that are crucial to the health and safety of the American consumer and the future success of this nation's farming communities.

H.R. 1976 was favorably reported out of the Committee on Appropriations, as was the open rule by the Rules Committee. I urge my colleagues to support the rule so that we may proceed with consideration of the merits of the legislation.

Mr. Speaker, I include for the RECORD information on the amendment process. The document referred to is as follows:

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

[As of July 14, 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	34	72
Modified Closed [3]	49	47	12	26
Closed [4]	9	9	1	2
Totals:	104	100	47	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 July 14, 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 (2/13/95).
H. Res. 83 (2/13/95)	MO	H.R. 7	National Security Revitalization	PQ: 229–100; A: 227–127 (2/15/95).
H. Res. 88 (2/16/95)	MC	H.R. 831	Health Insurance Deductibility	PQ: 230–191; A: 229–188 (2/21/95).
H. Res. 91 (2/21/95)	O	H.R. 830	Paperwork Reduction Act	A: voice vote (2/22/95).
H. Res. 92 (2/21/95)	MC	H.R. 889	Defense Supplemental	A: 282–144 (2/22/95).
H. Res. 93 (2/22/95)	MO	H.R. 450	Regulatory Transition Act	A: 252–175 (2/23/95).
H. Res. 96 (2/24/95)	MO	H.R. 1022	Risk Assessment	A: 253–165 (2/27/95).
H. Res. 100 (2/27/95)	O	H.R. 926	Regulatory Reform and Relief Act	A: voice vote (2/28/95).
H. Res. 101 (2/28/95)	MO	H.R. 925	Private Property Protection Act	A: 271–151 (3/2/95)
H. Res. 103 (3/3/95)	MO	H.R. 1058	Securities Litigation Reform	
H. Res. 104 (3/3/95)	MO	H.R. 988	Attorney Accountability Act	A: voice vote (3/6/95)
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. 1159	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	A: voice vote (4/6/95)
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. 146 (5/11/95)	O	H.R. 614	Fish Hatchery—Minnesota	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: 225–191 A: 233–183 (6/13/95)
H. Res. 167 (6/15/95)	O	H.R. 1817	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	A: voice vote (7/12/95)
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)
H. Res. 185 (7/11/95)	O	H.R. 1977	Interior Approps. FY 1996	PQ: 235–193 D: 192–238 (7/12/95)
H. Res. 187 (7/12/95)	O	H.R. 1977	Interior Approps. FY 1996 #2	PQ: 230–194 A: 229–195 (7/13/95)
H. Res. 188 (7/12/95)	O	H.R. 1976	Agriculture Approps. FY 1996	

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

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

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

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

Mr. HALL of Ohio. Mr. Speaker, as my colleague has described, House Resolution 188 is a rule which provides 1 hour of general debate on the Department of Agriculture and Related Agencies bill for fiscal year 1996. The rule does provide waivers of clause 2 of rule XXI to allow unauthorized appropriations in provisions in the bill, as well as clause 6 of rule XXI prohibiting reappropriations in some provisions. The rule also provides priority recognition to Members who have preprinted their amendments in the CONGRESSIONAL RECORD.

Mr. Speaker, I am concerned that the rule does provide waivers to allow certain legislative language in the bill which will weaken our Nation's food safety. This language in the bill will cut off funding for the Department of Agriculture's new plan to modernize its meat and poultry inspection program. I am very concerned over the protection of this language which will delay tougher food inspection standards which could expose thousands of people to deadly levels of the E. coli bacteria and other pathogens.

This is not the time, Mr. Speaker, to be weakening food inspection, especially inspection of safe meat. We all remember the 1993 outbreak of the deadly E. coli bacteria in a fast food restaurant that resulted in over 600 illnesses and 4 deaths. According to the Center for Disease Control, E. coli causes 20,000 illnesses and up to 500 deaths each year, primarily among senior citizens and children. The Department has taken the correct action in moving forward to modernize and upgrade its food inspection system. Halting the program through this bill is unacceptable, and frankly, not in the interests of public safety. Just in the last few days, another strain of E. coli bacteria made 18 people ill in Montana. Unfortunately, an amendment offered to the rule to remove the protection for the weakening language failed in the Rules Committee.

If the weakening language in the bill is removed on a point of order, it will not in any way preclude the Agriculture Committee, in its oversight capacity, from continuing to negotiate

with the USDA on updating its meat inspection program. In fact, if the provision is not removed, we will have to go back to square one and start the food safety negotiations all over again. We just can't afford to prolong these new meat inspection regulations indefinitely. Human lives are at stake.

In addition to the food inspection issue, Mr. Speaker, I am concerned with several of the provisions in the bill which affect nutrition programs. While the committee, to its credit, included an increase to cover inflation in the Women, Infants, and Children's feeding program [WIC], the Administration's request for an additional $90 million was not included. Had this request been honored, another 180,000 women and children per month would have been eligible to receive nutrition supplements. The bill also caps the total number of people who may receive WIC. I am afraid that a cap on total numbers of people served will eliminate an incentive for innovative cost savings to make the money go further.

With respect to food stamps, I note that the bill eliminates the $2.5 billion reserve for food stamps that the Agriculture Department maintains to handle unexpectedly high demand. This is risky because in a sudden recession, we could see the people who legitimately qualify for help, unable to receive benefits. Also disturbing is the freeze in calculating the standard deduction for food stamp eligibility which will have the effect of forcing people to become ineligible for food stamps or having their benefits reduced.

The committee did increase funds for child nutrition programs such as school lunch and school breakfast. However, we will see some of the smaller programs such as donations to soup kitchens and TEFAP shrink.

Finally, in the Rules Committee hearing, Representative HARMAN did request an amendment known as the Brewster-Harman deficit reduction lockbox amendment. This would have allowed any savings obtained through floor votes to go into a special deficit reduction trust fund. Given the interest that many of us have in deficit reduction, I believe the Rules Committee should have made a lockbox amendment in order.

Because of these serious shortcomings in the bill, I do plan to ask for a ''no'' vote on the previous question. If the previous question is defeated, I will move to include language to strike the protection of the weakening language for USDA's meat inspection program, and to include the Brewster-Harman amendment under the rule.

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

□ 1615

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

Mr. Speaker, first let me say that again this is an open rule, and the gentleman is right that we protect the provisions that deal with the issue of meat inspection. While I am not an expert myself on meat inspection, I am very expert on consumption. With that, I should say that I am convinced, based on the action that was taken by the committee, that there is a tremendous effort that has been made in the area of inspection.

Mr. Speaker, I yield such time as he may consume to the gentleman from New Mexico [Mr. SKEEN], the distinguished chairman from the Subcommittee on Agricultural Appropriations, to deal with this issue.

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

Mr. Speaker, let me say right now insofar as meat inspection is concerned, and I understand the concern of the gentleman from Wisconsin and others who have worked with this, but the program that we are undergoing now does not extend the time for the adoption of new standards for meat inspection. It cuts it much shorter and expedites the process of initiating the HACCP Program.

This is taken at the behest of the Secretary of Agriculture, along with other people who have been very much interested and very much involved in trying to speed up this process and make it one of common understanding and agreement between the processors as well as those who are concerned about the health and safety of the meat inspection program. But it is a new scientific program that must be initiated. It is a drastic change, I do admit, that has caused a great deal of controversy.

The process is ongoing, as we speak, at the behest of the Secretary of Agriculture, and I would ask the gentleman to consider this when considering voting against or opposing the previous question. I do not have any other comment.

The gentleman from New York [Mr. WALSH] is on his way over, Mr. Speaker, and he is in direct negotiation on this particular program. I would say this, that voting against the previous question is not going to help this matter be resolved or speed it up or anything else. As a matter of fact, it may delay it.

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

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

Mr. Speaker, let me simply say, because of my great respect for the distinguished subcommittee chairman, I am very reluctant to oppose the rule and the previous question on the rule but I feel compelled to, nonetheless.

Mr. Speaker, I come from a district that has a lot of farmers. I come from a district that has a lot of small towns. I also come from a district that has had direct recent experience with E. coli. In my hometown just this weekend, for instance, we had another case of E. coli break out. I think that drives home to everyone, whether you work on a farm or you work in the city, the seriousness of the issue that will be debated when this bill eventually reaches the floor.

Mr. Speaker, I would say simply that I would like to see some middle ground on this. I understand the reasons why the gentleman from New York [Mr. WALSH] offered the amendment, because anybody who represents small businesses, and I have an awful lot of them in my district, you are bound to be concerned about the impact of any rule and any rulemaking process on small business.

I am also concerned, however, because I think that our committee frankly is not the right forum in which this issue ought to be discussed. This issue ought to be dealt with by the Committee on Agriculture. They know the most about the issue. The Committee on Appropriations is essentially a committee that is supposed to deal with budgets. If you want to have effective nonpolitical discussion of this issue, I think that it belongs in the policy committee, not a finance committee.

Nonetheless, it is here. If it is here, I would prefer, for instance, that in addition to the choice of either having the Walsh amendment or not having the Walsh amendment, that we would have a third option such as that proposed by the gentleman from Illinois [Mr. DURBIN] when he was in the full committee last week. It seems to me that would be a way to force compromise in the regulatory process without going to the extremes that the Walsh amendment does.

For that reason, I very reluctantly would simply state that I will also oppose the previous question on the rule and the rule itself, because I believe that something like the Durbin amendment perhaps would give us a much better way to deal with this issue than having to either go up or down on the Walsh amendment, which I personally prefer not to do.

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

Mr. OBEY. I yield to the gentleman from New Mexico.

Mr. SKEEN. I thank the distinguished gentleman for yielding.

Mr. Speaker, the gentleman from Illinois [Mr. DURBIN] as I understand it is on his way here, and we are certainly going to give him every opportunity, and also the gentleman from New York [Mr. WALSH] is on his way.

I understand the argument that this matter should be debated in the Committee on Agriculture, but unfortunately that is not the case. This was dealt with through the Committee on Appropriations and begun through the Committee on Appropriations. We would be very happy to lend that purview to the Committee on Agriculture, but they are not up to speed on it. We have been in the thick of the negotiations.

At the behest of the Secretary of Agriculture, we have kept out of the negotiations between the two sides. Protecting small producers, small processors, is absolutely of major concern to us, because in many respects I think they view this as a threat to continuing business. We do not want that to happen. We want our food situation safe.

Mr. OBEY. Mr. Speaker, I would certainly agree with that. I would also say, however, that assuring the consuring public that they can safely consume these products to me is of utmost importance, obviously because of the public health questions involved and also because, frankly, people in the industry need to have the market security of people knowing that their products are perfectly safe.

But the problem with this rule is that the gentleman from Illinois [Mr. DURBIN] would not be able to offer the compromise proposal that he tried to offer in full committee, and because this rule goes out of its way to protect the base amendment, the Walsh amendment, which would not be in order normally under the rules of the House, it seems to me that we would be better off if we had another choice to choose from. But under the rule, we do not.

Mr. DREIER. Mr. Speaker, I am happy to yield such time as he may consume to my friend, the gentleman from Dodge City, KS [Mr. ROBERTS], the distinguished chairman of the Committee on Agriculture.

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

Mr. Speaker, I am out of breath. This is one of these I had not intended to speak but was viewing the proceedings on the floor and overheard the concern that was voiced by the distinguished gentleman from Wisconsin in regards to meat inspection and the rule that pertains to this issue.

As I catch my breath, I would like to inform the gentleman from Wisconsin that we held a meeting, a very important meeting, in this regard with Secretary Glickman of the Department of Agriculture. By we, I mean the distinguished ranking member, the chairman emeritus, if I can use that term, of the Committee on Agriculture, the gentleman from Texas [Mr. STENHOLM], who has been extremely active in regards to meat inspection and this subject; the gentleman from Missouri [Mr. VOLKMER] who is the ranking member of the appropriate subcommittee; and the gentleman from Wisconsin [Mr. GUNDERSON], the chairman of the subcommittee.

We will be doing, regardless of what happens on the proposed rulemaking, a bill, or legislation as it applies to meat inspection, not only in regards to meat but fish and also poultry.

The gentleman from New York who is not present and can speak for himself in regards to his amendment simply proposed that there would be some kind of rulemaking to make sure that there would be an open process as we arrive at the proposed rules that make sense to guarantee food safety and the safety of our meat supply.

In meeting with Secretary Glickman, those of us who serve on the Committee on Agriculture expressed some concern with the proposed rulemaking. By that, I mean there are now two proposals: One involves the current regulations in regards to food safety and how the USDA conducts its meat inspection, which quite frankly in my personal opinion is not based entirely on sound science, it is very complex, it is very burdensome, and it is very costly.

Then we have this new proposal called HACCP. That is the hazard analysis control point. That is the better system. That is a system that we have all proposed in the Committee on Agriculture and all throughout agriculture to try to use sound science to guarantee the safety of our meat and to address the tragedy that happened in the Northwest in regards to E. coli.

The problem is that we cannot layer the two together without really getting to a real problem. The problem is the small meat locker industry and the meat processing industry, according to their concerns, have not been part of the process.

The problem is in regards to sound science again, we have some concerns that a better approach might be used. Then we have a small business concern where a lot of small meat lockers might be put out of business. That is a very real concern in farm country.

So we met with the Secretary. I have here a draft of a letter that the committee gave to the Secretary and the Secretary is working on it. He has another draft. It was supposed to be back at about 4:30.

I think that if we reach an agreement with Secretary Glickman, and I have talked this over with the gentleman from New York [Mr. WALSH], that if there is an open process and if we can guarantee at least the future of the small meat locker industry, and if we can use sound science approaches, and if the cowboys and all the livestock producers and the meat processors and the meat industry can be saying, ''We are part of this process, we can sit at the table,'' and if in fact we can make sure in the layering of this process that we do not get into more red tape and regulations and a lot of perception but very little protection for the American consumer, I think we can work this out.

I would say to the gentleman that there is a process ongoing and hopefully in working with Secretary Glickman and the Committee on Agriculture, I think we can find an answer. It may be that the gentleman from New York at that particular time, who is part of the process, can simply withdraw his amendment, and we can all declare victory and we can all reach a product that we could agree upon.

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

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

Mr. OBEY. Let me simply say that I would very much like to see something worked out, as a representative of a rural area myself. My concern, however, is that I would like to avoid a repeat of what we had on the rescissions bill where we were actually debating the language of one provision on the floor, on timber, for instance, while the language, itself, was being worked out between the administration and the committee in a room one floor below us in this building.

I would kind of like to know what agreements have been worked out before we decide whether we have to deal with the specifics of the Walsh amendment or not. All we have to go on at this time is the comment from Secretary Glickman which says, ''I am writing to express my strong concerns and objections to the adoption of the amendment in question.''

Like the gentleman, I would like to see something worked out. My concern about this rule is that it does not give us the opportunity to have another approach to this problem the way the gentleman from Illinois [Mr. DURBIN] would have liked to have had in the amendment that he offered.

I do not have any objection to the goals that I think all of us share.

Mr. ROBERTS. I thank the gentleman for his contribution.

The statement by the Secretary, I feel—I cannot speak for Secretary Glickman although I try a lot, in Kansas, we try to get him to go at least 65 in a 55-mile-an-hour zone—but I think in regards to his comment on meat inspection, that it is somewhat dated.

We have had a lengthy meeting, as I have said, a bipartisan one, with the members of the Committee on Agriculture, the leadership of the committee that will have to produce the legislation to follow up in regards to the rulemaking.

We are negotiating now with language that I think may have a chance to work. I would just urge the gentleman to maybe consider that. There will be ample time, I think, for the gentleman to raise his points of concern.

Mr. OBEY. If the gentleman will yield further, I like to hear that, because frankly you are the people that should be working the language out. Those of us on the Committee on Appropriations, I do not think, have the expertise that your committee has to deal with the issue.

Mr. ROBERTS. I would like for the gentleman to say that again about 4 times on virtually every subject that has come up under this appropriation bill if he would.

Mr. OBEY. I have said that on at least one other occasion in the past 2 weeks.

Mr. ROBERTS. The gentleman has got two to go. Reclaiming my time, we have worked out a partnership arrangement with the gentleman from New Mexico [Mr. SKEEN] and others on the committee. I am quite confident of the total package.

I see no further use to discuss this at this time unless the gentleman from New Mexico has a question or the distinguished gentleman from California.

Mr. DREIER. Mr. Speaker, I simply would like to say that this is a new day. We have seen tremendous cooperation between the authorizing committee and the appropriations subcommittee that is dealing with this.

Mr. Speaker, I yield 30 seconds to my friend, the gentleman from New Mexico [Mr. SKEEN], the chairman of the subcommittee.

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

Mr. Speaker, I want to assure the gentleman from Wisconsin that there is going to be every opportunity for any other approach to this during the consideration of this particular bill and rule. The gentleman from Illinois [Mr. DURBIN] has one of them. I appreciate the concern, but I think this tactic of trying, if we do not pass the rule, delays the process of coming up with an adequate solution to this problem in itself. I would not like to see the delayed. I appreciate the concerns of the gentleman from Wisconsin.

Mr. DREIER. Mr. Speaker, I yield 3 minutes to my friend, the gentleman from Syracuse, NY [Mr. WALSH].

Mr. WALSH. I thank my good friend the gentleman from California for yielding me the time.

Mr. Speaker, I would like to first of all rise in strong support of this rule and commend our chairman, the gentleman from New Mexico [Mr. SKEEN], who has worked very, very closely with our ranking minority member, the gentleman from Illinois [Mr. DURBIN], on this bill all the way along. The same sense of fairness that the gentleman from Illinois [Mr. DURBIN] presented last year, the gentleman from New Mexico [Mr. SKEEN] has reciprocated, and we have all worked very closely on this together.

Let me just say, I hope we can pass this rule today. I think it is a good rule. It provides for full and open discussion. It is an open rule. I do not think they get any better than that.

Let me just suggest, regarding this amendment that I had offered in the subcommittee and full committee which was accepted, that if there is indeed a compromise worked out, that would be fine. But I want to make sure that the compromise does not gut the amendment.

I think it is very important to show that the subcommittee and the full committee support this amendment for good reasons, because this legislation, the standards that have been proposed by the Secretary will in fact change the way meat is inspected. The meat industry supports that idea. They support the higher standards. I think everyone does. It is how we get to them that matters.

What I have proposed is simply a 9-month process of negotiated rulemaking that would allow all the principals to come together, work out the differences, everyone be on equal footing, no one with special promises, everyone working basically with a plain white canvas with the same set of paints to get to a finished product on this legislation.

□ 1630

This is not a delay in any sense. In fact, if this negotiated rulemaking process were followed, I think we would avoid a lot of lengthy, costly lawsuits.

But again, if a compromise is worked out that is fair to everyone, I am going to support it. But I have not seen that agreement yet. I have worked very closely with the gentleman from Illinois [Mr. DURBIN]. I have discussed this fully with the staff, with the agriculture commissioner, and we are working conscientiously to resolve this important issue, and it is an important issue.

But just let me enter a couple of facts into this. First of all, 90 percent of the meat currently inspected in this country meets these higher standards. We are talking about 10 percent. Also, let me say 90 percent of food-borne illness in this country comes not from meat processing but from the failure to cook it properly, and the Secretary would do us all a service if he would get up on his bully pulpit and tell people: ''Cook your hamburger, cook it; cook it until it is black if you have to, but cook it,'' because that is where the problem is. It is not steaks and chops and poultry and so on. It is because of the way that hamburger is made that we have so much problem with that meat. So cook it. If we did that, if we would all cook it properly, we could substantially reduce this problem.

I thank the gentleman from Kansas [Mr. ROBERTS], the gentleman from New Mexico [Mr. SKEEN], the gentleman from Wisconsin [Mr. OBEY], the gentleman from Illinois [Mr. DURBIN], and the gentleman from California [Mr. DREIER] all for their interest. If there is to be a compromise, I will support it, but it has to be a real compromise.

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

Mr. Speaker, I have no further requests for time. I would say though that I would urge a no vote on the previous questions. And if the previous question would be defeated, I would offer an amendment to the rule which would make in order an amendment which would remove the protection from a point of order under clause 2 of rule XXI for language pertaining to the prevention of implementation of new meat and poultry inspection regulation by the USDA.

I will also offer the Brewster-Harman lockbox amendment, and I include the text of the two amendments at this point in the RECORD.

The amendments referred to are as follows:

On page 2, line 25 strike the period and insert the following: '', except as follows: beginning with '': Provided'' on page 24, line 13, through page 25, line 5.''

After the period on page 3, line 7 insert the following: ''All points of order are waived against the amendment numbered 1 printed in the Congressional Record of July 10, 1995 pursuant to clause 6 of rule XXIII, to be offered by Representative Brewster or his designee.''

Mr. HALL of Ohio. Mr. Speaker, if there are no further requests for time from my colleague, I yield back the balance of my time.

Mr. DREIER. Mr. Speaker, I yield myself such time as I might consume to simply say that this is a very fair, balanced, and open rule. It is obvious that we have members of the appropriations subcommittee and the authorizing committee working very closely together to deal with the issue of meat inspection. We also are working on a compromise to deal with the question of the lockbox.

It is very important that we overwhelmingly pass first the previous question, and then the rule, and I urge an ''aye'' vote on both.

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

The SPEAKER pro tempore (Mr. SHAYS). 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, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

PROVIDING FOR FURTHER CONSIDERATION OF H.R. 1977, DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS ACT, 1996

Mr. DREIER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 189 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 189

Resolved, That during further consideration of H.R. 1977 pursuant to House Resolution 187, further 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: (1) amendments printed in the portion of the Congressional Record designated for that purpose in clause 6 of rule XXIII before July 14, 1995; (2) motions that the Committee rise offered by the majority leader or his designee; and (3) motions that the Committee rise and report the bill to the House with such amendments as may have been adopted offered as preferential under clause 2(d) of rule XXI. Each further amendment to the bill may be offered only by the Member who caused it to be printed, 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. 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.

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

Mr. DREIER. Mr. Speaker, for the purposes of debate only, I yield the customary 30 minutes to the gentleman from California [Mr. BEILENSON] pending which I yield myself such time as I might consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

(Mr. DREIER asked and was given permission to include extraneous material.)

Mr. DREIER. Mr. Speaker, the Rules Committee brings to the floor of the House today the third rule providing for the consideration of H.R. 1977, legislation making appropriations for the Department of the Interior and related agencies in fiscal year 1996.

The rule which the House passed last week for this legislation was a very straightforward and balanced rule. It was open, it was fair, and it was reasonable given the importance of moving ahead with this year's appropriations process. Unfortunately, despite the wide open amendment process called for in that rule, we saw the bill become needlessly bogged down in partisan politics, and we witnessed the deliberative process being taken hostage by dilatory tactics.

Mr. Speaker, I suggest that the time has now come to rescue this bill, and the deliberative process, from the clutches of partisan delay and obstruction. This additional rule is offered simply as a precaution, to enable the House to move this critical funding legislation forward, but in a manner which is fair and reasonable to both sides of the aisle.

First, the rule provides for the further consideration of H.R. 1977 for amendment without any intervening motions, except for: amendments which have been printed in the CONGRESSIONAL RECORD prior to July 14, 1995; motions that the Committee rise if offered by the Majority Leader or his designee; and motions that the Committee rise and report with bill back to the House with any amendments adopted in the Committee of the Whole, as a preferential motion pursuant to clause 2(d) of rule XXI.

Second, under the rule, amendments which have been printed in the RECORD may be offered only by the Members who submitted them to be printed. Such amendments shall be considered as read, and are debatable for a period not to exceed 10 minutes each, equally divided and controlled by the proponent and an opponent. Moreover, such amendments are not amendable, and are not subject to a demand for a division of the question either in the House or in the Committee of the Whole.

Furthermore, the rule authorizes the Chairman of the Committee of the Whole to postpone any request for a recorded vote on an amendment to a later time. Finally, the Chair may reduce to 5 minutes the time for a vote on any amendment in a series of amendments, provided that the time for voting on the first in any such series of amendments is not less than 15 minutes.

Mr. Speaker, the Rules Committee recognizes that there are a number of amendments on issues important to both sides of the aisle, such as funding for the arts and humanities, which merit additional debate time beyond the 10 minutes allowed under this new rule. Accordingly, I intend to offer an amendment to the rule which would permit the House to debate nine specific amendments already printed in the RECORD, each for a period not to exceed 20 minutes, equally divided and controlled by the proponent and an opponent. The amendment is the result of close cooperation and consultation with the minority, and in light of our cooperation with the minority on this amendment, I hope very much we will be able to maintain strong bipartisan support for it.

Mr. Speaker, in recent months the House has made remarkable progress toward fulfilling its legislative agenda. On the very first day of this session, the House passed a sweeping set of congressional reforms. Within the first 100 days we completed the historic Contract With America, often with bipartisan support. Just last month we passed an equally historic plan to balance the Federal budget in 7 years.

Now we have the obligation and the responsibility to move ahead with the annual appropriations process. I do not have to remind our colleagues, Mr. Speaker, just how important these funding bills are. Without prompt passage of these bills by both Chambers, the continued operations of the Federal Government would most certainly be in jeopardy. The August district work period is just 3 short weeks, I hope they are short weeks away, and the end of the fiscal year itself is just over the horizon. Clearly, time is of the essence, and our work is cut out for us.

While the Rules Committee continues to support a generally open amendment process, as much as possible, when considering appropriations bills, I believe we owe it to our constituents, whom we are elected to serve, to legislate in a responsible and efficient manner. These are not mutually exclusive goals, Mr. Speaker, and that is the principle underlying the rule which we consider this afternoon.

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

□ 1645

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

Mr. Speaker, House Resolution 189 reflects an agreement between the chairman and the ranking minority member of the Appropriations Committee for completing consideration of amendments to the Interior appropriations bill for fiscal year 1996. Although we have some concerns about this rule, we urge Members to support it.

This new rule would limit the offering of all further amendments to the Interior appropriations bill for fiscal year 1996 to those that were printed in the CONGRESSIONAL RECORD prior to July 14. No amendments printed on July 14 or later, including secondary amendments, would be in order.

Debate time on each of those amendments would be restricted to 10 minutes, although under the amendment to the rule to be offered by the gentleman from California [Mr. DREIER], nine specified amendments would be debatable for 20 minutes each, rather than 10 minutes. Those amendments are ones that Democratic Members, particularly, believe require more than 10 minutes to adequately debate, and we appreciate the fact that time for their consideration will be extended.

In addition, this new rule would restrict all other motions, except a motion to rise if offered by the majority leader or his designee, and a motion to rise and report with adopted amendments as a preferential motion pursuant to rule XXI, clause 2(d), which is a prerogative of the majority leader or his designee. Thus, no other Member would have the right to make a motion to rise, or a motion to strike the enacting clause, or any other motion that, under normal procedure, any Member is allowed to make.

Finally, the new rule gives the chairman of the Committee of the Whole the authority to postpone recorded votes, and to reduce to 5 minutes a recorded vote on any amendment in a series of amendments that follow an initial 15-minute vote. By enabling the chairman to cluster and reduce the allotted time for recorded votes, the House will be able to save a great deal of time that would otherwise be spent voting.

Mr. Speaker, this new rule will help assure that consideration of the Interior appropriations bill will come to a close in a matter of hours, rather than be prolonged for several more days. Both the chairman and the ranking minority member of the Appropriations, and our respective leaders, in the interest of moving appropriations bills through the House more expeditiously, agreed last Thursday night to limit debate on all the remaining amendments following completion of title I of H.R. 1977.

Because the rule reflects the concurrence of the two parties, we are supporting it. However, I do want to mention the concerns that many Members

on this side of the aisle have about this rule.

First, the fact that the rule will not allow second-degree amendments means that there will be less flexibility in the amending process. For example, in a case where a last-minute change to an amendment could produce a compromise that would be supported by a majority of Members, that change will be prohibited unless unanimous consent is obtained.

Second, although leaders on both sides support limiting time on the remaining amendments to 10 or 20 minutes apiece, these limits mean that many Members who wish to participate in debate on particular amendments will not have that opportunity, and that some very important issues will not be aired nearly to the extent that they deserve to be aired before we cast votes on them. We hope that on future appropriations bills, it will not be necessary to curtail debate on amendments to the extent provided for here.

Third, and most importantly, fundamental rights of Members in floor procedure—which are particularly important to Members of the minority—would be waived by this rule. As I mentioned earlier, no Member other than the majority leader or his designee would have the right to offer motions to rise or other motions that are the prerogative of any Member under the standing Rules of the House.

Although we understand the reason the majority has written into the rule the denial of that right, I would like to point out that it is highly unusual for the House to waive or limit that right. In fact, to the best of our knowledge, it is unprecedented for that right to be waived in a rule. We raise this matter in the hope that it will not be included in future rules.

Finally, Mr. Speaker, beyond our concerns about the rule itself, as I have said in previous statements, many of us have strong objections to the bill this rule makes in order.

We do not believe that the majority of Americans support the bill's deep cuts in the many important and useful programs it funds—programs that cost very little for the immense value they add to the quality of our lives.

We are dismayed that the bill cuts funding for these programs by 12 percent, especially since many of them have already been reduced in recent years. What we find particularly troubling is the fact that the reason the bill cuts so deeply is because those spending reductions are needed to help pay for an unnecessary increase in defense spending, and a tax cut that will mainly benefit the wealthiest among us. We think that those budget priorities are wrong.

We are further dismayed that many sensible amendments that have been offered since debate began on H.R. 1977—amendments that would have improved the bill's protection of our natural and cultural resources—have not been accepted by a majority of Members. We hope that pattern will change with some of the remaining amendments to be considered, particularly the amendments that would help protect our Nation's forests.

We also hope that the membership will not agree to amendments that would provide less protection for some of these programs. In particular, we hope that the amendments which would cut or eliminate funding for the NEA, the National Endowment for the Arts, will be rejected.

Mr. Speaker, to repeat, despite our concerns about the rule, we do support it, and we urge Members to vote for it.

Mr. Speaker, I yield such time as he may consume to the gentleman from California [Mr. MILLER].

(Mr. MILLER of California asked and was given permission to revise and extend his remarks and include extraneous material.)

Mr. MILLER of California. Mr. Speaker, Members, the press, and the public should understand the cynical and dangerous strategy being pursued by the Republican majority on this bill. The Republican plan, like this legislation, is not designed to improve management of the Department of the interior, or even the laws and policies administered by that Department.

Instead, it is intended to wreak havoc with the environmental laws, the resource management laws, the species protection laws that we have implemented over the past quarter century to protect the land, the health and the safety of the American people.

The Republican majority offers up a new rule, a more restrictive rule, to cut off debate and limit our ability to learn what is in this bill or to offer alternatives to it. The Republican majority claims this new rule is designed to make the House proceed more efficiently.

That is untrue. It is designed to allow them to undermine, subvert, and repeal basic environmental, management and safety laws without giving dissenting Members—and the public—a reasonable opportunity to learn what their legislation would do.

The cynicism of this approach can be demonstrated by reading a memo, dated July 6, 1995, from the chairman of the Rules Committee to the Republican leadership. In this memo, which I move be placed in the RECORD, Chairman SOLOMON discussed several different ''alternatives to restrict rules on appropriations bills.'' The memo identifies several procedural ways for the majority to curtail the debate and prevent a full airing of the issues and policies they are attempting to impose.

I find it especially intriguing that one of the Republican strategies is to ''Limit Legislative Amendments.'' Chairman SOLOMON notes that, ''The more legislative policy debates that are injected into the appropriations process, beyond mere cutting amendments, the longer the amendment process on each bill will take.''

That is, of course, true, because appropriations bills are not supposed to contain authorizing language under the rules. This sweeping authorizing language is contained in these bills only because the Republican majority has waived points of order against them, and because Republican majorities have voted to include them in the bills in the first place. It goes without saying that Democrats lack the votes to include authorizing language, to delete authorizing language, or do much of anything else in these bills.

They are slashing away at the scientific knowledge on which we base sensitive resource decisions, placing in jeopardy our ability to plan management practices to minimize the impact on communities.

They are compromising law enforcement capability even as over 20,000 crimes from murder to resource violations occurred on Fish and Wildlife Service lands last year.

They have crippled the ability of the Park Service to enforce the law creating the Mojave National Preserve, which passed this Congress by overwhelming margins last year.

They have handicapped the effective implementation of the Endangered Species Act by depriving the EPA of funds needed for prelisting actions that could minimize more drastic action down the road.

They have killed the Urban Parks Program that serves dozens of needy communities and was expanded by last year's crime bill.

They have dissolved critical assistance to both Indian children and adults to assist their education in public schools.

This bill undoes major changes enacted just last year to improve self governance by Indian tribes.

It crippled the Land and Water Conservation Fund by slashing funds for acquiring lands by nearly 80 percent.

Altogether, this bill makes over 70 substantive changes in law, most without a day of hearings by the authorizing committees to see what impact those devastating cuts and changes would have on the ability of agencies to do the jobs they are charged with doing for the American people. This is not rational law-making; this is slash and burn, shoot-from-the-hip legislating and it is bad for America.

I know Republican Members will say that Democrats included authorizing language when we were in the majority, and they are right.

The difference is that the authorizing committees regularly objected to such practices. As an authorizing chairman, I vigorously objected to that misuse of the legislative process, as did other authorizing chairman. We changed the rules to limit authorization law changes in appropriations bills.

By contrast, the new Republican majority came into office in January having denounced the so-called tyranny of Democratic rules, only to issue restrictive rule after restrictive rule. They have made a mockery of their pledge of open debate and open rules. Indeed, Republican authorizing chairmen are co-

complicitous in this backdoor strategy for changing the law, and the Republican rules are preventing us from using the House Rules they wrote to block this unconscionable practice.

Now, as if this is not cynical enough, let me quote from Chairman SOLOMON's memo again. He writes that if his various schemes for limiting amendments and debates on these terrible bills are ''not sufficient,'' ''the leadership can always seek a second rule''—as they are doing today—''to further restrict amendments (as was done on the foreign ops bill) and blame Democrats for the need to do so.''

''And blame Democrats for the need to do so.''

What a cynical and deceitful strategy.

Let us remember, first of all, that many of the amendments that are delaying this process are being offered by Republicans, not Democrats, including the one by Mr. GILCHREST concerning the use of volunteers—an amendment that passed with overwhelming bipartisan support because the original restrictions voted by the Republican majority were so punitive and counterproductive. Other Republican amendments, like that by Mr. NEUMANN, are so terrible that they prompt extended debate, including the opposition of the Speaker himself.

Second, let me note that the reason so many amendments are needed is that these bills are bad legislation, written with a hand on the bible of right wing extremism and an eye on the calendar, noting how late we are in the legislative year without a single appropriations bill through the process—not because of Democratic obstructionism, but purely because of the mismanagement of the process by the Republican majority.

So now, the Republicans who castigated Democrats for allegedly restrictive rules and who promised open rules, are not only bringing initially restricted rules to the floor, but are plotting even more restrictive rules on sweeping legislation.

And no one should be confused as to why the Republican majority seeks these new rules: it is because they want these sweeping changes to fundamental laws to take place without public scrutiny and without full debate.

They do not want the press, or the American people, to know what is in this legislation. They want to proceed with the fiction that this is a dry bill of numbers that appropriates money for fiscal year 1996 when, in fact, it is anything but; it is an insidious and extremist bill that rips up the ability of this government to continue to manage our resources, waste taxpayer money, or protect our citizens.

And it is for that reason that we oppose this legislation and seek to modify it through the regular amendment process. And because the Republicans are embarrassed to have their handiwork found out, and because they want to prevent good faith efforts to change their flawed product—by Democrats and Republicans alike—that they come forward with this rule to clamp down on the debate and steamroll their flawed product through the House.

The memorandum referred to follows:

[Memorandum—July 6, 1995]

Re alternatives to restrictive rules on appropriations bills

To: The Republican Leadership.

From: Jerry Solomon.

So far, the majority leadership and Appropriations Committee have not taken advantage of existing House rules to manage and control the amendment process, even though the Rules Committee has followed the Majority Leader's guidelines on appropriations rules to allow for a greater management and control. These include opening appropriations bills to amendment by title instead of by paragraph, and by encouraging Members to pre-print their amendments in the RECORD to receive priority in recognition. This should have paved the way for unanimous consent agreements and motions, if necessary, to limit debate on particular amendments and amendments thereto, and even to limit debate on further amendments to a particular title. Under House Rules, once such a motion has been agreed to, only preprinted amendments are allowed upon the expiration of the time limit, and such amendments may only be debated for 10 minutes—5 minutes for and 5 minutes against. In addition, the Leadership has not exercised the Majority Leader's new prerogative under the Rules to offer the motion to rise once House is considering limitation amendments at the end of the process. This could be done, for instance, after allowing two limitation amendments per side, with time agreements on each.

Below is a listing of suggestions for alternative approaches to restrictive rules:

Time Limit Agreements—The majority managers of appropriations bills should make a greater effort to seek unanimous consent to limit time on amendments, including amendments thereto.

Time Limit Motions—The majority managers should take greater advantage of moving reasonable time limits on amendments, and, if necessary, on further amendments to a title. None has been moved to date as far as we know. Such motions on titles would still allow for ten minute debates on preprinted amendments after the time has expired for debating priority amendments offered by both sides to the title.

Limiting Legislative Amendments—The more legislative policy debates that are injected into the appropriations process, beyond mere cutting amendments, the longer the amendment process on each bill will take. A greater effort could be made by the Leadership to limit legislative provisions and amendments on appropriations bills in favor of debating and voting on these through the regular authorization process. In this way, the Leadership could reserve such debates in the appropriations process to only those major issues which the Leadership strongly feels must be attached to appropriations bills.

Limit Dilatory Motions—Special rules could confine the minority to not more than one motion to strike the enacting clause per bill and also authorize not more than one motion to rise per day by anyone other than the majority manager or the majority leader. At present, motions to strike the enacting clause are in order at any time there has been a change in the bill, i.e., an amendment adopted; and motions to rise are in order at any time after there has been only one intervening speech since the last such motion.

Second Rule—If the above suggestions are still not sufficient in expediting action, the Leadership can always seek a second rule to further restrict amendments (as was done on the foreign ops bill), and blame Democrats for the need to do so.

Mr. DREIER. Mr. Speaker, I yield myself such time as I may consume to express my very deep appreciation to my friend, the gentleman from Martinez, CA, the former chairman of the authorizing committee, for his very kind words in support of our efforts to proceed with the open amendment process.

He has described us as being both cynical and deceitful. The fact of the matter is when we began this appropriating process, we had a wide-open rule that had the goal of allowing every Member to participate in this process.

□ 1700

Only when we had to stay in session very, very late at night and deal with this process of delay did it lead us to conclude that this was necessary.

Mr. Speaker, I yield 6 minutes to the distinguished gentleman from Ohio [Mr. REGULA], the chairman of the subcommittee.

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

Mr. REGULA. Mr. Speaker, I think it is important that we set the record straight here. We have had some allegations here about what is in this bill. I noted with interest that among the things that were mentioned that the bill does, it was not mentioned that it saves the taxpayers $1.5 billion dollars.

There was an election on November 8, 1994, and the message was clear: We want deficit reduction. We do not want to leave our children and our grandchildren with a continuing legacy of big debt.

When we put this bill together, we looked at all the functions and said, ''Where can we effectively get the job done and save money?'' And as a result of this approach, we have a savings in here, as I mentioned before, of $1.5 billion. Now, if that includes interest, in 20 years it is probably $4 or $5 billion, and on, and on, and on.

So, I think it is important that we note that.

Also, as I said when the bill was introduced, we really dealt with three categories of functions:

The must-dos. The must-dos are keeping the parks open, keep the forests open for the visitors, recreation users, keep the Fish and Wildlife facilities open for the visitors, keep the BLM lands open for the visitors, keep the Smithsonian open for the visitors, keep the National Gallery open, keep the Kennedy Center open for those who want to visit—this is one of our memorials—and we did that job.

These are must-dos. The must-dos are pretty much flat-funded in spite of the fact that we were faced with a 10-percent-plus reduction in the amount of money available.

The second category was the need-to-dos, and the need-to-dos are to finish buildings that are under construction. They include health and safety in our parks, and forests, and public lands generally. So we took care of those projects that were under way or that affected the health and safety of those that would visit our public facilities.

We took care of basic science. We recognized that, if we are to go into the next century with a nation that is on it toes, that if we are to leave a legacy of a highly developed economy in these United States, we have to continue a program of science.

So the United States Geologic Survey was kept pretty much at their 1995 levels. Again they deal with earthquakes, they did the mapping that was used in Desert Storm, they deal with water quality, the things that are important as a legacy to the future.

What we are really talking about in this bill is what kind of a world we are going to leave for future generations. Are we going to preserve the crown jewels of the national parks and forests? Are we going to leave a legacy of good science? Are we going to leave a legacy of good management? Because we do not want to burden future generations with an inordinate amount of debt to achieve our goals.

We put a freeze on land acquisition. Let us not buy more land until we take care of what we have. Let us not start new programs or new construction until we take care of what is already on the books.

The third category is the nice-to-dos, and there are a lot of nice things that we could do, but we do not have the money to do it, and we have that in our own lives. There are many things that people would like to do in their own personal lives, if they had a lot of money, but what we feel is important is to apply common sense, to apply balance. Therefore, on some of the things that would be nice to do we had to cut back severely, such as land acquisition.

We had over 400 letters from Members requesting some kind of a project or some kind of a program, many of those nice to do, but we had to say, ''No, we can't afford it if we are going to get a responsible budget in the future,'' and one of the things we did was try to avoid programs or construction that would have large downstream costs. It is a goal, as outlined in the budget adopted by the House and the other body, the budget of the Congress, if my colleagues will, to achieve balance by the year 2002; that is only 7 years away. To do that we have to start on a glide path to achieve savings, and that means not starting new programs that would be expensive, not starting new construction that would be expensive, not acquiring land that would cost big dollars to manage.

So that is the commonsense, that is the responsible, approach, and that is what we attempted to do in this bill, and I think we did it with fairness, without partisanship, and I certainly believe the bill and the rule deserve support.

I had to smile a little bit when there was some mention of the endangered species issue and the fact that this does not provide for listing or prelisting. The reason is that there is no authorization. The authorization expired a couple of years ago when this body was in the control of what is now the minority party, and that party chose to not reauthorize the Endangered Species Act. I do not know why, because I just heard comments that this is very important, and yet for a period of approximately 2 years nothing was done to enact a reauthorization. Therefore, under the rules of this House, we are not in a position to appropriate money because there is no authorization.

Now I have to say that the Committee on Resources is working on an authorization bill, and we have funding in there, in this bill, subject to authorization. That is the proper way to do it, and that is what we have tried to do throughout this bill, and I certainly urge the Members to support the rule and support the bill.

Mr. BEILENSON. Mr. Speaker, before yielding to our next speaker, may I just say very briefly I think it is fair to say that there is no finer or respected Member than the distinguished member from Ohio who just spoke, but I would say to our friend from Ohio that the reason the gentleman has been forced to make such large cuts in so many programs that are, in fact, not only nice to do, but many of us think are important to do, is because his party adopted a budget resolution which requires us over the next 7 years to spend an additional $77 billion on defense which I think perhaps the majority of us would like to argue against and because they are setting aside $245 billion for tax cuts, the benefits of which, the majority of benefits of which, go to the wealthiest among us. If we were not having to pay for those $350 billion worth of cuts and raises in spending for defense and tax cuts, the gentleman would have had available to him and to his committee an additional several billions of dollars which would have made his job, and our job, a good deal less difficult and painful.

Mr. Speaker, I yield 5 minutes to the distinguished gentleman from Wisconsin [Mr. OBEY], the ranking minority member of the Committee on Appropriations.

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

Mr. Speaker, I would simply like to say that, because the gentleman from California has indicated accurately this is a rule which has been worked out between both sides, I certainly have absolutely no objection to the rule. I certainly have misgivings about the process by which we have gotten here, but I certainly do not have any objection to the specific rule and will, in fact, support the rule.

Let me simply say, having done that, however, that I would like to respond to some of the thoughts that we heard from the gentleman from California earlier with respect to the need to finish the appropriations process by August. I certainly want to see that happen, too. I know of no one on this side of the aisle who does not feel a strong degree of responsibility to try to finish the appropriation bills in the House by the time we leave here for the scheduled August recess, and I want to say that I fully intend to provide whatever cooperation is required to get that done. What I do not want to see in the process, however, is to see policy issues buried and budget issues buried so we do not have adequate ability to discuss them in a manner which will make those issues most understandable to the general public who will be affected by our decisions on those issues. I think the gentleman from California [Mr. MILLER] indicated earlier his concerns about what is happening, and frankly, Mr. Speaker, there are some of us who feel what is happening is this:

We feel that after the original news stories came out about the kind of meetings with lobbyists that led to the deregulation bill that passed this House and was then turned down in the Senate 100 to nothing because it was looked at as simply being a lobbyists' dream list, we feel that people who are pushing those kinds of changes in regulatory practices which are desired by special interests and are not desired by the general public, we feel that there is a very high potential for the appropriations process being abused by bringing those issues into the appropriations process, burying them in an appropriations bill debate strong policy issues that have to do with the Clean Water Act, the Clean Air Act, the food inspection, basic labor law, basic rights of working people under that law, basic law with respect to housing. And we do not believe that those issues ought to be slipped into the appropriations process, debated for 5 or 10 minutes a side, and in essence have this House make major policy decisions with absolutely no ability to really discuss those issues, absolutely no ability to amend the amendments that are being offered, and no ability for the people on the committees who know the most about those issues, the policy committees, the authorizing committees, to actually participate in that discussion so that Members of this House know what they are doing when they do it.

I do not want to wake up after we have walked out of here in August and discover that only then is the press able to find out what has been slipped through here on appropriation bill after appropriation bill—something which we would not have had the ability to debate and which the press would not have had the ability to cover until after we are out of here in August. So I want to repeat: I am very willing to cooperate to see to it that we meet our responsibilities to get the budget issues through. That is the job of the Committee on Appropriations, to

help see to it we get the budget issues through by the time we get out of here. But I do not want that cooperation to be abused by then also bringing into the mix a huge number of policy issues which on their merits deserve to be discussed in full public view, in the light of day, not at 10, 11, or 12 o'clock at night on the floor, or as was the case last week, not in subcommittee at 1, 2, 3, and 4 o'clock in the morning when certainly there is no member of the public attending, no members of the press, and the message about what has been done to people never gets out.

So if we could accommodate that distinction, I think we could get along here a whole lot better than was the case Thursday night, and the public we are supposed to serve will have been served much better in the process.

Mr. DREIER. Mr. Speaker, I yield 1 minute to the gentleman from Ohio [Mr. REGULA].

Mr. REGULA. Mr. Speaker, I just want to make it very clear that this is a bill to appropriate money, and every dollar in this bill was subject to amendment. There is no restriction on the ability of Members to add or subtract the amount of money. So I think there has to be an understanding, while there are some policy questions involved in the bill, that basically the money issues are open for amendment in every dimension.

□ 1715

Mr. OBEY. Mr. Speaker, if the gentleman will yield, I am sure the gentleman understands, however, that is these language amendments are protected by the rule, we are operating outside of the normal confines of the House rules, and that has very serious implications for some laws that are very important to the consuming public.

Mr. BEILENSON. Mr. Speaker, I yield 3 minutes to the gentleman from Illinois [Mr. YATES] the ranking member.

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

Mr. YATES. Mr. Speaker, I want to talk about family values briefly tonight, because we are going to vote on them later in the evening.

Love of family, respect for our fellow man, a well-educated and ethically minded people is our ideal and our goal for all Americans. You know how important education is in attaining these goals. To that end, the National Endowment for the Arts, the National Endowment for the Humanities, and the Institute for Museum Services are three of the most powerful educational forces in existence.

Mr. Speaker, we now fund the National Science Foundation at nearly $3 billion, and we do not cut that foundation, and we should not cut that foundation, because it fosters the development of science and mathematics, which is very important. But the National Science Foundation does not provide funds to foster education in history, in languages, in philosophy, in ethics, in religion, in literature, in the arts. In other words, the National Science Foundation does not contribute to the disciplines that will educate our children in the ways of peace in communities at home and in nations abroad.

Do you believe that education in science and math is enough without education in the other disciplines? Of course you do not. If you do not, then why should you attack the Endowments and the Institute of Museum Services which contribute to fostering those important educational subjects. These are very powerful educational agencies, and I do hope that the attacks against them tonight will be thwarted.

Mr. Speaker, I would submit for the RECORD a letter which I have received, dated July 10, from Dr. Norman Rice, Mayor of Seattle, who is also president of the United States Conference of Mayors.

THE UNITED STATES
CONFERENCE OF MAYORS,
Washington, DC, July 10, 1995.

Hon. SIDNEY YATES,
U.S. House of Representatives,
Washington, DC.

DEAR MR. YATES: At our 63rd Annual Conference of Mayors, held June 16–20, in Miami, the mayors passed a strong resolution in support of the National Endowments for the Arts and Humanities and the Institute for Museum Services.

As you begin your final deliberations over the future of these three federal agencies, I strongly urge you to take into consideration the support the arts and humanities have at the local level and the vital role they play in improving the lives of all Americans, especially our young children.

We are all aware of the budget constraints and the need to work towards a balanced budget, but we feel Congress would be making a grave error to eliminate, or drastically reduce, federal support for the arts which, in turn, leverages critical private support for the arts. Every mayor has witnessed how federal leadership in the arts and humanities has benefited his or her community in the creation of jobs, businesses, tourism, and overall quality of life.

I have enclosed a copy of our Arts and Humanities resolution that was passed unanimously by the mayors.

We urge you to support continued federal involvement in the arts and humanities.

Sincerely,

NORMAN RICE,
Mayor of Seattle, President.

ARTS, HUMANITIES AND MUSEUMS FUNDING AND REAUTHORIZATION

Whereas, the arts, humanities and museums are critical to the quality of life and livability of America's cities; and

Whereas, the National Endowment for the Arts' and the National Endowment for the Humanities' thirty years of promoting cultural heritage and vitality throughout the nation has built a cultural infrastructure in this nation of arts and humanities agencies in every state and 3,800 local arts agencies throughout the country; and

Whereas, the National Endowment for the Arts (NEA), National Endowment for the Humanities (NEH), Institute of Museum Services (IMS) are the primary federal agencies that provide federal funding for the arts, humanities and museum programs, activities, and efforts in the cities and states of America; and

Whereas, federal funding serves as a catalyst to leverage additional dollars for cultural activity—the $373 million invested in these three agencies by the federal government leverages up to 12 times that amount from state and local governments, private foundations, corporations and individuals in communities across the nation to support the highest quality cultural programs in the world; and

Whereas, federal funding for cultural activities stimulates local economies and improves the quality of civic life throughout the country—the NEA, NEH and IMS support programs that enhance community development, promote cultural planning, stimulate business development, spur urban renewal, attract new businesses, draw significant tourism dollars, and improve the overall quality of life in our cities and towns; and

Whereas, the nonprofit arts industry generates $36.8 billion annually in economic activity and supports 1.3 million jobs—from large urban to small rural communities, the nonprofit arts industry annually returns $3.4 billion in federal income taxes; $1.2 billion in state government revenue and $790 million in local government revenue; and

Whereas, federal arts funding to cities, towns and states has helped stimulate the growth of 3,800 local arts agencies in America's cities and counties and $650 million annually in local government funding to the arts and humanities; and

Whereas, federal funding for cultural activities is essential to promote full access to and participation in exhibits, performances, arts education and other cultural events regardless of geography and family income; and

Whereas, federal funding for cultural activities is essential to maintaining the delicate balance in shared responsibility and partnership for public funding of the arts and humanities at the federal, state and local government levels; and

Whereas, the NEA and NEH have been placed in a precarious position because of difficult economic times; and

Whereas, draconian cuts to the NEA's and NEH's budget would have a disastrous effect on the survival of arts and humanities institutions, arts organizations, artists, and cultural programming at the national, state and local level; and

Whereas, the NEA's budget has already incurred repeated funding cuts for several consecutive years and currently operates at its 1984 funding level,

Now, therefore, be it resolved, that the U.S. Conference of Mayors calls upon the President and Congress to reauthorize the National Endowment for the Arts, National Endowment for the Humanities and the Institute of Museum Services for five years at a funding level that enables the agencies to exercise a strong national leadership role to invest in the social, economic and cultural well-being of the American public.

Be it further resolved, that the U.S. Conference of Mayors calls upon the President and Congress to oppose eliminating or phasing-out our federal cultural agencies; to oppose reducing their budgets; and to oppose mandating all funds be blockgranted to the states, which would eliminate the national leadership role of these federal agencies.

Mr. BEILENSON. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Michigan [Mr. DINGELL] the ranking member of the Committee on Energy and Commerce.

Mr. DINGELL. Mr. Speaker, I am hard put to explain why such a punitive and harsh rule is before this body at this time.

This is a bad rule for a bad piece of legislation. It establishes bad precedence. It curtails the rights of the Members to adequately debate the measure before us, and it confines Members to a straitjacket with regard to the amendment process, the opportunity to speak and to explain these amendments.

It is, all in all, a bad rule, and it should be rejected by the House. It permits only Members on the Republican side to offer a motion to rise, it permits only Members on the Republican side to have a motion which would require the House to rise and report the bill back to the House with such amendments as may have been adopted. It requires that amendments which are offered may be only debatable for 10 minutes, 5 minutes for the proponents, 5 minutes for the opponents.

Legislative amendments which would deal with fuel efficiency standards for appliances and buildings would get 5 minutes on each side. Those are important matters and they were debated in this House for a number of hours at an earlier time. The action which is being taken here is not being taken by a legislative committee, but rather by the Committee on Appropriations.

I would make the observation to this body that fuel efficiency and energy efficiency standards for appliances are something which are of importance to American industry, and the standards which are now on the books with regard to energy efficiency for appliances was adopted as a result of the solicitation of American industry.

This is something which is probably not known to my Republican colleagues, because most of those who are pushing this kind of change were not present in the House at the time it was adopted. The reason industry wanted those standards was so that they would not confront the certain probability of every State in the Union coming forward with different energy efficiency standards for appliances. Why? Because they could not have meaningful interstate commerce in appliances when they have to have standards which are enacted in 50 different ways, in 50 different sets of language, by 50 different States.

Five minutes on each side is going to be afforded to this body to discuss a proposal of that importance.

Let me make another observation. The language of the rule prohibits division of the question. It sets up the curious situation where we may find that two amendments will be adopted, after no reading and after no debate. Members who might wish to amend an amendment to perfect it are now precluded by this rule. For example, if a member of the legislative committee desires to offer an amendment which would perfect a rule, perhaps the one offered by the gentleman from Mississippi [Mr. PARKER] or perhaps by the gentleman from Massachusetts [Mr. OLVER], he will not be permitted to do so.

Why? Because of the rule. That is the amendment under the rules, which is a normal action which is taken by this body, to perfect amendments and to make the legislation more meaningful, more correct, and more in the broad, overall public interest.

Mr. DREIER. Mr. Speaker, it is my great pleasure to yield 2 minutes to my very good friend from Michigan, Mr. DINGELL, pending which I hope he will yield to me just a moment so that I might clarify some of the things the gentleman has said.

Mr. DINGELL. I will be happy to yield to the distinguished gentleman from California.

Mr. DREIER. Mr. Speaker, I would simply like to clarify a statement made. In my opening statement, I said that at the end of this rule debate, I will, having a request that came from Members on my friend's side of the aisle, ask for a doubling of the amount of time for debate on nine amendments, including amendments that were raised. If I could continue, I say that because we did have an agreement of 10 minutes per side, a total of 10 minutes. Now we have doubled that, because Members on your side made that request of us.

Mr. DINGELL. Mr. Speaker, reclaiming my time, this is a little like rape. The issue here is not how much force is used, but just that force is used. The hard fact is 10 minutes to discuss a matter on one side, to discuss a matter of this importance, is not an adequate amount of time in which to engage in responsible debate. The gentleman has not corrected any of the concerns, and I thank the gentleman for yielding, I have enormous respect for him, but he has not corrected nor has he proposed to correct the fact that the amendments may not be amended.

Mr. DREIER. Mr. Speaker, if the gentleman will continue to yield, we simply did that at the request of the minority.

Mr. DINGELL. The gentleman's kindness is extraordinary, but it is not adequate, nor does it do the things that have to be done to make this rule the kind that a responsible legislator may support.

Mr. BEILENSON. Mr. Speaker, I yield 2 minutes to the gentleman from New York [Mr. NADLER].

Mr. NADLER. Mr. Speaker, I rise today in opposition to this restrictive rule which does not allow us to consider fully the magnitude of the changing proposes in this bill. To limit debate on whether to eliminate all support of the arts, the soul of America, to 10 minutes, is outrageous.

Those supporting eliminating funding for the National Endowment for the Arts argue that it is too costly. If given more than a minute, I could argue, with verity, that cutting the National Endowment for the Arts would in actuality do damage to our national economy.

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

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

Mr. DREIER. Mr. Speaker, I thank my friend for yielding. I would like to clarify one more time the time for debating the amendment to which my friend is referring has been doubled, or will be when I offer an amendment at the end of the debate. We are doubling the amount of time.

Mr. NADLER. Mr. Speaker, reclaiming my time, for a relatively small Federal investment, millions of dollars are generated each year in our communities as a result of NEA funding. In 1992, the $166 million invested by the National Endowment for the Arts is estimated to have generated local economic activity throughout the country totalling $1.68 billion. In fact, the Federal Government received an average of $3.4 billion in income tax revenue from nonprofit arts organizations, according to a recent study. To cut this funding would be fiscally imprudent.

But there is much more than money at stake here. What is at stake is the soul of America—the richness, the texture, the intangible verve which courses through our daily existence in ways that we do not always recognize in the short run.

To argue that we must sell our soul to pay our bills is downright irresponsible. Some might argue that the work spurred by NEA funding is not a worthwhile investment of our federal tax dollars. Yes, it is difficult to quantify the noneconomic benefits we gain from our Federal commitment to the arts. But what of our grandfather's pocketwatch that we keep always, for which we invest in repairs, which has no real value in an economic sense? We cannot describe why it is valuable to us, but it is part of who we are—it feeds our soul in an intangible way. Similarly, it is difficult to quantify the smile on a child's face when she sees her first play at a children's theater, or the self-exploration we may experience when we look at a painting. These are things on which we cannot put a price, but are made possible through our Federal commitment to the arts and humanities.

Some may argue that they support the arts—but taxpayers should not be forced to finance the NEA. But without NEA support, many of the smaller, community based arts organizations would perish. Private funds are stimulated by the NEA imprimatur and matching requirements.

When this body established the NEA, we said, ''The Congress hereby finds and declares * * * that it is necessary and appropriate for the Federal Government to help create and sustain not only a climate encouraging freedom of thought, imagination, and inquiry but also the material conditions facilitating the release of this creative talent.'' This remains an important goal. Let us

not act rashly and put in jeopardy the future of America's soul with only 10 minutes of debate.

Mr. BEILENSON. Mr. Speaker, I ask Members to support this rule.

(Mr. BEILENSON asked and was given permission to include extraneous material in the RECORD.)

The material referred to follows:

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.	.....
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.	.....

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. 1977 *Rule Defeated* .	Interior Appropriations	H. Res. 185	Open; waives sections 302(f) and 308(a) of the Budget Act and cl 2 and cl 6 of rule XXI; provides that the bill be read by title; waives all points of order against the Tauzin amendment; self-executes Budget Committee amendment; waives cl 2(e) of rule XXI against amendments to the bill; Pre-printing gets priority.	N/A
H.R. 1977	Interior Appropriations	H.Res. 187	Open; waives sections 302(f), 306 and 308(e) of the Budget Act; waives clauses 2 and 6 of rule XXI against provisions in the bill; waives all points of order against the Tauzin amendment; provides that the bill be read by title; self-executes Budget Committee amendment and makes NEA funding subject to House passed authorization; waives cl 2(e) of rule XXI against the amendments to the bill; Pre-printing gets priority.	N/A
H.R. 1976	Agriculture Appropriations	H. Res. 188	Open; waives clauses 2 and 6 of rule XXI against provisions in the bill; provides that the bill be read by title; Makes Skeen amendment first order of business, if adopted the amendment will be considered as base text (10 min.); Pre-printing gets priority.	N/A
H.R. 1977 (3rd rule)	Interior Appropriations	H. Res. 189	Restrictive; provides for the further consideration of the bill; allows only amendments pre-printed before July 14th to be considered; limits motions to rise.	

*Contract Bills, 67% restrictive; 33% open. **All legislation, 62% restrictive; 38% 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. BEILENSON. Mr. Speaker, I yield the balance of my time to the gentleman from California [Mr. MILLER].

The Speaker pro tempore. The gentleman from California [Mr. MILLER] is recognized for 2 minutes.

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

Mr. Speaker, I would ask my colleagues to oppose this rule. It was said by the gentleman from California in his opening statement that this rule was here to rescue this important bill from Democratic tactics. Let me just say on last Thursday we had 14 amendments offered on the floor of the House, 8 of which were Republican amendments. The total time for Democratic debate on those amendments was 3½ hours. We spent over 2 hours just on the Gilchrest amendment alone, the Gilchrest amendment, which was to remove legislation from this appropriations bill dealing with the use of volunteers in the environmental field by the National Biological Survey.

So most of the time was in fact spent trying to figure out how to remove legislation that was unacceptable both to Republicans and to Democrats. But because of that debate, we now see that all of a sudden debate on this bill, on issues ranging from endangered species to the National Endowment for the Arts, are now collapsed into 20 minutes or 10 minutes on these most important issues.

This is clearly a gift to those who do not want to take the heat for the policy considerations that they want to have this bill enact. They do not want to take the heat for the changes in the law. If you can get this down so later tonight at 10 or 11 o'clock at night we are spending 10 minutes a side to debate these issues, then you can go on about your business.

It is the wrong way to legislate. The House deserves better, the members of the authorizing committees who are disenfranchised by this effort deserve better, and the American people deserve better about these kinds of major changes being presented to us now, in as restrictive a rule essentially as you can have, which is to offer you the minimum time per side as opposed to the minimum time you have under the 5-minute rule for the Members of the House, which is 5 minutes per Member who can stand up and argue these debates.

□ 1730

That is open and free debate. This rule is not about open and free debate. This rule is about closing down debate so you do not have to answer the hard questions.

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

Mr. Speaker, we did hear from my friend from Woodland Hills that there is support of this rule. I guess I am speaking for the leadership on both sides of the aisle in stating that there is strong support for this rule.

I hope that we can pass it.

AMENDMENT OFFERED BY MR. DREIER

Mr. DREIER. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. DREIER:

Page 2, line 13, insert the following after the period:

''Notwithstanding the preceding sentence, the following amendments (identified by numerical designation pursuant to clause 5 of rule XXIII) shall be debatable for 20 minutes equally divided and controlled by the proponent and an opponent: the amendments numbered 11, 31, 40, 41, 57, 61, 65, 66, and 72. The amendment numbered 57 is hereby modified to insert on page 94 after line 24.''.

The SPEAKER pro tempore (Mr. SHAYS). The gentleman from California [Mr. DREIER] has 15 minutes remaining on the amendment and the rule.

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

Mr. Speaker, as I mentioned in my opening statement and in response to statements from the gentleman from New York [Mr. NADLER] and the gentleman from Michigan [Mr. DINGELL], this amendment would simply permit the House to debate a specific group of 9 amendments for up to 20 minutes each, rather than the 10 minutes provided for under the pending rule.

Debate time on these amendments shall be equally divided and controlled between the proponent and an opponent. As the new rule already stipulates, the amendments shall be considered as read, are not subject to amendment or to a demand for a division of the question.

Mr. Speaker, as I was saying earlier, we are offering this amendment in a spirit of bipartisanship, recognizing that certain issues that are associated with this bill, such as funding for the arts and humanities, deserve additional time on the floor for debate. As I have said, we have doubled the amount of time on that. This amendment was developed in close consultation and cooperation with the minority and I urge my colleagues to support this fair and straightforward amendment.

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

Mr. BEILENSON. Mr. Speaker, we have no time over here. If we did, I would have recognized myself and would have joined in support of the amendment which we are pleased that the gentleman is offering. We ask for its support.

Mr. DREIER. Mr. Speaker, that is the reason that I was very careful in maintaining time over here so that I would get those wonderful words from the distinguished minority manager of this rule.

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

The SPEAKER pro tempore. Without objection, the previous question is ordered on the amendment and on the resolution.

There was no objection.

The question is on the amendment offered by the gentleman from California [Mr. DREIER].

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the resolution, as amended.

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

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

The SPEAKER pro tempore. Pursuant to clause 5, rule I, further proceedings on this motion will be postponed until 6 p.m.

The point of no quorum is considered as withdrawn.

PERMISSION FOR SUNDRY COMMITTEES AND THEIR SUBCOMMITTEES TO SIT TODAY DURING THE 5-MINUTE RULE

Mr. DREIER. Mr. Speaker, I ask unanimous consent that the following

committees and their subcommittees be permitted to sit today while the House is meeting in the Committee of the Whole House under the 5-minute rule. The Committee on Government Reform and Oversight, the Committee on the Judiciary, and the Committee on Resources.

It is my understanding that the minority has been consulted and that there is no objection to these requests.

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

Mr. BEILENSON. Mr. Speaker, reserving the right to object, I shall not object, we have been advised that the Democratic leadership has been consulted and has no objection to the request.

Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12, rule I, the Chair declares the House in recess until 6 p.m. today.

Accordingly (at 5 o'clock and 34 minutes p.m.), the House stood in recess until 6 p.m.

□ 1803

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. SENSENBRENNER) at 6:03 p.m.

PROVIDING FOR FURTHER CONSIDERATION OF H.R. 1977, DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS ACT, 1996

The SPEAKER pro tempore. The pending business is the de novo vote on the passage of House Resolution 189, as amended.

The Clerk read the title of the resolution.

(For text of House Resolution 189, as amended, see prior proceedings of the House of today.)

The SPEAKER pro tempore. The question is on the resolution, as amended.

The resolution, as amended, was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. REGULA. 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. 1977, which we are about to consider, and that I may be permitted to include tables, charts, and other materials.

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

There was no objection.

DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS ACT, 1996

The SPEAKER pro tempore. Pursuant to House Resolution 187 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. 1977.

□ 1804

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. 1977) making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1996, and for other purposes, with Mr. SHAYS (Chairman pro tempore) in the chair.

The Clerk read the title of the bill.

The CHAIRMAN pro tempore. When the Committee of the Whole rose on Thursday, July 12, 1995, title II was open for amendment at any point.

Pursuant to House Resolution 189, further consideration of the bill for amendment shall proceed without intervening motion except amendments beginning in title II printed in the CONGRESSIONAL RECORD before July 14, 1995; motions that the committee rise offered by the majority leader or his designee, and motions that the committee rise and report the bill to the House with such amendments as may have been adopted offered a preferential under clause 2(d) of rule XXI.

Each further amendment to the bill may be offered only by the Member who caused it to be printed, is considered read, is debatable for either 10 or 20 minutes, as the case may be, equally divided and controlled by the proponent and an opponent of the amendment, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

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.

Are there any amendments to title II?

AMENDMENT OFFERED BY MR. BASS

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

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. BASS: Page 47, line 25, insert before the period the following:

": *Provided:* That the Forest Service shall make a priority emergency purchase of the Bretton Woods tract within the White Mountain National Forest in New Hampshire."

The CHAIRMAN pro tempore. Pursuant to House Resolution 189, the gentleman from New Hampshire [Mr. BASS] will be recognized for 5 minutes, and a Member opposed will be recognized for 5 minutes.

The Chair recognizes the gentleman from New Hampshire [Mr. BASS].

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

Mr. Chairman, I understand that this amendment is subject to a point of order and I plan to withdraw it shortly. However, I would like to enter into a very brief colloquy with the chairman of the Subcommittee on the Interior of the Committee on Appropriations.

Is this acceptable to the gentleman from Ohio?

Mr. REGULA. Mr. Chairman, if the gentleman will yield, yes, it is. We do object to the amendment, but I think the colloquy will clear that up.

Mr. BASS. I thank the gentleman very much.

Mr. Chairman, it is my understanding that certain funds will be available in this bill for emergency land acquisitions. These acquisitions include tracts of land which are surrounded by existing national forest land and are imminently threatened by development. It is my further understanding that the Bretton Woods tract in the White Mountain National Forest is the type of acquisition that might qualify for funding.

Is this also the understanding of the gentleman from Ohio?

Mr. REGULA. If the gentleman will yield further, yes, it is. I would point out, as the gentleman did earlier, that the money in here only applies in the event of an emergency. This is the type of thing that might qualify.

Mr. BASS. Very well. I thank my colleague for his courtesy.

Mr. Chairman, I rise today to express my strong support for the acquisition of the Bretton Woods tract and its incorporation into the White Mountain National Forest. Historically, aesthetically, and recreationally, this 480-acre tract is invaluable to New Hampshire's North Country. This expanse is one of the last remaining undeveloped private ownerships that lies within the panorama of the historic Mt. Washington Hotel where the Bretton Woods Treaty was signed 50 years ago. The property contains over 10 miles of trails that provide the area's many visitors with outstanding recreational opportunities, including hiking, mountain biking, cross-country skiing, and snowmobiling.

The Forest Service has informed me that this tract's acquisition would qualify as an emergency. The land is surrounded on three sides by the national forest. While the land is zoned for development, the owner is ready to sell the parcel to the Forest Service. However,

if an emergency acquisition of this land is not made, the land will be developed for economic reasons. I believe that it would be a serious mistake to allow development of this land located in the midst of the White Mountain National Forest.

Mr. Chairman, I include a letter from the Forest Service for the RECORD, as follows:

DEPARTMENT OF AGRICULTURE,
FOREST SERVICE,
Washington, DC.

Hon. CHARLES F. BASS,
House of Representatives, Washington, DC.

DEAR REPRESENTATIVE BASS: The President's FY 1996 Budget included $1,000,000 for land acquisition within the White Mountain National Forest. The funding request is intended to allow for a partial purchase of the Bretton Woods property. We are currently working with the landowners and the Trust for Public Land to complete an appraisal of the property.

This property is a priority for acquisition. National Forest System lands about the property on three sides and we believe development is likely if we are unable to purchase. The property would qualify for emergency and inholdings land purchase funding, as currently identified in the Department of Interior and Related Agencies FY 1996 Appropriations bill. However, the current funding level of $7,100,000 is inadequate to meet our emergency acquisition needs, and we are unable to commit how this funding will be utilized.

Brent Handley of my staff is available to work with you if you have any additional questions. He can be reached at 205–0945.

Sincerely,

GORDON H. SMALL,
for Director of Lands.

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

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from New Hampshire?

There was no objection.

AMENDMENT OFFERED BY MR. COBURN

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

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. COBURN: Page 45, line 24, strike ''$1,276,688,000'' and insert ''$1,266,688,000''.

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 IX of the Elementary and Secondary Education Act of 1965, $52,500,000, to be allocated to local educational agencies.

AMENDMENT, AS MODIFIED, OFFERED BY MR. COBURN

Mr. COBURN. Mr. Chairman, I ask unanimous consent that my amendment be considered as modified and reported in the CONGRESSIONAL RECORD.

The CHAIRMAN pro tempore. The Clerk will report the modification.

The Clerk read as follows:

Amendment, as modified, offered by Mr. COBURN: Page 45, line 24, strike ''$1,276,688.000'' and insert ''$1,266,688,000''.

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 IX, Part A, Subpart 1 of the Elementary and Secondary Education Act of 1965, as amended, and section 215 of the Department of Education Organization Act, $52,500,000.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

The CHAIRMAN pro tempore. Pursuant to House Resolution 189, the gentleman from Oklahoma [Mr. COBURN] will be recognized for 5 minutes, and a Member opposed will be recognized for 5 minutes.

The Chair recognizes the gentleman from Oklahoma [Mr. COBURN].

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

Mr. COBURN. Mr. Chairman, there is no one in this House who is more committed than I to cutting unnecessary spending and balancing the budget. I strongly support streamlining programs and cutting the bureaucracy in Washington. However, as written, this bill cuts more than just bureaucracy in the Office of Indian Education. It guts grant money for schools and for children.

My amendment does not restore the Office of Indian Education. However, it sends money directly to those schools who depend on it for educating their students. Again, the Coburn amendment restores money for schools, not for bureaucracy. Although the amendment does not restore the Office of Indian Education, I am willing to work with the Department of Education to see and to assure that the grant money is administered.

The Coburn amendment pays for these school grants by reducing an offsetting amount from the general administration accounts within the Forest Service, an amount for that general administration account in excess of $1.3 billion.

Balancing the budget includes balancing priorities. If money for schoolchildren is more important than money for bureaucracy, then you should vote for the Coburn amendment.

We must as we bring this budget down and control the spending not throw babies out with the bath water.

In educating our children, there cannot be a higher priority for this country. We must spend the dollars wisely, we must spend it on the children, not on bureaucracies.

It is my hope that the Congress will honor this amendment and will make the necessary correction in this appropriations bill so that school children throughout this country will receive the appropriate dollars required to educate themselves.

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

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

Mr. REGULA. Mr. Chairman, we have no objection to this amendment. We had a discussion on this on Thursday on a previous amendment concerning Indian education. At that time, it was stated by myself and others that we would support this amendment. The reason that we are in favor of this is the following:

First, it does restore the $52,500,000 to Indian education. The previous amendment was a larger amount.

Second, it offsets from administrative costs as opposed to program reductions.

I think this is a very important element. What it really means is that this money will actually go to programs for the Indian children and will not be spent on administrative costs.

One of the things we have tried to do in this bill is to get more money on the ground and less in administrative-type functions.

Third, the money is directed to local schools only and no special programs are funded. In other words, it gives the school districts the flexibility to design programs for the Indian children that will perhaps meet their needs in unique ways.

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

Mr. COBURN. I yield to the gentleman from Illinois.

Mr. YATES. Mr. Chairman, how will these funds be distributed? If there is no longer an Office of Indian Education, who will receive the money for distribution to the various school districts that are to receive them?

□ 1815

Mr. REGULA. Mr. Chairman, I think, in response to the gentleman from Illinois [Mr. YATES], it would be done through the BIA or some other administrative function. And what we are trying to do is to avoid overhead costs and get the money out to the children and to the schools.

It is basically a formula grant, so a computer can designate the amount that goes to each school, depending on the evidence the school would present as to the number of Indian children that are enrolled in that particular school district.

Mr. YATES. If the gentleman would continue to yield, does the amendment by the gentleman from Oklahoma [Mr. COBURN] provide for that duty to be undertaken by either BIA or some other agency?

Mr. REGULA. It is structured in a way that it will take care of getting the money to the school districts on a per capita basis. That has been historically the case.

Mr. YATES. But my question, Mr. Chairman, is there in the gentleman's amendment a provision that will have some authority providing the distribution?

Mr. REGULA. That would be in the agency known as the Office of Indian

Education and that office would be responsible for distributing the money on a formula basis.

Mr. YATES. Mr. Chairman, I thank the gentleman.

Mr. REGULA. I think this discussion brings this out, and that is that this amendment will greatly reduce administrative overhead in the office. In the age of computers, it is fairly easy to distribute funds that are on a per capita basis and are strictly by formula. For all of these reasons, we support the amendment.

The CHAIRMAN. Does any Member rise in opposition?

Mr. YATES. Mr. Chairman, I claim the time in opposition to the amendment.

The CHAIRMAN. The gentleman from Illinois [Mr. YATES] is recognized for 5 minutes.

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

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

Mr. YATES. I yield to the gentleman from Montana.

Mr. WILLIAMS. Mr. Chairman, it seems to me that this additional money for Indian education is well worthwhile. I think the committee has recognized that they are incorrect to chop Indian education, although I share the ranking member's concern that without an Office of Indian Education, you will have trouble getting this money to the schools.

By the way, the Office of Indian Education money did not go to the schools. It did not follow the schools. It follows the students. That is the value of it, because it will follow them off of the reservation.

Mr. Chairman, I appreciate the gentleman restoring the money and understanding the error that the subcommittee made.

Mr. YATES. Mr. Chairman, like the chairman of the committee, I have no objection to this amendment and I think it ought to be adopted.

Mrs. CLAYTON. Mr. Chairman, I wish to commend my colleague from the other side of the aisle, Congressman COBURN, for his amendment on funding for the Office of Indian Education. However, I have some concerns about this amendment.

First, the amount addressed here—$52.5 million is not adequate to reinstate the Office of Indian Education, and instead gives the money to the local Indian education programs. Some program areas will benefit, some may not.

Second, I am concerned about the source Mr. COBURN has earmarked to secure this $52.5—worthwhile programs under the general administration of Forest Service will be sacrificed.

I filed an amendment which will restore the funding level to the current $81 million because I believe in the Office of Indian Education and the programs which it offers. I cannot concede that the programs will be as well run as they were when monitored by the Office of Indian Education. This office serves unique cultural and academic needs of Indians. These needs will not be adequately met at a funding level of $52.5 million.

I agree that—in most cases—some money is better than no money. But to cut a limited program which has proven to work is not good. It should be our charge to find the money to fund the Office of Indian Education at a level which will at least maintain the current level of solvency.

If not here today, then through the conference process.

Mr. YOUNG of Alaska. Mr. Chairman, I rise in support of my esteemed colleague, Mr. TOM COBURN's amendment to the Interior appropriations bill. His amendment restores funding to local schools which receive funding from the Department of Education to support the special educational needs of Alaska Native or American Indian students. While Mr. COBURN's amendment does not restore the Office of Indian Education, it provides for program funds within the Department of Education to schools who provide academic tutoring, personal counseling, career counseling and other services to Alaska Native and American Indian students who are at risk. As a former educator, I believe it is vital that native students be given a fair opportunity to achieve their highest potential. I urge my colleagues to vote for the Coburn amendment to restore $52 million for the Department of Education program funding to schools who help disadvantaged children meet high standards.

Mr. HAYWORTH. Mr. Chairman, I rise in strong support of the Coburn amendment to restore $52.5 million to the Office of Indian Education. As I noted during debate on the Obey amendment last week, over a century ago the United States entered into treaties with many native American Indian tribes. My congressional district contains portions of eight sovereign Indian nations, including the Navajo Nation, America's largest reservation.

Although I would prefer restoring the entire $80 million cut from this important program, I am grateful for the opportunity to restore a good portion of these funds. I believe that if this amendment should fail to be adopted, Congress would be reneging on an important promise made to native American children. I hope that my colleagues will join me in keeping our treaty obligations by supporting the Coburn amendment.

The CHAIRMAN. The question is on the amendment, as modified, offered by the gentleman from Oklahoma [Mr. COBURN].

The amendment, as modified, was agreed to.

The CHAIRMAN. Are there further amendments to title II?

Mr. DEAL of Georgia. Mr. Chairman, I ask unanimous consent to strike the last word for the purposes of engaging in a colloquy with the gentleman from Ohio [Mr. REGULA].

The CHAIRMAN. Without objection, the gentleman from Georgia [Mr. DEAL] is recognized for 5 minutes.

There was no objection.

Mr. DEAL of Georgia. Mr. Chairman, I would like to engage the gentleman from Ohio [Mr. REGULA] in a colloquy with regard to the source of continued funding for an ongoing project which involves the construction for a bypass route around the Chickamauga-Chattanooga National Military Park, which is the oldest and largest military park in the country.

By way of background, this project was initially authorized in 1987 and has been continually funded since then on agreement between the National Park Service and the State of Georgia. The land acquisition necessary for this route has been substantially completed and construction has begun.

The State of Georgia has already spent $7 million on this project under its agreement with the Park Service.

It is my understanding, Mr. Chairman, that the gentleman from Ohio has consulted with the Park Service and that there is an agreement with the director of the Park Service to use discretionary Federal Highway Administration dollars to fund this project.

Mr. REGULA. Mr. Chairman, the gentleman from Georgia is correct. Because I believe it is important to continue to fund projects such as this one on which construction has begun, I have contacted the director of the National Park Service on this issue.

I have been assured by the director of the National Park Service that he will use $4.544 million in discretionary Federal Highway Administration dollars allotted to the Park Service to proceed with construction of the project.

I might add that the highway money is a separate pool that is allocated from the Committee on Transportation specifically for highway projects that affect parks.

Mr. DEAL of Georgia. I thank the gentleman from Ohio.

AMENDMENT OFFERED BY MR. STEARNS

Mr. STEARNS. 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. STEARNS: Page 72, line 19, strike ''$82,259,000'' and insert ''$74,033,100''.

Page 73, line 4, strike ''$17,235,000'' and insert ''$15,511,500''.

Page 73, line 6, strike ''$7,500,000'' and insert ''$6,750,000''.

The CHAIRMAN. Pursuant to House Resolution 189, the gentleman from Florida [Mr. STEARNS] and a Member opposed will each be recognized for 10 minutes.

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

Mr. STEARNS. Mr. Chairman, I yield myself such time as I may consume. I think the gentleman from Wisconsin [Mr. OBEY] was here Friday night saying, ''Let us bring the Stearns amendment forward,'' so I appreciate the gentleman advertising the Stearns amendment.

Mr. Chairman, I think many of my colleagues know what this is about. This is about a reduction to the National Endowment for the Arts. I rise today to offer this amendment to H.R. 1977. It cuts an additional $10 million from the fiscal year appropriations for 1996 for the NEA.

I want to recognize, of course, my colleague on the other side of the aisle, the gentleman from Illinois [Mr.

YATES]. Both he and I have discussed this in the past for a number of years, and I have great respect for him and great respect for his opinion. But I think the time has come now to bring this debate forward to a higher level.

I know that people on both sides of the aisle have different opinions on this, but I think we are now at a point of not only fiscal responsibility, but we are talking about good stewardship.

So as I said before, I have offered reductions to the NEA funding for many years and I believe that at this time, in this time of fiscal crisis, we must put each and every Federal program under the microscope.

And so my colleagues bear with me, let us take a good look at this program. Is this program vital to our Nation's well-being or could it be reduced and phased out? H.R. 1977, as reported, reduces funding for the NEA 39 percent from the fiscal year 1995 levels of $167 million; a small but timed step in the right direction.

My amendment would cut closer to what I believe the majority want; reduce, saving further, saving the taxpayers $77 million. In addition, my amendment moves us one step closer to full and total phaseout of the NEA. This is the first of a 2-year phaseout. Under my amendment, the NEA would be eliminated during this, the 104th Congress.

Unlike the agreement reached and outlined in the rule, my amendment would not guarantee the NEA a fiscal year 1997 funding level of $99 million. It would give the NEA only those funds necessary for the agency to close its door with all deliberate speed.

The amendment also, as I mentioned earlier, strikes a strong blow for fiscal responsibility. I think, my colleagues, we must demonstrate tonight that we are serious about reducing spending and only fund those projects that are absolutely necessary.

Ask yourself this question: Does the NEA defend Americans against invasion? Does it protect Americans from crime? Does it shield them from economic hardship? In other words, does it do these things that are important for the Federal Government to do for its citizens?

Simply put, the NEA has not proved itself necessary of this Federal funding. In a world where every American family now owes $80,000 of the national debt, every penny counts and in this type of world, we must look at the NEA.

Many of my colleagues might say to themselves, ''Well, the NEA has done a lot of good projects.'' But, Mr. Chairman, over the years there has been a great deal of controversy from this agency.

This agency continues to have controversy. This very summer, the NEA has been embroiled in controversy surrounding its support, but financially and philosophically, of Highways, a Los Angeles Performing Arts Center.

Mr. Chairman, I am sure most people in the House do not know what Highways, a Los Angeles performing arts center, does. As reported in the newspaper, the center received $15,000 this year from the NEA. I have here a brochure, if people in the House would like to look at this brochure. It has all the lurid details and the photographs that will help my colleagues understand that there has not been good stewardship.

My colleagues will notice in the left-hand corner of the brochure, there is the good seal of approval from the National Endowment for the Arts. I think most of my colleagues would realize that this brochure, which talks about the performing arts schedule out at Santa Monica, is not the kind of literature the taxpayers should be supporting.

This is sexually explicit homosexual art material and it is entitled, and I am reading right off the brochure, ''Ecco Lesbo—Ecco Homo,'' series of plays. Apparently, the chief purpose of this festival is to provoke conservatives and religious Americans with their presentation.

Mr. Chairman, I am not going to go into all the details, but for some of my colleagues I just want to take one moment to read what one of the scheduled performances on July 2, in fact from June 28 to July 2, they are talking about pain, regret, self-pity, doom, and quote, ''Sex With Newt Gingrich's Mother.''

I bring that forward not because it is inflammatory—which it is—but to point out this is just a small sample of the things that are in this brochure. These are performances that are occurring in July and August: The Funny Gay Males in July 5 through 9, and it just goes on and on with things that I think are just too lurid to talk about, even on a Monday night.

Mr. Chairman, we could say to ourselves, ''Where is Jane Alexander? Let us talk to her about this. She is the chairwoman of the NEA.'' Well, she has written a letter to all my colleagues. She argued that NEA paid only for general administrative support to the Highways Arts Center and none of the money went to the performing artists.

Furthermore, she goes on to say ''Federal funding is simply a reflection of the community they are attempting to serve with our help.'' But the majority of taxpayers do not agree.

She actually defends this lurid junk by claiming that such performances are an exemplification of Los Angeles. I do not think this is. I think my colleagues from Los Angeles should be offended. I know I am.

There is no argument here. By giving Highways one taxpayer dollar, the Government and its Federal arts agency implicitly supports the Highways Arts Center. They put the NEA sealer on this flyer, so we have to endorse it. After all, we wrote the check. My colleagues, it is wrong and there are no two ways about it.

Mr. Chairman, I would like to stop at this moment to allow the other side an opportunity, before I continue.

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

Mr. YATES. Mr. Chairman, I rise in opposition to the amendment of the gentleman from Florida [Mr. STEARNS].

The CHAIRMAN. The gentleman from Illinois [Mr. YATES] is recognized for 10 minutes.

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

Mr. Chairman, here again, like the swallows that return annually to Capistrano, the gentleman from Florida [Mr. STEARNS] has made his annual return to his attack on the NEA. This time, he wants to cut it by an additional 10 percent. The Committee has already cut it by 40 percent. The NEA has literally been crippled by the amount of money that the committee will be taking from it.

We also know that this bill will kill the arts in 2 years, there will be no more NEA, according to our bill.

The question is whether you will listen to the gentleman from Florida [Mr. STEARNS] in his attack on the NEA. The gentleman has pointed to one grant, one grant by NEA out of 4,000. Out of 4,000 grants that it makes annually, he has pointed to just one of them.

□ 1830

He says nothing about the grant of the NEA to the symphonies. He says nothing about the grants of the NEA to chamber music. He says nothing about the grants of the NEA to the theaters. He says nothing about the grants of the NEA to educational institutions to bring the arts to the curricula of school children.

Will you accept what the gentleman from Florida [Mr. STEARNS] says about the NEA, or will you listen to what all of the Presidents of the United States since 1965 have said in favor of the NEA? President Kennedy was very strongly in favor of the NEA. President Johnson was strongly in favor of the NEA. President Nixon strongly supported the NEA. President Ford, President Carter, President Bush, and President Clinton, all of them favored Federal support for the arts. As a matter of fact this is what President Nixon said about the arts, and I quote from December 1969, ''The attention and support we give the arts and the humanities, especially as they affect our young people, represent a vital part of our commitment to enhancing the quality of life for all Americans.''

The gentleman from Florida [Mr. STEARNS] spoke about the fact that we find ourselves in stringent budget circumstances. This is what President Nixon said at a time of severe budget stringency: ''Doubling of the appropriation for the arts and humanities might seem extravagant. However, I believe the need for a new idea has a compelling claim on our resources. Studies in the humanities will expand the range of our current knowledge about the social conditions underlying the more difficult and far-reaching of the Nation's domestic problems.'' That was in

a speech that President Nixon made to the Congress.

And so, Mr. Chairman, I hope that the House will recognize that the NEA has already taken a beating. It has taken a beating by our committee. It has been cut 50 percent already. Another cut of $10 million will cripple it further. I do not think the House wants to do that.

And so I urge the House to reject the amendment offered by the gentleman from Florida [Mr. STEARNS].

Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Montana [Mr. WILLIAMS].

Mr. WILLIAMS. Mr. Chairman, I thank the ranking member for yielding me this time.

The gentleman from Florida asked some good questions. He asks if the NEA is vital. Most Americans can answer that for him. The answer is ''yes.'' It is vital to American culture. It is vital to American enlightenment.

In the past 25 years of success, extraordinary success of culture and the arts of this country are testimony to how vital it is.

He asks if the continuation of the NEA is in the wishes of the majority. The majority have answered that time and again in poll after poll. The answer is overwhelmingly ''yes.'' The American people support the National Endowment for the Arts and its continuation.

He asks if it defends America against invasion, and again the answer is ''yes.'' It defends us against the invasion of misunderstanding. Any promotion of the arts does. It protects us against the invasion of ignorance. Federal promotion of the arts does that.

He asks if it shields us from economic hardship, and the answer is ''yes.'' In major cities and small towns across this country, its cultural institutions have risen up and been shielded from economic hardship because of the National Endowment for the Arts.

And, finally, he raised the question of obscenity. Four years ago this House, the U.S. Senate, and under signature of the President of the United States, for the first time made obscenity funded by the NEA illegal, and if they are doing it, if they are doing it, action can be taken against them. Obscenity is not protected speech. The Supreme Court has found, and this House and the U.S. Senate and President Bush made obscenity by the NEA illegal.

I know many of the Members on that side have recently come to this Chamber, but obscenity is not permitted by the NEA. It is illegal. The NEA can be taken to court. There are restrictions.

Is the NEA vital? Absolutely. Do not kill it tonight. It is vital to this country and to the cultural improvement of this country.

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

The gentleman from Montana [Mr. WILLIAMS] should realize that a poll done by the Los Angeles Times in the early part of this year showed 69 percent of Americans felt the NEA should be reduced drastically. A poll done by CNN in June said 54 percent said it should be eliminated.

Let me just tell the gentleman from Montana [Mr. WILLIAMS], and I ask him the question rhetorically, he does not have to answer it, in this grant that went to Highways on July 24 they are going to show a performance of ''Boys Are Us, the next installment in our continuing series of hot summer nights with hot fags.'' Now, on August 14, there is going to be ''dyke night, our series of hot nights with hot dykes.

Mr. Chairman, this has the seal of approval of the NEA. This is a rhetorical question. There is the seal of the NEA. There has got to be public stewardship here somewhere down the line. I say to the gentleman from Montana [Mr. WILLIAMS], in all deference to him, the American people do not believe we cannot eliminate this program.

Mr. YATES. Mr. Chairman, I yield 1 minute to the distinguished gentleman From New York [Mr. HOUGHTON].

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

Mr. HOUGHTON. Mr. Chairman, ladies and gentlemen, I do not know why we are whipping this horse again. The House voted a few days ago to phase out the NEA in 2 years, period, paragraph, end of story.

I do not agree with it. I do not think it was a good idea. But that was the vote.

Now we are going at this thing again. It is absolutely crazy. Is an agreement an agreement? I do not know around here anymore.

I would like to feel that vote last week was an agreement. We ought to hold to it.

I do not think the Stearns amendment is worthwhile approving.

Mr. YATES. Mr. Chairman, I yield I minute to the distinguished gentleman from Washington [Mr. DICKS].

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

Mr. DICKS. Mr. Chairman, I want to stand and say that I believe that we should continue to support the National Endowment for the Arts. If you go back as far as 1964, when the endowment was created, and you look at the private sector involvement since that time, the NEA's impact has been dramatic.

Because we put in a few seed dollars into the Arts through the NEA, we have seen a dramatic increase in private funding for the Arts, and we have seen arts institutions spring up all over this country, and not just in the big eastern cities. I believe that if you look at the numbers, they will demonstrate that for every 1 Federal dollar we invest in the Arts, $11 are invested from the private sector. That is a dramatic indication of the success of this partnership between the public and private sector.

Again, the subcommittee has already reduced funding for the National Endowment for the Arts by 40 percent, which is clearly too large a reduction.

Therefore, I would strongly urge the House to vote against the Stearns amendment. I know that there are those who want to play politics with this issue. However, the endowment, if viewed in any objective way, has been an enormous success.

Mr. Chairman, I rise in strong opposition to the gentleman's amendment to cut funding for the National Endowment for the Arts [NEA]. This action would be highly irresponsible and I believe against the interests of the American people.

For those in this body concerned and conscious of deficit reduction, let me point out that the Interior Appropriation Subcommittee has already drastically reduced funding for the Arts for fiscal year 1996, by 40 percent. The NEA's base funding has gone down from $171 million in fiscal year 1994, to a further reduced base of $162 million in fiscal year 1995, to only $99.4 million in the fiscal year 1996 bill that is being brought to the floor today.

Let me also remind you that the funding level for the arts agency as reported out by the subcommittee is consistent with the level proposed for fiscal year 1996 in H.R. 1557, the reauthorization bill for the NEA that was prepared by Chairman GOODLING and the Economic and Educational Opportunities Committee. So the NEA has given to deficit reduction. In fact, the NEA has given more than its share, and we have nearly crippled the agency's ability to be viable at the levels we have reported out in this bill.

Those who believe the NEA funding should be reduced further or eliminated are saying to this Nation and their constituents that we should not invest in our culture and in creativity. To be against the arts agency's existence is to say that we should not support ballets, symphonies, or theatre performances. It's time to look at the real truth and the real value of the NEA, and move beyond the scapegoating for convenience of this important cultural institution for our Nation.

Let's examine the real record, and stop viewing this agency through a prism of distortion. Since its creation in 1965, the NEA has awarded over 100,000 grants and less than 40 have been considered to be very controversial. It is estimated that the Endowment costs each American just 64 cents a year. However, with this modest investment, the agency helps enhance the quality of life for our citizens, by supporting theatres, touring dance companies, folk festivals, arts education, orchestras, museums, and a wide variety of other programs.

Many widely acclaimed programs began with the talent of individuals who had received seed money from the NEA, and many rural areas of our Nation would not be able to enjoy arts programs without outreach by the Endowment.

We must recognize that the small investment made by the Federal Government in funding the NEA creates tremendous leverage in obtaining private investment. For every dollar spent by the Endowment, it attracts $11 in investment from the private sector. In fact, many private sector contributors rely heavily on the NEA's grant selection process as a guide to the kinds of programs that should be supported.

Endowment support has helped to increase audience support for all art forms. For example, the annual audience for professional

dance has grown from 1 million to more than 16 million over the past 28 years. Audiences for the work of professional opera companies have grown to over 7.6 million, compared to only 5 million a decade ago. Non-profit theaters serve an audience that has grown to over 20 million. Symphony performance attendance has risen to over 27 million annually. All of this has occurred with seed support from the NEA.

Each year radio programs reach millions of Americans bringing the best of the arts to urban and rural communities through such Endowment-funded series as ''American Jazz Radio Festival'' and ''Mountain Stage.''

The NEA's Underserved Communities Initiative, created in 1990, has awarded grants in every State to broaden public access to art in rural, inner-city, and artistically underserved areas.

Also, support for the arts is support for the economy. The NEA's modest budget has annual generated matching funds estimated at over $1.2 billion. These moneys permeate the economy. At least 1.3 million full time jobs are supported by the arts; $25.2 billion is earned through salaries, wages, and entrepreneurial income; local governments receive $790 million in taxes and fees; State governments receive $1.2 billion; and the Federal Government receives $3.4 billion in income tax revenue.

It is clear that the outreach and support granted by the NEA to the arts has an incredible ripple effect throughout our economy, and restricting or eliminating the NEA's ability to perform that outreach would be both economically and culturally devastating.

In my home State of Washington, many arts and cultural institutions have benefitted from NEA grants, including: Tacoma's Broadway Theatre, the Tacoma Art Museum, the Centrum Foundation, the Washington State Arts Commission, the Before Columbus Foundation, the Pacific Northwest Ballet, the Bainbridge Island Arts Council, the Seattle Art Museum, the Spokane Symphony Society, the Washington State Historical Society, and the Seattle Children's Theatre Association.

Not just in my district, but throughout the Nation, the National Endowment for the Arts [NEA] is serving our Nation well. It is important for our future, and it should receive the support of this Congress because that is what the American people expect of us, and we should not let them down.

Reject this amendment, and any other amendments offered today to cut or eliminate the arts. Let's do what's right for the Nation, let's support the NEA.

Mr. STEARNS. Mr. Chairman, I yield myself 1 minute to respond to the gentleman from Washington [Mr. DICKS].

The gentleman from Washington will remember our debate in prior times. He will remember that I tried to cut the NEA by 5 percent, and his side said we could not cut it 5 percent, we could only cut it 1 percent. We had a vote on that. Then we went up to 2 percent and the 2.5.

But I would say, in all deference to the gentleman, you have to admit now you are saying that you are not necessarily supporting, but you acknowledge a 40 percent cut is something you are not arguing against. You are not here saying restore more money to the NEA.

Mr. DICKS. If the gentleman will yield, I am, too. I would like to. I realize realities.

Mr. STEARNS. These are all rhetorical questions. You can use your time.

You worked as hard as you could to represent a 2 percent cut as the maximum the NEA could take, The gentleman from Illinois [Mr. YATES] said 1 percent was all he could accept.

By golly, now, we are taking 39 percent. I am asked for another 10 percent tonight, another 10-percent cut. I ask people on this side to realize there has got to be some stewardship when the chairwoman of the NEA says it is all right to give money to this.

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

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

Mr. FARR. Mr. Chairman, I rise in opposition to this amendment. Invest in creativity, do not cut it.

Funding for the National Endowment for the Arts is an investment in our culture, our civilization, our future, which must be protected.

The background material that my office has received against the NEA is tantamount to propaganda and is untrue and offensive and adds nothing to honest debate.

The truth is, the NEA enables struggling performers to bring their art to the masses.

In my district in Monterey, CA, the Endowment has awarded eight grants totaling $160,000.

It is not much, but with those funds, the Monterey Peninsula Museum of Art and the Monterey Jazz Festival were able to survive Prop 13 and an economy in flux. And despite those financially troublesome times, the people of the Monterey Bay area knew affordable arts were always available to them. It was the NEA that guaranteed that access.

The oddity, Mr. Chairman is that of $160,000, hundreds and hundreds of people got a chance to experience music, or theater or art, while at the same time, the Republicans are proposing tax breaks for more than that.

There's something wrong with that equation, Mr. Chairman.

The majority is right when they say we have to set spending priorities. But I want to know why they define priority as meaning only those options that destroy middle class access to government programs.

Defense contractors haven't lost access.

Stockbrokers and bankers haven't lost access.

Let's set priorities but let's set them in favor of the people. The budget bulldozer weaves out of control when it turns over the poor, runs over children, runs over the elderly, and now is set to run over artists, musicians, and actors.

The arts are something to be cultivated and encouraged in our youth. A ''yes'' vote on the Stearns amendment sends a message that there is something wrong with art, that persons with artistic abilities should hide their talents and be ashamed of their creativity.

Censorship and irresponsible deficit reduction are ugly things that do not have a place in this chamber or our country.

I urge you all to vote ''no'' on this amendment!

Mr. YATES. Mr. Chairman, I yield 30 seconds to the gentleman from Massachusetts [Mr. TORKILDSEN].

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

We have all heard the term ''throwing the baby out with the bathwater.'' I think that is what this amendment does.

I think some of the critics of NEA have legitimate points, but those criticisms have been addressed.

Obscenity is no longer fundable, as it should not be. Certainly, that is progress that has been made in this area.

But while grants are talked about for NEA funding, most people do not realize far more funding goes to education programs. Consider the NEA places thousands of teachers in schools to teach young people art.

I understand the gentleman's concern for budget restraints. I urge Members to vote against this amendment and support responsible funding for the arts.

Mr. YATES. Mr. Chairman, I yield 1 minute to my good friend, the gentleman from Ohio [Mr. REGULA], the distinguished chairman from the committee.

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

I simply want to point out to the Members that what was alluded to, a poll, that people would like to reduce funding for the NEA; we have reduced it $63 million from 1995 levels. That is a 40-percent reduction.

It was said that the people would like this ended. In 2 years, it is over. This is a phasedown, and in 2 years the NEA would no longer exist.

Third, it is subject to authorization, and the agreement is that, hopefully, the authorization committee will limit these grants during this phasedown of NEA to institutional grants, such as the concert on the mall. I do not know how many watched this on July 4, but if you saw the credits, one of the sponsoring agencies, was the National Endowment for the Arts. That was a good example of what they can do with these funds.

Also, there are many worthy education programs where groups go into the schools, and so all I am saying is that in the committee we have taken the steps that have been shown to be what the public wants by the polling that was described by the gentleman from Florida.

The CHAIRMAN. Each side has 1 minute remaining.

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

Mr. Chairman, this is a very important vote. The agreement that was reached on the rule is self-actuating. It was done in the middle of the night. Now, however, we have the opportunity to put this vote on the House floor, an up or down, on taking this program and eliminating it in 2 years.

It is accountable to the public? No, I do not think it is. This kind of literature that the NEA is supporting is wrong.

The NEA betrayed the people who made its existence possible. Would you get reelected tomorrow if you betrayed the public trust? No.

Sure, you have done a lot of good things. But if you continue to betray the public trust day in and day out, year in and year out, you are not going to get reelected. NEA should not be reelected.

This is an important vote. You will have to vote up or down. It is for a 2-year phaseout. My colleagues, we deserve this vote, and I appreciate the leadership giving it to me.

Can you really say the NEA has exercised good stewardship of your public money? Send a message to this organization. Make this agency know they are not being responsible. Vote for decency, morality, and stewardship, and vote ''yes'' on the Sterns amendment to the NEA. It cuts a further 10 percent. That is all. It phases the NEA down in 2 years.

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Mr. YATES. Mr. Chairman, I yield the remaining minute to the gentlewoman from New York [Ms. SLAUGHTER].

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

Ms. SLAUGHTER. Mr. Chairman, I thank the gentleman from Illinois [Mr. YATES] for yielding this time to me, and I have so little time, I want to be as concise as I can.

This is not a debate about any money at all. This is purely philosophy. Anytime we spend $160 million in this House and get back $3.4 billion, we make a pretty good deal, so it does not have anything to do with money. It simply has to say, what is Government doing in this? What Government always does, it is leveling the playing field when hundreds and hundreds of people can go to Central Park and watch a Shakespeare performance that they would never have an opportunity to see otherwise, when the kids in my colleague's district, Mr. STEARNS', go to concerts that they would not have any other opportunity to. It is important, and let me tell my colleagues something as crass as I can say this because it is pretty terrible, and I am ashamed.

Mr. STEARNS, every child in this country that studies art for 4 years, their SAT scores, verbal scores, go up 57 percent, their math scores go up 45 percent. Can you match that? It is not your children, Mr. STEARNS, who are going to be hurt. It's going to be the children in every nook and cranny of the United States who will not have any opportunity to develop who they are. The children who create do not destroy, and this is the only way we reach children at risk, and it is cheap at the price, and the United States of America cannot say we don't care for creativity here.

Mr. Chairman, if we ever say to the Pentagon, You make a mistake, we won't give you any more money, I would sure like to be here to hear it.

Mr. Chairman, today I rise in strong opposition to the Stearns amendment. As Chair of the Arts Caucus, I have watched in amazement year after year, as Mr. STEARNS attacks the pittance that the National Endowment for the Arts receives. And all this from an agency whose entire budget is below what is allocated for military bands.

While Federal funding for the National Endowment for the Arts costs a mere 64 cents a year, per person, it is no secret that for each $1 the NEA spends, $11 of economic activity results. The non-profit arts industry alone contributes $36.8 billion to the U.S. economy and provides over 1.3 million jobs to Americans nationwide.

The arts support more jobs than either the legal services sector or the police and firefighter sector. These jobs have a tremendous economic impact, they provide $790 million in local government revenue, $1.2 billion in State government revenue, and $3.4 billion in Federal income tax revenue. Based on these numbers alone, we cannot afford not to fund the arts.

Business, tourism, restaurants, and hotels thrive on the arts. Further reductions in funding for the NEA would have adverse implications on both constituents and the cultural agencies in our districts. In my district of Rochester, NY, the National Association of Local Arts Agencies found that non-profit arts organizations spent approximately $124 million annually and supported more than 4,000 full-time jobs.

What my colleagues on the other side fails to understand year after year, is that most importantly, the NEA provides equal access and opportunity to the people of our Nation and specifically to the people of our congressional districts—many of whom would otherwise be deprived from experiencing the arts in American society. There are people all over this country who without the NEA would not have access to some our Nation's greatest cultural treasures.

I am sure that the constituents in Mr. STEARNS' district value the money that the Studio Theater of Sarasota received (fiscal year 1995) so that it could bring its Write a Play Program to Jacksonville, Ocala, Belleview, and Green Coves Springs, FL. This valuable NEA program helps strengthen the language skills and creative thought of at-risk students, minority, and financially disadvantaged youth. These are the people who really depend on the NEA.

The arts serve as a medium of documentation, the essence of the American experience is recorded through art. Art remains a living record of civilization and society. Every civilization judges the civilization before it by the art it has left behind. Are we going to leave anything behind? I urge my colleagues to vote against further cuts to the National Endowment for the Arts. Vote no on the Stearns amendment.

Mr. TORRES. Mr. Chairman, the orchestrated, deliberate assault against public support for American arts and culture—led by my colleagues from the other side of the aisle; the self-described conservative revolutionaries—is, I believe, a smokescreen, covering a darker agenda, which strikes directly to the heart of the universality of art and, most importantly, of the potential which art possesses to unify our diverse cultures. It is true that art often surprises, provokes, and even angers the viewer. By definition, artists seek to express thoughts, feelings and perspectives that may never have been seen or heard before. The artists' unique perspective can act as a societal lens which brings its problems and flaws into sharper focus. These expressions can be the catalyst of debate and of conflict, they can be the insights promoting understanding.

As we are witnessing from today's debate over the value of public funding for our national arts and cultural institutions, the vital societal role of the artist is becoming more difficult in today's angry climate. On both ends of the political spectrum across the full range of American society, it is now becoming almost routine to challenge and attempt to suppress any kind of expression one finds objectionable for any reason. Art is just one of the many forms of expression threatened by the rising tide of intolerance in America today. These battles are becoming a proxy for political differences and social conflicts that should be discussed openly and worked out rather than removed from the public view—and support.

Bashing the NEA has become a high profile, low cost way, for the GOP revolutionaries to shift the political focus to some ''cultural elite,'' rather than tackle our society's economic and social inequalities. Opponents of public funding for the arts argue that the arts are a frill for an elite. This statement is a part of a deliberate misinformation campaign.

Intellectually elite cultural institutions from the Metropolitan Opera in New York, to the Los Angeles Philharmonic, receive less than 1 percent of their yearly budgets from the NEA; they'd hardly feel a cut. Direct grants to individual artists—the targets of the revolutionaries from the GOP, total only 4 percent of the NEA pie.

The biggest victims of a maimed NEA will be the smaller arts organizations—including, say, the Atlanta Opera and Center for Puppetry Arts, both of which use NEA funds and perform in the Speaker's own district.

Now, the cultural watchdogs of our revolutionary GOP, have combed NEA files for a new victim to justify their pursuit of cultural correctness and purity. They have targeted a performing arts center from southern California, called ''Highways'', Inc. You've heard the attacks on Highways, let me share with you some information on this community cultural center which the protectors of cultural purity have not provided to you. Highways, Inc., presents more than 200 performances of music, dance and theater each year. It serves its audience with programs, workshops and professional training. Highways serves the Los Angeles community, which is comprised of groups with widely varying ethnic/cultural, geographic, economic, and social backgrounds—as well as the physically challenged, and victims of abuse. Highway's programs reflect the make-up of its home community, and address the goals of fostering mutual respect for the diverse beliefs and values of all persons and groups.

The rich participation of all culturally and ethnically diverse constituencies of Los Angeles has made this theater an invaluable school for citizens—described by some as the highest

function a theater can fulfill. The Los Angeles Drama Critics Circle recognized the special importance of Highways with an award in 1995.

NEA seed money has brought private sector funds from groups such as: The Lila Wallace-Readers Digest Fund, the Rockefeller, Getty, Annenberg, Irvine, Warhol, and Norton Families, the Pepsi and Target Corporations, the California Arts Council, the Los Angeles National State/County Partnership, the Los Angeles Department of Cultural Affairs, and the Santa Monica Arts Commission.

The defenders of cultural purity have targeted Highways programs which reflect the diverse sentiments of the Los Angeles community. So Highways is now suspect because it reflects sentiments—and opinions—which are unpopular to our guardians of cultural purity. Highways is now being used as a vehicle to attack the NEA because it has been a forum for the city's diverse voices. Highways is committed to a critical principle.

I would urge my colleagues to pay close attention to the principle which is the subject of this attack. The principle is that a community, and a nation, can be enriched, uplifted, and unified—not torn apart—by our differences as people, if these differences are articulated, shared and understood. Simply put, that is what the arts do best. In attacking NEA through Highways the assault is aimed at the very dream and promise of our united diversity. As spoken so eloquently by the artistic director of the Mark Taper Forum in Los Angeles:

> The NEA must continue its work, and continue supporting highways, so that we can be sure of properly continuing the democratic experiment, the alchemical process of self-government, and the great debate: where did we come from? where are we going? what kind of people are we? what kind of people should we be? If the right-wing revolutionaries and protectors of cultural purity truly deplore what they see as a culture of trashy values—I would think they would want to increase, rather than reduce the NEA seed money which is promoting a higher culture, promote understanding, and provide the desperately needed bridges of unity between the diverse cultures and communities of thought which comprise this great country.

Mr. Chairman, I urge my colleagues to resist these waves of cultural purity and correctness, to stay the course of over 30 years, and continue our policy of supporting public funding for our arts and cultural groups.

Mr. Chairman, if the spirit of this country is not its foremost national interest, what is? And when government abdicates its responsibility to nourish that spirit, who is being served? I urge my colleagues to defeat this misdirected amendment.

Mrs. MORELLA. Mr. Chairman, I am opposed to the Stearns amendment which would reduce funding for the National Endowment for the Arts [NEA] by $10 million.

I wholeheartedly believe that government should support the arts: Americans value the arts. Other great nations fund the arts. We spend 64 cents per capita for the NEA. That is 50 percent lower than our major allies spend on the arts.

The Federal Government can afford to fund arts and cultural programs at a time of fiscal restraint: Funding for cultural arts programs is two one-hundredths of one percent of the budget. The not-for-profit arts create $37 billion in economic activity. Arts programs create 1.3 million jobs, and return $3.4 billion to the Federal Treasury through income taxes.

The majority of Americans say they want the Federal Government to continue support for the arts: According to a recent Lou Harris poll, 60 percent of Americans believe that the arts should receive assistance from the Federal Government. Fifty-six percent said they would be willing to pay $15 of their own money to help government support the arts.

The NEA is not an elitist for the upper class: The NEA increases community access to the arts and culture. The NEA supports community programs where families can experience the arts. I invite anyone who thinks the NEA funds elitist programs to visit the Puppet Co. Playhouse in Glen Echo Park, just a few miles from the Capital. The facility that houses the Puppet Co. is a two-hundred seat theater created out of a portion of an historic ballroom at Glen Echo Park.

The audience is usually made up of children accompanied by their families and teachers, representing the cultural and economic diversity of Maryland, Virginia, and the District of Columbia. An NEA grant allows the Puppet Co. to keep the ticket prices low enabling many young families to attend the performances. The Puppet Co. is run by four dedicated associates who work very hard for modest salaries, in the true spirit of keeping their company non-profit. I think most taxpayers would be pleased to know that they support such a worthwhile project.

Mr. Chairman, I know that the appropriations bill before us will eventually phase out government support for the Arts. The NEA needs time to reorganize and adjust to the provisions in the Interior Bill. I urge my colleagues to vote against the Stearns amendment.

Mrs. JOHNSON of Connecticut. Mr. Chairman, I rise in strong support of NEA funding and regret the narrow 2-year window this bill provides for the reorganization and restructuring of support for the arts in this great Nation.

First, supporting the arts is as much sound economic policy as the Government building the interstate highway network, funding airports, or paying for basic research in agriculture, energy, health, or any other area.

Not-for-profit arts organizations, many leveraged by small amounts of Federal dollars, generate $37 billion in economic activity and $3.4 billion in Federal tax revenues every year. The not-for-profit arts industry provides $1.3 million Americans with jobs and is a key component of the complex of attractions that has made tourism big business in our big, diverse, beautiful and creative Nation.

Since NEA was funded, the number of performing arts companies, museums—chamber orchestras, local art leagues—and other arts organizations has grown from 50 to 900 in my State, with all the impact on the economy and cultural strength of our towns and cities that dramatic growth implies.

But the arts are not just good business, and preserving this industry that has grown as a result of Federal incentives, is not just good economic policy. Preserving the NEA is about more than money. It is also about quality and culture.

The highest quality product in any sector is the result of great knowledge, good communications, and competition. The Federal Government has broadened and accelerated the growth of top quality manufacturing by sponsoring the Mac Baldridge Awards and providing tax credits for research and development. It has provoked great achievement in science by sponsoring national merit scholars and challenging people and organizations to excel and invest in research. The Federal Government plays a key role in fostering a rising standard of excellence in every aspect of our society.

Likewise in the arts. Opponents of NEA are overlooking the value of the NEA's role as bringing experienced, brilliant minds to the evaluation of our symphony orchestras, theaters, and arts projects of all kinds. One of the most important aspects of receiving an NEA grant is the imprimatur of quality it conveys. NEA has the breadth and expertise to validate both the quality of vision and quality of organization of specific arts organizations and projects. Few local communities, not even all States, can mobilize an organization that is sufficiently knowledgeable in all areas of the arts to judge the quality of grant applications. Without NEA, fewer private funds will flow to the arts because many contributors are not in a position to judge the value of projects and have relied on NEA for guidance.

Not only does the NEA play a very valuable national role in stimulating private support for the arts and the development of arts organizations of international repute, but it has enabled the arts to help our children in the inner cities. An NEA grant—given to the Bushnell for Language Arts Education for Elementary School Students—is creating new options in the inner-city schools of Hartford, helping kids make sense of their harsh world, grow in self-esteem through being able to express their hopes and fears, and see a whole range of career opportunities that they could not possibly see through the adults in their lives.

In sum, no nation in history has developed a great culture, or a strong spiritual life, without some significant government involvement, not to determine the message but to assure the resources of growth and to stimulate the competition that produces greatness. Just as the Federal Government funds basic research, pays for a transportation network and funds educational opportunity for special needs kids, so the Federal Government must assure the continuation of those small dollars that enable orchestras and theaters to compete for national recognition, leverage private funds, and make the arts a far stronger component of local economies offering both jobs and inspiration to our people.

Mr. MENENDEZ. Mr. Chairman, I rise today to vehemently oppose this misguided amendment. I believe the National Endowments for the Arts and Humanities provide a valuable service both to groups and individuals in the artistic community, but also to the American people.

Annually, New Jersey receives $2.7 million from the NEA to conduct programs like the cultural diversity initiative, folk art apprenticeships, and arts education programs for teachers and students. NEA grants are made to the Jersey City Museum, the American Boychoir School, the New Jersey Ballet Company, the Newark Museum, the New Jersey Symphony Orchestra, and the Paper Mill Playhouse. NEH grants have supported projects for the New Jersey Historical Society, Rutgers University, New Jersey Institute of Technology and the Foundation for New Media in Hoboken.

If the NEA and NEH were privatized, large institutions would survive, but many community-based programs, touring exhibits, and mid-size and smaller institutions would be crippled by the cuts.

The Endowments provide access to the richness of our culture for the poorest of our people. In supporting artists and writers they open the door for all of us to learn and experience their work.

In New Jersey each year, 8.5 million people visit museums, performances, or art exhibits; 3.5 million New Jerseyans view or listen to broadcast programs; and 3 million school children visit cultural attractions on field trips or participate in school-sponsored art in education programs.

Wealthy communities will always enjoy the generosity of art patrons. But national programs sponsored by the Endowments disseminate resources for these activities throughout the Nation, in every community. Thanks to the Endowments, the creative energy once confined to a few cities is finding expression in the minds and hands and voices of a diverse people in every community.

The NEA is able to generate $11 of activity for every 1 dollar of Federal funding and the NEH requires many grants to have $1 to $4 dollars in non-Federal funding for every $1 of Federal funding. To highlight just how effective funding is, consider the fact, that the annual budget for the Lincoln Performing Arts Center is greater than the total Federal funding received by the NEA.

The limited funding received by the Endowments is carefully regulated. Since becoming Chairperson, Jane Alexander has successfully implemented steps to tighten and strengthen the Endowment's grant and reporting procedures. The NEA has made a concerted effort to assure that grants are artistically meritorious. To assure adherence, if the NEA finds that a grantee has failed to meet congressional or Endowment requirements the Endowment may suspend payments, terminate a grant, recover grant funds already awarded, and declare an applicant ineligible for any future funding.

The arts also generate important economic activity. The arts provide over 1.3 million full-time jobs to Americans nationwide paying $25.2 billion in salaries, wages, and entrepreneurial income. Local governments receive $790 million in taxes and fees, State governments receive $1.2 billion, and the Federal Government receives $3.4 billion in income tax revenue. These returns are far greater than the $167 million operating budget for the NEA. Perhaps, most importantly, the arts revitalize downtown business areas attracting conferences, conventions and increased tourism, and boosting the value of commercial and residential real estate. The elimination of funding for the arts will have a definitive economic impact on our communities.

While I share the belief that we need to balance the Federal budget, we must consider the benefits of modest Federal funding for the Endowments, the ability it has to generate private funding, and the income it generates for local economies. Lastly, we must not forget the unique ability of the Endowments to touch the minds and hearts of those who benefit from their endeavors.

Mr. LEVIN. Mr. Chairman, I rise in strong opposition to the amendments before the House to further cut funding for the National Endowments for the Arts and Humanities.

I have received literally hundreds of letters from the people I represent in support of continued Federal support for the arts and humanities. One of my constituents from Southfield, MI, wrote and told me how much our Nation's art and culture meant to her immigrant grandmother during the Great Depression. She writes:

> Rep. Levin, how well I remember my immigrant grandmother taking me for a walk on Sundays during the depression, and pointing out with great pride the museum (Detroit Institute of Arts) and the Main Detroit Public Library in her own language. We'd go in and spend hours gazing at the paintings.
>
> My grandmother would ask me to read the names of the artists for her since she was unable to read or write English.
>
> She soon learned the names by heart and as my younger sister and brother grew older and joined us, she was able to tell them the names of many artists and paintings.
>
> I hope I have, in some way, convinced you that these institutions, aforementioned, are absolutely necessary to maintain our standard of achievement in the humanities which is so important for an enlightened society.

Mr. Chairman, I am amazed by the misplaced priorities of this Congress. This House recently voted to build two more B–2 bombers at a cost of over $1 billion apiece. The Secretary of Defense does not want these planes. the B–2 is expensive, unneeded, and, according to recent news reports, the B–2 may not be nearly as stealthy as advertised.

The House is willing to spend billions on a bomber we do not need that does not work. At the same time, beginning in just 2 years, the majority is unwilling to spend even a dime on our country's arts and humanities. These are not my priorities and I don't think these are the priorities of the vast majority of the American people.

Ms. ESHOO. Mr. Chairman, I rise in strong opposition to the Stearns-Crane amendment.

Republicans are trying to run roughshod over the majority of the American people.

A nationwide poll shows that 60 percent of Americans want Federal support for the arts. And why not? The arts attract tourist dollars, stimulate business development, spur urban renewal, and improve the overall quality of life—they are an investment in our communities and in our children.

Some of my colleagues justify terminating this worthwhile program in the name of budget austerity. Yet cultural funding costs only about 64 cents a year per capita and helps generate $37 billion in economic activity, including over $3 billion in Federal income taxes.

Mr. Chairman, this is not deficit reduction—it's a mean-spirited attempt to do away with what benefits the American people. I urge my colleagues to defeat his amendment.

Mrs. ROUKEMA. Mr. Chairman, I rise today in support of Chairman REGULA's bill and against the Stearns amendment that would make additional cuts in the National Endowment for the Arts.

Let me begin by saying that I am truly disappointed in the events that took place late last week regarding this bill and, specifically, funding for the NEA. Those Members who oppose any arts funding are entitled to their position, but it is a position that should be debated on the House floor. Putting NEA funding into a special category and changing authorization conditions should be debated, not mandated.

Today, in this debate democracy wins!

As a member of the authorizing committee, I supported Chairman GOODLING's bill providing arts funding as a means of assuring that funding for the arts was authorized prior to consideration of appropriations.

With that said, I do not think that we should be eliminating the Endowment for the Arts nor do I think we should be cutting as deep as we are. I support the proposal in the other body sponsored by Senator JEFFORDS, chairman of the Labor and Human Resources Subcommittee on Education, Arts and the Humanities, and cosponsored by Senator KASSEBAUM, the chairwoman of that full committee that authorizes the arts for 5 years at reduced funding levels without a phase-out or elimination. And, I hope that we are able to move toward the Senate bill when we do go to conference.

However, I commend the chairman of the Interior Appropriations Subcommittee for his efforts to protect funding for the NEA and for using our authorizing bill as an original guideline for that funding. Faced with a $4.7 trillion debt, $200 billion annual deficits, and fierce opposition to all funding for the arts, Chairman REGULA saved as much money possible.

Mr. Chairman, there has been much name calling and finger pointing in this debate over the arts. As in the debate over the flag, it is unfortunate that there is little tolerance for those with deeply held visceral convictions regarding these important issues. This is not a matter of partisan politics. That is evident by the expression of a diversity of opinions on both sides of the aisle. Republicans do not favor censorship or limitation on the freedom of expression, just as Democrats do not.

That brings me to my central point: That is, the limitations that a great many people, including myself, feel that necessarily must come with the expenditure of Federal dollars have little to do with censorship and everything to do with sponsorship.

No one doubts the right of the Federal Government to proscribe how Federal dollars are spent in the hundreds of programs created by Congress over the years. Congress explains in excruciating detail how federal funds must be spent in everything from education programs to farm programs. Every Federal agency must operate within the confines of legislative restrictions and the intent of Congress. This is as it should be . . . And, this is the way it should be with the National Endowment for the Arts. This is not inconsistent with freedom of speech or artistic expression.

As with any other federally funded organization, project or program, the Government is able to fund or not fund art as it chooses. Does this mean that Congress should be in the business of determining what is and what is not art? Absolutely not. However, Congress has the right and, yes, the duty to proscribe standards and selection parameters to determine that the taxpayers' money is spent according to its wishes.

In deed, obscenity and blasphemy are no longer tolerated by the chairs of these programs.

Past funding by the Endowment of the Mapplethorpe and Serrano exhibits and, most recently, the Highways Inc. grants to a performing arts center in Santa Monica, CA, which my colleagues will continue to hear about this evening, exhibits a clear violation of the intent of Congress. Certainly, refusing to subsidize obscene art is reasonable exercise of the prerogative of Congress.

It was for reasons such as these that we enacted the Arts, Humanities, and Museums

Amendments of 1990. These strong reforms improved the NEA grant process and allowed NEA funds to be recovered if that art was deemed obscene ''in the final judgment of a court.'' I have long argued that it is the constitutional duty of Congress not to subsidize obscenity as it is defined by the Supreme Court in Miller versus California. Beyond that, I believe it is possible and reasonable for Congress to adopt and expand the Miller decision through statutory language that can withstand judicial scrutiny. In fact, I was successful in 1992 in changing the statutory standards.

The primary need for this is to ensure that Federal funds are spent according to congressional intent. This is what we are elected to do. And, in fact, the 1992 Interior Appropriations bill added an authorizing statute stating that, when awarding future grants, ''general standards of decency and respect for diverse beliefs and values of the American public'' must be considered.

Also part of the 1990 reforms, the Chairperson of the NEA was given final authority to approve each application and, in instances when a project is determined obscene ''in the final judgment of a court,'' the Chairperson is required to recover those funds. In past discussions that I have had with Jane Alexander, Chairwoman of the NEA, she acknowledged that these reforms greatly enhanced the responsibility of her office. And, we must continue to hold her completely accountable for each and every grant that the NEA makes so that lewd and objectionable works of art are not subsidized by the Federal Government.

We also passed more specific reforms that substantially changed the NEA decisionmaking process. For example, the NEA application must include a detailed project description, date of completion, interim reports,and a final report describing the applicants compliance with regulations that ensure artistic merit and which clearly indicate that obscenity neither has artistic merit nor is protected speech and, therefore, should not be funded. Moreover, the policy meetings held by the members of the National Council on the Arts who help to determine grant recipients must be open to the public including written records of meetings, discussions, and recommendations. And, the reforms require the GAO to conduct studies evaluating the roles of the NEA, State, and local arts agencies in making arts funding most efficient.

In 1994 alone, these reforms helped to direct 56 grants totalling almost $2.4 million to New Jersey for various dance, theater, orchestra, museum and other projects throughout the State. And, widespread support over the years for the Vietnam Veterans Memorial, productions such as ''Driving Miss Daisy'' and ''A Chorus Line,'' and the Fourth of July concert on the Washington Mall were all made possible by the National Endowment for the Arts. So, certainly, not all NEA funds are misspent.

However, as in the case of the misspending of Federal dollars, whether it is in the housing industry or the defense industry, Congress has the duty to search out and punish fraud and abuse. How can we justify continuing to spend billions of taxpayer dollars on defense programs that are unable to meet minimum test requirements while banning an endowment with current funding of $168 million? Yes, I know the argument of protecting American citizens from attacks abroad versus protecting American citizens from attacks on morality here at home, but the issue goes much deeper.

It is incumbent upon every Member of this body to ensure that Federal funds are being spent according to congressional intent. And, in the case of the National Endowment for the Arts, on a few occasions, as I have already mentioned, the public trust was violated and Federal funds were misspent. Therefore, we have a duty to continue to correct these problems.

Many would argue that out of the over 100,000 plus grants awarded through the National Endowment, only a handful have been controversial. And, this is admittedly a good record. Over the past 30 years, the Endowment has done well in its grant-making procedures, and recent reforms have revamped the entire grant-making process so as to prevent scandals of years past.

Just like every other agency, the National Endowment for the Arts is not perfect. It too has had its share of controversy and questionable spending. But, it has been the role of the NEA to leverage, not replace, the private funding that allows the NEA to make valuable contributions to communities throughout the country.

I strongly support continued funding and oppose this Stearns amendment which further savages the Arts.

I urge my colleagues to prevent this from happening. Support the arts, and support Chairman REGULA's bill. Oppose the Stearns amendment.

The CHAIRMAN. The time of the gentlewoman from New York [Ms. SLAUGHTER] has expired.

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

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

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

The CHAIRMAN. Pursuant to the rule, further proceedings on the amendment offered by the gentleman from Florida [Mr. STEARNS] will be postponed.

The point of no quorum is considered withdrawn.

Are there further 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 72, line 12, strike ''$6,152,000'' and insert ''$5,140,100''.

Mrs. SMITH of Washington. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, my amendment reduces taxpayer-supported funding for the Woodrow Wilson International Center. This center is something for all Americans to be proud of. However it is not something that all Americans should continue to support to the tune of over $6 million every year. This amendment will reduce funding by approximately $1 million for fiscal year 1996, leaving over $5 million in taxpayer subsidies in addition to approximately $2 million in public support. This will leave the Wilson Center ample funding to continue to fulfill their functions until offsetting private support is identified.

The House budget resolution passed by this Congress assumed that the center's funding would be totally terminated. We know that there is a big difference between no funding and $6 million. It is time that this Congress live up to its commitment to balance the budget and reduce funding.

In the well is a graph that will show my colleagues how different the Woodrow Wilson International Center is from other centers, Presidential centers, that have been established. The Woodrow Wilson Center started with a good idea, but became very heavily federally funded. I say to my colleagues, If you'll look, 76 percent of its budget is Federal funding, while all of the other Presidential foundations are totally private-funded. If you look at the staffing, you'll also see that it is very helpfully staffed with very little money going out to grants.

What we believe is it is time to convert this, give it a chance; it has a worthy objective, but downsize the funding a little bit; and encourage it to move toward private funding.

I would urge my fellow colleagues to support this. This amendment is supported by the National Taxpayers Union, Citizens Against Government Waste, and Americans for Tax Reform.

Mr. YATES. Mr. Chairman, I rise in opposition to the amendment offered by the gentlewoman from Washington [Mrs. SMITH].

Mr. Chairman, I think this is an outrageous and a grossly unfair amendment. In our subcommittee in the past, as the gentleman from Ohio can testify, we have appropriated funds for remembering Republican Presidents. Four Republican Presidents come to mind immediately. President Taft, President McKinley, President Garfield, even President Harding were remembered appropriately in our committee.

The Woodrow Wilson Institution is a living institution that is a memorial to the 28th President of the United States. I think that as one of our greatest Presidents the effort by the gentlewoman is subject to very strong criticism. The Woodrow Wilson Memorial does very good work; as a matter of fact, the Woodrow Wilson Institute has already been cut by 40 percent in this bill, and the gentlewoman's amendment could cut it even more than that. This is the Nation's official memorial to its 28th President. Would the gentlewoman consider cutting the appropriation for the Washington Monument, or the Lincoln Memorial, of the Jefferson Memorial? Of course she would not.

Mr. Chairman, the Wilson Center uses its modest appropriation, and it is

a modest appropriation, for a very wide variety of donors, effectively doubling the value of its appropriation. As President Ronald Reagan once said, this unique national institution exists because Congress chose not to erect a traditional memorial to the 28th President, but instead to charter a living institution for outstanding scholars. The work of this organization symbolizes the yearnings by Americans to understand the past and to bring the lessons of history to bear on the present. That is the statement by President Ronald Reagan.

I urge the House to strongly reject the amendment offered by the gentlewoman.

Mrs. SMITH of Washington. Mr. Chairman, I yield such time as he may consume to the gentleman from Ohio [Mr. REGULA].

Mr. REGULA. Mr. Chairman, I would point out that we did take a $2.7 million cut below 1995, but part of that was originally designated for a move of the center, and in the gentlewoman's amendment she eliminates postage for the ''Wilson Quarterly'' which the subscriber should pay, eliminates paid internships for college students—we have eliminated those on the Hill—cuts stipends for foreign national scholars—their own government should pay those—cuts a portion of other services, and cuts a portion of grants and subsidies, and I think in the time of tight budgets this in no way denigrates the memory of Woodrow Wilson, but I think it is a practical matter, it is economically responsible, and I, therefore, am pleased to accept the amendment on our side.

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

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

Mr. YATES. The gentleman recalls; does he not, the truth of my assertion that previously four Republican Presidents—the truth of my assertion about the fact our committee has appropriated funds to reestablish the homes of Presidents Taft, McKinley, Garfield, and Harding? Those are memorials to those Presidents. We had recognized them as memorials to those Presidents. This is the memorial to Woodrow Wilson. This memorial should not be cut——

Mr. REGULA. I simply say they do not offer stipends or internships or have a quarterly. Those are nice-to-do things. It does not go to the question of the memorial itself.

Mrs. SMITH of Washington. Mr. Chairman, I would again like to make a comment on the chart in front of us, and my colleagues can see clearly this is a different memorial, but there will still be sizable amounts of Federal money going to this memorial, and the $3 million that they requested will not be needed because they will not be moving.

Mr. Chairman, I yield the balance of my time to the gentleman from Texas [Mr. STENHOLM].

The CHAIRMAN. The gentleman from Texas [Mr. STENHOLM] is recognized for 30 seconds.

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

Mr. STENHOLM. Mr. Chairman, I thank the gentlewoman from Washington for yielding this time to me, and I rise in support of her amendment.

Mr. Chairman, I think this is another one of these efforts in which we have to make priority decisions. I think this is a responsible amendment because it does not suggest shutting down what apparently is a very worthwhile organization. It cuts $1 million and suggests that it should go the private route, as many other similar-type institutions.

I can concur that it is a worthwhile endeavor, but this is a time for prioritization, and it seems this is a very reasonable amendment to be taken at this time, and I urge its support.

Mr. Chairman, I rise in strong support of the Smith-Metcalf amendment to H.R. 1977, the Interior appropriations bill for fiscal year 1996. First, I would like to commend my colleagues from Washington for identifying this amendment and for their hard work in ferreting out low-priority spending.

This amendment reduces $1 million from the Woodrow Wilson International Center's current $6 million appropriation.

While I believe that the Woodrow Wilson Center is a worthwhile organization, the Federal Government can no longer afford to fund every good idea. Therefore, organizations such as the Woodrow Wilson Center are finding themselves in competition with other worthwhile programs. As we are trying to set reasonable budget priorities, we should try to encourage more significant support from the private sector on programs where this type of relationship makes sense.

Several other foundations similar to the Woodrow Wilson Center, such as the James Madison Memorial Fellowship and the Harry S. Truman Scholarship, do not rely on the Federal Government for their existence. They have sought, and found, significant outside support. The purpose of this amendment is to encourage the Woodrow Wilson Center to follow the example set by these other foundations and seek support from outside organizations as their primary source of funding.

I strongly urge my colleagues to support the Smith-Metcalf amendment.

Mr. YATES. Mr. Chairman, I yield myself the balance of my time.

The CHAIRMAN. The Chair recognizes the gentleman for 2½ minutes.

Mr. YATES. Mention has been made, Mr. Chairman, of the fact that this is an unusual memorial in that the memorials to Presidents Taft, McKinley, Garfield, and Harding did not make grants to scholars; that is true, but this memorial takes the form that it does because it was created by the Congress to do exactly what the Woodrow Wilson Institute does. Congress decided that the Woodrow Wilson Institute would be a living institution, expressing the ideals and concerns of Woodrow Wilson as the 28th President of the United States, a distinguished scholar, an outstanding university president, and a brilliant advocate of international understanding. Such a center, continues the congressional resolution, symbolizes and strengthens the fruitful relationship between the world of learning and the world of public affairs. It would be a suitable memorial to the spirit of Woodrow Wilson.

I regret my good friend, the gentleman from Texas [Mr. STENHOLM], finds himself in agreement with those supporting the amendment to cut the Woodrow Wilson Center. He finds that this is a worthy institution. A $1 million cut unfortunately will severly harm the institution. It would reduce the number of scholars that would be able to attend the institution. It would impair its important operations.

Mr. Chairman, I would hope that the amendment would be defeated.

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

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

Mr. REGULA. Mr. Chairman, I ask the gentleman, ''Would you agree that the Institution would still, with this amendment, have $5.7 million to operate, and since it is housed in the Smithsonian, its overhead and operating costs are not large, and therefore there would be a considerable fund of money for the scholars?

Mr. YATES. I say to my colleague, ''If you cut the center by a million dollars, the opportunity to invite scholars from all over the world to participate in its activities will be forever lost.''

Mr. LAZIO of New York. Mr. Chairman, I rise today to support the Woodrow Wilson International Center for Scholars. The Wilson Center is the nation's official memorial to Woodrow Wilson, our 28th President. It was established by the 90th Congress, on the recommendation of a bipartisan Commission.

The Wilson Center conducts activities that strengthen relations between the academic world and the world of public affairs. Using the words of the Appropriations Committee, the Wilson Center's role as ''an international institute for advanced study, as well as a facilitator for discussions among scholars, public officials, journalists and business leaders on major long-term issues facing America and the world'' is a fitting tribute to President Wilson's lifelong commitment to this type of exchange.

Unlike any other advanced study center or think tank, the Wilson Center is both non-partisan, and focused on topics that cross national boundaries and academic disciplines. It is also unique in its extensive outreach to the public. Accordingly, it has enjoyed the support of every President since Lyndon Johnson.

The Wilson Center has already received a 40% cut from the President's fiscal year 1996 request. We must cut no further. Congress chose to create the Wilson Center, rather than a more traditional memorial to the 28th President. We must honor that choice by continuing to support this important institute.

I urge my colleagues to oppose the Smith amendment and preserve this vital center.

The CHAIRMAN. All time for debate on this amendment has expired.

The question is on the amendment offered by the gentlewoman from Washington [Mrs. SMITH].

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

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

The CHAIRMAN. Pursuant to the rule, further proceedings on the amendment offered by the gentlewoman from Washington [Mrs. SMITH] will be postponed.

□ 1900

AMENDMENT OFFERED BY MR. KLECZKA

Mr. KLECZKA. 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. KLECZKA: Page 55, line 5, strike ''$384,504,000'' and insert ''$379,524,000''.

The CHAIRMAN. Pursuant to House Resolution 189, the gentleman from Wisconsin [Mr. KLECZKA] will be recognized for 10 minutes, and a Member opposed will be recognized for 10 minutes.

The Chair recognizes the gentleman from Wisconsin [Mr. KLECZKA].

Mr. KLECZKA. Mr. Chairman, I offer this amendment on behalf of myself and the gentleman from Massachusetts [Mr. KENNEDY].

Mr.Chairman, I yield 3 minutes to the gentleman from Massachusetts [Mr. KENNEDY].

Mr. KENNEDY of Massachusetts. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I rise in strong support of the amendment offered by the gentleman from Wisconsin [Mr. KLECZKA] that he and I are offering together to cut a pork barrel set-aside for the National Institute of Petroleum and Energy Research, or NIPER.

Mr. Chairman, our amendment does not eliminate all funding for NIPER by any stretch. NIPER would still be able to get funding from the traditional fossil fuel accounts. In fact, even with this cut, we will be spending over $300 million for fossil fuel research. With the taxpayer money, we are supporting NIPER, paying for research for a multibillion dollar industry. This special earmark is corporate welfare for a congressional pork barrel project. There are other Federal energy labs, the Morgantown Energy Technology Center in West Virginia and the Pittsburgh Energy Technology Center in Pennsylvania, that do the same kind of research, yet are prevented from competing for this money.

As we reevaluate the mission of our national labs, we must insist that the work being done there is of the highest possible caliber. The best way to do this is to have our labs participate in a competitive selection process, meaning good scientific research would get the funding.

NIPER does research and funding in various ways to get more oil out of oil fields so that they will not be abandoned before their time. This certainly is a worthwhile endeavor, but with such little money available, we cannot afford to squander the money the way it is being done. All of our labs should be able to propose research and have an equal chance at getting funding. That way, we can ensure that good science is the basis for research.

Under the committee bill, science has nothing to do with this particular program. It is all politics, and pure pork at that. The report from the Committee on Appropriations states, ''The committee directs that those fossil energy fuel research funds in the bill allocated to oil research should be utilized at NIPER, and that such work should be not transferred to any other research laboratory.''

Funding of research programs with taxpayer dollars should be done on merit. By not using the competitive merit review, we face the real danger of putting research in a particular Member's district.

That is all this bill comes down to. We have simply gone and taken money out of the general research fund and said that we are not going to allow it to go out under competitive bid to the other Federal agencies that have the same capability; we are going to select this particular $5 million and put it in a particular Member's district. The Member that offered this amendment at the committee designed the program for his particular district, and it is just simply pork.

Now, I understand that there are a lot of people that are concerned about how we spend money in the Congress of the United States and have run on the basis that they are opposed to pork. I would hope that those Members stand up and vote against the funding that goes into this particular project for the various reasons that I have gone through.

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

The CHAIRMAN. The gentleman from Ohio [Mr. REGULA] is recognized for 10 minutes in opposition.

Mr. REGULA. I yield myself such time as I may consume.

Mr. Chairman, how quickly we forget. For those in this body that were here in the 1970's we forget the crisis that faced America. We forget the long gasoline lines waiting for gasoline. We forget the industries that were shut down, the schools that were curtailed, because of a shortage of energy. As a result of that, we passed the Energy Policy Act so that we would not again be caught short on energy. But how quickly we forget.

In the Washington Post on June 14 of this year, 1995, is a story headlined, ''Panel Warns of Crisis if Energy's Funding for Research Is Cut.'' That says it all. The panel, a blue ribbon panel of analysts, concluded that the Department of Energy's research and development has helped, and I emphasize this, has helped, the United States keep up with major advances and international competition in energy technology. The report warned of a looming crisis if these efforts are not continued at current funding levels. Mind you, this blue ribbon panel said we should continue at current funding levels.

In reality, we are 10 percent below the level of funding of 1995, 10 percent below current levels, and we are on a glidepath, in conformance with the authorizing committee to eventually get to zero. But in the meantime, we have contractual obligations, we have money invested by the private sector in energy technology. But I think it is vitally important that we continue these programs.

How quickly we forget that just a few years ago we sent American service people in harm's way with a resultant loss of life, to say nothing of the expenditure of funds, to protect our energy sources. We are now dependent, for more than 50 percent of our domestic oil on sources outside the United States. Yet we are saying in this amendment that we should reduce our research on alternative sources, we should reduce our effort to stretch a gallon of oil further. We should not worry about energy independence, we should not worry about the impact of our energy dependence on our foreign policy.

Mr. Chairman, I say again to my colleagues, let us remember the lessons of the 1970's; let us remember the lessons of Desert Storm; let us ensure that the United States will never again be dependent totally on outside sources for our energy needs.

Mr. Chairman, I yield 1 minute to the gentleman from Virginia [Mr. DAVIS].

Mr. DAVIS. Mr. Chairman, I thank the gentleman for yielding, and I rise in opposition to the amendment. When they say pork, last year we had $77 million earmarked for oil technology. The administration this year asked for $87 million, and, of course, this $5 million is part of the $64 million committee mark. So that is down from last year significantly. It is way down from the administration's proposal, and why should it not go to the NIPER facility in Barboursville, which I might add, is a long way from my district across the river in Northern Virginia. Because Barboursville, the NIPER there, the National Institute for Petroleum Energy Research lab there, has won awards from the National Performance Review, and been awarded by Vice President GORE for its privatization efforts, showing how a model facility can be not just Federal employees working together, but the private sector working in partnership.

The other two main facilities where this could go, for example, Morgantown and Pittsburgh, tend to specialize in the coal side. I think that is a good reason.

Mr. Chairman, I rise in opposition to this amendment. I think we need to keep this money in oil research.

Mr. KLECZKA. Mr. Chairman, I yield 2 minutes to the gentleman from California [Mr. BROWN].

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

Mr. BROWN of California. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I have no problems whatsoever with the research being done at Barboursville. As far as I know, it is excellent research and it deserves to be continued.

I listened with great interest to the remarks of the chairman of the subcommittee about how we should not cut energy research, despite the fact that this bill cuts it substantially. As a matter of fact, the budget of the Republican majority provides, if they cannot abolish the Department of Energy, which is doing this research, to cut all of its energy R&D by 20 percent. I think this is short-sighted.

My problem is not with the energy research. If anything, I would probably increase it. But the fact is I have spent a number of years trying to develop a habit in this House of not making site-specific designations for energy or any other research and development money, but this flies in the fact of what I have been trying to accomplish for a number of years.

At the same time that this bill specifically designates a certain amount of money for this facility, other similar energy technology centers are undergoing vast reorganizations and are being cut specifically. There will be, for example, 90 jobs cut at the Pittsburgh and Morgantown Energy Technology Centers. They are not being protected by this bill, as the language with regard to Barboursville would protect that facility.

I think that is wrong. I think that the Department of Energy should at least retain the discretion, and we have urged that in my own Committee on Science and in the energy authorization, energy R&D authorization bill, which we passed not too many weeks ago in the committee. We had a provision that required competitive peer review for all of these kinds of facilities.

Mr. Chairman, I would strongly urge that we adopt this amendment, not from the standpoint of cutting energy research, but from the standpoint of making sure that all programs are peer-reviewed and that we get the best bang for the buck.

Mr. KLECZKA. Mr. Chairman, I yield 30 seconds to the gentleman from Massachusetts [Mr. KENNEDY].

Mr. KENNEDY of Massachusetts. I would just like to point out, I heard the gentleman from Virginia [Mr. DAVIS] say the NIPER facility is a long way from his district. It is not, however, so far that the major contractor, as I understand from his district, has not bid on this very contract.

So if we are going to deal with pork, I do not mind dealing with it. I would just ask to be straightforward about what is going on in this bill. This NIPER program has money that is going to go into Mr. DAVIS' district, and that is why it is written into the bill the way it is.

Mr. REGULA. Mr. Chairman, I yield 20 seconds to the gentleman from Virginia [Mr. DAVIS].

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

Mr. Chairman, first of all, the corporation is not in my district. There is a facility in the district of the gentleman from Virginia [Mr. MORAN].

Second, in the interest of straight talk, this removes the money entirely. This does not just take it away from NIPER; this removes money for oil and petroleum research, and I think that is what we are opposed to in the administration's mark. This does not just put it in.

Mr. KENNEDY of Massachusetts. If the gentleman from Virginia would yield. That is $5 million out of the $300 million fund that the gentleman put in, or that the gentleman from Oklahoma [Mr. ISTOOK] put in.

Mr. REGULA. Mr. Chairman, I yield 3 minutes to the gentleman from Oklahoma [Mr. ISTOOK].

Mr. ISTOOK. Mr. Chairman, I thank the gentleman from Ohio for yielding.

Mr. Chairman, I think it is very important to understand here that what happens in fossil energy research is that for every one dollar that is being spent on oil research, and that is all that the gentleman from Massachusetts and the gentleman from Wisconsin want to attack, is oil research, for every one dollar in oil research, there are two dollars in coal research under this piece of legislation. I think it is significant to understand that.

For example, for the gentleman from Massachusetts, we looked it up, and currently Massachusetts is receiving over $51 million from the Department of Energy for coal research.

Mr. Chairman, I submit that had the purpose of the gentleman from Massachusetts been to try to be even-handed at anything, then he would propose that for every one dollar you cut in oil research, you would cut two dollars in coal research, and I am certain that he would volunteer that that should come from the State of Massachusetts, were that his objective.

Mr. Chairman, the only reason that $5 million was added back in committee was to maintain that same two-to-one ratio, two-to-one in favor of coal research, which has been the ratio for many, many, many years. So that is all that is sought to be done with this legislation, and it is important to understand that, you know what, Mr. Chairman, under this bill research money for oil is being reduced. It is being reduced by over $12 million. And yet, for the gentleman from Massachusetts, that is not sufficient. He wants to protect coal, but make further reduction in oil.

Now, I realize people in Massachusetts may not care about oil. They may not care about the energy independence that is important to the country.

□ 1915

But it is important, Mr. Chairman, to the rest of us. So I would certainly ask Members to oppose the amendment of the gentleman from Massachusetts. Oppose the attempt to attack one industry while protecting a different one that is important to the sponsor of the amendment.

And finally, Mr. Chairman, the bill does not have any sort of line item in favor of NIPER or Bartlesville. In fact, if you look at the report, the only specific line items with specific funding going to specific institutions are for West Virginia and Pittsburgh in Pennsylvania, when it comes to that fossil energy research.

So, Mr. Chairman, I certainly urge a ''no'' vote. Let us keep the funding as it has been proposed. It is an absolute reduction. It maintains the historical ratio between oil and coal. it is no disadvantage to either one of them. I would ask that my colleagues join in voting ''no'' on the amendment.

Mr. REGULA. Mr. Chairman, how much time remains on each side?

The CHAIRMAN. The gentleman from Ohio [Mr. REGULA] has 2 minutes and 40 seconds remaining, and the gentleman from Wisconsin [Mr. KLECZKA] has 4½ minutes remaining.

Mr. KLECZKA. Mr. Chairman, I yield 2 minutes to the gentleman from Texas [Mr. DOGGETT].

Mr. DOGGETT. Mr. Chairman, I do come from Texas, and believe in energy independence. But I do not think this measure is about energy independence. It is about pork futures.

I took a shot at NIPER, which is what this is all about, it is the National Institute for Petroleum and Energy Research, known by its acronym of NIPER, in the Committee on Science. And we came within one vote of eliminating this earmark, which is a good indication of how really disputed this whole issue is.

If energy independence is the goal, then why is the authorizing committee cutting fossil fuel research by 45 percent and why is it being reduced in this bill?

The issue here is not energy independence. It is whether or not we are going to earmark these moneys to be spent on one research institute of all those in the country that just happens to be in Bartlesville, Oklahoma.

When we begin earmarking to these particular institutes and particular facilities, we violate the tradition that has gone on in the Committee on Science up until this year. And we also essentially in doing an earmark are doing nothing but having a sow's earmark. People talk about cutting pork up here, but this is one of those little $5 million piglets that is squealing around this floor tonight.

If you believe we ought to provide not only for energy independence but a little independence for the taxpayer and see that this kind of special interest amendment is not included, then you vote for the amendment that my colleagues have offered.

Mr. KENNEDY of Massachusetts. Mr. Chairman, will the gentleman yield?

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

Mr. KENNEDY of Massachusetts. Mr. Chairman, I want to answer the gentleman from Oklahoma [Mr. ISTOOK]. This happens to be a boy from Massachusetts that spent some time in the oil business. I have frac wells and I understand exactly what this technology is designed to do and how much is available in this country to get more oil out of existing wells.

The fact of the matter is, I would be in favor of this kind of oil research. I would just like to see it go out to bid. I do not want to see it to go to one guy's district and be denied from other Members' districts that have the same capabilities of doing the research that is in your district. That is all I am asking for.

Mr. REGULA. Mr. Chairman, I yield 1 minute to the gentleman from Oklahoma [Mr. ISTOOK].

Mr. ISTOOK. Mr. Chairman, I just want to establish that this was put out for bid. It was bid only just about a year ago. So this is the product of bidding.

Furthermore, this institution has been involved in privatizing and reduction of the number of government employees and the research is at the government-owned institution.

Mr. KENNEDY of Massachusetts. Mr. Chairman, will the gentleman yield?

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

Mr. KENNEDY of Massachusetts. Mr. Chairman, why did the gentleman have to write NIPER into the legislation, if it was put out to bid?

Mr. ISTOOK. Reclaiming my time, Mr. Chairman, NIPER is not mentioned in the legislation.

Mr. KENNEDY of Massachusetts. Mr. Chairman, it most certainly is.

Mr. ISTOOK. Mr. Chairman, the bill does not have any mention of NIPER. It only mentions it during the report language. The report language has specific line items for the institutions in West Virginia and in Pennsylvania.

The language is only reflective of what the Committee on Science has already established, what the Department of Energy has already established. It is not creating anything. Frankly, the amendment does not specify where any cut would be made. It is trying to attack oil funding in general to protect coal.

Mr. KLECZKA. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, what the gentleman from Oklahoma, the author of the amendment in committee, states is not really accurate. In fact, if it was accurate, the committee report language would not have to read, ''The committee recognizes the accomplishments of NIPER and directs that these research funds in the bill be allocated to oil research to be used by NIPER and such work should not be transferred to another research laboratory.''

The last campaign by most of us in this Chamber was one about pork. There were instances like the Lawrence Welk farm of years past, which people just were abhorred over. Now here the gentleman from Oklahoma, who he himself says pork is pork, even if it lives at home, goes to the committee he serves on and puts in an additional $5 million above and beyond the committee level to squirrel it away, to earmark it for his district and an entity in his district.

I say to my colleagues, all 435 of us would like to bring home the bacon, but in this atmosphere, we cannot. For a person who is opposed to it to put it in, I think that is inexcusable. There is $59 million left in this portion of the oil research part of the bill for oil research, fossil research that will be put out by bid. And if, in fact, the program is as good as the gentleman indicates, they will be competitive. They will win a piece of that $59 million. But that is not what happened in committee.

The gentleman introduced an amendment and first he wanted to take the money from the endowment for the arts. He changed his mind and scratched that and just out of thin air found $5 million and put it into that line of the budget.

I am saying to you, that is not the way you talk in your campaign. It is not the way the balance of us talk. However, when the campaigns are over, at that point in time, you forget about that and when no one is looking, you put in a little bacon for your district. I am saying, if NIPER is as good as you say, they can compete, they can be successful for a portion of the $59 million. Why did we put in the $5 million cut?

The only way you get at this pork project, the only way that we, under the rules of the House, can get at it is to take an amendment, reduce the appropriation reflecting your amendment in committee by $5 million, thus we take down the entire energy research and development budget from $384 million to some $379 million; clearly, not devastating to the appropriation, but recognizing the $5 million add-on that was provided in committee is not fair, is not equitable, should not be done. It is descried by everyone on the House floor.

When we find it, when it is bills like the one we are talking about today, at that point in time I think the House has to stand up and say what is good for Oklahoma is good for Wisconsin. If it is not good for Oklahoma, Wisconsin should not do it either. I ask the Members to adopt the amendment which in essence would strike this one pork project.

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

I want to make it clear to the Members, this technology, this money that goes into the technology is used to take wells that are no longer productive and put them back into production. It includes enhanced fracturing techniques. It would include advanced injection techniques so that the people of the United States could recover some additional resources from our own domestic supply and thereby enhance our energy independence.

I might also point out that most of these projects have a very sizable amount of private money in them.

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

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

Mr. KLECZKA. Mr. Chairman, I agree with all the gentleman says. However his mark coming before the committee was a $59 million appropriations. If in fact he wanted more dollars in that line, why did not the committee from the git-go put in the $64 million or $84 million or whatever.

Mr. REGULA. Mr. Chairman, it was the feeling of the majority of the full committee that we needed some additional funding for this technology. In fact, we have many wells that are no longer productive.

Mr. KLECZKA. Mr. Chairman, if the gentleman will continue to yield, why was the $5 million earmarked for one project in Oklahoma?

Mr. REGULA This was the amount that was offered as an amendment in the full committee and accepted by the members of the full committee.

Mr. Chairman, I yield the balance of my time to the gentleman from Oklahoma [Mr. ISTOOK].

The CHAIRMAN. The gentleman from Oklahoma [Mr. ISTOOK] is recognized for 15 seconds.

Mr. ISTOOK. Mr. Chairman, the bill speaks for itself. It is a reduction in the funding. It maintains simply the two-to-one ratio in favor of coal with oil. It is clear that it is $12,914,000 below last year's. It is not increasing anything. And the amendment did not line item $5 million for NIPER.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin [Mr. KLECZKA].

The question was taken; and the Chair being in doubt, the committee divided and there were—ayes 21, noes 16.

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

The CHAIRMAN. Pursuant to the rule, further proceedings on the amendment offered by the gentleman from Wisconsin [Mr. KLECZKA] will be postponed.

The point of order no quorum is considered withdrawn.

Mr. YATES. Mr. Chairman, I ask unanimous consent to strike the last word.

The CHAIRMAN. Without objection, the gentleman from Illinois [Mr. YATES] is recognized for 5 minutes.

There was no objection.

Mr. YATES. Mr. Chairman, the gentlewoman from North Carolina sought time to speak on the amendment relating to Indian education. Unfortunately, there was not enough time that could

be allotted to her to make her comments.

She seeks to have her comments inserted into the RECORD during the discussion on the Indian education amendment.

I ask unanimous consent that that may be done.

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

There was no objection.

AMENDMENT OFFERED BY MR. TIAHRT

Mr. TIAHRT. Mr. Chairman, I offer an amendment, amendment No. 65.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. TIAHRT: Page 55, line 5, strike ''$384,504,000'' and insert ''$220,950,000''.

□ 1930

The CHAIRMAN. Pursuant to H. Res. 189, the gentleman from Kansas [Mr. TIAHRT] and a Member opposed will each be recognized for 10 minutes.

The Chair recognizes the gentleman from Kansas [Mr. TIAHRT].

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

Mr. TIAHRT. Mr. Chairman, in this amendment I seek to restore the appropriation to the level authorized by the Committee on Science. The chairman of the committee, the gentleman from Ohio [Mr. KASICH], in the House budget resolution had set the fossil energy program at $150 million for 1996. The Committee on Science then, after careful deliberation, reviewing all research and development programs, authorized even more funding at $220 million. The Interior appropriations bill, however, adds an extra $170 million to the level authorized by the gentleman from Pennsylvania [Mr. WALKER] in the Committee on Science.

Mr. Chairman, it is important for the American people to realize that money is spent in Congress after the rigorous authorization process. The committees in Congress study the issues, hold long hearings and vote on the funding levels after long and tough debates. This process is not perfect, but it is the process that usually results in responsible compromise.

To add $170 million more to the level authorized by the Committee on Science is excessive and thumbs the nose at the Committee on Science. We worked hard to follow fiscal responsibility principles, because we want to balance the budget for the future of this country and for the future of our children.

Almost one-half of the increase to the fossil energy program goes to the clean coal program. The clean coal program is to study technology that has been around for decades. The question is not if we can burn coal more efficiently; the question is can we afford it; and clearly, we simply cannot.

Mr. Chairman, the chairman of the committee eloquently explains that basic scientific research is a responsible Federal function. It is quite a stretch to put the clean coal boondoggle under the banner of basic research. In fact, the bill appropriates $12 million more than the President even requested. If we pass the bill, we will spend more on this program than even the administration wants.

Mr. Chairman, once again, I urge my colleagues to support this amendment. We can and must do better than adding millions of dollars to programs of dubious nature. Let us reject the concept of appropriating money that has not been authorized. Let us listen to the chairman of the committee, who arrived at the responsible funding level for fossil energy, and follow the bold example of the gentleman from Ohio [Mr. KASICH], of making tough choices.

Let us stop asking middle-class taxpayers to fund research of some of America's most profitable companies. Exxon, G.E., DuPont, Amoco, Westinghouse deserve our credit for being industry leaders, but they do not need our subsidies.

I come from a district in a State, Mr. Chairman, that is a large oil and gas producer. No industry has had to sacrifice more in the changing market. I have received phone calls and letters from small energy producers in my district who are struggling. How can we look at them and tell them we are broke and cannot help, but then give millions to subsidize the big energy companies?

Mr. Chairman, I urge my colleagues, if they are serious about deficit reduction, then let us vote to keep the authorized levels for funding. I urge my colleagues to support this amendment and help end corporate welfare. Join me and the gentleman from Pennsylvania [Mr. WALKER], the gentleman from Ohio [Mr. KASICH], the chairman, the subcommittee chairman [Mr. ROHRABACHER], the National Taxpayers Union, and Citizens for a Sound Economy to make the tough choices and stand up for the future of our children.

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

The CHAIRMAN. The gentleman from Ohio [Mr. REGULA] is recognized for 10 minutes.

Mr. REGULA. Mr. Chairman, once again, let me point out that we have already cut 10 percent from this budget. We are on a glidepath to achieve the goals outlined by the authorizing committee. I have communicated repeatedly with the gentleman from Pennsylvania [Mr. WALKER], the chairman of the Science Committee, and it is our understanding as a result of our conversations that we will get to the authorized level in a period of 4 or 5 years.

However, let me point out to all Members here, that are listening and viewing, that we have contractual obligations. These projects, over 300, have been established with the private sector. In many instances, the private sector is putting up the bulk of the money. We have contracts, and if we violate those contracts, we are going to be subject to lawsuits. We have closing costs. In the meantime, we will be losing enormously valuable research.

The Blue Ribbon Committee on energy R&D says this in their report:

Federal energy R&D has been cut by 75 percent since the late 1970s. Currently the Japanese Government spends more than twice as much on energy R&D as does the United States,

and keep in mind, that Government has half the population to serve.

They go on to say: ''Energy is fundamental,'' and let me emphasize this,

Energy is fundamental to the ability of industrial societies to function. Global energy demand arising mainly from developing economies is expected to grow by 40 percent is 15 years.

This report goes on to say,

Trends in the world oil markets point to growing stress and tension. Oil demand is expanding rapidly, and projected to grow by 30 percent. In less than 5 years oil demand in Asia will outstrip all of North America.

Mr. Chairman, I have to say if we care about the future of this Nation, if we care about preserving jobs, we have to care about energy. I do not believe there is a job in our society that is not in some way dependent on energy.

Energy is the lifeblood of an industrial society. It fuels all that we do. Energy lights this room tonight. Energy, through many different ways, is a part of the industrial fabric of this Nation. I think it is foolish to not continue research, to keep our Nation energy-independent.

We remember when OPEC decided to put an embargo on the shipment of oil and raise the price. We had long lines at the gasoline stations. We do not want to repeat that. Yet, we are ''sleepwalking into a disaster,'' as Secretary Hodel said in a recent op-ed piece. What we are trying to do in funding this research is ensure that we can use resources that are available in the United States, that we can enhance wells that produce oil and gas, but are no longer functioning because of lack of technology, that we can use coal to produce electricity.

The gentleman in his arguments said we already know how to burn coal efficiently. That is true. However, we do not know how to burn coal cleanly, and we just passed a clear Air Act a short time ago in an effort to improve the quality of our air, and one of those ways we do that is to burn coal in a clean manner, an environmentally safe manner. That research is important.

I would also point out that we did not add any new budget authority in clean coal. That is not the issue. The money here that is being proposed for reduction does not impact on clean coal. It is not part of this amendment. That is, nevertheless, a very important feature of our enery research.

Mr. Chairman, I think we should be very careful in this budget, that we do not do things that will precipitate a crisis down the road, that will cripple

the ability of future generations to have adequate supplies of energy, to have the jobs that go with energy, to have the freedom from involvement in military conflicts that result from the absence of access to energy sources.

For all of these reasons, I think it is a great mistake at this point to reduce our reseach. We are a nation that has prospered because of science. We are the world's leader because we have developed technology in many different fields, and certainly energy should be a vital concern to all of us, because the quality of life, the quality of the air we breathe, the quality of our standard of living, will be very strongly tied to our ability to have access to energy. Let us not make the mistake of the 1970's. Let us ensure that we do adequate research.

Mr. Chairman, we recognize that we need to get out of the business. Our proposal gets on the glidepath to achieve exactly what the Committee on Science has put in their authorization. As I said, the chairman and I have discussed this and have a consensus that we have to get there, but we have to recognize that we have close-down and contractual costs that would otherwise result if we were to pass this amendment.

I have a list here. There are over 30 States that would be severely impacted by this amendment in terms of lost jobs, in terms of lost research projects, but most importantly, all of the people of the United States would be severely impacted if they were to have a diminution of their access to energy of all forms in the years ahead.

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

Mr. TIAHRT. Mr. Chairman, I yield 2 minutes to the gentleman from California [Mr. ROHRABACHER], the distinguished chairman of the Subcommittee on Energy and Environment of the Committee on Science.

Mr. ROHRABACHER. Mr. Chairman, I heard the saying a long time ago that government is the most efficient method known to man of turning pure energy into solid waste. Unfortunately, that is the feeling I get when I see the way we are handling our budget decisions. We are taking a perfectly good economy and we are trashing it by being irresponsible. That is one of the reasons that I am supporting the Tiahrt amendment.

The Committee on Appropriations has again seen fit to add $163 million in funds not authorized by the Committee on Science. In the case of coal programs, the figure is $126 million. That is 2½ times the authorized level. There are millions of dollars earmarked in this bill that the Department of Energy never requested. These funds will not be for basic research in fossil fuels technology. Rather, it will be used for large demonstration projects sponsored in many cases by some of our largest corporations, corporate welfare.

The Members should know that electric and gas utility customers already provide several hundred million dollars through a fossil R&D surcharge that funds the Gas Research Institute and the Electric Power Research Institute, so here we are, the people are being double taxed for these very same research and development programs, this very same welfare for corporations, welfare for the rich.

Mr. Chairman, I urge Members to save the taxpayers some money, support the authorization process. Let us bring some responsibility to the process. We are just starting out now. Let us make sure that appropriators and authorizers work together, and vote for this amendment. Support the Tiahrt amendment.

Mr. REGULA. Mr. Chairman, I yield 2 minutes to the gentleman from Pennsylvania [Mr. DOYLE].

Mr. DOYLE. Mr. Chairman, I rise today in strong opposition to the Tiahrt amendment, and in support of fossil energy research funding contained in this bill.

First of all, I would like to thank the subcommittee chairman, Mr. REGULA, and ranking member, Mr. YATES for their continued commitment to this important area.

What is fossil energy research? We all know what fossil energy is, oil, gas and—our most abundant domestic resource—coal. But I get the sense that many Members who seem anxious to cut research in these areas do not understand the type of work that is going on.

Especially in the area of coal research, we are talking about extremely innovative research that is being undertaken by small companies throughout the country.

Without the help of the Federal Government, these small companies would be unable to undertake these important research efforts. Do we really want to accept the status quo in our ability to utilize our coal resources—or do we want to take advantage of our brainpower to make cleaner, more efficient use of our most abundant energy resource.

By cutting the fossil energy budget, you are killing Advanced Clean Fuels Research in both direct and indirect liquefaction—work that is going on right now in Louisiana, New Mexico, California, New Jersey, and elsewhere.

You are also killing work in Advanced Clean/Efficient Power Systems—such as important work on Advanced Research & Environmental Technology that is taking place in Texas, Illinois, Massachusetts, Colorado, Ohio, and elsewhere.

Let me also point out how much these programs have already been cut. The fossil R&D line in the bill represents a cut of over 100% from FY 1995 in a program that has been decimated over the last decade.

Just last month, the Yergin Commission, an independent task force on strategic energy research and development, found that energy R&D is essential to the U.S. Economy and that cutbacks in R&D could put our Nation at risk. Task force Chairman Daniel Yergin, President of Cambridge Energy Research Associates and a Pulitzer Prize-winning author, stated that, ''the wholesale demolition of [DOE's R&D programs] would not only hurt America's energy position but contribute to a 'brewing R&D crisis' in the United States.

In conclusion, I want to point out that Federal energy R&D is only about one-half of one percent of the Nation's annual energy expenditures. Since 1978, DOE R&D has been reduced by 75% in constant dollars. Let's not be shortsighted about our long-term economic well-being. Vote to maintain fossil R&D.

Mr. TIAHRT. Mr. Chairman, I yield 2 minutes to the gentlewoman from California [Mrs. SEASTRAND], a Member of the Committee on Science.

Mrs. SEASTRAND. Mr. Chairman, I support the Tiahrt amendment. This amendment would authorize appropriations of $22.95 million, which is consistent with the level contained in H.R. 1816, the Civilian Energy Research and Development Act of 1995, reported out of the Committee on Science on June 22.

All of this was done with the thought of definitely giving dollars to research, and balancing the budget. However, I am amazed to see what has now come out of the Committee on Appropriations, which definitely increases appropriations to such areas such as coal, up $11.3 million above even what the Department of Energy requested, and up $76 million above what the Committee on Science authorization of $49.9 million was.

□ 1945

Oil appropriations were up $20.5 million above the Committee on Science authorization of $63 million; gas appropriations, $113 million, up $53.9 million above the Committee on Science authorization of $59.8 million.

I want to state that the Committee on Science, which I serve on, adequately funded basic research. In addition, we have dollars now that are funding institutes such as the Electric Power Research Institute and the Gas Research Institute, provided they do this research with surcharges on utility customers. This is being done.

Appropriations are funding far beyond what the Committee on Science decided would be appropriate levels. Where are these dollars going? The corporate giants.

Exxon in 1994 made sales of over $101 billion with profits of $5 billion. General Electric had 1994 sales of nearly $65 billion with profits of $4.7 billion. Dupont, profits again of $2.7 billion in 1994. We can go to Amoco, Westinghouse, and so on.

My point here is that this amendment, the Tiahrt amendment, is a commitment to basic research and, most importantly, a balanced budget, what the American people asked for in the last election.

Mr. REGULA. Mr. Chairman, I yield 1 minute to the gentleman from California [Mr. BROWN], the ranking member of the Committee on Science with jurisdiction on this issue.

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

Mr. BROWN of California. Mr. Chairman, I rise in strong opposition to the Tiahrt amendment.

Mr. Chairman, coal research is extremely important. It may not be the highest priority, but it ranks up amongst highest priority for energy research and development in this country.

The chairman of the Subcommittee on Appropriations has already described in great detail how we need to cut energy research as little as possible in order to achieve energy independence and energy security for this country.

Mr. Chairman, I particularly want to call attention to the assertion made that this does not conform to the authorization. There is no authorization for this bill.

A majority of the members of the Committee on Science have voted under the leadership of the gentleman from Pennsylvania [Mr. WALKER] to cut the amount authorized in a bill that we passed out, but the House should know, and this has as a matter of fact been adopted by the Republican Conference, that the Conference reaffirmed that only authorization levels in public law can bind appropriation action and such binding action assumes that points of order are not waived against appropriation bills as they have been done in this case.

Please vote ''no'' on the Tiahrt amendment.

Mr. Chairman, I rise in opposition to the Tiahrt amendments eliminating research and development funds at the Department of Energy. While both of these amendments can, and should, be opposed simply on their merits, I would like to briefly address the claim that these amendments reduce spending levels to their allegedly authorized levels.

Mr. Chairman, I have long argued for the importance of the authorization process. The authorizing committees are the expert committees and certainly their views are entitled to some deference by the members. But the single step of reporting a bill from a House authorizing committee does not constitute an authorization. An authorization bill must pass the House and the Senate and be signed by the President. As we all know, this sometimes untidy democratic process often wreaks significant changes in what the original House committee reported. In the case of the Science Committee's authorization of the Department of Energy's research and development programs, we are barely through step one.

Simply put, the claim that Science Committee actions to date equate in some way to an authorization is false. It is true that the Science Committee has reported a bill with dramatically lower numbers for fossil and conservation R&D that contained in the appropriations bill before us today. However, the House as a whole has never considered the Science Committee bill. Thus, the Science Committee bill does not meet even the first test of being a—quote—''House-passed authorization bill.'' If the Science Committee had truly wanted to affect the process, it would have reported its authorization bills in May and brought them to the floor before appropriations action began.

Even then there is an important legal difference between a House-passed bill and one that is signed into law. This difference was recognized in the Republican Conference on House Rules. The conference reaffirmed that only authorization levels in public law can bind appropriations actions. And, such binding action assumes that points of order are not waived against appropriations bills, as was done for consideration of H.R. 1977.

Certainly the decisions of a majority of the Committee on Science are entitled to some respect and deference by the Members. At the same time, Members have an obligation to exercise their own independent judgment on the wisdom of those recommendations; certainly, the House has never operated to rubber-stamp the product of any Committee.

But Members should not be confused by the argument that the appropriations bill exceeds the authorization for these energy R&D programs. They do exceed the recommendations of a majority of the Science Committee members—nothing more and nothing less. The fact is that this is the first vote of the full House to consider these issues. There is nothing to bind Members actions in law—including nothing in the budget resolution since report language is also not binding.

I urge Members to reject the Tiahrt amendment.

Mr. TIAHRT. Mr. Chairman, I yield 1 minute to my good friend, the gentleman from Maryland [Mr. BARTLETT].

(Mr. BARTLETT of Maryland asked and was given permission to revise and extend his remarks.)

Mr. BARTLETT of Maryland. Mr. Chairman, I rise in support of this amendment with some sense of frustration. I certainly support energy research, particularly coal research. That is not the issue here. I am a member of the authorizing committee. We have developed a balanced program.

My concern is where will the money go that is saved here? When we violate the orderly authorization/appropriation process, we create chaos. Thus, I support this amendment because it supports the process we should be followed in this House.

Mr. TIAHRT. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, I just wanted to point out that it was referred to here earlier that this was not authorized. If that is the situation, then apparently none of this bill has been authorized.

We have gone through the authorization process in the Committee on Science. We have looked at the basic research and development. This was done. We came in at the $220 million level. Now we are coming with an additional $170 million.

We are even outspending the administration on the coal programs. We are adding $24 million for special interests for the liquefaction process, adding $36 million to General Electric for gas turbines, an additional $8 million to the administration's request for molten carbonate fuel development.

All of these are in a $1 billion industry, when I have to go back to Kansas and talk to my little energy developers who get no help from the Federal Government, out there trying to make a living pumping wells, stripper wells. They get no help, yet we give millions of dollars to these big energy corporations.

We heard about commitments to contracts. We have gone and reviewed this. This is not beyond what was authorized by the Committee on Science. Beyond that, we have a commitment to the American people.

Of course we care about energy. We do not want to have another energy crisis, but we are not killing research and development that would go to help supply more energy. What we are doing is, we are cutting out the corporate pork. One hundred seventy million dollars additional in research and development to billions of dollars in revenue that these corporations have is not going to drive them into bankruptcy.

This is supported by the gentleman from Pennsylvania [Mr. WALKER], the chairman. It is over the resolution of the Committee on the Budget, it is over the resolution of the Committee on Science. It is supported by the gentleman from Ohio [Mr. KASICH], the chairman, by the gentleman from California [Mr. ROHRABACHER], the chairman of the subcommittee. This is practical common sense to go back to the research and development that was authorized by the Committee on Science and not add in any additional pork.

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

Mr. REGULA. Mr. Chairman, I yield such time as he may consume to the gentleman from Kentucky [Mr. WARD].

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

Mr. WARD. Mr. Chairman, I rise to state my opposition to this amendment.

Mr. REGULA. Mr. Chairman, I yield 15 seconds to the gentleman from Alabama [Mr. CALLAHAN].

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

Mr. CALLAHAN. Mr. Chairman, I rise in opposition to the Tiahrt amendment and urge Members to vote ''no.'' Either we are going to have the technology that this country deserves or we are going to transport it overseas. This amendment would deny this country the opportunity to create jobs to participate in the world environment with respect to technology. I urge a ''no'' vote on this amendment.

Mr. REGULA. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, I urge Members to vote ''no'' on the Tiahrt amendment. A vote ''no'' is to preserve jobs in the United States. A vote ''no'' is to preserve research in a majority of the

States of this Nation. A vote ''no'' is to maintain our energy independence. A vote ''no'' is to prevent these jobs and this research from going overseas.

I strongly urge Members to vote ''no'' on this amendment.

Mr. POSHARD. Mr. Chairman, I rise in strong opposition to the Tiahrt amendment to the Interior Appropriations bill.

The fossil fuel research accounts in this bill have been taking continued and direct hits which the coal industry cannot survive. In southern Illinois we have hundreds of people who once worked good jobs that paid well in the coal mines which provided power to the economy of this Nation. They've been laid off because we don't have the clean-coal technology necessary to burn the tremendous resources of coal which are available to meet the energy needs of this Nation.

I strongly urge a ''no'' vote to help the coal mining families of this Nation and to provide for a thriving domestic energy industry.

Mr. FAZIO of California. Mr. Chairman, Mr. TIAHRT's amendment would cut energy conservation R&D from $411.2 million to $230.1 million. The fiscal year 1995 level was $468.5 million.

Large cuts have already been taken. Energy R&D has fallen 75 percent since the late 1970's, in constant dollars. The committee's bill already contains a 23 percent cut in energy R&D relative to the President's request.

Total U.S. energy efficiency R&D costs each taxpayer about $5.50 per year and saves them $65.

This amendment would cut critical programs assisting in the development of new, clean transportation technologies including electric vehicles.

It would cut the Federal Energy Management Program, which installs money-saving equipment in Federal buildings, saving taxpayers $4 in Federal operating expenses for every $1 spent.

These are just to mention a few of the programs which will help to reduce our dependence on foreign oil in the future.

The bottom line is this cut would be penny wise and pound foolish.

I urge the committee to oppose the Tiahrt amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Kansas [Mr. TIAHRT].

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

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

The CHAIRMAN. Pursuant to the rule, further proceedings on the amendment offered by the gentleman from Kansas [Mr. TIAHRT] will be postponed.

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The CHAIRMAN. Pursuant to the rule, proceedings will now resume on those amendments on which further proceedings were postponed in the following order:

Amendment No. 72 offered by the gentleman from Florida [Mr. STEARNS]; amendment No. 47 offered by the gentlewoman from Washington [Mrs. SMITH]; amendment No. 31 offered by the gentleman from Wisconsin [Mr. KLECZKA]; and amendment No. 65 offered by the gentleman from Kansas [Mr. TIAHRT].

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

AMENDMENT NO. 72 OFFERED BY MR. STEARNS

The CHAIRMAN. The pending business is the request for a recorded vote on amendment No. 72 offered by the gentleman from Florida [Mr. STEARNS] on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

PARLIAMENTARY INQUIRY

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

The CHAIRMAN. The gentleman will state it.

Mr. DICKS. Mr. Chairman, I am confused. Could the Chair remind us who prevailed on this vote? Was it the ayes and the noes?

The CHAIRMAN. The noes prevailed.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 179, noes 227, not voting 28, as follows:

[Roll No. 512]

AYES—179

Allard
Archer
Armey
Baker (CA)
Baker (LA)
Barr
Bartlett
Barton
Bateman
Bilirakis
Bliley
Boehner
Bonilla
Bono
Brewster
Browder
Bryant (TN)
Bunning
Burton
Buyer
Callahan
Calvert
Camp
Canady
Chabot
Chambliss
Chapman
Chenoweth
Christensen
Chrysler
Clement
Coble
Coburn
Collins (GA)
Combest
Cooley
Cox
Cramer
Crane
Crapo
Cremeans
Cubin
Cunningham
Deal
DeLay
Diaz-Balart
Dickey
Doolittle
Dornan
Dreier
Duncan
Ehrlich
Emerson
Ensign
Everett
Ewing
Fields (TX)
Franks (CT)
Frisa
Funderburk
Gallegly
Ganske
Gekas
Geren
Goodlatte
Gordon
Goss
Graham
Gutknecht
Hall (TX)
Hancock
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Heineman
Herger
Hilleary
Hobson
Hostettler
Hunter
Hutchinson
Hyde
Inglis
Istook
Johnson, Sam
Kasich
Kim
King
Kingston
Klug
Largent
Latham
Laughlin
Lewis (KY)
Lightfoot
Linder
Lucas
Manzullo
McCollum
McCrery
McHugh
McIntosh
McKeon
Metcalf
Mica
Miller (FL)
Molinari
Montgomery
Moorhead
Myers
Myrick
Nethercutt
Neumann
Ney
Norwood
Nussle
Ortiz
Orton
Oxley
Packard
Parker
Paxon
Petri
Pombo
Porter
Portman
Pryce
Quillen
Radanovich
Riggs
Roberts
Rogers
Rohrabacher
Ros-Lehtinen
Rose
Roth
Royce
Salmon
Sanford
Saxton
Scarborough
Schaefer
Seastrand
Sensenbrenner
Shadegg
Shays
Shuster
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Stearns
Stenholm
Stockman
Stump
Talent
Tanner
Tate
Tauzin
Taylor (NC)
Thornberry
Tiahrt
Traficant
Vucanovich
Walker
Wamp
Watts (OK)
Weldon (FL)
Weller
Wicker
Young (AK)
Young (FL)
Zimmer

NOES—227

Abercrombie
Ackerman
Andrews
Baesler
Baldacci
Ballenger
Barcia
Barrett (NE)
Barrett (WI)
Bass
Beilenson
Bentsen
Bereuter
Berman
Bevill
Bilbray
Bishop
Blute
Boehlert
Bonior
Borski
Boucher
Brown (CA)
Brown (OH)
Brownback
Bryant (TX)
Bunn
Burr
Cardin
Castle
Clay
Clayton
Clyburn
Coleman
Collins (IL)
Conyers
Costello
Coyne
Danner
Davis
de la Garza
DeFazio
DeLauro
Dellums
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Dunn
Durbin
Edwards
Engel
Eshoo
Evans
Farr
Fattah
Fawell
Fazio
Fields (LA)
Filner
Flake
Flanagan
Foglietta
Foley
Forbes
Fowler
Fox
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Furse
Gejdenson
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goodling
Greenwood
Gunderson
Hall (OH)
Hamilton
Hansen
Hastings (FL)
Hefner
Hilliard
Hinchey
Hoekstra
Hoke
Holden
Horn
Houghton
Hoyer
Jackson-Lee
Johnson (CT)
Johnson (SD)
Johnson, E. B.
Johnston
Kanjorski
Kaptur
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kleczka
Klink
Knollenberg
Kolbe
LaFalce
LaHood
Lantos
LaTourette
Lazio
Leach
Levin
Lewis (CA)
Lewis (GA)
Lincoln
Lipinski
Livingston
LoBiondo
Lofgren
Longley
Lowey
Luther
Manton
Markey
Martini
Mascara
Matsui
McCarthy
McDade
McDermott
McHale
McKinney
McNulty
Meehan
Meek
Menendez
Meyers
Mfume
Miller (CA)
Mineta
Minge
Mink
Mollohan
Moran
Morella
Murtha
Nadler
Neal
Oberstar
Obey
Olver
Owens
Pallone
Pastor
Payne (NJ)
Payne (VA)
Pelosi
Peterson (FL)
Pickett
Pomeroy
Poshard
Quinn
Ramstad
Rangel
Reed
Regula
Rivers
Roemer
Roukema
Roybal-Allard
Rush
Sabo
Sanders
Sawyer
Schiff
Schroeder
Schumer
Scott
Serrano
Shaw
Sisisky
Skaggs
Skeen
Slaughter
Spratt
Stokes
Studds
Stupak
Tejeda
Thomas
Thompson
Thornton
Thurman
Torkildsen
Torres
Torricelli
Towns
Upton
Velazquez
Vento
Visclosky
Volkmer
Waldholtz
Walsh
Ward
Waters
Watt (NC)
Weldon (PA)
White
Whitfield
Williams
Wilson
Wise
Wolf
Woolsey
Wyden
Wynn
Yates

NOT VOTING—28

Bachus
Becerra
Brown (FL)
Clinger
Collins (MI)
Condit
Ehlers
English
Ford
Green
Gutierrez
Harman
Jacobs
Jefferson
Jones
Maloney
Martinez
McInnis
Moakley
Peterson (MN)
Rahall
Reynolds
Richardson
Stark
Taylor (MS)
Tucker
Waxman
Zeliff

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The Clerk announced the following pair:

On this vote:

Mr. Jones for, with Mr. Richardson against.

Mr. BARCIA and Mr. WHITFIELD changed their vote from ''aye'' to ''no.''

Messrs. FRANKS of Connecticut, BONO, and BROWDER changed their vote from ''no'' and ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. EHLERS. Mr. Chairman, on rollcall No. 512, I was not present because my flight was delayed 3½ hours by severe thunderstorms.

Had I been present, I would have voted "no."

PERSONAL EXPLANATION

Mr. JONES. Mr. Chairman, on rollcall No. 512, I was inadvertently detained.

Had I been present, I would have voted "yes."

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN. Pursuant to the rule, the Chair announces that he will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device will be taken on each amendment on which the Chair has postponed further proceedings.

Members should also be aware that the paging system in the Democratic cloakroom is inoperative this evening, so Members should be very aware that the votes will be taken and they may not be able to be notified by the cloakroom. Members should please keep that in mind.

AMENDMENT NO. 47 OFFERED BY MRS. SMITH OF WASHINGTON

The CHAIRMAN. The pending business is the request for a recorded vote on amendment No. 47 offered by the gentlewoman from Washington [Mrs. SMITH] on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 286, noes 124, not voting 24, as follows:

[Roll No. 513]

AYES—286

Allard
Andrews
Archer
Armey
Bachus
Baesler
Baker (CA)
Baker (LA)
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bentsen
Bevill
Bilbray
Bilirakis
Bliley
Blute
Boehlert
Boehner
Bonilla
Bono
Brewster
Brown (OH)
Brownback
Bryant (TN)
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cardin
Castle
Chabot
Chambliss
Chapman
Chenoweth
Christensen
Chrysler
Clement
Coble
Coburn
Collins (GA)
Combest
Condit
Cooley
Costello
Cramer
Crane
Crapo
Cremeans
Cubin
Cunningham
Danner
Davis
de la Garza
Deal
DeFazio
DeLay
Deutsch
Diaz-Balart
Dickey
Dooley
Doolittle
Dornan
Doyle
Dreier
Duncan
Dunn
Edwards
Ehrlich
Emerson
Ensign
Eshoo
Everett
Ewing
Fawell
Fields (TX)
Flanagan
Foley
Forbes
Fowler
Fox
Frank (MA)
Franks (CT)
Franks (NJ)
Frelinghuysen
Frisa
Funderburk
Furse
Gallegly
Ganske
Gekas
Geren
Gilchrest
Gillmor
Gilman
Goodling
Gordon
Goss
Graham
Greenwood
Gunderson
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hancock
Hansen
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Heineman
Herger
Hilleary
Hilliard
Hobson
Hoekstra
Hoke
Holden
Hostettler
Hunter
Hutchinson
Hyde
Inglis
Istook
Johnson (CT)
Johnson, Sam
Johnston
Kasich
Kelly
Kim
King
Kingston
Kleczka
Klink
Klug
LaHood
Largent
Latham
LaTourette
Laughlin
Levin
Lewis (CA)
Lewis (KY)
Lightfoot
Lincoln
Lipinski
Livingston
LoBiondo
Longley
Lucas
Luther
Manzullo
Markey
Martini
Mascara
McCarthy
McCollum
McCrery
McDade
McHale
McHugh
McIntosh
McKeon
McNulty
Meehan
Metcalf
Meyers
Mica
Miller (FL)
Minge
Molinari
Montgomery
Moorhead
Moran
Morella
Myers
Myrick
Nethercutt
Neumann
Ney
Norwood
Nussle
Orton
Oxley
Packard
Parker
Pastor
Paxon
Payne (VA)
Peterson (FL)
Peterson (MN)
Petri
Pickett
Pombo
Pomeroy
Porter
Portman
Poshard
Pryce
Quillen
Quinn
Radanovich
Ramstad
Regula
Riggs
Rivers
Roberts
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Roth
Roukema
Royce
Salmon
Sanford
Sawyer
Saxton
Scarborough
Schaefer
Schiff
Seastrand
Sensenbrenner
Shadegg
Shaw
Shays
Shuster
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Stearns
Stenholm
Stockman
Stump
Stupak
Talent
Tanner
Tate
Tauzin
Taylor (NC)
Thomas
Thornberry
Thurman
Tiahrt
Torkildsen
Upton
Visclosky
Vucanovich
Waldholtz
Walker
Walsh
Wamp
Ward
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wilson
Wolf
Wyden
Young (AK)
Young (FL)
Zimmer

NOES—124

Abercrombie
Ackerman
Baldacci
Bateman
Beilenson
Bereuter
Berman
Bishop
Bonior
Borski
Boucher
Browder
Brown (CA)
Brown (FL)
Bryant (TX)
Clay
Clayton
Clyburn
Coleman
Collins (IL)
Conyers
Coyne
DeLauro
Dellums
Dicks
Dingell
Dixon
Doggett
Durbin
Engel
Evans
Farr
Fattah
Fazio
Fields (LA)
Filner
Flake
Foglietta
Frost
Gejdenson
Gephardt
Gibbons
Gonzalez
Goodlatte
Gutierrez
Hastings (FL)
Hefner
Hinchey
Horn
Houghton
Hoyer
Jackson-Lee
Johnson (SD)
Johnson, E.B.
Kanjorski
Kaptur
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Knollenberg
Kolbe
LaFalce
Lantos
Lazio
Leach
Lewis (GA)
Linder
Lofgren
Lowey
Manton
Matsui
McDermott
McKinney
Meek
Menendez
Mfume
Miller (CA)
Mineta
Mink
Mollohan
Murtha
Nadler
Neal
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Payne (NJ)
Pelosi
Rahall
Rangel
Reed
Rose
Roybal-Allard
Sabo
Sanders
Schroeder
Schumer
Scott
Serrano
Skaggs
Spratt
Stokes
Studds
Tejeda
Thompson
Thornton
Torres
Torricelli
Towns
Traficant
Velazquez
Vento
Volkmer
Waters
Watt (NC)
Williams
Wise
Woolsey
Wynn
Yates

NOT VOTING—24

Becerra
Clinger
Collins (MI)
Cox
Ehlers
English
Ford
Green
Harman
Jacobs
Jefferson
Jones
Maloney
Martinez
McInnis
Moakley
Reynolds
Richardson
Rush
Stark
Taylor (MS)
Tucker
Waxman
Zeliff

□ 2023

The Clerk announced the following pairs:

On this vote:

Mr. Jones for, with Mr. Richardson against.

Mr. Zeliff for, with Mr. Waxman against.

Mrs. LOWEY changed her vote from ''aye'' to ''no.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. EHLERS. Mr. Chairman, on rollcall No. 513, I was not present because my flight was delayed 3½ hours by severe thunderstorms.

Had I been present, I would have voted ''No.''

PERSONAL EXPLANATION

Mr. JONES. Mr. Chairman, on rollcall No. 513, I was inadvertenly detained.

Had I been present, I would have voted ''yes.''

Mr. TAYLOR of Mississippi. Mr. Chairman, earlier this evening, July 17, 1995, I was unvoidably detained because of circumstances beyond my control. Due to a malfunction with the air traffic control system at the Cincinnati airport, my connecting flight to Washington was postponed. Unfortunately, having arrived here just moments ago, I was informed that I missed two roll call votes to the Fiscal Year 1996 Interior Appropriations Bill (H.R. 1977). Had I been present at the time the votes were called, I would have voted ''yea'' on rollcall vote 512 and ''yea'' on rollcall 513.

AMENDMENT NO. 31 OFFERED BY MR. KLECZKA

The CHAIRMAN. The pending business is the demand for a recorded vote on amendment No. 31 offered by the gentleman from Wisconsin [Mr. KLECZKA] on which further proceedings were

postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 251, noes 160, not voting 23, as follows:

[Roll No. 514]

AYES—251

Abercrombie
Ackerman
Andrews
Baldacci
Ballenger
Barcia
Barrett (WI)
Bass
Beilenson
Bentsen
Berman
Bevill
Bishop
Boehlert
Bonior
Borski
Browder
Brown (CA)
Brown (FL)
Bryant (TX)
Burton
Canady
Cardin
Chabot
Chambliss
Chapman
Clay
Clayton
Clement
Clyburn
Coble
Collins (GA)
Collins (IL)
Condit
Conyers
Cooley
Costello
Cox
Coyne
Cramer
Crane
Cremeans
Cunningham
de la Garza
Deal
DeFazio
DeLauro
Dellums
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Dornan
Doyle
Duncan
Durbin
Edwards
Emerson
Engel
Eshoo
Evans
Farr
Fattah
Fazio
Fields (LA)
Filner
Flake
Flanagan
Foglietta
Foley
Forbes
Fowler
Fox
Frank (MA)
Franks (NJ)
Frelinghuysen
Frisa
Frost
Funderburk
Furse
Ganske
Gejdenson
Gephardt
Geren
Gibbons
Gonzalez
Goodlatte
Goodling
Gordon
Greenwood
Gunderson
Gutierrez
Hamilton
Hancock
Hastings (FL)
Hefley
Hefner
Heineman
Hilliard
Hinchey
Hoke
Holden
Horn
Hyde
Inglis
Jackson-Lee
Jacobs
Johnson (SD)
Johnson, E.B.
Johnston
Kanjorski
Kaptur
Kasich
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
King
Kingston
Kleczka
Klink
Klug
LaFalce
LaHood
Lantos
LaTourette
Lazio
Leach
Levin
Lewis (GA)
Lincoln
Lipinski
LoBiondo
Lofgren
Longley
Lowey
Luther
Manton
Markey
Martini
Mascara
Matsui
McCarthy
McDermott
McHale
McHugh
McKinney
McNulty
Meehan
Meek
Menendez
Mfume
Miller (CA)
Miller (FL)
Mineta
Minge
Mink
Mollohan
Murtha
Nadler
Neal
Neumann
Nussle
Oberstar
Obey
Olver
Orton
Owens
Pallone
Pastor
Payne (NJ)
Payne (VA)
Pelosi
Peterson (FL)
Peterson (MN)
Petri
Pickett
Pomeroy
Porter
Portman
Poshard
Quinn
Rahall
Ramstad
Rangel
Reed
Rivers
Roberts
Roemer
Rohrabacher
Roth
Roukema
Roybal-Allard
Royce
Rush
Sabo
Sanders
Sanford
Saxton
Schroeder
Schumer
Scott
Sensenbrenner
Serrano
Shays
Sisisky
Skaggs
Skelton
Slaughter
Smith (NJ)
Solomon
Spence
Spratt
Stearns
Stenholm
Stokes
Studds
Stump
Stupak
Talent
Tanner
Taylor (MS)
Thompson
Thornton
Thurman
Torkildsen
Torres
Torricelli
Towns
Traficant
Upton
Velazquez
Vento
Visclosky
Volkmer
Waldholtz
Walsh
Ward
Waters
Watt (NC)
Weldon (PA)
Williams
Wise
Woolsey
Wyden
Wynn
Yates
Young (FL)
Zimmer

NOES—160

Archer
Armey
Bachus
Baesler
Baker (CA)
Baker (LA)
Barr
Barrett (NE)
Bartlett
Barton
Bereuter
Bilbray
Bilirakis
Bliley
Blute
Boehner
Bonilla
Bono
Boucher
Brewster
Brownback
Bryant (TN)
Bunn
Bunning
Burr
Buyer
Callahan
Calvert
Camp
Castle
Chenoweth
Christensen
Chrysler
Coburn
Coleman
Combest
Crapo
Cubin
Danner
Davis
DeLay
Diaz-Balart
Dickey
Doolittle
Dreier
Dunn
Ehrlich
Ensign
Everett
Ewing
Fawell
Fields (TX)
Franks (CT)
Gallegly
Gekas
Gilchrest
Gillmor
Gilman
Goss
Graham
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastert
Hastings (WA)
Hayes
Hayworth
Herger
Hilleary
Hobson
Hoekstra
Hostettler
Houghton
Hoyer
Hunter
Hutchinson
Istook
Johnson (CT)
Johnson, Sam
Kelly
Kim
Knollenberg
Kolbe
Largent
Latham
Laughlin
Lewis (CA)
Lewis (KY)
Lightfoot
Linder
Livingston
Lucas
Manzullo
McCollum
McCrery
McDade
McIntosh
McKeon
Metcalf
Meyers
Mica
Molinari
Montgomery
Moorhead
Moran
Morella
Myers
Myrick
Nethercutt
Ney
Norwood
Ortiz
Oxley
Packard
Parker
Paxon
Pombo
Pryce
Quillen
Radanovich
Regula
Riggs
Rogers
Ros-Lehtinen
Rose
Salmon
Sawyer
Scarborough
Schaefer
Schiff
Seastrand
Shadegg
Shaw
Shuster
Skeen
Smith (MI)
Smith (TX)
Smith (WA)
Souder
Stockman
Tate
Tauzin
Taylor (NC)
Tejeda
Thomas
Thornberry
Tiahrt
Vucanovich
Walker
Wamp
Watts (OK)
Weldon (FL)
Weller
White
Whitfield
Wicker
Wilson
Wolf
Young (AK)

NOT VOTING—23

Allard
Bateman
Becerra
Brown (OH)
Clinger
Collins (MI)
Ehlers
English
Ford
Green
Harman
Jefferson
Jones
Maloney
Martinez
McInnis
Moakley
Reynolds
Richardson
Stark
Tucker
Waxman
Zeliff

☐ 2031

The Clerk announced the following pair:

On this vote:

Mr. Waxman for, with Mr. Jones against.

Mr. Richardson for, with Mr. Zeliff against.

Mr. FRANKS of Connecticut and Mr. EHRLICH changed their vote from ''aye'' to ''no.''

Mr. CREMEANS and Mr. LAZIO of New York changed their vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

PPERSONAL EXPLANATION

Mr. EHLERS. Mr. Chairman, on rollcall No. 514, I was not present because my flight was delayed 3½ hours by severe thunderstorms. Had I been present, I would have voted ''Yes.''

PERSONAL EXPLANATION

Mr. JONES. Mr. Chairman, on rollcall No. 514, I was inadvertently detained. Had I been present, I would have voted ''Yes.''

AMENDMENT OFFERED BY MR. TIAHRT

The CHAIRMAN. The pending business is the request for a recorded vote on amendment No. 65 offered by the gentleman from Kansas [Mr. TIAHRT] on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 144, noes 267, not voting 23, as follows:

[Roll No. 515]

AYES—144

Allard
Andrews
Archer
Baker (CA)
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bereuter
Boehlert
Bono
Brownback
Bryant (TN)
Burr
Burton
Camp
Canady
Castle
Chabot
Chenoweth
Christensen
Chrysler
Coble
Coburn
Collins (GA)
Cooley
Cox
Crane
Crapo
Cunningham
Danner
Deal
DeFazio
DeLay
Deutsch
Dickey
Doolittle
Dreier
Duncan
Ensign
Filner
Foley
Franks (NJ)
Funderburk
Ganske
Goss
Graham
Gutknecht
Hancock
Hastings (WA)
Hayworth
Hefley
Heineman
Herger
Hilleary
Hinchey
Hoekstra
Hoke
Horn
Hostettler
Inglis
Jacobs
Johnson, Sam
Kasich
Kennedy (RI)
Kim
Kingston
Klug
Kolbe
LaHood
Largent
Latham
Leach
Lewis (GA)
Lincoln
Linder
Lipinski
LoBiondo
Luther
Manzullo
Martini
McCarthy
McHugh
McIntosh
Menendez
Metcalf
Meyers
Miller (CA)
Miller (FL)
Minge
Myrick
Nadler
Neumann
Norwood
Nussle
Obey
Paxon
Peterson (MN)
Petri
Pombo
Portman
Ramstad
Reed
Riggs
Roberts
Rohrabacher
Ros-Lehtinen
Roth
Royce
Sabo
Salmon
Sanders
Sanford
Scarborough
Schumer
Seastrand
Sensenbrenner
Shadegg
Shays
Smith (MI)
Smith (NJ)
Souder
Spence
Spratt
Stockman
Stump
Talent
Tate
Taylor (MS)
Tiahrt
Torkildsen
Upton
Velazquez
Vento
Visclosky
Waldholtz
Walker
White
Wyden
Zimmer

NOES—267

Abercrombie
Ackerman
Bachus
Baesler
Baker (LA)
Baldacci
Bateman
Beilenson
Bentsen
Bevill
Bilbray
Bilirakis
Bishop
Bliley
Blute
Boehner
Bonilla
Bonior
Borski
Boucher
Brewster
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Bryant (TX)
Bunn
Bunning
Buyer
Callahan
Calvert
Cardin
Chapman
Clay
Clayton
Clement
Clyburn
Coleman
Collins (IL)
Combest
Condit
Conyers

Costello
Coyne
Cramer
Cremeans
Cubin
Davis
de la Garza
DeLauro
Dellums
Diaz-Balart
Dicks
Dingell
Dixon
Doggett
Dooley
Dornan
Doyle
Dunn
Durbin
Edwards
Ehrlich
Emerson
Engel
Eshoo
Evans
Everett
Ewing
Farr
Fattah
Fawell
Fazio
Fields (LA)
Fields (TX)
Flake
Flanagan
Foglietta
Forbes
Fowler
Fox
Frank (MA)
Franks (CT)
Frelinghuysen
Frisa
Frost
Furse
Gallegly
Gejdenson
Gekas
Gephardt
Geren
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goodlatte
Goodling
Gordon
Greenwood
Gunderson
Gutierrez
Hall (OH)
Hall (TX)
Hamilton
Hansen
Hastert
Hastings (FL)
Hayes
Hefner
Hilliard
Hobson
Holden
Houghton
Hoyer
Hunter
Hutchinson
Hyde
Istook
Jackson-Lee
Johnson (CT)
Johnson (SD)
Johnson, E. B.
Johnston
Kanjorski
Kaptur
Kelly
Kennedy (MA)
Kennelly
Kildee
King
Kleczka
Klink
Knollenberg
LaFalce
Lantos
LaTourette
Laughlin
Lazio
Levin
Lewis (CA)
Lewis (KY)
Lightfoot
Livingston
Lofgren
Longley
Lowey
Lucas
Manton
Markey
Mascara
Matsui
McCollum
McCrery
McDade
McDermott
McHale
McKeon
McKinney
McNulty
Meehan
Meek
Mfume
Mica
Mineta
Mink
Molinari
Mollohan
Montgomery
Moorhead
Moran
Morella
Murtha
Myers
Neal
Nethercutt
Ney
Oberstar
Olver
Ortiz
Orton
Owens
Oxley
Packard
Pallone
Parker
Pastor
Payne (NJ)
Payne (VA)
Pelosi
Peterson (FL)
Pickett
Pomeroy
Porter
Poshard
Pryce
Quillen
Quinn
Radanovich
Rahall
Rangel
Regula
Rivers
Roemer
Rogers
Rose
Roukema
Roybal-Allard
Rush
Sawyer
Saxton
Schaefer
Schiff
Schroeder
Scott
Serrano
Shaw
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slaughter
Smith (TX)
Smith (WA)
Solomon
Stearns
Stenholm
Stokes
Studds
Stupak
Tanner
Tauzin
Taylor (NC)
Tejeda
Thomas
Thompson
Thornberry
Thornton
Thurman
Torres
Torricelli
Towns
Traficant
Volkmer
Vucanovich
Walsh
Wamp
Ward
Waters
Watt (NC)
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Williams
Wilson
Wise
Wolf
Woolsey
Wynn
Yates
Young (AK)
Young (FL)

NOT VOTING—23

Armey
Becerra
Berman
Chambliss
Clinger
Collins (MI)
Ehlers
English
Ford
Green
Harman
Jefferson
Jones
Maloney
Martinez
McInnis
Moakley
Reynolds
Richardson
Stark
Tucker
Waxman
Zeliff

□ 2041

The Clerk announced the following pairs:

On this vote:

Mr. Jones for, with Mr. Moakley against.
Mr. Richardson for, with Mr. Zeliff against.

Mr. WELLER and Mr. DOGGETT changed their vote from ''aye'' to ''no.''

Mr. HINCHEY and Mr. VENTO changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. JONES. Mr. Chairman, on rollcall No. 515, I was inadvertently detained.

Had I been present, I would have voted ''yes.''

PERSONAL EXPLANATION

Mr. EHLERS. Mr. Chairman, on rollcall No. 515, I was not present because my flight was delayed 3½ hours by severe thunderstorms.

Had I been present, I would have voted ''no.''

PERSONAL EXPLANATION

Mr. CLINGER. Mr. Chairman, due to inclement weather, my connecting flight from Pittsburgh was delayed 4 hours. As a result, I missed four rollcall votes earlier this evening. If I had been present, I would have voted ''nay'' on rollcall vote No. 512, ''yea'' on rollcall vote No. 513, ''nay'' on rollcall vote No. 514, and ''nay'' on rollcall vote No. 515.

Mr. DICKS. Mr. Chairman, I ask unanimous consent to strike the last words.

The CHAIRMAN. Without objection, the gentleman from Washington [Mr. DICKS] is recognized for 5 minutes.

There was no objection.

Mr. DICKS. Mr. Chairman, I would like to engage the distinguished chairman of the Subcommittee on Interior, if he could tell the Members, we have some concern about what the plan into the evening is.

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

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

Mr. REGULA. Mr. Chairman, it is the plan at this juncture to go forward and complete the bill tonight. We think that we can probably get it done in about 3 hours. We will roll the votes on an hourly basis. So essentially, give or take 10 minutes or so, when we get two or three amendments in about an hour, we will vote on those, a 15-minute vote and then five-minute votes to follow on however many amendments. Then we will go on an hour and roll again until we get finished.

The CHAIRMAN. Are there further amendments to title II?

AMENDMENT OFFERED BY MR. KENNEDY OF MASSACHUSETTS

Mr. KENNEDY of Massachusetts. Mr. Chairman, I offer an amendment, amendment No. 55.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. KENNEDY of Massachusetts: Page 45, line 24, strike ''$1,276,688,000'' and insert ''$1,263,234,000''.

Page 47, line 5 strike ''$120,000,000'' and insert ''$114,980,000''.

POINT OF ORDER

Mr. REGULA. Mr. Chairman, I rise to a point of order.

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

Mr. REGULA. Mr. Chairman, I make a point of order against the gentleman's amendment because it seeks to amend a paragraph previously amended.

In the procedures in the U.S. House of Representatives, chapter 27, section 27.1 states the following: ''It is fundamental that it is not in order to amend an amendment previously agreed to. Thus the text of a bill perfected by amendment cannot thereafter be amended.''

□ 2045

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

The CHAIRMAN. Does the gentleman from Massachusetts [Mr. KENNEDY] wish to be heard on the point of order?

Mr. KENNEDY of Massachusetts. Yes, Mr. Chairman, I would.

The fact of the matter is this amendment was filed. It was previously approved by the Parliamentarian. Everything was in order. The Committee on Rules devised the rule which essentially, although it appears to have made this amendment in order, on a technical basis, is being objected to.

The reality is that all we are trying to do is knock out high-cost timber sales. This is an attempt to continue to keep corporate welfare in this bill, and to try to get by on a technical amendment to knock this amendment out.

Mr. Chairman, I just cannot tell the Members how strongly I object to those that are not going to allow this issue to even be debated on the House floor. I paid attention to every single rule. The only thing that has happened is because, on a voice vote earlier this evening, an amendment was passed which knocked $10 million out of this bill, the number that I have written into the bill has been changed, and therefore, I am not allowed to offer the amendment.

Mr. Chairman, this is technocratic politics at its worst. It essentially denies anybody the ability of having an open debate about a critical issue before this country, and I would very much appeal that the Parliamentarian would rule in my favor and against the gentleman from Ohio [Mr. REGULA].

Mr. REGULA. Mr. Chairman, I respectfully submit that the gentleman from Massachusetts [Mr. KENNEDY] has discussed the merits of his amendment, but he has not addressed the point of order. I think the rules clearly state that this amendment is not in order at this time, or during the balance of the bill.

The CHAIRMAN. Does the gentleman from Massachusetts [Mr. KENNEDY] wish to be heard further on the point of order?

Mr. KENNEDY of Massachusetts. I would like to be heard further on the point of order, Mr. Chairman.

Again, Mr. Chairman, I would just like to point out that I know that the gentleman from Ohio [Mr. REGULA] is a fair-minded individual. We have worked closely on a number of other issues Mr. Chairman, I would just point out that this is really a technical way

of knocking out and closing off debate on an important issue.

The reality is that if we are interested in being able to reduce the amount of money that this bill spends, because inadvertently there was a vote that prior to this time took place which knocked out $10 million, we are not going to be allowed to again open this bill and knock out further funds because of this technical rule, which dates back prior to the establishment of a Committee on the Budget. Why not allow this debate to go forward and have an up-or-down vote? I would appeal to the gentleman from Ohio to withdraw his point of order and to allow us to have the debate.

Mr. REGULA. Mr. Chairman, let me say, and again I respectfully submit that any Member can offer a point of order. If I were to withdraw, there will be another Member offer a point of order. The gentleman well knows this rule has been in place for along time. It was not established just in this particular term. It was a rule that was put in place by the gentleman's party. I think we have to respect the rules of the House. Clearly, this is subject to a point of order. If I as chairman of the committee were not to raise it, we have a lot of other Members ready to do so.

The CHAIRMAN. The Chair is prepared to rule on the point of order. For the reasons stated by the gentleman from Ohio [Mr. REGULA] the adoption of the Coburn amendment precludes the offering of the amendment of the gentleman from Massachusetts [Mr. KENNEDY] as printed in the RECORD under the Chair's rulings of March 15 and 16 of this year, so the point of order is sustained.

Are there further amendments to title II?

AMENDMENT OFFERED BY MR. SCHAEFER

Mr. SCHAEFER. 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. SCHAEFER: 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''.

The CHAIRMAN. The gentleman from Colorado [Mr. SCHAEFER] is recognized for 10 minutes.

Mr. SCHAEFER. Mr. Chairman, I yield 5 minutes to the gentleman from Louisiana [Mr. TAUZIN] and I ask unanimous consent that he may use that time as he so wishes.

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

There was no objection.

Mr. SCHAEFER. Mr. Chairman, I yield myself such time as I may consume. Mr. Chairman, I am offering this amendment today to protect a valuable asset of this country, and that is the Strategic Petroleum Reserve. This reserve has been in operation since the 1970s, and this in one case here, we are, in essence, cutting $100,000,000 in order to save the reserve, because in its wisdom, the committee decided they wanted to sell 7 million barrels of this particular oil in order to try and gain $100 million for the operation of the SPR.

Mr. Chairman, I think if we look at some of the past situations we have had with the Middle East oil situation where prices escalated, by dipping into the reserve we were able to hold that amount down, and the second thing is if we sell that oil, we have about $33 in it. If we sell it we may get $16 or $17. That does not make a lot of sense to me as far as this whole situation is. I just do not think economically we are thinking right, that this is the way to do it.

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

Mr. REGULA. Mr. Chairman, I claim the time in opposition to the amendment, but I would like to withhold the use of my time so the gentleman from Louisiana [Mr. TAUZIN] can speak.

The CHAIRMAN. The gentleman from Ohio [Mr. REGULA] will be recognized in opposition to the amendment.

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

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

Mr. Chairman, the amendment before the House today is to strike from the bill the provisions that would allow the Government to sell 7 million barrels of our Strategic Petroleum Reserve. Why on earth would we want to sell 7 million barrels of the Strategic Petroleum Reserve, especially when we are going to sell it at one-half the price we acquired it for? Why would we want to sell one drop of that oil when we know how critical it is, how critical it was during the Persian Gulf conflict, in maintaining the price of oil for Americans, so that Saddam Hussein could not beat us at home economically when he could not beat us in the field of battle.

Mr. Chairman, this amendment needs to be adopted. We are more dependent on foreign oil today than ever in our history. DOE has recently confirmed it to the President, and said maintenance of the Strategic Petroleum Reserve is essential to national security. This is a bad move. This amendment corrects it. Members ought to vote for it.

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

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

Mr. Chairman, this is a budget-buster. Let me say it loud and clear, this is a budget-buster. We have in Weeks Island 70 million barrels of oil. Weeks Island leaks, so this is an environmental vote. A vote for this amendment is against the environment, because this leaking causes water to go into the oil. It allows seepage, and everybody agrees, we have to move the 70 million barrels.

It is going to cost approximately $100 million to move it into another SPR location. The only place we could find $100 million was to sell 7 million barrels. Instead of losing $100 million, we will move 63 million and sell 7 million first. This is a last-in-first-out. What went in the last, the last 7 million that went in was $17.50 a barrel, not $33. The market today is close to that amount. Therefore, logically, for environmental reasons, for practical reasons, we have no choice. We do not have another $100 million.

The gentleman from Louisiana [Mr. TAUZIN] mentioned national security. Let me tell the Members, we have SPR because of national security. However, if we do not take care of the SPR facilities, and I am talking about the hardware that is there to pump out the other 520 million barrels. We have 590 million barrels total. We want to sell only 7 million barrels out of a total of 590. The Secretary of Energy strongly endorses the sale, because if we do not sell this oil, the Secretary will have to take $100 million out of the rest of her budget which is designed to take care of the SPR facilities.

Some of this equipment is almost 20 years old. It has to be replaced. If we do not, in a period of national security crisis, it very possibly will not work.

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

Mr. REGULA. I yield to the gentleman from Washington.

Mr. DICKS. Mr. Chairman, let me ask the gentleman, is he saying if we do not sell the oil then we are going to be over our 602(b) allocation, and therefore we are going to have to cut back a whole series of other programs that are funded under this budget, whether it is the Forest Service or the Park Service, or heaven forbid, individual Member projects that have been funded in this bill?

Mr. REGULA. Reclaiming my time, Mr. Chairman, the gentleman is absolutely correct. We have no extra money. We are right to the allocation, which is, of course, about 11 percent less than last year.

If we do not sell the 7 million barrels to pay for taking care of SPR the other money in the budget is going back into maintaining the SPR facilities in top-notch condition. Therefore if there is an energy crisis, if there is a threat to national security, we can get the oil out of the ground. If we fail to have the sale, as provided in the bill, we do not know where the $100 million will come from.

I know where it will come from, it will come from letting the rest of the SPR facilities deteriorate. We have no extra money to do it so it is clearly a budget-buster. If Members are maintaining our reductions in the budget, if we are for maintaining an environmentally safe SPR we have to vote ''no'' on this amendment.

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

Mr. SCHAEFER. Mr. Chairman, I yield 1 minute to the gentleman from

Virginia [Mr. BLILEY], chairman of the Committee on Commerce.

Mr. REGULA. Mr. Chairman, I yield 1 minute to the gentleman from Virginia.

The CHAIRMAN. The gentleman from Virginia [Mr. BLILEY] is recognized for 2 minutes.

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

Mr. BLILEY. Mr. Chairman, I rise in support of the amendment offered by the gentleman from Colorado [Mr. SCHAEFER] and the gentleman from Louisiana [Mr. TAUZIN].

Mr. Chairman, we are all aware of the difficulties in balancing the budget. Sometimes in balancing the budget, we have to look for creative solutions to make ends meet. Today we are seeing a budget-balancing act that is just about as creative as we can get. We are balancing the budget by buying high and selling low. H.R. 1977 allows the sale of 7 million barrels low in order to raise $100 million to close a Strategic Petroleum Reserve facility and to pay for some of the operations of the remaining facilities.

The average cost of acquiring and storing oil in the reserve is $33.50 a barrel. Because of current oil prices, we will probably get about $15 per barrel. This is foolishness. It is just plain common sense that buying high and selling low will never balance the budget. During the Persian Gulf crisis, this oil was vital. If we have another crisis, it will be vital again. If we do this today, we will be doing it forever.

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

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

Mr. REGULA. Mr. Chairman, I would ask the gentleman, where does he suggest we get the $100 million to take care of the balance of the SPR facilities, the 583 million barrels that will be left?

Mr. BLILEY. Mr. Chairman, I am sure that the distinguished chairman of the subcommittee, who has long experience on this committee, knows exactly where to get it if he needs to get it.

The fact of the matter is if we sell this today for this case, next year when we have an even more difficult time to balance the budget, we will be back selling more, and pretty soon there will be nothing in the SPR, and when we have a crisis, as we surely will in the future, with oil disruptions, and we need this SPR, it will not be there. I thank the gentleman for yielding time to me.

Mr. TAUZIN. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Michigan [Mr. DINGELL], the ranking minority member of the Committee on Commerce.

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

Mr. DINGELL. Mr. Chairman, he who does not learn from history is doomed to repeat it. This House has debated time after time the energy crisis which we had in the 1970's and 1980's. To deal with that, one of the principal weapons we achieved was to set aside the Strategic Petroleum Reserve, which was supposed to constitute 1 billion barrels. We have 592, less than half of what it is.

This bill, in an improper procedure which had to be sanctified by an immunity bath given by the Committee on Rules, which waived points of order against this particular proposal, which would be subject to a point of order as legislation in an appropriation bill, has presented us a device which will encourage this country to buy oil at $33.50 a barrel and sell it for $15. The net cost of this kind of folly is twofold. One, it is going to cost this country $106 billion that we are going to lose. The total cost of what we are going to sell is going to be double that. The loss is $106,500,000.

However, the real loss is if this country gets into some kind of a crunch, because when this country produces less than half the oil that it uses, the one mechanism we have to protect our industry, to protect our military, to enable us to protect the force that is necessary to defend ourselves, and to address the problem of stabilizing the petroleum market, is the Strategic Petroleum Reserve. Adopt the amendment, reject the language of the bill, and let us get down to the business of legislating wisely.

□ 2100

Mr. REGULA. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, let me make it clear again, the last 7 million barrels cost us $17.50, not $33. That is a straw man. That is just put out there to confuse the issue. The real cost is $17.50.

But the real cost in terms of national security will be a diminution of the ability to use the balance of the 583 million barrels of oil if we do not take care of the SPR facilities. The facilities are wearing out, and they need to be replaced. This is information I get from the Secretary of Energy. The SPR facilities, when called upon to respond to a national crisis, will not be able to do so.

Because we do not have $100 million without the sale, therefore we have no choice but to take that $100 million out of the money designed to maintain SPR in top quality condition. It will have an enormous impact on the ability to use SPR in the future.

I know this sounds easy to vote to not sell the oil and let somebody else worry about the $100 million. Somebody, I do not know exactly who, but I know what the Secretary of Energy will do. She will not be able to take care of SPR. Therefore, I think it would be a very poor judgment.

I have no objection to the Committee on Rules bringing this out, even though it is subject to a point of order in protecting it. I think it is a very important policy issue. I think 435 Members ought to vote on it. If you want to let SPR deteriorate, vote for the amendment. If you want to maintain the facilities in first-class condition and not bust the budget, vote against the amendment.

If you care about the environment, vote against the amendment, but these facilities are leaking at Weeks Island. There is agreement that we have to move the 70 million barrels to another location. It costs money to move that oil.

Mr. TAUZIN. Mr. Chairman, I yield 1 minute to the gentleman from Massachusetts [Mr. MARKEY].

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

Mr. Chairman, the Strategic Petroleum Reserve is aptly named. Strategic comes from its military importance to our country. The reason that we need the Strategic Petroleum Reserve is that it calms our economic, our financial and our energy marketplaces during military crisis, during crises in the Middle East. It gives the United States time to think. It allows our financial markets the time to be able to absorb the shock which is coming out of the Middle East.

More important than the B–2 bomber, more important than the Strategic Defense Initiative, the Strategic Petroleum Reserve in a modern world, where most of the risks are going to come from places that we can identify that send shocks throughout our system, it is needed in order to give us the time to think. It tells our enemies that they cannot panic our economy the way in the 1970's we were panicked.

Let us vote not to reduce it. If we need to spend the money, let us find it from the other defense items which are less important than the role which the Strategic Petroleum Reserve has played over the last 20 years in telling our enemies they cannot spook us.

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

Mr. SCHAEFER. Mr. Chairman, I yield 1½ minutes to the gentleman from Illinois [Mr. HASTERT].

Mr. HASTERT. Mr. Chairman, this is a common sense issue. It is about economics and it is about common sense. First of all, this debate about being an environmental issue, that is ridiculous. You pump water into this well to raise the oil to pump it out in the first place. There is not one drop of oil that has gone out of this reserve into any natural environment, so let us not talk about that.

The second point is we have to have a billion barrels of oil to protect our military, to protect our economy against what could happen, our trust in the Middle East. We do not know what those people are going to do. We do not know what is going to happen to us in the Middle East.

But if we give it away, we do not have the billion barrels of oil. We have 591 million barrels. What happens is, sure, the last 7 million cost $17.50 a

barrel. But there are 591 million barrels that cost us $33 a barrel, so the average cost of that barrel of oil is about $32.27.

If we want to sell something for $15 that we bought for $32, I have got a lot of good deals for you. But in order to keep the integrity of our economy, the integrity of our defense and the integrity of the whole SPR system, we have to defeat what is there. We have to pass the Schaefer amendment. I ask for an expedient effort to do so.

Mr. TAUZIN. Mr. Chairman, I yield 1 minute to the gentleman from New Jersey [Mr. PALLONE], ranking minority member of the Subcommittee on Energy of the Committee on Commerce.

Mr. PALLONE. Mr. Chairman, I have the greatest respect for the gentleman from Ohio [Mr. REGULA], the chairman, but I have to say from listening to the debate today, it is very obvious to me that it is inappropriate for us to move this Strategic Petroleum Reserve without having a hearing, without having action by the authorizing committee. We have not had a single hearing on this issue in our subcommittee.

The talk about the environmental impact, we do not really know what the environmental impact is. Just listening to the debate in the last few minutes here, you can see there is great variation in terms of how people feel the environmental impact is going to be or what it is going to mean to move this reserve component.

In addition to that, we are talking about a situation now where something like 50 percent of our oil that we use in this country is imported oil. We know this is a major problem.

I listened to the gentleman from Ohio [Mr. REGULA], the chairman, before when he talked about a previous amendment and he talked about how we do not want to go back to the long lines that existed in the 1970's during the oil crisis. The Strategic Petroleum Reserve is designed to prevent that from happening again.

It makes no sense, at this hour when we really have not looked at the issue, when the authorizing committee has not had a hearing, to move on such an important issue on an appropriations bill. I ask that this amendment by the gentleman from Colorado [Mr. SCHAEFER] be supported.

Mr. SCHAEFER. Mr. Chairman, I yield myself the balance of my time.

The CHAIRMAN. The gentleman from Colorado is recognized for 1 minute.

Mr. SCHAEFER. Mr. Chairman, in my last 1 minute, I just want to make one point that has not been made at this point in time. That is, of that $100 million that we have been talking about from the sale of the 7 million barrels of oil, which by the way is in the district of the gentleman from Louisiana, only $60 million is going to be going for closing down Weeks Island. The rest of it is for general operations.

So we are not talking about something that we are going to get into immediately, and no new money has been appropriated to reserve this year. I fully expect next year when a $250 million bill comes up, you know we are going to jump into that giant piggy bank in Louisiana and find some more dollars somewhere.

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

Mr. SCHAEFER. I yield to the gentleman from Michigan.

Mr. DINGELL. Mr. Chairman, the amount of the sale is $200-plus million. The amount which is wasted in selling at half the cost the government paid for it is over $100 million. That is the economy we are practicing here tonight.

Mr. SCHAEFER. The gentleman is correct.

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

The CHAIRMAN. The gentleman from Ohio [Mr. REGULA] has the right to close.

Mr. TAUZIN. Mr. Chairman, I yield myself the balance of my time.

The CHAIRMAN. The gentleman from Louisiana is recognized for 1 minute.

Mr. TAUZIN. Mr. Chairman, I will tell you a quick story. I was privileged to join senior members of the Congress in a visit to the Persian Gulf right before the outbreak of hostilities there.

When we returned, the President asked us to the White House to seek our advice on anything we had noticed, anything we had seen that he ought to know about before we entered that period of crisis. He called upon me for a word of advice.

When you are called upon by your President in a period of crisis, you think long and hard. The one advice I gave the President then was, ''If and when hostilities break out and the price of oil begins to ratchet up rapidly as the oil traders take advantage of us, be prepared to announce in that severe crisis that the strategic petroleum oil is available to our marketplace.''

The President, whether he took my advice or others, did exactly that. The oil traders, when the outbreak of hostilities occurred, immediately began to ratchet the price up. The price of oil began going up rapidly every day as that crisis accelerated. The President announced that the Strategic Petroleum Reserve would be available in the American marketplace if it went any higher and immediately the price dropped.

That is how critical this reserve is. Do not sell a drop of it. Vote for the Schaefer-Tauzin amendment.

Mr. REGULA. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, I feel like the Lone Ranger on this one. You notice there has been overwhelming support for it. I think I am the only one that has spoken, but as chairman of the committee, I am saying you have to make responsible judgments when you mark up a bill.

This is what the Secretary of Energy said in the hearing. I said, ''What are the budget implications for the SPR program?'' I believe in SPR. I have been working for years in that committee to put oil in SPR, but what are the implications if you do not get authority to sell Weeks Island oil and use the proceeds?

Answer, Secretary of Energy: If the Department does not obtain authority to sell 7 million barrels of Strategic Petroleum Reserve oil and use the proceeds, the Department would necessarily reduce Strategic Petroleum Reserve site security, reduce the guards, reduce the security, draw down readiness of delivery systems, machinery will be in disrepair, curtail maintenance and life extension activities and defer some Weeks Island decommissioning requirements.

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

Mr. REGULA. I yield to the gentleman from Washington.

Mr. DICKS. Mr. Chairman, in essence what the gentleman is saying is one of the biggest problems has been getting the oil out of the ground, and we are going to undermine the ability to do that. So this reserve that we think is going to be there to help us in the crisis, as a result of striking out your amendment, will make it less plausible that the oil will be there because we will not be able to maintain the strategic petroleum oil reserve.

I want to associate myself with the gentleman. I think he is doing the right thing here. I think if we cut $100 million out of this bill, we will make a very serious mistake, because it is going to undermine the bill and put us in a situation where we are over our 602(b) allocations.

Mr. REGULA. Reclaiming my time, just let me say again, the gentleman mentioned that there was no problem environmentally. There is a problem. This oil is stored in a salt cavern. The soil is leaching into the aquifer, so there is a problem.

In the absence of being able to sell any of the oil, the Secretary may not be able to decommission Weeks Island. We may lose 70 million barrels instead of 7 to contamination. I have to say to you again, after the hearing, listening to the testimony, it was my judgment in putting together the chairman's mark that this was responsible management of SPR. I am an advocate of SPR.

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

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

Mr. YATES. Mr. Chairman, the gentleman and I were in charge of providing the initial appropriations for the Strategic Petroleum Reserve.

Mr. REGULA. The gentleman is correct.

Mr. YATES. If the gentleman will yield further, we have reviewed the Strategic Petroleum Reserve from its beginning. We have followed it thoroughly. We have had oversight hearings. We know just about everything

that one should know about it. In this case the gentleman from Ohio is exactly right, and I hope the House sustains him.

Mr. REGULA. Reclaiming my time, I thank the gentleman for his comments.

Mr. DICKS. Mr. Chairman, if the gentleman will yield further, we are saying now we have got 590 million barrels in this reserve.

Mr. REGULA. The gentleman is correct.

Mr. DICKS. And we are talking about 7 million to deal with this emergency situation, and we are still going to have a very large and significant reserve. This is less than 1 day's imports.

Mr. REGULA. The gentleman is correct.

Mr. DICKS. If the gentleman will yield further, I think this is a pragmatic decision on the part of the chairman. I think we ought to support him.

Mr. REGULA. Mr. Chairman, I strongly urge Members to vote against this amendment. It is good management and the only alternative we have.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Colorado [Mr. SCHAEFER].

The question was taken; and the Chairman being in doubt, the committee divided, and there were—ayes 8; noes 19.

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

The CHAIRMAN. Pursuant to the rule, further proceedings on the amendment offered by the gentleman from Colorado [Mr. SCHAEFER] are postponed.

The point of no quorum is considered withdrawn.

□ 2115

AMENDMENT OFFERED BY MR. SANDERS

Mr. SANDERS. 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. SANDERS: 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''.

POINT OF ORDER

Mr. REGULA. Mr. Chairman, I have a point of order against the gentleman's amendment.

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

Mr. REGULA. Mr. Chairman, I make a point of order against the gentleman's amendment because it seeks to amend a paragraph previously amended.

In the procedures in the U.S. House of Representatives, chapter 27, section 27.1, it states as follows:

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

Mr. Chairman, this amendment seeks to amend a text previously amended and is, therefore, not in order.

The CHAIRMAN. Does the gentleman from Vermont [Mr. SANDERS] wish to be heard on this point of order?

Mr. SANDERS. Mr. Chairman, it was my intention to withdraw this amendment and announce my support for another amendment to follow. I would respectfully request unanimous consent to have 5 minutes to explain my position.

The CHAIRMAN. Does the gentleman reserve his point of order?

Mr. REGULA. Mr. Chairman, yes, I reserve my point of order.

The CHAIRMAN. The gentleman from Vermont is recognized for 5 minutes.

Mr. SANDERS. Mr. Chairman, what I, and in a few moments the gentleman from Pennsylvania [Mr. FOX], are attempting to do is something that is extremely important and that is to transfer $50 million into the low-income weatherization assistance program.

I have proposed taking money from the Fossil Energy Research Fund. The gentleman from Pennsylvania [Mr. FOX] has another fund. But what is most important is that we replenish the fund that has been severely cut.

Without this amendment, the bill provides for only half of the weatherization funds that were provided for last year. That is a cut of more than $100 million.

What I am attempting to do, and what the gentleman from Pennsylvania [Mr. FOX] is attempting to do, is to restore $50 million to that fund.

Mr. Chairman, the low-income weatherization assistance program is an enormously sensible and cost-effective partnership between the Federal Government and local and State governments. What weatherization does in Vermont, and in every state in America, is prevent the waste of energy, whether that energy is oil, gas, electric, or whatever.

It is enormously inefficient for low-income people all over this country to waste fuel because their homes or apartments lack adequate insulation, windows, or efficient heating or cooling systems.

The Department of Energy reports that this program has a favorable benefit-cost ratio of 1 to 1.61. That is, for every $1 we invest in weatherization, we get $1.61 in energy savings and economic benefits.

Clearly, if we are interested in saving money, that is not the program to cut.

Mr. Chairman, we should be clear that this is a program that works well, not only in northern States but in every State in America. It is a national program that provides for the cold weather States and the warm weather States as well.

Weatherization assistance is a prime example of a successful Federal-State-community partnership. Each year, State and local resources leverage an additional $200 million for weatherization, doubling the core Federal funds.

Mr. FOX of Pennsylvania. Mr. Chairman, will the gentleman yield?

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

Mr. FOX of Pennsylvania. Mr. Chairman, the fact is we do have an amendment before the desk that we would like to present which would be an amendment for weatherization.

Mr. REGULA. Mr. Chairman, my point of order is pending here. I do not think we can go to another amendment. And I renew my point of order against it.

The CHAIRMAN. Does the gentleman from Vermont [Mr. SANDERS] wish to be heard on the gentleman's point of order?

Mr. SANDERS. Mr. Chairman, all over this country we have elderly people who must in their homes, in order to survive, prevent their homes from becoming very, very cold or in fact very, very warm. The Chairman is aware that today on the front page of the Washington Post was an article about the suffering of so many people whose homes have overheated and, in fact, 200 deaths have occurred.

Mr. Chairman, I will ask for support of the Fox amendment, which will follow. This is a humane amendment and a cost-effective amendment. It makes no sense to waste energy and to increase human suffering.

Mr. REGULA. Mr. Chairman, I renew my point of order.

The CHAIRMAN. Does the gentleman from Vermont want to be heard further on this point of order?

Mr. SANDERS. No, Mr. Chairman, I am finished.

The CHAIRMAN. The Chair is prepared to rule on the point of order. For the reasons stated by the gentleman from Ohio [Mr. REGULA], the adoption of the Kleczka amendment precludes the offering of the amendment of the gentleman from Vermont as printed in the RECORD under the Chair's rulings of March 15 and 16 of this year.

The point of order is sustained.

AMENDMENT OFFERED BY MR. SKAGGS

Mr. SKAGGS. Mr. Chairman, I offer an amendment, No. 64.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. SKAGGS: On page 56, line 3, strike ''$552,871,000,'' and in lieu thereof insert ''$567,871,000''; 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''.

MODIFICATION TO AMENDMENT OFFERED BY MR. SKAGGS

Mr. SKAGGS. Mr. Chairman, I ask unanimous consent to modify the amendment and offer the amendment that I have at the desk in its revised form.

The CHAIRMAN. The Clerk will report the modification.

The Clerk read the modification, as follows:

Amendment, as modified, offered by Mr. SKAGGS:

AMENDMENT NO. 64

On page 56, line 3, strike ''$552,871,000'', and in lieu thereof insert ''$556,371,000''; 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 insert ''$110,946,000''.

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

There was no objection.

Mr. SKAGGS. Mr. Chairman, this amendment would add into the weatherization program the available monies now existing underneath our 602(b) allocation budget authority of about $3.5 million that has been freed up by virtue of earlier amendments adopted this evening.

Mr. Chairman, I could not agree more with the arguments made by the gentleman from Vermont [Mr. SANDERS], and I anticipate being made by the gentleman from Pennsylvania [Mr. FOX]. I would like to do much more to increase weatherization. I think this modest increase is all that is practicable, given the restraints on the bill. I would urge my colleagues to support it.

Mr. REGULA. Mr. Chairman, I respect the effort by a member of the subcommittee, the gentleman from Colorado [Mr. SKAGGS], and we have no objection to the amendment. We think it is logical. Under the circumstances, it does not have any impact on our 602(b) allocation.

Mr. YATES. Mr. Chairman, on our side, we accept the amendment as well.

The CHAIRMAN. The question is on the amendment, as modified, offered by the gentleman from Colorado [Mr. SKAGGS].

The amendment, as modified, was agreed to.

AMENDMENT OFFERED BY MR. CHABOT

Mr. CHABOT. 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. CHABOT: Page 73, strike line 16 and all that follows through page 74, line 15.

The CHAIRMAN. The gentleman from Ohio [Mr. CHABOT] is recognized for 10 minutes.

Mr. CHABOT. Mr. Chairman, we face a lot of hard budget choices, but we have still got some pretty easy decisions to make as well, like ending the National Endowment for the Humanities, the NEH. My amendment would do just that.

Mr. Chairman, this amendment will save the taxpayers of this country nearly $100 million and that is why groups like the National Taxpayers Union, Citizens Against Government Waste, Citizens for a Sound Economy, and Americans for Tax Reform have all weighed in and strongly support this amendment.

We will have to make some sacrifices, sacrifices like the Conversation Kit that the NEH has produced to teach folks how to talk to one another. It is true, the National Endowment for the Humanities spent $1.7 million to teach the American public how to talk to each other.

They also, in that same kit, suggested that there are conversation starters from obscure movies like ''Casablanca'' that we ought to watch and then we all can talk about the movie, and they have spent tax dollars in order to educate the American public so we can all talk to each other. I think that is absurd.

I, for one, do not really think that we need the Federal Government spending our money to tell us that we should watch ''Casablanca.'' But I am here to tell you that the NEH folks, they have not backed off one bit from their view that the Conversation Kit represents the best use of the NEH dollars.

Consider some of the other ways that the NEH has spent our tax dollars. They spent $114,000 to Catholic University to support the preparation of a database for indexes for Gregorian chants. They spent $135,000 for 24 college teachers to travel to a summer institute to chat about sex and gender in the Middle Ages.

They spent $201,000 for Laurie Conlevit of Filmmakers Collaborative for a feature length documentary of the life and world of the 18th century midwife, Martha Ballard. They gave $400,000 to Doran H. Ross at UCLA for something called the ''Art of Being Cuna,'' which is an expressive culture of some islands in Panama.

Now, many of these projects I am sure, are nice to do if we have got the money to do it. I would argue that at a time when we are serious about finally balancing the Federal budget, that we should not be spending hard-earned taxpayers' dollars on the NEH at this point. These types of programs, if they are going to be funded, should be funded privately through philanthropy, not Federal tax dollars.

But the problem is not just that the NEH wastes tax dollars; it also breeds arrogance in the culture bureaucrats who sneer at the citizens who pay the freight. I recently received a letter from the chief NEH functionary in Ohio who asserted, and this is his exact language, ''If there were no NEH, the public intellectual life of Ohio would shrink considerably.''

I have little doubt that he actually believes that and, perhaps, in his limited circle the intellectual climate is indeed that errant. But the intellectual life of Ohio is strong, it is vibrant and, I might add, that it predates 1965, when the NEH was formed. We got along just fine before Federal tax dollars started being spent for this back in 1965.

□ 2130

Mr. CHABOT. Mr. Chairman, I know a very good way that we can save the $9.5 million in the next fiscal year, and that is to defund the NEH. Even the most distinguished former chairman of the NEH, Lynn Cheney, has concluded that the NEH does more harm than good and should be eliminated. I urge support for this amendment.

Mr. Chairman, again, I want to emphasize something very strongly, and that is that I am not against the arts, and neither are any of my colleagues who are in favor of defunding the NEH. What we are in favor of is finally balancing the Federal budget.

I have people in my district, mothers and fathers who work two jobs to pay their taxes, and they are willing to make some sacrifices. I would argue very strongly that if we are serious about balancing the budget, things like the NEA and the NEH should be supported by private dollars, not by our Federal tax dollars.

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

The CHAIRMAN. The gentleman from Illinois [Mr. YATES] is recognized for 10 minutes in opposition to the amendment.

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

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

Mr. Chairman, NEH and the National Endowment for the Humanities is a unique organization. It fosters democracy in this country; it fosters all of the elements of democracy in this country. Every year the National Endowment for the Humanities enables over 3,200 teachers from all over the country to participate in teacher institutes and summer seminars that help them improve their teaching. What do they teach? These are the teachers who teach history, languages, philosophy, ethics, religion, literature, arts. In other words, the very foundation of a democracy.

This organization as well is currently engaged in preserving all of the old books that are disintegrating with time. The NEH's Brittle Books Program has already preserved almost three-quarters of a million volumes.

NEH is an outstanding organization of approximately 100,000 grants that have been made since 1965 when the organization was created without a breath of scandal.

Mr. CHABOT. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from California [Mr. ROHRABACHER].

Mr. ROHRABACHER. Mr. Chairman, I see some of my old and dear friends discussing an issue that I discussed, which was this issue as well as the National Endowment for the Arts, shortly after I first came to Congress.

Mr. Chairman, I rise in strong support of Mr. CHABOT's amendment.

The Appropriations Committee has done a good thing in this bill by reducing the appropriation for the National Endowment for the Humanities with

the intention of completely eliminating funding in 3 years. However, I believe that this Congress should go further.

The citizens of this country sent a strong message to this body last November to cut both the size and scope of the Federal Government. If we are truly serious about reducing the dangerously high level of deficit spending, we must have the courage to cut from the Federal budget anything that is not absolutely necessary for the Federal Government to do.

When I first ran for Congress in 1988, I campaigned in support of eliminating unnecessary Federal programs such as the National Endowment for the Humanities, the National Endowment of the Arts and the Corporation for Public Broadcasting. The National Endowment for the Humanities, which was begun 30 years ago with a $5.5 million appropriation, has exploded into an agency which consumed $177 million of Federal money in fiscal year 1995. At a time when our Government has piled up trillions of dollars of debt and is struggling to fund critical programs such as Medicare, housing and education, Congress should not continue to appropriate precious taxpayer dollars to subsidize this program.

I urge my colleagues to support the Chabot amendment to zero out funding for the NEH. We need to show the American people we mean business by getting the Federal debt under control. We can't leave taxpayer-funded arts and humanities in place when we find it necessary in the name of balancing the budget to cut programs that are much more vital to the lives and health of needy American citizens.

Mr. Chairman, I would congratulate the gentleman from Ohio [Mr. CHABOT] for the amendment that he has offered, his courage, his responsibility, and sense of responsibility for offering this very positive amendment.

Mr. DICKS. I yield 1 minute to the distinguished gentleman from Montana [Mr. WILLIAMS].

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

Mr. Chairman, I say to my colleagues, do not kill the NEH. Reflection matters; the Nation's memory matters; publications, translations, research, education matters; identity matters; conversation counts; distinctions matter; history matters; the National Endowment for the Humanities matters. It is this Nation's singular effort to expand and foster the development and availability of these things that matter.

There are a lot of things in America that matter. You cannot see them, but they matter, and they matter more than bridges and highways and B–1's, as important as those are. The humanities and those things that it expands and protects and preserves and fosters matter. Please do not cut or eliminate the National Endowment for the Humanities. The humanities matter.

Mr. CHABOT. Mr. Chairman, I yield myself 30 seconds.

Mr. Chairman, I would agree with the gentleman that many of these programs do matter. My argument is very simple. Despite the fact they matter. My argument is very simple. Despite the fact they matter, they should be paid for with private dollars, basically through philanthropy, not through Federal tax dollars. If we are serious about balancing this budget, these are the types of programs that we are going to have to take a very close look at. The Federal Government just cannot afford to go on paying for these types of programs, however nice they might be. If we are going to balance the budget, these are the types of programs that we have to cut

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

Mr. Chairman, I take this time to explain to the Members what the program will be for the balance of the evening. The leadership on both sides have reached an agreement to continue to debate all amendments to Title II and close out Title II, but the votes on Title II, there is one pending and this one I am sure will be pending and any others, votes on Title II amendments will all be rolled over to tomorrow. So for the Members that are interested, there will be no more votes tonight.

The House meets on Tuesday at 10 a.m., and the order will be 1 minute; then we are going to do the rule on Treasury-Post Office, and Treasury general debate tomorrow, and then we will return to Interior. We will do the votes that have been rolled over from tonight. There are approximately four or five amendments left for title II. Then we will, of course, finish title III and complete the bill tomorrow.

Mr. Chairman, this is an agreement that has been reached by leadership on both sides, and I will say at this point two things. Any Members who have colloquies, it would be helpful if we could do those tonight to save time tomorrow.

Second, I would ask unanimous consent, and this is just for information only, for myself and the gentleman from Illinois [Mr. YATES] to each have 5 minutes before we do the roll-over votes to just refresh the information of all of the Members as to what votes will be coming up, because it will be a 15-minute plus the fives.

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

There was no objection.

Mr. DICKS. Mr. Chairman, I yield a minute to the distinguished gentleman from Colorado [Mr. SKAGGS].

Mr. SKAGGS. Mr. Chairman, I rise in opposition to the gentleman's amendment. I think the gentleman from Montana put the case very well regarding the fundamental need for any civilization, and certainly our American civilization, to make some modest investment in understanding its history, where this country has been, where our roots are, so we can better understand where we would take the Nation in the future, as a people, and especially the leadership here in Congress.

That is a broad abstraction. Some specifics: without the Endowment, we will lose the record of so much of this country's past, in the form of the Endowment's program to preserve the newspapers of America. Without the Endowment, that program vanishes. Without the Endowment, we will not through the private sector have the program, now funded through the Endowment, to collect and integrate and explain the papers of the great figures in American history. We are now in the middle of the papers, for instance, of Benjamin Franklin.

These are critical elements in the American people's understanding of our roots and therefore their ability to understand our potential, our future, to guide us in making intelligent judgments about where this country should be headed.

Mr. Chairman, I urge my colleagues to defeat the gentleman's amendment.

Mr. DICKS. Mr. Chairman, I yield 1 minute to the gentleman from Pennsylvania [Mr. GOODLING], the distinguished chairman of the Education and Labor Committee.

Mr. GOODLING. Mr. Chairman, I rise in opposition to the amendment. As the authorizing committee, we did the proper thing. We orderly phased out the program over a 3-year period so that the private sector could pick up the very useful things that are done in this program. I might also say that the committee's funding is below our authorized phaseout figures.

Mr. Chairman, let me very quickly talk about some of the good things. Ken Burns' Civil War series, Ken Burns' Baseball series, Historian David Brion Davis' Pulitzer Prize-winning ''Slavery and Human Progress,'' publication of the journals of Henry David Thoreau, ''Archaeological Treasures from the People's Republic of China,'' the seven-part television series ''Columbus and the Age of Discovery,'' preservation of important Presidential papers, preservation of brittle books, preservation of historic newspapers. All of these things are things that are done. I think the phaseout that we have proposed from our committee is the way to do this.

Mr. Chairman, let me just say, people got upset, as all of us did, over some of the things that came out on history standards. It was not the standards themselves, if you look at the standards carefully. What came out was the booklet that went to the teachers for the teaching of the standards. The chairman of this committee, myself, called the chairman of that committee that wrote those teacher benefit programs and called him on the carpet, told him to scrub them, told him that no one asked him to write curriculum, and then we took the money away from him to do anything else.

Mr. Chairman, I would say the phaseout that our authorizing committee has done is the way we should go.

Mr. CHABOT. Mr. Chairman, I yield 30 seconds to the gentleman from Washington [Mr. TATE].

Mr. TATE. Mr. Chairman, first of all, I would like to commend the gentleman from Ohio for bringing this amendment forward. We have heard a lot of talk tonight about the importance of different programs. What it really comes down to, it might be 100 million here, 100 million there. It adds up.

What we are really talking about is burdening our children with more debt. There might be some great programs good ideas, things we really need. But does my daughter have to pay for this huge debt that is coming her way? That is what it really comes down to, the future of our children. These may be important programs. But is it that important that we want to fund another $100 million to put more of a debt and more of a burden on our children. Let us do it tonight and let us end it.

Mr. Chairman, I urge your support of the Chabot amendment.

□ 2145

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

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

I rise in opposition to this amendment. I am so pleased that the House earlier defeated the Stearns amendment because I put both of these amendments in the same category. They ignore the central fact that the arts and humanities are important to our very existence as a country.

The poet Shelley once wrote that the greatest force for moral good is imagination. So when we talk about the arts and humanities, we are not only talking about those disciplines, we are talking about what they do to and for people, the confidence they build in our young students.

Mr. Chairman, when I go into their neighborhoods, some of the poor neighborhoods in my district, the parents there will say, I know they are concerned about jobs and crime, et cetera, in their neighborhoods, but they will say, Please do not cut funding from the arts and humanities. This gives our children hope.

They build confidence in themselves by engaging in the higher ideals of life that they learn through the arts and the humanities. So I hope that our colleagues will defeat this amendment, with all due respect that I have for the author of the amendment.

I urge a no vote on this amendment.

Mr. CHABOT. Mr. Chairman, I yield myself 30 seconds.

I agree with the gentlewoman that the arts and the humanities are very important. I agree that they certainly have a place. The argument here, the real question is, should it be Federal tax dollars, $100 million in 1 year of Federal tax dollars to go to the National Endowment for the Humanities? I think not. The National Taxpayers Union, the Citizens Against Government Waste, Citizens for a Sound Economy and Americans for Tax Reform, all strongly support this amendment to defund the National Endowment for the Humanities.

Mr. DICKS. Mr. Chairman, I yield 1 minute to the distinguished gentlewoman from Florida [Mrs. FOWLER].

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

Mrs. FOWLER. Mr. Chairman, I rise in strong opposition to the amendment by the gentleman from Ohio.

The committee's bill provides for a 40 percent cut and the elimination of the NEH over 3 years. This allows for an orderly end to Federal funding while providing the State humanities councils an opportunity to finish existing ongoing projects, to find alternative funding sources, or to achieve the necessary reprogramming of State funds.

As a former chairman of the Florida Humanities Council, I know that the NEH provides important programs in many of our districts. The NEH is critical in providing funding and seed money for museums, libraries, language programs and historical programs.

In Florida, the NEH was responsible for helping to replace the library resources, books, maps and other documents ruined by hurricane Andrew.

In spite of its laudable work, I support phasing out Federal funding for the NEH. Like many other useful federally funded projects, the NEH must learn to do more with less and must learn to survive without our scarce Federal tax dollars.

I support the committee's recommendation to eliminate funding for the NEH over a 3-year time frame. I urge my colleagues to oppose this amendment.

Mr. CHABOT. Mr. Chairman, I yield such time as he may consume to the gentleman from Kentucky [Mr. LEWIS].

(Mr. LEWIS of Kentucky asked and was given permission to revise and extend his remarks.)

Mr. LEWIS of Kentucky. Mr. Chairman, I rise in strong support of the Chabot amendment.

Mr. DICKS. Mr. Chairman, I yield 1 minute to the distinguished gentlewoman from Connecticut [Mrs. JOHNSON].

Mrs. JOHNSON of Connecticut. Mr. Chairman, I rise in strong opposition to the proposed amendment. The gentleman from Ohio asks, why should these be federal tax dollars? The answer is that there are projects that NEH funds that no private sector group, no corporation, no individual could possibly fund.

The brittle books program is a good example. NEH will save 12 million unique items, books, maps, music scores from literally crumbling. How can a great nation shape its future if it does not have the information through which it must understand its past?

NEH is also developing a project through which it will put the Founding Father's papers on the computer system so that children in public schools and libraries all over America can read George Washington's letters and Thomas Jefferson's notebooks in their school libraries.

This has been a privilege reserved only to those in the most elite institutions. That is the kind of thing that NEH does. That is why it is nationally funded, because it serves a national purpose that addresses the needs of all of our children and adults, to understand who we are, how we got here and to help in the great mission of shaping America's future.

I urge opposition to the amendment.

Mr. CHABOT. Mr. Chairman, I yield 30 seconds to the gentleman from California [Mr. ROHRABACHER].

Mr. ROHRABACHER. Mr. Chairman, the gentlemen from Ohio has stated over and over again, this is not a question about the humanities. It is a question of who is going to finance the very work that we have heard about. I hope some of you have noticed that there is something in this country besides the government and the taxpayers. We have got foundations. We have got universities. We have not-for-profit and for-profit people who do things like this. Ted Turner, for example, just worked and restored so much film that has preserved this part of our history, not one cent of government money. But if the government as going it, I can tell you, it would have cost a lot more money, and it would have cost the taxpayers more.

Let us leave this up to the private sector where it can be done without fleecing the taxpayer.

Mr. DICKS. Mr. Chairman, I yield such time as he may consume to the gentleman from Vermont [Mr. SANDERS].

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

Mr. SANDERS. Mr. Chairman, I rise to strongly oppose this amendment. We spend less than any other country in the world on the humanities. We should continue to fund it.

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

(Ms. JACKSON-LEE asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE. Mr. Chairman, I rise to vigorously oppose this amendment, undermining the NEH which helps to spread the word of our culture and this nation, as I did oppose the undermining of the NEA, because that, together with the NEH, is the basis of our nation.

Mr. DICKS. Mr. Chairman, I yield 30 seconds to the distinguished gentlewoman from Maryland [Mrs. MORELLA].

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

Mrs. MORELLA. Mr. Chairman, I rise in opposition in strong opposition to

this amendment that would eliminate the National Endowment for the Humanities. As has been mentioned, we have teachers throughout the country that have been undergoing courses to help to teach. We have had films of the Civil War, baseball, that we have viewed that have been funded by the National Endowment for the Humanities. It is something we cannot afford to eliminate. It has been phased out. Let us not terminate it now.

Mr. Chairman, I rise in opposition to the amendment by Mr. CHABOT to eliminate the National Endowment for the Humanities [NEH].

The NEH budget is $99.49 million. It is less than one one-hundreths of the Federal budget and it spends 70 cents per person on the humanities—on history, English literature, foreign languages, sociology, anthropology, comparative religion, and other disciplines.

Remember the ''Civil War'' series by Ken Burns on public television? I watched it after I read an editorial by noted columnist George Will, who praised this series as one of the best productions in the history of television. NEH's work preserved the photographs which Ken Burns used in his award-winning series. Without this NEH support, the film would not have been possible, because there would be no known corpus of photographs on the Civil War.

I know that each of us in Congress can point to worthwhile projects in our districts that are aided by NEH. In my district, the NEH funds numerous educational projects by the Montgomery County school system.

The NEH is the primary source for study programs that help teachers learn more about what they teach and pass it on to their students. More than a million teachers have participated in the writing project, an NEH-funded project that brings together teachers at the elementary and secondary levels to develop successful approaches to teaching writing. It is estimated that the 1,000 teachers who participate each summer in NEH-funded summer institutes directly impact 85,000 students each year.

The National Endowment for the Humanities has already absorbed its fair share of budget cuts. I urge my colleagues to oppose the Chabot amendment.

The CHAIRMAN. The gentleman from Ohio [Mr. CHABOT] has 1 minute remaining, and the gentleman from Washington [Mr. DICKS] has 2 minutes remaining.

Mr. CHABOT. Mr. Chairman, I yield 30 seconds to the gentleman from California [Mr. DOOLITTLE].

Mr. DOOLITTLE. Mr. Chairman, I rise to strongly support the gentleman's amendment. Regardless of what one thinks about the record of the National Endowment for the Humanities and the controversial programs, the fact of the matter is, with a $4.7 trillion national debt, we cannot afford as a country to be borrowing money for the purpose of entertainment. It is totally inappropriate. It is time to balance the budget. Let the cutting start here. Vote for the Chabot amendment.

Mr. DICKS. Mr. Chairman, I yield such time as he may consume to the gentleman from Pennsylvania [Mr. FATTAH].

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

Mr. FATTAH. Mr. Chairman, I rise in opposition to the amendment, notwithstanding my deep respect for the author of the amendment.

Mr. DICKS. Mr. Chairman, I yield 1 minute to the gentleman from Massachusetts [Mr. TORKILDSEN].

Mr. TORKILDSEN. Mr. Chairman, I rise in strong opposition to this amendment. Some critics think the National Endowment for the Humanities only presents one point of view. Clearly, that is not accurate. The NEH has expanded educational opportunities in many traditional and nontraditional ways. As one speaker alluded to, sometimes that education does take the form of entertainment, such as when the Civil War series was on television, people enjoyed it as entertainment. They also enjoyed it as education. The NEH also does something that the private sector cannot do, and that is present our history and our culture through the brittle books program.

Try to imagine that the private sector could microfilm hundreds of thousands of volumes. There is just not an incentive in it. Yet if these books are destroyed through time we are going to lose that part of our history, that part of our culture.

I rise in strong opposition to the amendment. Support responsible funding for the humanities.

Mr. CHABOT. Mr. Chairman, I yield myself the balance of my time.

The CHAIRMAN. The gentleman from Ohio [Mr. CHABOT] is recognized for 30 seconds.

Mr. CHABOT. I think what the gentleman from California said is the bottom line. We have got almost a $5 trillion debt. These dollars that are going to go to the National Endowment for the Humanities are being borrowed. They are being borrowed from American taxpayers all across this country, and we just do not have the money.

If we are serious about balancing the budget, these are the types of cuts that have to be made. This is the type of vote where we determine who is really serious about balancing the budget and who is not. That is the type of vote that this particular amendment says.

I strongly support this amendment.

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

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

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

Mr. DICKS. Mr. Chairman, I yield myself the balance of my time.

I want to thank all the Members who spoke tonight. This has been a very bipartisan debate. Our committee operates on a very bipartisan way. We have cut back the National Endowment for the Humanities much deeper than I would like to see by about $40 million. This amendment would eliminate it. The agreement here, as the distinguished chairman of the Committee on Economic and Educational Opportunities, the gentleman from Pennsylvania [Mr. GOODLING] pointed out, is to phase these things out over several years.

To come in here tonight and offer this meat-ax approach to end this thing abruptly like this is unfair to the scholars all over this country who do so much for the humanities.

This is an important program. It has been able to leverage all kinds of private investment in projects where scholars come from the public sector and work with people in the private sector.

I urge Members to be almost unanimous, I hope, tonight in opposition to this ill-considered amendment.

Mr. Chairman, I rise in strong opposition to the amendment being offered by the gentleman from Ohio, to strike all funding in the bill for the National Endowment for the Humanities [NEH]. I believe that this is a highly irresponsible amendment which goes against the national interest.

The National Endowment for the Humanities [NEH] is one of our most significant cultural institutions, and I believe has the strong support of the American people. Grants provided by the NEH greatly enhance scholarly research, education, and public programs in the Humanities. The NEH supports literature, history, preservation of the works of classic scholars, archaeology, philosophy, comparative religion, linguistics, and aspects of the social sciences with humanistic content. The Endowment helps ensure that we pass the cultural torch from generation to generation.

In fiscal year 1994 alone, the NEH: Supported 70 hours of radio and television, reaching an audience of 244 million people; enabled 3,273 teachers from all over the country to participate in teacher institutes, summer seminars, and study grants, offering these teachers access to the best experts in their discipline; 500 scholars received scholarships or stipends to conduct research as a result of NEH efforts.

In the course of its existence, the NEH has put forward a brittle books project, which has enabled over 628,000 volumes to be microfilmed so that their content was not forever lost, and its national heritage program has stabilized and preserved over 26 million archaeological, ethnographic, and historical objects of importance to our cultural heritage.

The NEH is a strong investment in preserving our national heritage. By supporting such projects as the papers of George Washington, Frederick Douglass, and Mark Twain, the NEH helps keep our historical record intact for new generations of Americans. NEH is the primary funding source for these complex research undertakings, which often require a team of scholars.

The NEH strengthens our communities. A strong community requires a sense of its history and traditions. The NEH and State humanities councils make grants that engage Americans where they live and work. In 1992, more than 6 million Americans participated in reading-and-discussion groups and other local educational programs through State councils alone.

The evidence demonstrates that the NEH is a good economic investment. The cost for the

endowment to each citizen is only 68 cents a year. It is one one-hundredth of 1 percent of the Federal budget. The NEH also leverages private giving. Many NEH grants require from $1 to $4 in non-Federal money for every NEH dollar. Since the Agency's inception, these grants have attracted $1 billion in private funds in challenge grants alone, and $400 million in other matching programs.

I believe that it is also important to point out that the National Endowment for the Humanities [NEH] also stimulates local economies. In the home State of the gentleman offering this amendment, ''The Age of Rubens'' exhibition in Toledo, OH, broke attendance records during 1994 and was credited with pumping $22.8 million into the local economy. Visits to Virginia's Civil War attractions jumped from 7,000 to 45,000 in the month following the airing of ''The Civil War.''

Let us continue the National Endowment for the Humanities. I urge my colleagues to reject the amendment.

Mr. MARTINI. Mr. Chairman, I rise today to urge opposition to the Chabot amendment that will eliminate all funding for the National Endowment for the Humanities (NEH).

Unlike many Federal Government programs, NEH serves as one of America's sound investments. Only careful attention to the various cultures and religions that form this wondrous melting pot can ensure our Nation's future success. NEH embodies Government's commitment to the preservation of America's diverse, beautiful, and often fragile culture.

Do not misunderstand, I supported the budget proposal to phase out funding for NEH and I support the principles of privatization; however, when dealing with matters of such importance, time and careful planning are necessities. Passage of this amendment would amount to a hurried mistake.

As a representative of a Congressional District rich in diversity, I have utmost appreciation for the education made possible through the existence of NEH. Few institutions provide the means by which tolerance can be achieved.

Through NEH, we have also preserved history—both good and bad. Some Members of Congress oppose the NEH because of this. Those Members believe that painful history is best forgotten. I do not agree with this philosophy. It has been said time and time again, and I hesitate to repeat it—but history does repeat itself and societies can learn from their mistakes.

Many also believe that the discussion of the humanities is one that only effects the elite of this country. Again, I disagree. In fact, the NEH is what ensures us that all Americans can have access to the vast knowledge found in the humanities. By eliminating NEH immediately, Congress would risk depriving citizens of exemplary education programs and literary works of art, where we have already provided for a reasonable transition.

Since our Founding Fathers, the United States Government has been involved in promoting the knowledge of all that is included in the Humanities. I must believe that Thomas Jefferson, if he could speak to us today, would defend that the pursuit of happiness lies not only in the marketplace, but more importantly in education—namely the arts, philosophy, literature and history.

I truly believe that our purpose here in the House of Representatives is one of careful deliberation—not one of rash decision making. We have already taken well intentioned steps towards the privatization of NEH, steps which I applaud. We are moving towards a balanced budget and are rethinking and addressing problems previously ignored. Must we dare to push our limits and risk responsibility?

Please ask yourselves, are we willing to jeopardize past brilliance and future intellectual progress? Are we willing to stifle all that makes America rich? Are we willing to distort the purpose of our Founders? I am not.

And because I am not, I ask my colleagues to oppose this amendment and to allow the NEH the time in which to plan an orderly transition to privatization. Some investments are simply too grand.

Mr. JOHNSON of South Dakota. Mr. Chairman, I rise today to express my strong opposition to an amendment offered by Representative CHABOT which would eliminate funding for the National Endowment for Humanities. As presented, the Interior Appropriations Bill cuts the NEH budget nearly in half; a cut which I believe will devastate many existing educational programs nationwide. As the only voice for South Dakota in the House of Representatives, I must speak out against the outright elimination of programs which help the people of my State preserve the rich and unique cultural heritage of South Dakota and the surrounding great plains States.

NEH programs exemplify the types of public-private partnerships that have traditionally fostered a collective dedication to cultural and historical education. The NEH gives State humanities councils the necessary freedoms to meet local educational needs. In the last 5 years, institutions in South Dakota have received $2.7 million from the NEH and the South Dakota Humanities Council for library programs and exhibits, literary publications, and cultural heritage visitor centers.

In one example, more than 49,000 visitors have seen Proving Up: The History of South Dakota, a long-term exhibition sponsored by the South Dakota State Heritage Fund, and a recipient of more than $200,000 in support funds from the NEH. In just the first 3 months of the exhibition, attendance at the Cultural Heritage Center in Pierre increased by 49 percent.

Additionally, because of money provided by the NEH, A Literary History of the American West, considered the standard reference work in the field since its publication in 1987, will be updated through a $71,000 grant to Augustana College in Sioux Falls. The supplement will include such authors as Tony Hillerman, Willa Cather, and John Steinbeck. These and countless other worthy public education programs will disappear in my rural state, and the creativity behind this type of education programming will be thwarted if the Chabot amendment becomes law.

In the face of severe cuts to the Institute for Museum Services, the only other Federal funding mechanism specifically chartered to work with States in recording, preserving and educating our children on the American experience, we cannot stand by and allow the complete elimination of the programs vital to public education that are funded through the National Endowment for Humanities.

Mrs. SLAUGHTER. Mr. Chairman, today I rise in strong opposition to the Chabot amendment to eliminate the National Endowment for the Humanities. Mr. CHABOT's amendment is an unwarranted attack on an institution that has done nothing more than effectively promote the progress of the humanities in the United States.

The National Endowment for the Humanities is the single largest source of support for the humanities. While humanities activities in our Nation would still exist without the NEH, they would no longer be accessible to the entire country. They would in all likelihood be reserved only for the rich who could afford them. What would the constituents of our districts say when there is no NEH to support museums or libraries or to preserve historical documents; when there is no longer an NEH to teach generations to come about history, literature and philosophy, about who we are as Americans? Because of the NEH, in fiscal year 1994, 3,273 teachers from all over the country were able to participate in teacher institutions, summer seminars, and study grants, offering these teachers access to the best experts in their discipline. Roughly 500,000 students benefited from these teacher programs.

We must not neglect the value of the NEH to our Nation's children. Children who are exposed to the humanities learn to foster a dialog between themselves and the voices of writers, the visions of artists, and the thoughts of historians and philosophers. It is an argument that should begin in school and continue throughout life.

If Mr. CHABOT's amendment were to pass, thousands of valuable programs across the country would be destroyed. Yet Mr. CHABOT is assaulting the NEH based on a project that was designed to bring all Americans together—left, right, center; black, white, Hispanic—to evaluate what they share as Americans. To realize that despite their differences, what they have in common is America. ''National Conversation,'' which is just one of the thousands of the NEH's valuable programs, was formed out of Chairman Hackney's concern that we in this country spend too much time focussing on what divides us rather than what we have in common.

A major portion of the NEH's funding for the humanities each year is awarded to projects that document and illuminate the American experience—this is of course the great experiment in democracy and freedom that is our Nation's history and legacy. I urge my colleagues to do a service to the children in their districts by saving this irreplaceable cultural institution. Vote no on this devastating amendment.

Mrs. LOWEY. Mr. Chairman, here we go again. You'd think that the opponents of the arts and humanities would be satisfied with a 40-percent cut next year and a 2-year phase-out of the National Endowment for the Arts—but it is very clear that their vendetta against these programs knows no bounds.

All over America, artists, musicians, orchestras, dance companies, theaters, and public schools rely on the National Endowment for the Arts for essential support. Their work has enriched our communities and our quality of life. But this amendment will pull the rug out from under many of these organizations and damage our cultural heritage.

The argument that the programs supported by the NEA would survive—or even flourish—in the marketplace is dubious. According to the president of the J. Paul Getty Trust, foundations would have to raise an $8 billion endowment in order to generate a reliable

stream of money to replace Federal funding for the NEA, NEH, and the Institute of Museum Services. And, given the massive cuts in education and social services my colleagues on the other side of the aisle are pushing, foundation giving will be under even greater stress than usual.

The total budget for the NEA costs each of us about the same price of a candy bar. In fact, the total cost of the National Endowment for the Arts, the National Endowment for the Humanities, and the Corporation for Public Broadcasting is still less than the cost of one B–1 bomber.

Eliminating the NEA is a classic case of being penny-wise and pound-foolish. For every $1 the NEA spends, it generates more than 11 times that in private donations and economic activity. This has a huge economic and cultural impact on our society.

We did not abolish the Department of Defense because of $400 toilet seats, we did not abolish the U.S. Navy because of the Tailhook scandal, and we certainly should not abolish the NEA because a small fraction of projects a few years ago were controversial. It's simply absurd.

Defeat this amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio [Mr. CHABOT].

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

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

The CHAIRMAN. Pursuant to the rule, further proceedings on this motion will be postponed.

Mr. DICKS. Mr. Chairman, I ask unanimous consent to strike the last word.

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

There was no objection.

Mr. DICKS. Mr. Chairman, I yield to the gentleman from California [Mr. FARR].

Mr. FARR. Mr. Chairman, I have a question for the chairman of the Subcommittee on Interior, the gentleman from Ohio [Mr. REGULA].

I understand that the committee's allocation made it impossible to provide full funding for the Land and Water Conservation Fund acquisition request received by the committee. I also understand the committee has recommended $14.6 million for the Forest Service budget to be allocated by the Forest Service for emergency and hardship acquisitions.

As you know, the Los Padres National Forest has worked extensively with private land owners and others to protect the land along the world-renowned Big Sur coast through Federal acquisitions from willing sellers. This has been an ongoing effort and has saved thousands of acres of the Big Sur landscape from development.

Mr. Chairman, would the committee's instructions to the Forest Service regarding its emergency and hardship use of the Land and Water Conservation Fund appropriations in FY 1995 allow the continuation of the Big Sur project?

2200

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

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

Mr. REGULA. Mr. Chairman, it is my understanding that certain funds will be available in this bill for emergency land acquisitions, and I have to emphasize ''emergency.'' These acquisitions could possibly include the area mentioned in the gentleman's opening statement that involves Big Sur. The determination would have to be made by the Forest Service as to whether this truly constituted an emergency. The Forest Service then would have to submit a request to the committee, the Subcommittee on Interior of the Committee on Appropriations in both the Senate and the House for approval as provided in the emergency land acquisition legislation in the bill.

Mr. FARR. In response to the question, then, Mr. Chairman, it may be eligible for those funds?

Mr. REGULA. Certainly if it is a high priority, as I understand it, in the Forest Service, then it is very possible that they would feel that the circumstances surrounding this purchase qualified as an emergency, and it is possible they could bring that to the appropriate subcommittees for approval. However, as I said earlier, the budget has a moratorium on land acquisition. We did not provide any earmarks on land acquisition, recognizing that these are not imperative, but we also recognize there will be emergency opportunities that should be exercised in land acquisition for a variety of reasons. I think each project will have to stand on its own merits as to whether it qualifies under the emergency conditions.

Mr. FARR. I thank the gentleman. I understand that continuing for emergency and hardship use that these lands may qualify.

AMENDMENT OFFERED BY MR. FOX OF PENNSYLVANIA

Mr. FOX of Pennsylvania. 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. FOX of Pennsylvania: Page 56, line 3, strike ''$552,871,600'' and insert ''$602,871,000''.

Page 56, line 10, strike ''$133,946,000'' and insert ''$183,946,000''.

Page 56, line 17, strike ''$107,466,000'' and insert ''$157,446,000''.

Page 58, line 12, strike ''$79,766,000'' and insert ''$29,766,000''.

Mr. FOX of Pennsylvania. Mr. Chairman, I ask unanimous consent that the amendment be modified.

The CHAIRMAN. Has the gentleman submitted a modification?

Mr. FOX of Pennsylvania. Only orally at this time, Mr. Chairman.

The CHAIRMAN. The gentleman must have it in writing. Would the gentleman care to withdraw his amendment at this time so he can prepare it?

Mr. FOX of Pennsylvania. Mr. Chairman, I will withdraw my amendment in order to prepare a written amendment in conformance with the change which was effectuated because of the Skaggs amendment.

The CHAIRMAN. The modification has to be in writing at the desk. Has the gentleman withdrawn his amendment?

Mr. FOX of Pennsylvania. Mr. Chairman, I have an amendment at the desk which is subject to the rule, because the gentleman from Colorado [Mr. SKAGGS], had a $3.5 million increase in weatherization. We are trying to have a $50 million increase. Now I am trying to make an amendment which would be $50 million from EIA, but would go to the State energy conservation program.

POINT OF ORDER

Mr. REGULA. Mr. Chairman, I have a point of order against the amendment.

However, Mr. Chairman, if the gentleman will withdraw his amendment, I will withdraw the point of order.

The CHAIRMAN. At this point the gentleman's amendment is at the desk, but the modification has to be in writing. That is why the Chair asks if the gentleman wishes to withdraw it.

Mr. FOX of Pennsylvania. Mr. Chairman, I withdraw my amendment, and I will file a corrected amendment in writing.

The CHAIRMAN. Without objection, the amendment is withdrawn.

There was no objection.

AMENDMENT OFFERED BY MR. TIAHRT

Mr. TIAHRT. 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. TIAHRT: Page 56, line 3, strike ''$552,871,000'' and insert ''$364,066,000''.

POINT OF ORDER

Mr. DICKS. Mr. Chairman, I have a point of order against the amendment.

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

Mr. DICKS. Mr. Chairman, I make a point of order because the amendment seeks to amend a paragraph previously amended. In the procedures of the U.S. House of Representatives, chapter 27, section 27.1, it states the following:

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

Mr. Chairman, this amendment seeks to amend text previously amended, and therefore is not in order.

The CHAIRMAN. Does the gentleman from Kansas [Mr. TIAHRT] wish to be heard on this point of order?

Mr. TIAHRT. Mr. Chairman, I ask unanimous consent to modify my amendment.

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

Mr. DICKS. Mr. Chairman, I have to object to that.

The CHAIRMAN. Objection is heard.

Does the gentleman from Kansas [Mr. TIAHRT] wish to comment on the point of order?

Mr. TIAHRT. Mr. Chairman, I was merely trying to present an opportunity for us to discuss an issue regarding the Committee on Science's level of authorization in the area of energy conservation.

The CHAIRMAN. The Chair is prepared to rule on the point of order.

For the reasons stated by the gentleman from Washington [Mr. DICKS] the adoption of the Skaggs amendment precludes the offering of this amendment printed in the RECORD under the Chair's rulings of March 15 and March 16 of this year and earlier rulings today. The point of order is sustained.

Are there further amendments to title II?

Mr. SKAGGS. Mr. Chairman, I ask unanimous consent to strike the last word to proceed to a colloquy with the chairman of the Committee on Science.

The CHAIRMAN. Without objection, the gentleman is recognized for 5 minutes.

There was no objection.

Mr. SKAGGS. Mr. Chairman, I would like to ask the chairman of the subcommittee a question about section 315 of the bill, which provides for a pilot user fee program to demonstrate the feasibility of user fees to recover some of the costs of proper management of public lands. I support this, especially in connection with the Mt. Evans area in Colorado. There the State has been working with the forest Service to try to reach an agreement for sharing some of the management responsibilities there, including fee collection. The Forest Service has identified this area as one where a fee would be appropriate, but they were uncertain whether they could move forward with the State for a couple of reasons; first because the facilities there have been constructed with HUTF money; and second, because the Forest Service was no sure that it had the authority.

As I read section 315 of this bill, both of these points would be resolved,because that section provides that the forest Service in fact could implement such a pilot program on lands under their jurisdiction, and could contract with any public or private entity to provide visitor services, such as the State of Colorado.

Mr. Chairman, would the chairman of the committee agree with me that enactment of section 315 should resolve these matters so the Forest Service could designate an area such as the Mt. Evans area in Colorado as one of the sites for one of these fee demonstration projects, and could contract with the State for the provision of visitor services?

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

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

Mr. REGULA. Mr. Chairman, I would say to the gentleman from Colorado, a member of the committee, this is exactly the type of situation or provision that we put in which the subcommittee bill is intended to address. The Forest Service could, if they chose, designate Mt. Evans as one of the sites for collection of fees, and could contract with the State of Colorado, or any other private or public entity, for the provision of visitor services. I would hope that this will happen many places. That is the goal of this provision in the bill, is to allow flexibility in the services to contract, privatize, to provide in the most efficient way services to the visitors.

Mr. SKAGGS. Mr. Chairman, I thank the gentleman for his comments, and thank him also for including this provision in the bill, which I think will make a great deal of difference as we especially deal with some of these difficult budget constraints.

Mr. JONES. Mr. Chairman, I ask unanimous consent to strike the last word to enter into a colloquy with the gentleman from Ohio.

The CHAIRMAN. Without objection, the gentleman is recognized for 5 minutes.

There was no objection.

Mr. JONES. Mr. Chairman, I appreciate the gentleman from Ohio [Mr. REGULA] agreeing to take a few questions regarding the fate of the coast of eastern North Carolina. Mr. Chairman, it is my understanding that there are really two separate groups of leases off the coast of North Carolina. One is called the Manteo Unit, the large natural gas prospect covering 21 leases in a contiguous area, while the remaining leases are a series of 32 individual leases which are widely scattered. Is that correct?

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

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

Mr. REGULA. Mr. Chairman, the gentleman is correct.

Mr. JONES. Mr. Chairman, the Manteo Unit is the only prospect in which industry has expressed any interest, is that the gentleman's understanding?

Mr. REGULA. That is correct, that is my understanding.

Mr. JONES. Mr. Chairman, does the repeal of the Outer Banks Protection Act have any effect on the status of the Manteo Unit?

Mr. REGULA. No, the Manteo Unit is no longer protected under that provision of law.

Mr. JONES. Therefore, the repeal of the Outer Banks Protection Act does nothing to change the status of the area most likely to be drilled?

Mr. REGULA. The gentleman is absolutely correct. This is merely a housekeeping provision which corrects a technicality which inadvertently has kept these other leases under suspension.

Mr. JONES. Mr. Chairman, the repeal of the Outer Banks Protection Act will allow the remaining leases, which are extremely unlikely to be drilled, to expire over the next couple of years, I would ask the gentleman?

Mr. REGULA. Yes, Mr. Chairman, the gentleman is correct.

Mr. JONES. Unless this provision is repealed, these leases will remain under suspension indefinitely, and at some point could be open for exploration and drilling?

Mr. REGULA. If the gentleman will continue to yield, he is correct.

Mr. JONES. Mr. Chairman, therefore it is clearly in the interests of the coasts of eastern North Carolina to allow these leases to be removed from suspension so they can be allowed to run their course?

Mr. REGULA. I believe that to be the case, Mr. Chairman.

Mr. JONES. Mr. Chairman, I would ask the gentleman, can he assure me that a vote for this bill will in no way undermine the position of those who are opposed to the exploration of the so-called Manteo Unit?

Mr. REGULA. If the gentleman will yield further, Mr. Chairman, let me emphasize that this bill in no way affects the disposition of the Manteo Unit.

Mr. JONES. I thank the gentleman, Mr. Chairman.

AMENDMENT OFFERED BY MR. FOX OF PENNSYLVANIA

Mr. FOX of Pennsylvania. Mr. Chairman, I offer an amendment, amendment No. 5.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. FOX of Pennsylvania:

Page 56, line 3, strike ''$552,871,000'' and insert ''$602,871,000''.

Page 56, line 10, strike ''$133,946,000'' and insert ''$183,946,000''.

Page 56, line 17, strike ''$107,466,000'' and insert ''$157,446,000''.

Page 58, line 12, strike ''$79,766,000'' and insert ''$29,766,000.

POINT OF ORDER

Mr. REGULA. Mr. Chairman, I make a point of order against the gentleman's amendment, because it seeks to amend a paragraph previously amended.

The CHAIRMAN. Does the gentleman from Pennsylvania [Mr. FOX] wish to be heard on the point of order?

Mr. FOX of Pennsylvania. I do, Mr. Chairman.

Mr. Chairman, this amendment, as amended, in fact does add $50 million under technical and financial assistance to the State energy conservation programs which are so vital to each of our States, and it takes the $50 million from the Energy Information Administration. Previously, Mr. Chairman, we may recall there was an amendment offered by the gentleman from Colorado [Mr. SKAGGS] which added $3.5 million to the weatherization program, but this is not the weatherization program. Therefore, I believe it is in order, Mr. Chairman.

Mr. REGULA. Mr. Chairman, reserving my point of order, I renew it, because in the procedures of the United States House of Representatives, chapter 27, section 27.1, it states the following: ''It is fundamental that it is not in order to amend an amendment previously agreed to. Thus, the text of a bill perfected by amendment cannot thereafter be amended.''

Mr. Chairman, this amendment seeks to amend text previously amended, and is therefore not in order.

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

Mr. SANDERS. Mr. Chairman, I oppose the point of order offered by the gentleman from Ohio [Mr. REGULA] for the following reason. Originally what the gentleman from Pennsylvania [Mr. FOX] had intended to do was to put the money into the weatherization program. That is what we all wanted to do. However, in fact, because the gentleman from Colorado [Mr. SKAGGS] placed $3.5 million more into that program, the gentleman from Ohio [Mr. REGULA] made a point of order that any more money going into that program would be out of order.

What the gentleman from Pennsylvania [Mr. FOX] is doing is attempting to put $50 million into a fund for the State Energy Conservation Program, which has not been amended. So I would argue very strongly that the gentleman from Ohio [Mr. REGULA] is incorrect that this is a fund that has not been amended, and that the amendment offered by the gentleman from Pennsylvania [Mr. FOX] is in fact in order.

PARLIAMENTARY INQUIRY

Mr. DICKS. Parliamentary inquiry, Mr. Chairman.

The CHAIRMAN. The gentleman will state it.

Mr. DICKS. Is it not true that under the rule, Mr. Chairman, the gentleman would have to ask unanimous consent in order to change the amendment that he had printed in the RECORD?

The CHAIRMAN. Once the printed amendment is pending, the gentleman is correct.

Mr. DICKS. Therefore, in order to do this, he would have to ask for unanimous consent?

The CHAIRMAN. The gentleman is correct.

Mr. DICKS. I do not think he has yet asked for unanimous consent.

The CHAIRMAN. The gentleman is correct.

Mr. FOX of Pennsylvania. Mr. Chairman, I ask unanimous consent that the modification be accepted.

Mr. REGULA. I object, Mr. Chairman.

The CHAIRMAN. Objection is heard.

Under the rule, the gentleman from Pennsylvania [Mr. FOX] may only offer an amendment as printed in the RECORD. Once it is pending, but only then, he may ask unanimous consent to modify the printed amendment. For the reason stated by the gentleman from Ohio [Mr. REGULA], the adoption of the Skaggs amendment precludes the offering of this amendment as printed in the RECORD under the Chair's rulings of March 15, and 16 of this year and the previous rulings of today. The point of order is sustained.

PARLIAMENTARY INQUIRY

Mr. FOX of Pennsylvania. Parliamentary inquiry, Mr. Chairman.

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. FOX of Pennsylvania. Mr. Chairman, inasmuch as the amendment which I had asked for through unanimous consent, did not alter, as we know, originally I was trying to add $50 million to weatherization, which, because the gentleman from Colorado [Mr. SKAGGS] was successful in having a prior amendment, which I could not have known would be adopted, I could not have it preprinted, not knowing the flow of events in the House this evening.

Therefore, I did all which was reasonably calculated to a reasonable man, Mr. Chairman, to have made an amendment on the floor, along with the gentleman from Vermont [Mr. SANDERS].

Mr. Chairman, I was hoping maybe the gentleman from Ohio [Mr. REGULA], the esteemed chairman, would in a bright moment think how wonderful it would be to at least hear this amendment and not have an objection in order.

Mr. REGULA. Mr. Chairman, I am very aware of what the amendment was going to do, without hearing any further conversation. I might add that even with the modification, which I objected to, but even with it, it would still have been subject to a point of order.

The CHAIRMAN. The Chair has ruled.

Are there other amendments to title II?

PERSONAL EXPLANATION

Mr. VOLKMER. Mr. Chairman, on Thursday, July 13, 1995, I missed rollcall votes during consideration of H.R. 1977, Interior appropriations for fiscal year 1996.

On rollcall votes Nos. 503 and 504, if present I would have voted no. On rollcall votes Nos. 508, 509, and 510, if present I would have voted aye.

I request that this explanation be included in the CONGRESSIONAL RECORD.

□ 2215

The CHAIRMAN. The Clerk will designate title III.

The text of title III is as follows:

TITLE III—GENERAL PROVISIONS

SEC. 301. The expenditure of any appropriation under this Act for any consulting service through procurement contract, pursuant to 5 U.S.C. 3109, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued pursuant to existing law.

SEC. 302. No part of any appropriation under this Act shall be available to the Secretary of the Interior or the Secretary of Agriculture for the leasing of oil and natural gas by noncompetitive bidding on publicly owned lands within the boundaries of the Shawnee National Forest, Illinois: *Provided*, That nothing herein is intended to inhibit or otherwise affect the sale, lease, or right to access to minerals owned by private individuals.

SEC. 303. No part of any appropriation contained in this Act shall be available for any activity or the publication or distribution of literature that in any way tends to promote public support or opposition to any legislative proposal on which congressional action is not complete.

SEC. 304. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 305. None of the funds provided in this Act to any department or agency shall be obligated or expended to provide a personal cook, chauffeur, or other personal servants to any officer or employee of such department or agency except as otherwise provided by law.

SEC. 306. No assessments may be levied against any program, budget activity, subactivity, or project funded by this Act unless notice of such assessments and the basis therefor are presented to the Committees on Appropriations and are approved by such Committees.

SEC. 307. (a) COMPLIANCE WITH BUY AMERICAN ACT.—None of the funds made available in this Act may be expended by an entity unless the entity agrees that in expending the funds the entity will comply with sections 2 through 4 of the Act of March 3, 1933 (41 U.S.C. 10a–10c; popularly known as the ''Buy American Act'').

(b) SENSE OF CONGRESS; REQUIREMENT REGARDING NOTICE.—

(1) PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS.—In the case of any equipment or product that may be authorized to be purchased with financial assistance provided using funds made available in this Act, it is the sense of the Congress that entities receiving the assistance should, in expending the assistance, purchase only American-made equipment and products.

(2) NOTICE TO RECIPIENTS OF ASSISTANCE.—In providing financial assistance using funds made available in this Act, the head of each Federal agency shall provide to each recipient of the assistance a notice describing the statement made in paragraph (1) by the Congress.

(c) PROHIBITION OF CONTRACTS WITH PERSONS FALSELY LABELING PRODUCTS AS MADE IN AMERICA.—If it has been finally determined by a court or Federal agency that any person intentionally affixed a label bearing a ''Made in America'' inscription, or any inscription with the same meaning, to any product sold in or shipped to the United States that is not made in the United States, the person shall be ineligible to receive any contract or subcontract made with funds made available in this Act, pursuant to the debarment, suspension, and ineligibility procedures described in sections 9.400 through 9.409 of title 48, Code of Federal Regulations.

SEC. 308. None of the funds in this Act may be used to plan, prepare, or offer for sale timber from trees classified as giant sequoia (sequoiadendron giganteum) which are located on National Forest System or Bureau of Land Management lands in a manner different than such sales were conducted in fiscal year 1995.

SEC. 309. None of the funds made available by this Act may be obligated or expended by the National Park Service to enter into or

implement a concession contract which permits or requires the removal of the underground lunchroom at the Carlsbad Caverns National Park.

SEC. 310. Where the actual costs of construction projects under self-determination contracts, compacts, or grants, pursuant to Public Laws 93–638, 100–413, or 100–297, are less than the estimated costs thereof, use of the resulting excess funds shall be determined by the appropriate Secretary after consultation with the tribes.

SEC. 311. Notwithstanding Public Law 103–413, quarterly payments of funds to tribes and tribal organizations under annual funding agreements pursuant to section 108 of Public Law 93–638, as amended, may be made on the first business day following the first day of a fiscal quarter.

SEC. 312. None of funds in this Act may be used for the Americorps program.

SEC. 313. (a) On or before April 1, 1996, the Pennsylvania Avenue Development Corporation shall—

(1) transfer and assign in accordance with this section all of its rights, title, and interest in and to all of the leases, covenants, agreements, and easements it has executed or will execute by March 31, 1996, in carrying out its powers and duties under the Pennsylvania Avenue Development Corporation Act (40 U.S.C. 871–885) and the Federal Triangle Development Act (40 U.S.C. 1101–1109) to the General Services Administration, National Capital Planning Commission, or the National Park Service; and

(2) except as provided by subsection (d), transfer all rights, title, and interest in and to all property, both real and personal, held in the name of the Pennsylvania Avenue Development Corporation to the General Services Administration.

(b) The responsibilities of the Pennsylvania Avenue Development Corporation transferred to the General Services Administration under subsection (a) include, but are not limited to, the following:

(1) Collection of revenue owed the Federal Government as a result of real estate sales or lease agreements entered into by the Pennsylvania Avenue Development Corporation and private parties, including, at a minimum, with respect to the following projects:

(A) The Willard Hotel property on Square 225.

(B) The Gallery Row project on Square 457.

(C) The Lansburgh's project on Square 431.

(D) The Market Square North project on Square 407.

(2) Collection of sale or lease revenue owed the Federal Government (if any) in the event two undeveloped sites owned by the Pennsylvania Avenue Development Corporation on Squares 457 and 406 are sold or leased prior to April 1, 1996.

(3) Application of collected revenue to repay United States Treasury debt incurred by the Pennsylvania Avenue Development Corporation in the course of acquiring real estate.

(4) Performing financial audits for projects in which the Pennsylvania Avenue Development Corporation has actual or potential revenue expectation, as identified in paragraphs (1) and (2), in accordance with procedures describe in applicable sale or lease agreements.

(5) Disposition of real estate properties which are or become available for sale and lease or other uses.

(6) Payment of benefits in accordance with the Uniform Relocation Assistance and Real Property Acquisitions Policies Act of 1970 to which persons in the project area squares are entitled as a result of the Pennsylvania Avenue Development Corporation's acquisition of real estate.

(7) Carrying out the responsibilities of the Pennsylvania Avenue Development Corporation under the Federal Triangle Development Act (40 U.S.C. 1101–1109), including responsibilities for managing assets and liabilities of the Corporation under such Act.

(c) In carrying out the responsibilities of the Pennsylvania Avenue Development Corporation transferred under this section, the Administrator of the General Services Administration shall have the following powers:

(1) To acquire lands, improvements, and properties by purchase, lease or exchange, and to sell, lease, or otherwise dispose of real or personal property as necessary to complete the development plan developed under section 5 of the Pennsylvania Avenue Development Corporation Act of 1972 (40 U.S.C. 874) if a notice of intention to carry out such acquisition or disposal is first transmitted to the Committee on Transportation and Infrastructure and the Committee on Appropriations of the House of Representatives and the Committee on Environment and Public Works and the Committee on Appropriations of the Senate and at least 60 days elapse after the date of such transmission.

(2) To modify from time to time the plan referred to in paragraph (1) if such modification is first transmitted to the Committee on Transportation and Infrastructure and the Committee on Appropriations of the House of Representatives and the Committee on Environment and Public Works and the Committee on Appropriations of the Senate and at least 60 days elapse after the date of such transmission.

(3) To maintain any existing Pennsylvania Avenue Development Corporation insurance programs.

(4) To enter into and perform such leases, contracts, or other transactions with any agency or instrumentality of the United States, the several States, or the District of Columbia or with any person, firm, association, or corporation as may be necessary to carry out the responsibilities of the Pennsylvania Avenue Development Corporation under the Federal Triangle Development Act (40 U.S.C. 1101–1109).

(5) To request the Council of the District of Columbia to close any alleys necessary for the completion of development in Square 457.

(6) To use all of the funds transferred from the Pennsylvania Avenue Development Corporation or income earned on Pennsylvania Avenue Development Corporation property to complete any pending development projects.

(d)(1)(A) On or before April 1, 1996, the Pennsylvania Avenue Development Corporation shall transfer all its right, title, and interest in and to the property described in subparagraph (B) to the National Park Service, Department of the Interior.

(B) The property referred to in subparagraph (A) is the property located within the Pennsylvania Avenue National Historic Site depicted on a map entitled ''Pennsylvania Avenue National Historic Park'', dated June 1, 1995, and numbered 840–82441, which shall be on file and available for public inspection in the offices of the National Park Service, Department of the Interior. The Pennsylvania Avenue National Historic Site includes the parks, plazas, sidewalks, special lighting, trees, sculpture, and memorials.

(2) Jurisdiction of Pennsylvania Avenue and all other roadways from curb to curb shall remain with the District of Columbia but vendors shall not be permitted to occupy street space except during temporary special events.

(3) The National Park Service shall be responsible for management, administration, maintenance, law enforcement, visitor services, resource protection, interpretation, and historic preservation at the Pennsylvania Avenue National Historic Site.

(4) The National Park Service may enter into contracts, cooperative agreements, or other transactions with any agency or instrumentality of the United States, the several States, or the District of Columbia or with any person, firm, association, or corporation as may be deemed necessary or appropriate for the conduct of special events, festivals, concerts, or other art and cultural programs at the Pennsylvania Avenue National Historic Site or may establish a nonprofit foundation to solicit funds for such activities.

(e) Notwithstanding any other provision of law, the responsibility for ensuring that development or redevelopment in the Pennsylvania Avenue area is carried out in accordance with the Pennsylvania Avenue Development Corporation Plan—1974, as amended, is transferred to the National Capital Planning Commission or its successor commencing April 1, 1996.

(f) SAVINGS PROVISIONS.—

(1) REGULATIONS.—Any regulations prescribed by the Corporation in connection with the Pennsylvania Avenue Development Corporation Act of 1972 (40 U.S.C. 871–885) and the Federal Triangle Development Act (40 U.S.C. 1101–1109) shall continue in effect until suspended by regulations prescribed by the Administrator of the General Services Administration.

(2) EXISTING RIGHTS, DUTIES, AND OBLIGATIONS NOT AFFECTED.—Subsection (a) shall not be construed as affecting the validity of any right, duty, or obligation of the United States or any other person arising under or pursuant to any contract, loan, or other instrument or agreement which was in effect on the day before the date of the transfers under subsection (a).

(3) CONTINUATION OF SUITS.—No action or other proceeding commenced by or against the Corporation in connection with administration of the Pennsylvania Avenue Development Corporation Act of 1972 (40 U.S.C. 871–885) and the Federal Triangle Development Act (40 U.S.C. 1101–1109) shall abate by reason of enactment and implementation of this Act, except that the General Services Administration shall be substituted for the Corporation as a party to any such action or proceeding.

(g) Section 3(b) of the Pennsylvania Avenue Development Corporation Act of 1972 (40 U.S.C. 872(b)) is amended as follows:

''(b) The Corporation shall be dissolved on April 1, 1996. Upon dissolution, assets, obligations, and indebtedness of the Corporation shall be transferred in accordance with the Department of the Interior and Related Agencies Appropriations Act, 1996.''.

SEC. 314. (a) Except as provided in subsection (b), no part of any appropriation contained in this Act or any other Act shall be obligated or expended for the operation or implementation of the Interior Columbia River Basin Ecoregion Assessment Project (hereinafter ''Project'').

(b) From the funds appropriated to the Forest Service and the Bureau of Land Management, $600,000 is made available to publish by January 1, 1996, for peer review and public comment, the scientific information collected, and analysis undertaken, by the Project prior to the date of enactment of this Act concerning forest health conditions and forest management needs related to those conditions.

(c)(1) From the funds appropriated to the Forest Service, the Secretary of Agriculture (hereinafter ''Secretary'') shall—

(A) review the land and resource management plan (hereinafter ''plan'') for each national forest within the area encompassed by the Project and any policy which is applicable to such plan (whether or not such policy

is final or draft, or has been added to such plan by amendment), which is or is intended to be of limited duration, and which the Project was tasked to address; and

(B) determine whether such policy modified to meet the specific conditions of such national forest, or another policy which serves the purpose of such policy, should be adopted for such national forest.

(2) If the Secretary makes a decision that such a modified or alternative policy should be adopted for such national forest, the Secretary shall prepare and adopt for the plan for such national forest an amendment which contains such policy, which is directed solely to and affects only such plan, and which addresses the specific conditions of the national forest and the relationship of such policy to such conditions.

(3) To the maximum extent practicable, any amendment prepared pursuant to paragraph (2) shall establish procedures to develop site-specific standards in lieu of imposing general standards applicable to multiple sites. Any amendment which would result in any change in land allocations within the plan or reduce the likelihood of achievement of the goals and objectives of the plan (prior to any previous amendment incorporating in the plan any policy referred to in paragraph (1)(A)) shall be deemed a significant plan amendment pursuant to section 6(f)(4) of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1604(f)(4)).

(4) Any amendment prepared pursuant to paragraph (2) which adopts a modified or alternative policy to substitute for a policy referred to in paragraph (1)(A) which has undergone consultation pursuant to section 7 of the Endangered Species Act of 1973 shall not again be subject to the consultation provisions of such section 7. No further consultation shall be undertaken on any policy referred to in paragraph (1)(A).

(5) Any amendment prepared pursuant to paragraph (2) shall be adopted on or before March 31, 1996: *Provided,* That any amendment deemed a significant amendment pursuant to paragraph (3) shall be adopted on or before June 30, 1996.

(6) No policy referred to in paragraph (1)(A) shall be effective on or after April 1, 1996.

SEC. 315. (a) The Secretary of the Interior (acting through the Bureau of Land Management, the National Park Service and the United States Fish and Wildlife Service) and the Secretary of Agriculture (acting through the Forest Service) shall each implement a fee program to demonstrate the feasibility of user-generated cost recovery for the operation and maintenance of recreation sites and habitat enhancement projects on Federal lands.

(b) In carrying out the pilot program established pursuant to this section, the appropriate Secretary shall select from areas under the jurisdiction of each of the four agencies referred to in subsection (a) no fewer than 10, but as many as 30, sites or projects for fee demonstration. For each such demonstration, the Secretary, notwithstanding any other provision of law—

(1) shall charge and collect fees for admission to the area or for the use of outdoor recreation sites, facilities, visitor centers, equipment, and services by individuals and groups, or any combination thereof;

(2) shall establish fees under this section based upon a variety of cost recovery and fair market valuation methods to provide a broad basis for feasibility testing;

(3) may contract with any public or private entity to provide visitor services, including reservations and information, and may accept services of volunteers to collect fees charged pursuant to paragraph (1); and

(4) may encourage private investment and partnerships to enhance the delivery of quality customer services and resource enhancement, and provide appropriate recognition to such partners or investors.

(c)(1) Amounts collected at each fee demonstration site in excess of 104 percent of that site's total collections during the previous fiscal year shall be distributed as follows:

(i) Eighty percent of the amounts collected at the demonstration site shall be deposited in a special account in the Treasury established for the administrative unit in which the project is located and shall remain available for expenditure in accordance with paragraph (3) for further activities of the site or project.

(ii) Twenty percent of the amounts collected at the demonstration site shall be deposited in a special account in the Treasury for each agency and shall remain available for expenditure in accordance with paragraph (3) for use on an agencywide basis.

(2) For purposes of this subsection, ''total collections'' for each site shall be defined as gross collections before any reduction for amounts attributable to collection costs.

(3) Expenditures from the special funds shall be accounted for separately.

(4) In order to increase the quality of the visitor experience at public recreational areas and enhance the protection of resources, amounts available for expenditure under paragraph (1) may only be used for the site or project concerned, for backlogged repair and maintenance projects (including projects relating to health and safety) and for interpretation, signage, habitat or facility enhancement, resource preservation, annual operation, maintenance, and law enforcement relating to public use. The agencywide accounts may be used for the same purposes set forth in the preceding sentence, but for sites or projects selected at the discretion of the respective agency head.

(d)(1) Amounts collected under this section shall not be taken into account for the purposes of the Act of May 23, 1908 and the Act of March 1, 1911 (16 U.S.C. 500), the Act of March 4, 1913 (16 U.S.C. 501), the Act of July 22, 1937 (7 U.S.C. 1012), the Act of August 8, 1937 and the Act of May 24, 1939 (43 U.S.C. 1181f et seq.), the Act of June 14, 1926 (43 U.S.C. 869–4), chapter 69 of title 31, United States Code, section 401 of the Act of June 15, 1935 (16 U.S.C. 715s), the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460l), and any other provision of law relating to revenue allocation.

(2) Fees charged pursuant to this section shall be in lieu of fees charged under any other provision of law.

(e) The Secretary of the Interior and the Secretary of Agriculture shall carry out this section without promulgating regulations.

(f) The authority to collect fees under this section shall commence on October 1, 1995, and end on September 30, 1996. Funds in accounts established shall remain available through September 30, 1997.

SEC. 316. The Forest Service and Bureau of Land Management may offer for sale salvageable timber in the Pacific Northwest in fiscal year 1996: *Provided,* That for public lands known to contain the Northern spotted owl, such salvage sales may be offered as long as the offering of such sale will not render the area unsuitable as habitat for the Northern spotted owl: *Provided further,* That timber salvage activity in spotted owl habitat is to be done in full compliance with all existing environmental and forest management laws.

SEC. 317. None of the funds made available in this Act may be used for any program, project, or activity when it is made known to the Federal entity or official to which the funds are made available that the program, project, or activity is not in compliance with any applicable Federal law relating to risk assessment, the protection of private property rights, or unfunded mandates.

Mr. REGULA. 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. GUTKNECHT) having assumed the chair, Mr. BURTON, 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. 1977) making appropriations for the Department of the Interior and related agencies 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. 2020, TREASURY, POSTAL SERVICE, EXECUTIVE OFFICE OF THE PRESIDENT, AND CERTAIN INDEPENDENT AGENCIES APPROPRIATIONS ACT, 1996

Mr. SOLOMON, from the Committee on Rules, submitted a privileged report (Rept. No. 104–190) on the resolution (H. Res. 190) providing for the consideration of the bill (H.R. 2020) making appropriations for the Treasury Department, the U.S. Postal Service, the Executive Office of the President, and certain Independent 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.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, July 14, 1995.

Hon. NEWT GINGRICH,
The Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 5 of Rule III of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on Friday, July 14, 1995 at 2:00 p.m.: that the Senate passed without amendment H. Con. Res. 82.

Sincerely yours,

ROBIN H. CARLE,
Clerk, House of Representatives.

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of May 12, 1995, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Colorado [Mr. SKAGGS] is recognized for 5 minutes.

[Mr. SKAGGS 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 Florida [Mr. GOSS] is recognized for 5 minutes.

[Mr. GOSS 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.]

WEATHERIZATION ASSISTANCE PROGRAM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania [Mr. FOX] is recognized for 5 minutes.

Mr. FOX of Pennsylvania. Mr. Speaker, I rise today to work with my colleagues to try to make those adjustments to our budget which are reasonable and fair to all citizens.

In my own county and across Pennsylvania and for that matter the United States, we need to make those kinds of adjustments to our energy budget which, in fact, would give assistance to the weatherization assistance program.

I salute the gentleman from Colorado [Mr. SKAGGS] for his assistance in making an initial change of $3.5 million additional for this program. I would have preferred having the program that was supported by many Members on both sides of the aisle, working with the gentleman from Vermont [Mr. SANDERS] and others for the figure of $50 million, and correspondingly we would have made a reduction in the Energy Information Administration. Frankly I think the need for the assistance, whether they be poor or elderly, to have the weatherization programs to help them get through the winters that can be so severe in many parts of the country, that this tradeoff of technical assistance to companies frankly that could in fact through user fees take that particular information and receive it rather than taking funds away from weatherization.

I thank those Members of the body, both Republican and Democrat, who have worked with us on this weatherization program. The intent of our amendment tonight would be to protect a program which is important to many families across the United States. The weatherization program is a cost-conscious energy conservation program which makes renovations to low-income homes to increase energy efficiency and make health and safety improvements.

These improvements make a significant difference in the home heating bills of thousands of families every year. For instance, Mr. Speaker, in the cold climate region, a 1989 study found that the first year net saving for natural gas consumption represented a 25-percent reduction in gas used for space heating and an 18-percent reduction in total gas usage. This program can be the difference in whether or not an elderly couple maintains their independence and are able to stay in their own home.

I would like to stress that the amendment we were offering which was scored by CBO as being budget neutral and, in fact, reduced outlays by $15 million, the offset would come out of the Energy Information Administration. We believe that the EIA data which is valuable and currently provided free of charge could best be provided on a fee-for-service basis.

When I am given the choice between documents and statistics for helping people who are cold or trapped in unhealthy, dilapidated homes, I think most colleagues on both sides of the aisle in both Chambers, the House and the Senate, would agree that this is an intelligent use of funds as opposed to giving statistics and not the taking care of services.

I thank those Members on both sides of the aisle who have helped me on this. I yield to my friend and colleague, the gentleman from Florida [Mr. STEARNS], who has been very active in this movement.

Mr. STEARNS. I thank my colleague.

I also am sorry that you were not able to offer the amendment because I think it is an important amendment. People in rural counties like Lake Country in Florida which is part of my congressional district often use this assistance to make the necessary improvements that keep homes livable while reducing the portion of their budget which they must also spend on utilities. Without such assistance, the homes can become too expensive to maintain and often become uninhabitable. I want to congratulate my colleagues. I hope my colleagues on both sides of the aisle will realize this is an important amendment and that we can have an opportunity to debate on it and vote on it up or down in the near future.

Mr. FOX of Pennsylvania. I thank the gentleman from Florida [Mr. STEARNS] for his support on this program. It has been very helpful. I thank the gentlewoman from New York [Ms. MOLINARI] who has been very helpful and many others who have given their assistance and their support. I frankly say the group involved in my community, the CADCOM, the community action group, has been working day and night to help those who are in need. Weatherization is a major program that CADCOM has been involved with. Keith Sampson, their executive director, knows full well that the needs keep growing. While the Federal Government cannot answer all those needs, the weatherization program administered by the States is one that is financially secure and one where the funds are checked to make sure that those who need the assistance get the assistance and we reduce the amount of bureaucracy involved but expand the services to those who are in need has been an excellent program under CADCOM's assistance in Montgomery County and all the poverty agencies in Pennsylvania administered through each county.

I thank the Speaker for this time to speak out for weatherization and to make the changes that we figure are intelligent with energy assistance to make sure we do less on bureaucracy and more on direct services for the people. I thank my colleagues for their thoughtful attention and support.

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.]

NATIONAL ENDOWMENT FOR ARTS AND HUMANITIES CAPTURES SPIRIT OF AMERICA

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Texas [Ms. JACKSON-LEE] is recognized for 5 minutes.

Ms. JACKSON-LEE. Mr. Speaker, it has been said to many of us that if you are not able to remember the past, sometimes you may be doomed to repeat some of the negatives that occur. That does not mean that history is all negative. But it means that it gives us a sense of direction and future. It helps us understand where we should be going.

Mr. Speaker, I rise to talk about the value of the National Endowment for Humanities and the National Endowment for the Arts. Because for many when we begin to talk about budget cutting and assuring that we are fiscally responsible in this Congress on behalf of the American people, I think we must also ask the question and answer it about focus, about where we would like to go in the 21st century.

Allow me to tell a simple story about a man named John Biggers, a gentleman who has created a mosaic of art and history over 50 years of his life. Coming from North Carolina and now a resident of Texas, this gentleman has painted the mosaics of life. He has painted the canvases of life and he has been able to share with young people and old people and middle-aged people a continuing history of America. His art has been touted internationally and nationally. He has traveled to Africa and he has brought back the dreams and aspirations of those who live there and he has shared them with those of us who live here in America.

More importantly, he has opened the eyes of children, inner city children

who would wonder whether or not they too could paint a brush and make a picture. He has been very instrumental in a program in Houston, TX, called the artists in residence program.

What does that mean? It takes middle-school children and introduces them to famous artists and allows them to have the same creativity and spark of interest and thrill and excitement about being creative. This project is sponsored by the Museum of Fine Arts and, yes, it receives dollars from the National Endowment for the Arts.

Pornography? No. Sinfulness? No. opportunity? Yes, I salute both John Biggers and these many artists who have contributed to this program but more importantly I think it reinforces the value of the National Endowment for the Arts and likewise the history-telling of the National Endowment for the Humanities.

We wonder about art and whether or not it is part of culture. I would say if you asked the Houston Grand Opera or the Museum of Fine Arts or the Ensemble Theater or Mecca or the Asian Dance Company in Houston or the Acres Home Dance Theater, they could be able to tell the story of the eyes it has opened of children, children who thought for a moment that they had no creativity, that they could not be a danger, a speaker, an orator or an artist, or maybe someone who might have never had the opportunity to see some of our history unfold, not so much in a story book but on the theater stage as produced by the Human Grand Opera or any opera in this Bation.

I always believe that we must do things constructively and positively. I also believe we should do it with reason and a focus on the future. I do not think this country directs itself well if we take away the value of our culture, if we do not preserve it, if we do not teach it, if we do not understand it.

The National Endowment for the Arts and National Endowment for the Humanities captures the spirit of what America is. It reflects on its diversity but more importantly it helps to uplift those who want to share our story.

It is important to have your story shared, whether it is in music, whether it is in the story teller or the history professor, whether it is in the opera singer, whether it is in the actor or on the stage, it is important to have the story of a nation told so that all people can understand the story.

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Mr. Speaker, let me share with you that the American public is willing to spend $15 of its tax money, per family, to have the National Endowment for the Arts. Does that sound like a nation that wants to cut from underneath its very soul the opportunity to spread its culture? How proud we are when we share European history and African history and history from Latin America and history from Canada and history from the Pacific Rim. All of that is valuable.

Should we deny the American public the same opportunity to preserve both its history and its culture? I think not. Let us be instructed wisely. Shakespeare said the first thing we should do is kill all the lawyers. Some would say, as a trained lawyer, I would want to burn that and not want to hear the play that offered those words.

But I think in the spirit of art, certainly, there are limitations, but it is important to have that kind of diversity, that kind of contradiction and conflict, but as well, the opportunity for artists to express themselves.

The National Endowment for the Arts helps us do that. The National Endowment for the Humanities helps us preserve our culture. And with the great culture of the American Indian and all that is rested in this Nation, we would not want to lose that.

So my instruction, Mr. Speaker, is that we as Americans should draw together, yes, and be fiscally responsible. We have many, many challenges and many, many tasks. Many, many responsibilities for this Government. But I would say to you that to the child who stands in the classroom learning about his or her culture, or expressing himself or herself creatively through art or in the inner city or down in the stages in downtown Houston or New York or Chicago or Los Angeles, it is valuable to have entities that help us preserve who we are.

I support the National Endowment for the Arts and National Endowment for the Humanities and I think the amendments cutting these particular entities do us a disservice in this Nation. Let us preserve who we are.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. CLINGER (at the request of Mr. ARMEY) for today, on account of weather/mechanical travel-related difficulties.

Ms. HARMAN (at the request of Mr. GEPHARDT) for today, on account of official business.

Mr. UNDERWOOD (at the request of Mr. GEPHARDT) for today and the balance of the week, on account of official business.

Mr. TUCKER (at the request of Mr. GEPHARDT) for today, on account of official business.

Miss COLLINS of Michigan (at the request of Mr. GEPHARDT) for today and the balance of the week, on account of medical reasons.

Mr. RUSH (at the request of Mr. GEPHARDT) for today, on account of travel problems.

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. LUTHER) to revise and extend their remarks and include extraneous material:)

Mr. SKAGGS, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

Mr. OWENS, 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. CANADY of Florida, for 5 minutes, on July 18.

Mr. GOSS, for 5 minutes each day, on July 17, 18, 19, 20, and 21.

Mr. FOX of Pennsylvania, for 5 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following members (at the request of Mr. FOX of Pennsylvania) and to include extraneous matter:)

Mr. BAKER of California.

Mr. HANSEN.

Mr. BACHUS.

Mr. LAUGHLIN.

Mr. MARTINI.

Mr. CALLAHAN.

Mr. WALKER.

(The following members (at the request of Mr. LUTHER) and to include extraneous matter:)

Mr. JOHNSON of South Dakota in two instances.

Mr. SERRANO.

Mr. SKELTON.

Mr. GORDON.

Mrs. MALONEY.

Mr. BONIOR.

Mr. MENENDEZ in two instances.

Ms. WOOLSEY.

Mr. WARD.

ADJOURNMENT

Ms. JACKSON-LEE. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 10 o'clock and 32 minutes p.m.), under its previous order, the House adjourned until tomorrow, Tuesday, July 18, 1995, at 9 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1203. A communication from the President of the United States, transmitting a report on revised estimates of the budget receipts, outlays, and budget authority for fiscal years 1995–2000, pursuant to 31 U.S.C. 1106(a) (H. Doc. No. 104–98); to the Committee on Appropriations and ordered to be printed.

1204. A communication from the President of the United States, transmitting amendments to the fiscal year 1996 appropriations requests for the Department of Defense, the Department of Health and Human Services, and the Social Security Administration, pursuant to 31 U.S.C. 1106(b) (H. Doc. No. 104–99); to the Committee on Appropriations and ordered to be printed.

1205. A communication from the President of the United States, transmitting amendments to the fiscal year 1996 appropriations

requests for the Departments of Commerce, Energy, Health and Human Services, Justice, State, Transportation, and the Treasury; the General Services Administration; and the Federal Emergency Management Agency, pursuant to 31 U.S.C. 1106(b) (H. Doc. No. 104–100); to the Committee on Appropriations and ordered to be printed.

1206. A letter from the Secretary of the Treasury, transmitting a copy of a report entitled: ''Study of Specialized Government Securities Brokers and Dealers,'' pursuant to 15 U.S.C. 78o–5 note; to the Committee on Commerce.

1207. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a Memorandum of Justification for Presidential Determination on drawdown of Department of Treasury Commodities and Services to Support Serbia-Montenegro Sanctions Program Enforcement Efforts, pursuant to 22 U.S.C. 2348a; to the Committee on International Relations.

1208. A letter from the Secretary for Legislative Affairs, Department of State, transmitting notification of a proposed license for the export of major defense articles and services sold commercially to French Guiana (Transmittal No. DTC–38–95), pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

1209. A letter from the Director, Office of Management and Budget, transmitting OMB's estimate of the amount of change in outlays or receipts, as the case may be, in each fiscal year through fiscal year 2000 resulting from passage of H.R. 483, pursuant to Public Law 101–508, section 13101(a) (104 Stat. 1388–582); to the Committee on Government Reform and Oversight.

1210. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 11–93, ''District of Columbia Campaign Finance Reform and Conflict of Interest Temporary Amendment Act of 1995,'' pursuant to D.C. Code, section 1–233(c)(1); to the Committee on Government Reform and Oversight.

1211. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 11–92, ''Prohibition on the Transfer of Firearms Act of 1995,'' pursuant to D.C. Code, section 1–233(c)(1); to the Committee on Government Reform and Oversight.

1212. A letter from the Auditor, District of Columbia, transmitting a copy of a report entitled, ''Fiscal Year 1993 Annual Report on Advisory Neighborhood Commissions,'' pursuant to D.C. Code, section 47–117(d); to the Committee on Government Reform and Oversight.

1213. A letter from the Auditor, District of Columbia, transmitting a copy of a report entitled, ''Review of the Agency Fund of the Office of the People's Counsel for Fiscal Year 1994,'' pursuant to D.C. Code, section 47–117(d); to the Committee on Government Reform and Oversight.

1214. A letter from the Archivist, National Archives and Records Administration, transmitting the Administration's report on disposal of Federal records for fiscal year 1994, pursuant to 44 U.S.C. 303a(f); to the Committee on Government Reform and Oversight.

1215. A letter from the Secretary of Commerce, transmitting a report entitled, ''Antarctic Marine Living Resources Convention Act of 1984: Program Development Plan,'' pursuant to 16 U.S.C. 2431 et seq.; to the Committee on Resources.

1216. A letter from the Deputy Associate Director for Compliance, Department of the Interior, transmitting notification of proposed refunds of excess royalty payments in OCS areas, pursuant to 43 U.S.C. 1339(b); to the Committee on Resources.

1217. A letter from the Clerk of the House, transmitting the annual compilation of personal financial disclosure statements and amendments thereto filed with the Clerk of the House of Representatives, pursuant to 2 U.S.C. 703(d)(1) and Rule XLIV, clause 1, of the House Rules (H. Doc. 104–97); to the Committee on Standards of Official Conduct and ordered to be printed.

1218. A letter from the Chairman, Federal Trade Commission, transmitting the Commission's 78th annual report covering its accomplishments during the fiscal year ended September 30, 1992, pursuant to 15 U.S.C. 46(f); jointly, to the Committees on Commerce and the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. ARCHER: Committee on Ways and Means. House Joint Resolution 96. Resolution disapproving the extension of nondiscriminatory treatment—most-favored-nation treatment—to the products of the People's Republic of China; adversely (Rept. 104–188). Referred to the Committee of the Whole House on the State of the Union.

Mr. YOUNG of Alaska: Committee on Resources. S. 268. An act to authorize the collection of fees for expenses for triploid grass carp certification inspections, and for other purposes (Rept. 104–189). Referred to the Committee of the Whole House on the State of the Union.

Mr. DIAZ-BALART: Committee on Rules. House Resolution 190. Resolution providing for consideration of the bill (H.R. 2020) making appropriations for the Treasury Department, the U.S. Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 1996, and for other purposes (Rept. 104–190). 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. WALKER (for himself, and Mr. SENSENBRENNER):

H.R. 2043. A bill to authorize appropriations to the National Aeronautics and Space Administration for human space flight, science, aeronautics, and technology, mission support, and inspector general, and for other purposes; to the Committee on Science.

By Mr. ACKERMAN (for himself, Mr. KING, Mr. LAZIO of New York, Mr. FRISA, and Mr. FORBES):

H.R. 2044. A bill to remove police officers employed by the Long Island Rail Road Company from coverage under the Employer's Liability Act, the Railway Labor Act, the Railroad Retirement Act, and the Railroad Unemployment Insurance Act, and for other purposes; to the Committee on Transportation and Infrastructure, 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. CRANE (for himself, Mr. GIBBONS, and Ms. DUNN of Washington):

H.R. 2045. A bill to amend the Internal Revenue Code of 1986 to provide tax treatment for foreign investment through a U.S. regulated investment company comparable to the tax treatment for direct foreign investment and investment through a foreign mutual fund; to the Committee on Ways and Means.

By Mr. REED:

H.R. 2046. A bill to amend the Coastal Zone Management Act of 1972 to authorize grants to coastal States for development of State coastal zone management program changes to support adoption of procedures and policies to evaluate and facilitate siting of certain aquaculture facilities in the coastal zone, and to establish in the National Oceanic and Atmospheric Administration a marine aquaculture development program to be known as the Nantucket Program; to the Committee on Resources.

By Mr. SMITH of New Jersey (for himself, Mr. LIPINSKI, Ms. ROS-LEHTINEN, Mr. WOLF, Mr. KING, and Mr. SALMON):

H.R. 2047. A bill concerning the Fourth World Conference on Women in Beijing; to the Committee on International Relations.

By Mr. BREWSTER:

H. Res. 191. Resolution amending the Rules of the House of Representatives to require the reduction of section 602(b)(1) suballocations to reflect floor amendments to general appropriation bills, and for other purposes; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII,

Mr. GEKAS introduced a bill (H.R. 2048) to authorize the Secretary of Transportation to issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade for the vessel *Babs*; which was referred to the Committee on Transportation and Infrastructure.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 32: Mr. LAFALCE.
H.R. 72: Ms. ROS-LEHTINEN.
H.R. 104: Mr. ENGEL and Mr. STUPAK.
H.R. 127: Mr. QUINN.
H.R. 218: Mr. STUPAK.
H.R. 325: Mr. TOWNS and Mr. GENE GREEN of Texas.
H.R. 427: Mr. HALL of Texas, Mr. ENSIGN, Mr. STEARNS, Mr. BEREUTER, and Mr. MCINNIS.
H.R. 552: Mr. FRANK of Massachusetts, Mr. PARKER, Mr. BRYANT of Tennessee, Ms. RIVERS, Ms. KAPTUR, Mr. MCKEON, Mr. ROHRABACHER, and Mr. WELDON of Florida.
H.R. 628: Mr. SAXTON.
H.R. 743: Mr. WAMP and Mr. SALMON.
H.R. 789: Mr. KINGSTON.
H.R. 852: Ms. LOFGREN and Mr. MEEHAN.
H.R. 863: Mr. BENTSEN, Mr. ACKERMAN, Mr. CLYBURN, Mrs. THURMAN, Mr. KILDEE, Mr. ROMERO-BARCELO, Mr. LUTHER, and Mr. STUPAK.
H.R. 883: Mr. TAYLOR of Mississippi.
H.R. 899: Mr. CALLAHAN, Mr. TOWNS, Mr. SALMON, Mrs. KELLY, Mr. MOORHEAD, Mr. SHADEGG, and Mr. STEARNS.
H.R. 910: Mr. FALEOMAVAEGA.
H.R. 949: Mr. HEFLEY.
H.R. 1006: Ms. VELAZQUEZ and Mr. WYDEN.
H.R. 1021: Mr. KLUG.
H.R. 1100: Mr. BROWN of California.
H.R. 1169: Mr. NEY.
H.R. 1202: Mr. GENE GREEN of Texas, Mr. HASTINGS of Florida, Mr. MENENDEZ, Mr. BECERRA, Mr. MATSUI, Mr. MARTINEZ, Ms. JACKSON-LEE, and Mr. TEJEDA.

H.R. 1254: Mr. TAYLOR of Mississippi.
H.R. 1278: Mr. WYNN.
H.R. 1329: Mr. JOHNSTON of Florida.
H.R. 1352: Mr. COOLEY, Ms. FURSE, Mr. DINGELL, and Mr. TIAHRT.
H.R. 1362: Mr. FUNDERBURK, Mr. BURTON of Indiana, Mr. TIAHRT, Mr. EMERSON, and Mr. GOODLATTE.
H.R. 1527: Mr. CRAPO.
H.R. 1535: Mr. STUPAK.
H.R. 1594: Mr. FAWELL and Mr. GOODLING.
H.R. 1610: Mr. YOUNG of Alaska.
H.R. 1637: Mr. CAMP.
H.R. 1692: Mr. SCHIFF.
H.R. 1693: Mr. POSHARD, Mr. SCHIFF, and Mr. LUTHER.
H.R. 1694: Mr. POSHARD and Mr. SCHIFF.
H.R. 1695: Mr. POSHARD and Mr. SCHIFF.
H.R. 1701: Mr. STUPAK.
H.R. 1707: Ms. SLAUGHTER, Mr. REYNOLDS, and Mr. SERRANO.
H.R. 1715: Mr. CONDIT, Mr. CUNNINGHAM, Mr. FOLEY, Mr. HEFNER, Mr. MATSUI, Mrs. MEYERS of Kansas, Mr. MONTGOMERY, Mr. PETERSON of Florida, Mr. SISISKY, and Mr. SPRATT.
H.R. 1735: Mr. GOODLATTE and Mr. FARR.
H.R. 1744: Mr. KIM, Mr. CHRISTENSEN, and Mr. BARRETT of Wisconsin.
H.R. 1749: Mr. HOKE, Mr. COYNE, Ms. RIVERS, Mr. SALMON, Mr. STOCKMAN, Ms. VELAZQUEZ, Mr. DELLUMS, and Mrs. SCHROEDER.
H.R. 1801: Mr. MCCOLLUM.
H.R. 1856: Mr. HOYER, Mr. BERMAN, Mr. HASTINGS of Florida, Mr. CHRISTENSEN, and Mr. LIGHTFOOT.
H.R. 1876: Ms. MCKINNEY, Ms. LOFGREN, and Mr. OBERSTAR.
H.R. 1892: Mr. BAKER of Louisiana.
H.R. 1903: Mr. OWENS.
H.R. 1912: Mr. OBERSTAR, Mr. DELLUMS, Mr. TORRES, Mr. SERRANO, Mr. CARDIN, Mr. HILLIARD, Mr. FATTAH, and Mr. BROWN of Ohio.
H.R. 1915: Mr. SHAW and Mr. PICKETT.
H.R. 1932: Mr. SMITH of New Jersey, Mr. HEFLEY, Mr. UNDERWOOD, Mr. EMERSON, Mr. RAHALL, Mr. INGLIS of South Carolina, Mr. HASTINGS of Washington, Mr. POSHARD, Mr. BURTON of Indiana, Mr. KNOLLENBERG, Mr. BUNN of Oregon, and Mr. DELAY.
H.R. 2008: Mr. SERRANO, Mrs. JOHNSON of Connecticut, Mr. FOX, and Mr. ANDREWS.
H.R. 2011: Ms. MCKINNEY, Mr. WAXMAN, Mr. FROST, Mr. POMEROY, and Mr. HALL of Texas.
H.R. 2017: Mr. WYNN.
H.J. Res. 70: Mr. KILDEE and Mr. ENGEL.
H.J. Res. 97: Mr. HILLIARD, Mr. LIPINSKI, Mr. TAYLOR of Mississippi, and Mr. LUTHER.
H. Con. Res. 31: Ms. HARMAN.
H. Con. Res. 42: Ms. HARMAN, Ms. MCKINNEY, Ms. MOLINARI, Mr. GALLEGLY, Mr. DEFAZIO, and Mr. OBEY.
H. Con. Res. 47: Mr. ACKERMAN, Mrs. KENNELLY, Mr. DURBIN, and Mr. FAZIO of California.
H. Con. Res. 79: Mr. MARKEY, Mr. KILDEE, and Mr. LUTHER.
H. Res. 30: Mr. SPRATT, Mr. YOUNG of Alaska, Mr. LONGLEY, Mr. BEREUTER, Ms. RIVERS, MS. LOFGREN, and Mr. CLINGER.
H. Res. 37: Mr. CRAMER.

AMENDMENTS

Under clause 6 of rule XXIII, proposed amendments were submitted as follows:

H.R. 1976

OFFERED BY: MR. ALLARD

AMENDMENT NO. 30: Page 2, line 11, strike ''$10,227,000, of which $7,500,000'' and insert ''$9,204,300, of which $6,750,000''.

Page 3, line 3, strike ''$3,748,000'' and insert ''$3,373,200''.

Page 3, line 15, strike ''$5,899,000'' and insert ''$5.309,100''.

Page 3, line 21, strike ''$4,133,000'' and insert ''$3,719,700''.

Page 4, line 19, strike ''$596,000'' and insert ''$536,400''.

Page 5, line 23, strike ''$800,000'' and insert ''$720,000''.

Page 7, line 19, strike ''$3,797,000'' and insert ''$3,607,150''.

Page 8, line 3, strike ''$8,198,000'' and insert ''$7,378,200''.

Page 9, line 3, strike ''$27,860,000'' and insert ''$26,467,000''.

Page 9, line 12, strike ''$520,000'' and insert ''$468,000''.

Page 9, line 17, strike ''$53,131,000'' and insert ''$50,474,450''.

Page 10, line 3, strike ''$81,107,000'' and insert ''$77,051,650''.

H.R. 1976

OFFERED BY: MR. BEREUTER

AMENDMENT NO. 31: Page 40, after line 25, insert the following:

In addition, for the cost (as defined in section 502 of the Congressional Budget Act of 1974) of guaranteed loans under a demonstration program of loan guarantees for multifamily rental housing in rural areas, $1,000,000, to be derived from the amount made available under this heading for the cost of low-income section 515 loans and to become available for obligation only upon the enactment of authorizing legislation.

H.R. 1976

OFFERED BY: MR. CARDIN

AMENDMENT NO. 32: Page 71, after line 2, insert the following new section:

''SEC. 726. None of the funds made available in this Act may be used by the Food and Drug Administration to carry out the consolidation of its field laboratories, other than the renovation of the National Center for Toxicological Research.''.

H.R. 1976

OFFERED BY: MRS. CLAYTON

AMENDMENT NO. 33: Page 40, line 10, insert ''(less $50,000,000)'' before ''for loans''.

Page 40, line 11, insert ''(less $50,000,000)'' before ''shall''.

Page 40, line 20, insert ''(less $85,000)'' before '', of which''.

Page 40, line 20, insert ''(less $85,000)'' before ''shall be for''.

Page 45, line 10, strike ''$6,437,000'' and insert ''$7,080,700''.

Page 45, line 19, strike ''$500,000,000'' and insert ''$550,000,000''.

H.R. 1976

OFFERED BY: MRS. CLAYTON

AMENDMENT NO. 34: Page 40, line 10, insert ''(less $70,000,000)'' before ''for loans''.

Page 40, line 11, insert ''(less $70,000,000)'' before ''shall''.

Page 40, line 14, strike ''$150,000,000'' and insert ''$220,000,000''.

Page 40, line 20, insert ''(less $119,000)'' before '', of which''.

Page 40, line 20, insert ''(less $119,000)'' before ''shall be for''.

Page 40, line 23, strike ''$82,035,000)'' and insert ''$92,973,000''.

H.R. 1976

OFFERED BY: MRS. CLAYTON

AMENDMENT NO. 35: Page 40, line 11, insert ''(less $300,000,000) before ''shall''.

Page 40, line 20, insert ''(plus $62,460,000)'' before '', of which''.

Page 40, line 20, insert ''(less $510,000)'' before ''shall be for''.

H.R. 1976

OFFERED BY: MR. CONDIT

AMENDMENT NO. 36: Page 3, line 3, strike ''$3,748,000'' and insert ''$4,240,000''.

Page 25, line 20, strike ''$805,888,000'' and insert ''$805,396,000''.

H.R. 1976

OFFERED BY: MR. CONDIT

AMENDMENT NO. 37: Page 3, line 3, strike ''$3,748,000'' and insert ''$4,240,000''.

Page 31, line 19, strike ''$629,986,000'' and insert ''$629,494,000''.

H.R. 1976

OFFERED BY: MR. CONDIT

AMENDMENT NO. 38: Page 3, line 3, strike ''$3,748,000'' and insert ''$4,240,000''.

Page 44, line 4, strike ''$1,000,000'' and insert ''$508,000''.

H.R. 1976

OFFERED BY: MR. CONDIT

AMENDMENT NO. 39: Page 3, line 3, strike ''$3,748,000'' and insert ''$4,240,000''.

Page 3, line 21, strike ''$4,133,000'' and insert ''$3,641,000''.

H.R. 1976

OFFERED BY: MR. MCINTOSH

AMENDMENT NO. 40: At page 71 of the bill, after line 2, insert after the last section the following new section:

SEC. 726. None of the funds made available in this Act may be used to prevent the dissemination of reprints of articles when it is made known to the Federal official having authority to obligate or expend such funds that the articles have been published in peer-reviewed scientific publications or other generally recognized scientific materials, including articles discussing cost-effectiveness claims.

H.R. 1976

OFFERED BY: MR. MCINTOSH

AMENDMENT NO. 41: At page 71 of the bill, after line 2, insert after the last section the following new section:

SEC. 726. None of the funds made available in this Act shall be used to increase, from the fiscal year 1995 level, the level of Full time Equivalency Positions (whether through new hires or by transferring full time equivalents from other offices) in any of the following Food & Drug Administration offices: Office of the Commissioner, Office of Policy, Office of External Affairs (Immediate Office, as well as Office of Health Affairs, Office of Legislative Affairs, Office of Consumer Affairs, and Office of Public Affairs), and the Office of Management & Systems (Immediate Office, as well as Office of Planning and Evaluation and Office of Management).

H.R. 1976

OFFERED BY: MR. MILLER OF CALIFORNIA

AMENDMENT NO. 42: Page 13, line 24, strike ''$31,485,000'' and insert in lieu thereof ''$15,050,000''.

Page 14, line 20, strike ''$389,372,000'' and insert ''$372,937,000''.

Page 53, line 17, strike ''3,729,807,000'' and insert in lieu thereof ''$3,746,242,000''.

H.R. 1976

OFFERED BY: MR. SANFORD

AMENDMENT NO. 43: Page 5, line 17, strike ''$25,587,000'' and insert ''$9,000,000''.

H.R. 1976

OFFERED BY: MR. SANFORD

AMENDMENT NO. 44: Page 5, line 18, after the semi-colon, insert the following new language: ''provided that no funds may be expended for the Department's Strategic Space Plan;''.

H.R. 1976

OFFERED BY: MR. SANFORD

AMENDMENT NO. 45: Page 26, strike lines 7 through 10.

H.R. 1976

OFFERED BY: MR. WATT OF NORTH CAROLINA

AMENDMENT NO. 46: Page 40, line 16, before the period insert the following:

''*: Provided*, That, notwithstanding section 520 of the Housing Act of 1949, the Secretary of Agriculture may make loans under section 502 of such Act for properties in the Pine View West Subdivision, located in Gibsonville, North Carolina, in the same manger as provided under such section for properties in rural areas''.

H.R. 1977

OFFERED BY: MR. SANDERS

AMENDMENT NO. 73: Page 55, line 5, strike ''$384,504,000'' and insert ''$334,504,000''.

Page 56, line 3, strike ''$552,871,000'' and insert ''602,871,000''.

Page 56, line 10, strike ''$133,946,000'' and insert ''$183,946,000''.

Page 56, line 17, strike ''$107,446,000'' and insert ''$157,446,000''.

H.R. 2002

OFFERED BY: MR. DELAY

AMENDMENT NO. 1: Page 15, line 8, strike $1,600,000,000'' and insert ''$1,700,000,000''.

Page 26, line 4, insert before the final period the following:

: *Provided further*, That each dollar amount otherwise specified under this heading is hereby reduced by $100,000,000, and such reductions shall be made by the Secretary of Transportation solely from the amounts apportioned to urbanized areas with populations of more than 1,000,000

H.R. 2002

OFFERED BY: MR. RICHARDSON

AMENDMENT NO. 2. Page 12, line 7, strike ''$4,600,000,000'' and insert ''$4,591,250,000''.

H.R. 2020

OFFERED BY: MR. CRAPO

AMENDMENT NO. 1. At the end add the following new title:

TITLE VI—DEFICIT REDUCTION LOCK-BOX

DEFICIT REDUCTION TRUST FUND

DEFICIT REDUCTION LOCK-BOX PROVISIONS OF APPROPRIATION MEASURES

SEC. 701. (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'.

''(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 appropriations for Treasury and Postal Service (or resolution making continuing appropriations (if applicable)), an amount equal to the amounts by which the discretionary sending 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), but not less than the sum of reductions in budget authority resulting from adoption of amendments in the committee which were designated for deficit reduction.

''(3) Only in the case of any bill making supplemental appropriations following enactment of all general appropriations 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 appropriations bills enacted for that fiscal year plus that supplemental appropriation bill (as reported by that committee).

''(c) It shall not be in order for the Committee on Rules of the House of Representatives to report a resolution that restricts the offering of amendments to any appropriation bill adjusting the level of budget authority contained in a Deficit Reduction Account.

''(d) 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. Any amendment pursuant to this subsection shall be in order even if amendment portions of the bill are not read for amendment with respect to the Deficit Reduction Lock-box.

''(e) It shall not be in order in the House of Representatives or the Senate to consider a conference report or amendment of the Senate that modifies any Deficit Reduction Lock-box provisions that is beyond the scope of that provision as so committed to the conference committee.

''(f) It shall not be in order to offer an amendment increasing the Deficit Reduction Lock-box Account unless the amendment increases rescissions or reduces appropriations by an equivalent or larger amount, except that it shall be in order to offer an amendment increasing the amount in the Deficit Reduction Lock-box by the amount that the appropriate 602(b) allocation of new budget authority exceeds the amount of new budget authority provided by that bill.

''(g) It shall not be in order for the Committee on Rules of the House of Representatives to report a resolution which waives subsection (c).''.

(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.''.

CHANGES IN SUBALLOCATIONS

SEC. 702. (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 Deficit Reduction Lock-box for that fiscal year under section 314 of the Budget Control and Impoundment Act of 1974. 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 within ten days of enactment of any appropriations bill.

(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.

(c) RESCISSION.—Funds in the Deficit Reduction Lockbox shall be rescinded upon reductions in discretionary limits pursuant to subsection (a).

SEC. 703. (a) SECTION 302(e) AMENDMENT.—Section 302(e) of the Congressional Budget Act of 1974 is amended to read as follows:

''(e) CHANGES IN SUBALLOCATIONS.—(1) After a committee reports suballocations under subsection (b), that committee may report a resolution to its House changing its suballocations, which resolution shall not take effect unless adopted by that House.

''(2) A resolution reported to the House of Representatives under paragraph (1) shall be placed on the Union Calendar and be privileged for consideration in the Committee of the Whole after the report on the resolution has been available to Members for at least three calendar days (excluding Saturdays, Sundays and legal holidays). After general debate which shall not exceed one hour to be equally divided and controlled by the chairman and ranking minority member of the committee reporting the resolution, the resolution shall be considered for amendment under the five-minute rule. No amendment shall be in order in the House or in the Committee of the Whole except amendments in the nature of a substitute containing changes in suballocations under subsection (b) which do not breach any allocation made under subsection (a). Priority in recognition for offering the first such amendment shall be accorded to the chairman of the Committee on the Budget or a designee. No amendments to such amendments shall be in order except substitute amendments. Following the consideration of the resolution for amendment, the Committee shall rise and report the resolution to the House together with any amendment that may have been adopted. The previous question shall be considered as ordered on the resolution to final adoption without intervening motion. It shall not be in order to consider a motion to reconsider the vote by which the resolution is agreed to or disagreed to.''.

(b) SECTION 602(b)(1) AMENDMENT.—The last sentence of section 602(b)(1) of the Congressional Budget Act of 1974 is amended by striking ''or revised''.

CBO TRACKING

SEC. 704. Section 202 of the Congressional Budget Act of 1974 is amended by adding at the end the following new subsection:

''(i) SCOREKEEPING.—To facilitate compliance by the Committee on Appropriations with section 314, the Office shall score all general appropriation measures (including conference reports) as passed by the House of Representatives, as passed the Senate and as enacted into law. The scorecard shall include amounts contained in the Deficit Reduction Lock-Box. The chairman of the Committee on Appropriations of the House of Representatives or the Senate, as the case may be, shall have such scorecard published in the Congressional Record.''.

H.R. 2020

OFFERED BY: MR. DUNCAN

AMENDMENT NO. 2: Page 31, strike lines 7 through 10.

Page 30, line 13, insert ''(less $65,764,000)'' after each of the two dollar amounts.

Page 39, line 17, insert ''(less $65,764,000)'' after the dollar amount.

H.R. 2020

OFFERED BY: MR. HOYER

AMENDMENT NO. 3: On page 22, line 2 (Under The White House Office), delete $39,459,000 and insert $40,193,000.

On page 14, line 10 (Under IRS Information Systems), delete $1,575,216,000 and insert $1,574,482,000.

H.R. 2020

OFFERED BY: MR. HOYER

AMENDMENT NO. 4: On page 23 following line 10 insert the following:

''COUNCIL OF ECONOMIC ADVISORS

SALARIES AND EXPENSES

For necessary expenses of the Council in carrying out its functions under the Employment Act of 1946 (15 U.S.C. 1021), $3,439,000.

On page 13, line 3 (Under IRS Processing, Assistance and Management), delete $1,682,742,000 and insert $1,681,060,000.

On page 14, line 10 (Under IRS Information Systems), delete $1,575,216,000 and insert $1,573,459,000 and amend the report accordingly.

H.R. 2020

OFFERED BY: MR. HOYER

AMENDMENT NO. 5: On page 28 line 5 delete $26,521,000 and insert $27,721,000.

On page 14, line 10 (IRS Information Systems), delete $1,575,216,000 and insert $1,574,016,000.

H.R. 2020

OFFERED BY: MR. HOYER

AMENDMENT NO. 6: Strike everything from ''Sec. 524'' on page 63 line 22 through ''term.'' on line 5 page 64.

H.R. 2020

OFFERED BY: MR. HOYER

AMENDMENT NO. 7: On page 84, following ''above.'' on line 17, insert:

Provided further, That the Commission shall be under the operation of the Advisory Commission on Intergovernmental Relations: *Provided further,* For necessary expenses for the Advisory Commission on Intergovernmental Relations, $1,000,000, and additional amounts collected from the sale of publications shall be credited to and used for the purposes of this appropriation.

On page 12, line 10 delete $180,065,000 and insert $178,975,000 and

On page 12, line 17 delete $170,000,000 and insert $168,910,000.

For expenses necessary to carry out the provisions of the Advisory Commission on Intergovernmental Relations Act of 1959, as amended (42 U.S.C. 4271–79); $1,000,000, and additional amounts collected from the sale of publications shall be credited to and used for the purposes of this appropriation.

On page 12, line 9 delete $180,065,000 and insert $178,975,000 and

On page 12, line 16 delete $170,000,000 and insert $168,910,000.

H.R. 2020

OFFERED BY: MR. HOYER

AMENDMENT NO. 8: On page 84, following line 17, insert:

SEC. 628. (a) None of the funds appropriated by this or any other Act may be expended by any Federal agency to procure any product or service that is subject to the provisions of Public Law 89–306 and that will be available under the procurement by the Administrator of General Services known as ''FTS2000'' unless—

(1) such product or service is procured by the Administrator of General Services as part of the procurement known as ''FTS2000''; or

(2) that agency establishes to the satisfaction of the Administrator of General Services that—

(A) the agency's requirements for such procurement are unique and cannot be satisfied by property and service procured by the Administrator of General Services as part of the procurement known as ''FTS2000''; and

(B) the agency procurement, pursuant to such delegation, would be cost-effective and would not adversely affect the cost-effectiveness of the FTS2000 procurement.

(b) After July 31, 1995, subsection (a) shall apply only if the Administrator of General Services has reported that the FTS2000 procurement is producing prices that allow the Government to satisfy its requirements for such procurement in the most cost-effective manner.

H.R. 2020

OFFERED BY: MR. MCINTOSH

AMENDMENT NO. 9: At the end of the bill add the following new title:

TITLE —REGULATORY TRANSITION

SHORT TITLE

SEC. 01. This title may be cited as the ''Regulatory Transition Act of 1995''.

FINDING

SEC. 02. The Congress finds that effective steps for improving the efficiency and proper management of Government operations, including enactment of a new law or laws to require (1) that the Federal rulemaking process include cost/benefit analysis, including analysis of costs resulting from the loss of property rights, and (2) for those Federal regulations that are subject to risk analysis and risk assessment that those regulations undergo standardized risk analysis and risk assessment using the best scientific and economic procedures, will be promoted if a moratorium on new rulemaking actions is imposed and an inventory of such action is conducted.

MORATORIUM ON REGULATIONS

SEC. 03. (a) MORATORIUM.—Until the end of the moratorium period, a Federal agency may not take any regulatory rulemaking action, unless an exception is provided under section 05. Beginning 30 days after the date of the enactment of this Act, the effectiveness of any regulatory rulemaking action taken or made effective during the moratorium period but before the date of the enactment shall be suspended until the end of the moratorium period, unless an exception is provided under section 05.

(b) INVENTORY OF RULEMAKINGS.—Not later than 30 days after the date of the enactment of this Act, the President shall conduct an inventory and publish in the Federal Register a list of all regulatory rulemaking actions covered by subsection (a) taken or made effective during the moratorium period but before the date of the enactment.

SPECIAL RULE ON STATUTORY, REGULATORY, AND JUDICIAL DEADLINES

SEC. 04. (a) IN GENERAL.—Any deadline for, relating to, or involving any action dependent upon, any regulatory rulemaking actions authorized or required to be taken before the end of the moratorium period is extended for 5 months or until the end of the moratorium period, whichever is later.

(b) DEADLINE DEFINED.—The term ''deadline'' means any date certain for fulfilling any obligation or exercising any authority established by or under any Federal statute or regulation, or by or under any court order implementing any Federal statute or regulation.

(c) IDENTIFICATION OF POSTPONED DEADLINES.—Not later than 30 days after the date of the enactment of this Act, the President shall identify and publish in the Federal Register a list of deadlines covered by subsection (a).

EMERGENCY EXCEPTIONS; EXCLUSIONS

SEC. 05. (a) EMERGENCY EXCEPTION.—Section 03(a) or 04(a), or both, shall not apply to a regulatory rulemaking action if—

(1) the head of a Federal agency otherwise authorized to take the action submits a written request to the Administrator of the Office of Information and Regulatory Affairs within the Office of Management and Budget and submits a copy thereof to the appropriate committees of each House of the Congress;

(2) the Administrator of the Office of Information and Regulatory Affairs within the Office of Management and Budget finds in writing that a waiver for the action is (A) necessary because of an imminent threat to health or safety or other emergency, or (B) necessary for the enforcement of criminal laws; and

(3) the Federal agency head publishes the finding and waiver in the Federal Register.

(b) EXCLUSIONS.—The head of an agency shall publish in the Federal Register any action excluded because of a certification under section 06(3)(B).

(c) CIVIL RIGHTS EXCEPTION.—Section 03(a) or 04(a), or both, shall not apply to a regulatory rulemaking action to establish or enforce any statutory rights against discrimination on the basis of age, race, religion, gender, national origin, or handicapped or disability status except such rulemaking actions that establish, lead to, or otherwise rely on the use of a quota or preference based on age, race, religion, gender, national origin, or handicapped or disability status''.

DEFINITIONS

SEC. 06. For purposes of this title:

(1) FEDERAL AGENCY.—The term ''Federal agency'' means any agency as that term is defined in section 551(1) of title 5, United States Code (relating to administrative procedure).

(2) MORATORIUM PERIOD.—The term ''moratorium period'' means the period of time—

(A) beginning November 20, 1994; and

(B) ending on the earlier of—

(i) the first date on which there have been enacted one or more laws that—

(I) require that the Federal rulemaking process include cost/benefit analysis, including analysis of costs resulting from the loss of property rights; and

(II) for those Federal regulations that are subject to risk analysis and risk assessment, require that those regulations undergo standardized risk analysis and risk assessment using the best scientific and economic procedures; or

(ii) December 31, 1995.

except that in the case of a regulatory rulemaking action with respect to determining that a species is an endangered species or a threatened species under section 4(a)(1) of the Endangered Species Act of 1973 (16 U.S.C. 1533(a)(1)) or designating critical habitat under section 4(a)(3) of that Act (16 U.S.C. 1533(a)(3)), the term means the period of time beginning on the date described in subparagraph (A) and ending on the earlier of the first date on which there has been enacted after the date of the enactment of this Act a law authorizing appropriations to carry out the Endangered Species Act of 1973, or December 31, 1996.

(3) REGULATORY RULEMAKING ACTION.—

(A) IN GENERAL.—The term ''regulatory rulemaking action'' means any rulemaking on any rule normally published in the Federal Register, including—

(i) the issuance of any substantive rule, interpretative rule, statement of agency policy, notice of inquiry, advance notice of proposed rulemaking, or notice of proposed rulemaking, and

(ii) any other action taken in the course of the process of rulemaking (except a cost benefit analysis or risk assessment, or both).

(B) EXCLUSIONS.—The term ''regulatory rulemaking action'' does not include—

(i) any agency action that the head of the agency and the Administrator of the Office of Information and Regulatory Affairs within the Office of Management and Budget certify in writing is limited to repealing, narrowing, or streamlining a rule, regulation, or administrative process or otherwise reducing regulatory burdens;

(ii) any agency action that the head of the agency and the Administrator of the Office of Information and Regulatory Affairs within the Office of Management and Budget certify in writing is limited to matters relating to military or foreign affairs functions, statutes implementing international trade agreements, including all agency actions required by the Uruguay Round Agreements Act, or agency management, personnel, or public property, loans, grants, benefits, or contracts;

(iii) any agency action that the head of the agency and the Administrator of the Office of Information and Regulatory Affairs within the Office of Management and Budget certify in writing is limited to a routine administrative function of the agency;

(iv) any agency action that—

(I) is taken by an agency that supervises and regulates insured depository institutions, affiliates of such institutions, credit unions, or government sponsored housing enterprises; and

(II) the head of the agency certifies would meet the standards for an exception or exclusion described in this title; or

(v) any agency action that the head of the agency certifies is limited to interpreting, implementing, or administering the internal revenue laws of the United States.

(4) RULE.—The term ''rule'' means the whole or a part of an agency statement of general or particular applicability and future effect designed to implement, interpret, or prescribe law or policy. Such term does not include the approval or prescription, on a case-by-case or consolidated case basis, for the future of rates, wages, corporation, or financial structures or reorganizations thereof, prices, facilities, appliances, services or allowances therefor, or of valuations, costs, or accounting, or practices bearing on any of the foregoing, nor does it include any action taken in connection with the safety of aviation or any action taken in connection with the implementation of monetary policy or to ensure the safety and soundness of federally insured depository institutions, any affiliate of such an institution, credit unions, or government sponsored housing enterprises or to protect the Federal deposit insurance funds. Such term also does not include the granting an application for a license, registration, or similar authority, granting or recognizing an exemption, granting a variance or petition for relief from a regulatory requirement, or other action relieving a restriction (including any agency which establishes, modifies, or conducts a regulatory program for a recreational or subsistence activity, including but not limited to hunting, fishing, and camping, if a Federal law prohibits the recreational or subsistence activity in the absence of the agency action) or taking any action necessary to permit new or improved applications of technology or allow the manufacture, distribution, sale, or use of a substance or product.

(5) RULEMAKING.—The term ''rulemaking'' means agency process for formulating, amending, or repealing a rule.

(6) LICENSE.—The term ''license'' means the whole or part of an agency permit, certificate, approval, registration, charter, membership, statutory exemption, or other form of permission.

(7) IMMINENT THREAT TO HEALTH OR SAFETY.—The term ''imminent threat to health or safety'' means the existence of any condition, circumstance, or practice reasonably expected to cause death, serious illness, or severe injury to humans, or substantial endangerment to private property during the moratorium period.

LIMITATION ON CIVIL ACTIONS

SEC. 07. No private right of action may be brought against any Federal agency for a violation of this title. This prohibition shall not affect any private right of action or remedy otherwise available under any other law.

RELATIONSHIP TO OTHER LAW; SEVERABILITY

SEC. 08. (a) APPLICABILITY.—This title shall apply notwithstanding any other provision of law.

(b) SEVERABILITY.—If any provision of this title, or the application of any provision of this title to any person or circumstance, is held invalid, the application of such provision to other persons or circumstances, and the remainder of this title, shall not be affected thereby.

REGULATIONS TO AID BUSINESS COMPETITIVENESS

SEC. 09. Section 03(a) or 04(a), or both, shall not apply to any of the following regulatory rulemaking actions (or any such action relating thereto):

(1) CONDITIONAL RELEASE OF TEXTILE IMPORTS.—A final rule published on December 2, 1994 (59 Fed. Reg. 61798), to provide for the conditional release by the Customs Service of textile imports suspected of being imported in violation of United States quotas.

(2) TEXTILE IMPORTS.—Any action which the head of the relevant agency and the Administrator of the Office of Information and Regulatory Affairs certify in writing is a substantive rule, interpretive rule, statement of agency policy, or notice of proposed rulemaking to interpret, implement, or administer laws pertaining to the import of textiles and apparel including section 334 of the Uruguay Round Agreements Act (P.L. 103–465), relating to textile rules of origin.

(3) CUSTOMS MODERNIZATION.—Any action which the head of the relevant agency and the Administrator of the Office of Information and Regulatory Affairs certify in writing is a substantive rule, interpretive rule, statement of agency policy, or notice of proposed rulemaking to interpret, implement, or administer laws pertaining to the customs modernization provisions contained in title VI of the North American Free Trade Agreement Implementation Act (P.L. 103–182).

(4) ACTIONS WITH RESPECT TO CHINA REGARDING INTELLECTUAL PROPERTY PROTECTION AND MARKET ACCESS.—A regulatory rulemaking action providing notice of a determination that the People's Republic of China's failure to enforce intellectual property rights and to provide market access is unreasonable and constitutes a burden or restriction on United States commerce, and a determination that trade action is appropriate and that sanctions are appropriate, taken under section 304(a)(1)(A)(ii), section 304(a)(1)(B), and section 301(b) of the Trade Act of 1974 and with respect to which a notice of determination was published on February 7, 1995 (60 Fed. Reg. 7230).

(5) TRANSFER OF SPECTRUM.—A regulatory rulemaking action by the Federal Communications Commission to transfer 50 megahertz of spectrum below 5 GHz from government use to private use, taken under the Omnibus Budget Reconciliation Act of 1993 and with respect to which notice of proposed rulemaking was published at 59 Federal Register 59393.

(6) PERSONAL COMMUNICATIONS SERVICES LICENSES.—A regulatory rulemaking action by the Federal Communications Commission to establish criteria and procedures for issuing licenses utilizing competitive bidding procedures to provide personal communications services—

(A) taken under section 309(j) of the Communications Act and with respect to which a final rule was published on December 7, 1994 (59 Fed. Reg. 63210); or

(B) taken under sections 3(n) and 332 of the Communications Act and with respect to which a final rule was published on December 2, 1994 (59 Fed. Reg. 61828).

(7) WIDE-AREA SPECIALIZED MOBILE RADIO LICENSES.—A regulatory rulemaking action by the Federal Communications Commission to provide for competitive bidding for wide-area specialized mobile radio licenses, taken under section 309(j) of the Communications Act and with respect to which a proposed rule was published on February 14, 1995 (60 Fed. Reg. 8341).

(8) IMPROVED TRADING OPPORTUNITIES FOR REGIONAL EXCHANGES.—A regulatory rulemaking action by the Securities and Exchange Commission to provide for increased competition among the stock exchanges, taken under the Unlisted Trading Privileges Act of 1994 and with respect to which proposed rulemaking was published on February 9, 1995 (60 Fed. Reg. 7718).

DELAYING EFFECTIVE DATE OF RULES WITH RESPECT TO SMALL BUSINESSES

SEC. 10. (a) DELAY EFFECTIVENESS.—For any rule resulting from a regulatory rulemaking action that is suspended or prohibited by this title, the effective date of the rule with respect to small businesses may not occur before six months after the end of the moratorium period.

(b) SMALL BUSINESS DEFINED.—In this section, the term ''small business'' means any business with 100 or fewer employees.