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House of Representatives

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

DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
July 21, 1995.

I hereby designate the Honorable CONSTANCE A. MORELLA to act as Speaker pro tempore on this day.

NEWT GINGRICH,
Speaker of the House of Representatives.

PRAYER

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

We have heard it said of old that there abides faith and hope and love and the greatest of these is love. And now we pray that in all the moments of our lives the reality and dynamic of this greatest of all Your gifts, will be meaningful in our daily lives and have a profound effect on our attitudes toward others. We know too, O God, that the reality of love is greater than our ability to imagine or comprehend, so may our hearts and minds be alert to all the opportunities to experience this gift and to embrace it with joy and thanksgiving. This is our earnest prayer. 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 Texas, Mr. GENE GREEN, come forward and lead the House in the Pledge of Allegiance.

Mr. GENE GREEN of Texas led the Pledge of Allegiance as follows:

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

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain 10 1-minute speeches on each side.

SET-ASIDE PROGRAMS SHOULD BE ELIMINATED

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

Mr. FRANKS of Connecticut. Madam Speaker, I have been assured by you and the House Republican leadership that I will be able to offer an amendment that would eliminate race- and gender-based set-aside programs for the awarding of Federal contracts, and I intend to do so. We have agreed to utilize the DOD appropriations bill as our means.

I say this to give Members due notice. Prior to the vote, I intend to hold hearing-like meetings on my amendment. On Tuesday, Wednesday, and Thursday of next week, I will hold these sessions for Republicans and Democrats to discuss this proposal. Notices will be going to every Member's office denoting the time and the location.

Communication, openness, and input from all interested Members prior to the vote is desired, because we all would like to offer every American an equal opportunity to succeed in this great country.

TRIBUTE TO RICHARD T. GREENE

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

Mr. FLAKE. Madam Speaker, I rise today to pay tribute to a patriarch of American banking and finance. In New York City and across the Nation, his name and his professional legacy command respect and admiration. Richard T. Greene, the chairman of the board of directors of Carver Federal Savings Bank, the Nation's largest African-American financial institution, has maintained a life-long commitment to the success of America's financial services industry and the well-being of his community. Today, we join a host of other organizations and institutions that have already recognized his enduring contribution to mankind.

Richard Greene has been with Carver for 35 years and has served as its president and CEO for 25 of those years. Carver, founded in 1949, has more than $368 million in total assets and eight offices in New York City and Long Island. His leadership has been recognized by numerous newspapers, journals, and periodicals. Fortune, the Daily News, American Banker, Black Enterprise, and Newsday have featured the growth and success experienced by Carver under Greene's stewardship.

Carver continues to fulfill its founding philosophy of operating in the best interests of the people in the communities it serves. Since 1986, the bank has awarded 401 scholarships totaling $312,970 to children of its customers through its Scholarship Awards Program.

Greene served two terms as a member of the board of directors of the Federal Home Loan Bank of New York, second district, which services thrift

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institutions in New York, New Jersey, Puerto Rico, and the Virgin Islands. He also serves as board member of the Thrift Associations Services Corp., Harlem Urban Development Corp., New York City Housing Partnership, American Savings and Loan League, and the Apollo Theater Foundation.

Born and raised in Charleston, SC, and a graduate of Hampton University in Virginia, Greene studied business administration at New York University and the University of Pennsylvania Wharton School of Banking and Finance. During Greene's service in the Army, he received the Army Commendation Medal for exceptional service. He was discharged with the rank of captain and is now a major in the Army Reserves. He received an honorary doctor of commercial science degree from St. John's University, Jamaica, NY, on May 24, 1992.

Greene is an active member of the communities in which he lives and works—as an elder in the Westminster Presbyterian Church in Jamaica, NY; as a member of the New York Hampton Unviersity Alumni Association, the Omega Psi Phi fraternity, One Hundred Black Men, Inc., and of the President's Council of the Museum of the city of New York. He has received numerous honors and awards from fraternity, religious, social, service, business, and educational groups.

In addition to his stellar professional experience, Greene takes tremendous pride in his family. He is married to the lovely M. Virginia Lea. This dynamic couple is blessed with two children, Cheryll and Richard, Jr., and three grandchildren.

Madam Speaker, Richard Greene is an exceptional man and worthy of this body's recognition.

REPUBLICANS ARE NOT CUTTING MEDICARE

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

Mr. BARTLETT of Maryland. Madam Speaker, I was a teacher for 24 years. These is a prescription for success in teaching. It is summarized, ''Repetition is the soul of learning,'' and it works even better if you say the same thing in different ways. It works wonders in our schools. Perhaps it will work here. Listen up on the other side of the aisle.

Republicans are not cutting Medicare. The average recipient receives $4,800 now. In 2002 they will receive $6,700. Where is the cut?

Republicans are not cutting Medicare—$6,700 is greater than $4,800; $4,800 is smaller than $6,700. Pay to the average recipient of Medicare will grow from $4,800 to $6,700—$6,700 is larger than $4,800. Republicans are not cutting Medicare.

This repetition works wonders in our schools. I hope it will work here. Republicans are not cutting Medicare. It will grow from $4,800 to $6,700—$6,700 is larger than $4,800.

STILL NO REPUBLICAN MEDICARE REFORM PLAN

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

Mr. DOGGETT. Madam Speaker, if the gentleman is not cutting Medicare, why could he not get his plan out here? I learned yesterday that it will be at least another 2 months, until September 22, before we get the details of the Republican plan. They can put charts up. They had wavy graphs yesterday to try to confuse the American people. But the bottom line is that they are going to reach in the pockets of American seniors and they are going to pull out $1 for every $4 that would be paid under existing law with reference to Medicare.

That means that the Republicans think our seniors are not having to pay enough for their health care at the present time, because the second part of their plan, as revealed not by them but by the newspapers this week, is that they think seniors should be discouraged from getting Medigap insurance; that they are not having to pay enough; that they do not have enough incentive to not make use of health care under existing law.

Yes, they are MediScared. They are MediScared to tell the American people the truth about their changes, and that is why we are not getting the plan today. That is why we have to wait 2 months, because they are MediScared to tell the American seniors that it is their pocket that is going to be picked.

TOUGH DECISIONS NEEDED TO STRENGTHEN MEDICARE

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

Mr. HAYWORTH. Madam Speaker, my good friend from Texas can be answered with another question: Where is your plan? Have the courage to come forward and accept what the trustees of the Medicare trust fund have told us, what three Cabinet-level officials in President Clinton's own Cabinet have told us, that Medicare goes broke in 7 years if we fail to do anything.

Friends, we are not out to scare the American people, unlike my friend from Texas. We are here to make tough decisions, to strengthen and save Medicare.

So, yes, we do have to work out the details. We invite our friends to join us. But, once again, instead of joining us and stepping up to the plate and helping us govern, they would rather whine and complain and try to scare the American people.

That old formula no longer works. It is time for bold new leadership to save Medicare, and this majority is committed to finding the answer.

TAKING EXCEPTION TO PLAN TO SAVE MEDICARE

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

Mr. GENE GREEN of Texas. Madam Speaker, I rise today, and I am glad my colleague from Arizona talked about it, to take exception with the Republican plan to save Medicare. Only in Washington can they say that they are going to save Medicare and cut $270 billion, and then give a $245 billion tax cut. They are telling the American people they are saving the system.

Well, that does not play in Houston, TX. Maybe it plays in Arizona. We are smarter than that. I have a letter from a senior citizen in my district. She had an ear infection and went to an HMO, which is what they want to force senior citizens to go to. She had to wait 2 months before she could see a doctor for an ear infection. That is a long time to have your ear hurt.

I think the Republicans are moving too fast when they talk about even waiting until September to change senior citizen health care to managed care. Still they want to give that $245 billion tax cut and cut $270 billion in growth in Medicare.

Only in Washington can somebody get away with saying we are saving the system, but we are cutting $270 billion.

PORKER OF THE WEEK AWARD

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

Mr. HEFLEY. Madam Speaker, I would like to tell you about the National Institutes of Health and its multimillion-dollar grant to the University of Colorado. This multimillion-dollar grant is not for cancer research, as one might expect, or for AIDS research, or aid to children in developing countries, or for juvenile diabetes, or any of the things you might think this kind of money would go for. But what it is for is to study why people get fat.

Now, it does not take this kind of money, it does not take any money, to figure out what will result from too many trips to the refrigerator. In fact, you could spend a fortune just buying the magazines and books that contain the already countless studies on this subject. Thousands of them have been done.

Sure, it does appear that there is a certain medical explanation for some obesity, but most of the studies seem to indicate that the way you eat and the way you exercise explains most of the problem.

It is ironic that this study is being done in Colorado, which has the lowest percentage of overweight people in the Nation.

So the National Institutes of Health gets my porker of the week award this week.

UNCONSTITUTIONAL POWER OF IRS

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

Mr. TRAFICANT. Madam Speaker, only the IRS can conduct an audit of your financial records without a warrant. Only the IRS can levy penalties without a court order. Only the IRS can seize your bank account without a judgment. Only the IRS can actually take your home, take your home, without due process.

Now, if that is not enough to tax your 1040, check this out: When you decide to fight this pack of bullies, you go to court, Tax Court, with the IRS; you are considered guilty and have to prove yourself innocent.

Beam me up. Ladies and gentlemen, there is only one reason for the unconstitutional power of the Internal Revenue Service: The Congress of the United States of America. Think about it. I yield back the balance of these taxes.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair would remind people in the gallery they should not express approval or disapproval during the proceedings.

GOVERNMENT DOES NOT NEED ANOTHER NEW BUILDING

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

Mr. SANFORD. Madam Speaker, late last night we had the debate on an amendment that I proposed to prevent the construction of yet another Washington office building, this one being $40 million and in size 350,000 square feet. For those of my colleagues who were wisely asleep at the hour, I would say it still makes a lot of sense for a couple reasons.

First, GSA already controls 644 million square feet of office space in the United States. That is the equivalent of all the office space in New York, Chicago, Los Angeles, and Houston combined. Do we need another office building?

Second, even if it is the right thing to do, now is not the right time to do it. That is why the National Capital Planning Commission said ''No, don't do it, wait until after the farm bill.''

Third, it is what the budget asks for.

Fourth, it is what National Taxpayers Union and Citizens for a Sound Economy think to be a good idea.

CONGRESS SHOULD BE MORE FAMILY FRIENDLY

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

Mr. ROEMER. Madam Speaker, last night we worked here in the House of Representatives well past midnight, and last night is no different from any other night from January 4, when we went into session. Fifty-four percent of the time we have adjourned after 9 o'clock at night since January 4.

Now, for the first 3 months we expected that. We knew working on the contract we would have late nights. But Speaker GINGRICH said on his first day here on the floor, right behind me, ''We are going to set schedules we stick to so families can count on time together.''

Now, Madam Speaker, the only time we see our families is when we take a picture of them out of our wallets and look at the frayed pictures.

I think that we need predictable schedules. We want to work hard. We have been in more than 300 hours over last year at this time. We need predictability. Let us have one night a week that we are out by 6 p.m. and have it predictable. Let us roll votes, and let us make sure we come in and start work at 8 o'clock in the morning for 1 minutes. I think that is the hour that America starts to work.

THE ISTOOK, MCINTOSH, AND ERHLICH AMENDMENT

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

Mr. FOX of Pennsylvania. Madam Speaker, I rise today to speak in favor of efforts to reform our grant-making process—specifically, the Istook, McIntosh, and Ehrlich legislation.

I join my colleagues in believing that we engage in a dangerous enterprise when Government selectively subsidizes particular interests and lobbying organizations. It raises a question about the fundamental integrity and impartiality of Government.

What this legislation addresses is the fact that certain groups have simultaneously enjoyed the advantages of exemption from tax payments and the statutory right to spend an unlimited amount on lobbying Congress. This is wrong and has led to a mistrust of Government by the American people.

Ordinary citizens do not enjoy all of these benefits simultaneously and this kind of preferential treatment can only serve to maximize the influence and power of certain privileged lobbying groups at the expense of the people we were elected to serve. In my view, organizations should have to choose between being tax-exempt, self-interested lobbying organizations or administrators of Federal grants.

TRICKLE-DOWN ALREADY PROVEN UNWORKABLE

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

Mr. KLINK. Madam Speaker, back in the 1980's Republican Ronald Reagan told us decrease taxes for the wealthy, investment will go up, wealth will trickle down, America will prosper.

The wealthy did keep more. They invested it overseas and our jobs followed. Industrial America began to disappear.

Just over a decade later, they are at it again, saying decrease taxes for the wealthy, $245 billion, pay for it by cutting Medicare $270 billion, by cutting Medicaid $170 billion; let's cut back school lunches, student loans, WIC, Head Start.

Madam Speaker, fool America once, shame on you. Fool us twice, shame on America. Only in Washington, DC, could people on the other side of the aisle say they are saving Medicare by cutting $270 billion out of it.

It reminds me again of the officer in Vietnam who said we saved the village by burning it to the ground. The Republicans are going to save Medicare and Medicaid by burning that to the ground, and our senior citizens are going to be the victims.

PRIVATIZATION SHOULD BE ENCOURAGED

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

Mr. CHRISTENSEN. Madam Speaker, I encourage all of my fellow Nebraskans to call and write often. I listen to what they have to say, and I am often persuaded by what they write.

Last week I received this postcard, which perhaps is the most persuasive that I have ever received. In this bag, Madam Speaker, is a note from a constituent regarding the privatization of the post office. This note was saying why we should not privatize the post office. But you see, this note came in what the post office calls as body bag. It comes with discarded mail, and they put it in here and say ''We care.''

Well, it is quite ironic that this kind of mail would come in this form and fashion, and the message in it would be not to privatize the post office.

Madam Speaker, in light of this, I want to encourage the continued privatization ideas that are coming forth in the 104th Congress. I want to continue to expand and look beyond at how we can make this a more efficient, a more better run Government.

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MEDISCARE

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

Mrs. SCHROEDER. Madam Speaker, the other side of the aisle keeps standing up and talking about MediScare, MediScare. The Democrats are scaring people. Well, the Democrats are not scaring people, it is their side of the aisle that scares people.

Luckily the American people have two ears and a brain. When they hear the other side of the aisle constantly saying the Medicare trust fund is in trouble, the Medicare trust fund is in trouble, so we are going to cut it $274 billion, would that not scare you? Whoever said that you are going to help a trust fund by gutting a trust fund? Then they get angry when they find that the reason they are gutting the trust fund, the reason they are taking money out of their trust fund is to plug holes in the budget caused by the huge tax breaks for the fat cats that funded their campaign. That would scare me. That should scare you.

I think the American people are right on. When they have 1.4 percent taken out of their check every single paycheck and their employer adding the same thing to the trust fund, they want that trust fund to deal with future needs of seniors, not to help fat cats be able to bail out of the tax system.

PRESERVE MEDICARE

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

Mr. HOKE. Madam Speaker, where is the credibility on this issue? Let us go back to 1993, the last time we had any votes on Social Security. My friends on the other side of the aisle cut Social Security by $2 billion, $2 billion that they took out of the paychecks of Social Security recipients.

What have we done on this side of the aisle since the beginning of the 104th Congress with respect to seniors' issues? We have done two very important things. No. 1 is we, in fact, restored that $25 billion cut to Social Security recipients, and we also lifted the earnings test on the limitation for earned income for senior citizens.

We have the credibility on this issue. The trustees of the President have made it clear that the Medicare trust fund cannot sustain the system. We do not have enough money on it. It is going broke. If we do not do something to strengthen, improve, save, preserve Medicare, we will not have a Medicare. Heavenly days, is it not our responsibility, is it not your responsibility to join in this effort to preserve Medicare.

DODGING THE FACTS ABOUT MEDICARE CUTS

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

Mr. OLVER. Madam Speaker, Republicans are dodging the facts about their Medicare cuts. Let me give some of those fact.

Fact No. 1, the Republicans will cut Medicare by $270 billion. No. 2, Republicans cut that Medicare to give $245 billion in tax breaks, mostly to people who do not need them, people making over $100,000 a year, and you guessed it, all Members of Congress are in that category. Fact No. 3, drastic cuts in Medicare will make health care too expensive for many seniors.

Madam Speaker, we are not talking about just a little increase in out-of-pocket costs, we are talking about double the deductibles, double the premiums, and huge new copayments for services like home care. If seniors cannot afford to pay that much more, they must ration their health care or simply go without needed care.

The last fact, Madam Speaker, the Republican plan is that simple and it is that real.

MEDICARE

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

Mr. KIM. Madam Speaker, this is a report released by the Medicare board of trustees. By the way, three of these trustees are from President Clinton's own Cabinet. The report is shocking. I found out that the Medicare trust fund would be bankrupt in 7 years.

Second, I found out from this report that there is tremendous waste and fraud in this Medicare Program that we Republicans recognize this Medicare crisis with. We have rolled up our sleeves and are working on a 7-year plan to save Medicare from bankruptcy.

Even our own President Clinton recognized the crisis. He has offered a 10-year program to save Medicare from bankruptcy.

It amazes me that they keep attacking us saying that we are cutting. There is nothing to cut. We are not cutting anything, we are trying to eliminate waste and fraud.

So I got hold of their copy, what kind of a plan they are offering. Here it is, the Democrat plan to save Medicare. Nothing. Blank. They have no idea, they have no plan to save Medicare from bankruptcy, except attacking, attacking, and bashing. I think it is a shame.

REPUBLICAN PROPOSAL TO PRIVATIZE MEDICARE

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

Ms. ROYBAL-ALLARD. Madam Speaker, the Republican leadership has misled Americans with their proposal to reform Medicare. ''Reform'' means to ''make something better'' not ''make it worse.''

The Republicans' idea of reform is to dismantle Medicare and limit choice by herding seniors into private managed care, requiring seniors to pay more in out-of-pocket expenses, while receiving less in vital health care services.

Seniors have more health needs.

It is very unlikely HMO's will enroll seniors without raising premiums or restricting hospital stays, medical testing, and prescriptions.

Paying more to receive less services is not making the system better.

Also, instead of using the Medicare savings to improve the health care system, the Republican reformers will take $270 billion from Medicare to pay for a $245 billion tax cut for the wealthy.

The goal of the Republican Medicare plan is clear: Raid Medicare and put our Nation's seniors at risk to pay for tax breaks that make the wealthy more healthy.

ECONOMICALLY TARGETED INVESTMENTS

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

Mr. JONES. Madam Speaker, because President Clinton knows that he will never have the support of the Republican Congress to raise taxes, in order to fund his social projects and handouts, he is dipping into the $3.5 trillion in private pension funds. The Clinton administration and his Department of Labor are encouraging pension fund managers all over the country to invest in economically targeted investments, or ETI's. ETI's are the administration's new scheme for harnessing private pension funds for social investment projects.

The American people should be able to sleep at night knowing that their retirement money is invested to give them the safest and most lucrative return possible. Their retirement money should not be improperly risked in ETI's. Madam Speaker, we must keep the Clinton administration's hands off America's pensions.

TRIBUTE TO LENORE DONNELLY

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

Ms. KAPTUR. Madam Speaker, today I rise to say thank you and pay tribute to the historic career of Mrs. Lenore Donnelly, originally of Worcester, MA, now of Virginia, who, for the last 10 years, has served this House with distinction, vivacity, good humor, and professionalism as Chief of Pages on the Democratic side of the aisle. Today is her last official day in this capacity as she retires to pursue family and personal interests.

Lenny came to Washington to work for Senator John F. Kennedy in the Presidential campaign in 1959 and later became a member of his White House staff. She served in helping to arrange

private and congressional tours of the White House and worked on arrangements for the President's trips within the United States and abroad, often traveling on such trips, including the famous trip to Ireland.

After the President's tragic assassination, she continued under President Johnson to serve at the White House during that administration. She worked in Senator Robert F. Kennedy's campaign for President, and after that Senator's tragic assassination, worked out of the New York office on his funeral arrangements at St. Patrick's Cathedral and the historic train ride bringing the Senator's body back to Washington.

Later she became Deputy Chief of the U.S. Capitol Guide Service, responsible for the orientation, supervision, and direction of all Capitol guides and tours. In 1985 she was appointed as Chief of Democratic Pages by Speaker O'Neill and has worked with over 2,000 young American Pages from all over the United States, responsible for their training, orientation, guidance, counseling, and familiarization with House procedures and conduct in this Chamber.

We wish her Godspeed, along with her husband, Ray Donnelly, who has been active in planning the Korean War Veterans Memorial being dedicated on July 27 on the Mall.

America could have had no finer daughter in service to this Nation. She has served millions and millions of our citizens as well as visitors from throughout the world.

Thank you, Mrs. Donnelly.

LENNY DONNELLY

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

Mr. DINGELL. Madam Speaker, I rise today to pay tribute to a fine lady and great friend, who is a shining example and reminder to us all, of the tremendous good a single person can perform in a career of public service.

Lenny Donnelly has served this country with distinction in a career that has spanned 36 years. Early in her career she worked on President Kennedy's White House staff, where one of her duties was scheduling all VIP and congressional tours of the White House. There are still a few left in this Chamber, including myself, who will always be indebted to Lenny for her help in graciously accommodating our scheduling needs.

Lenny has been Chief of Democratic Pages for 10 years and in that time she has become a friend to us all. She has trained, guided, counseled, and cared for over 2,000 pages from all over the United States. Lenny has helped equip a wonderful group of young people with the tools to become part of the next generation of American leaders. Perhaps we will best come to understand her contribution to this institution when in the future, a public leader is asked to name a major influence, and they respond, their time spent as a page under the tutelage of Lenny Donnelly.

Lenny has left her unmistakable mark of expertise on the Page program and she will be sorely missed. She has set a standard of excellence in the field of public service that we should all strive to meet. I wish Lenny the best in all of her future endeavors and am confident she will continue to positively influence the lives of many people in the future. On this, her last working day before retiring, I wish to give Lenny my profound thanks, gratitude, and respect for a job well done.

The SPEAKER pro tempore (Mrs. MORELLA). This entire body joins the gentlewoman from Ohio [Ms. KAPTUR] in thanking Mrs. Donnelly for the service she has performed. It is very special when you meet somebody who gives such a warm reception, sense of humor, sense of perspective, and sense of propriety, and we wish her well.

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

Mrs. WALDHOLTZ. Madam 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 Commerce, the Committee on Government Reform and Oversight, the Committee on the Judiciary, and the Permanent Select Committee on Intelligence.

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

The SPEAKER pro tempore (Mrs. MORELLA). Is there objection to the request of the gentlewoman from Utah?

Mr. DOGGETT. Reserving the right to object, Madam Speaker, the Democratic leadership of each of those committees has been consulted, and we have no objection.

Madam Speaker, I withdraw my reservation of objection.

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

There was no objection.

PROVIDING FOR CONSIDERATION OF H.R. 2002, DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES APPROPRIATIONS ACT, 1996

Mrs. WALDHOLTZ. Madam Speaker, by direction of the Committee on Rules, I call up House Resolution 194 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 194

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. 2002) making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 1996, and for other purposes. The first reading of the bill shall be dispensed with. Points of order against consideration of the bill for failure to comply with clause 3 of rule XIII or section 401(a) of the Congressional Budget Act of 1974 are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. After general debate the bill shall be considered for amendment under the five-minute rule. The bill shall be considered by title rather than by paragraph. Each title shall be considered as read. Points of order against provisions in the bill for failure to comply with clause 2 of rule XXI are waived except as follows: beginning with the colon on page 4, line 17, through ''transportation'' on page 6, line 2; beginning with ''operations'' on page 11, line 23, through the comma on line 25; beginning with the figure on page 20, line 12, through the comma before ''and'' on line 13; beginning with the colon on page 20, line 14, through the citation on line 19; page 27, lines 22 through 25; page 28, lines 3 through 8; page 28, lines 21 through 24; page 29, lines 3 and 4; page 29, lines 7 through 10; page 29, lines 15 and 16; page 29, line 23, through page 30, line 6; page 48, lines 5 through 7; page 51, lines 14 through 22; page 53, lines 1 through 13; page 54, lines 3 through 24; and page 55, line 1, through page 63, line 6. Where points of order are waived against part of a paragraph, points of order against a provision in another part of such paragraph may be made only against such provision and not against the entire paragraph. During 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. It shall be in order at any time to consider the amendment printed in part 2 of the report of the Committee on Rules accompanying this resolution. The amendment may be offered only by a Member designated in the report, shall be considered as read, shall not be subject to amendment, and not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against the amendment printed in part 2 of the report are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such 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 gentlewoman from Utah [Mrs. WALDHOLTZ] is recognized for 1 hour.

Mrs. WALDHOLTZ. Madam Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from California [Mr. BEILENSON], pending which I yield myself such time as I may consume.

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

Madam Speaker, House Resolution 194 is an open rule, providing for consideration of H.R. 2002, the Transportation appropriations bill for fiscal year 1996 with 1 hour of general debate.

I will be offering an amendment to the rule that resolves concerns between the Transportation Committee and the Appropriations Committee. The

amendments is being offered because the appropriators and the authorizers were able to come to further agreement after the rule was passed out of our committee.

This rule provides for fair and open consideration of the Transportation appropriations bill while providing the necessary protections we need to be able to bring the bill up for consideration by the full House.

The rule waives clause 2 of rule XXI, prohibiting unauthorized and legislative provisions on an appropriations bill, except for provisions in the bill relating to the Safe Communities Program and the central artery project. The rule also provides that upon adoption of the resolution, appropriations for the national driver register and certain new start transit projects, as described in the rule, will be made available subject to House passage of an authorization bill. This provision preserves the working protocol that has applied for all appropriation bills this session calling for agreement between the authorization and the appropriation before including unauthorized expenditures in an appropriations bill.

Accordingly the rule ensures that funds would not be made available until the House deliberates and votes on whether or not to fund these new start transit projects and the national driver register as part of the normal authorizing process.

Further, the rule waives section 401(a) of the Budget Act that prohibits contract authority spending in excess of levels already authorized; waives clause 6 of rule XXI prohibiting reappropriations; waives clause 3 of rule XIII requiring that a committee bill report contain the text of a statute being repealed within that bill; and provides for one motion to recommit with or without instructions.

Finally, the rule makes in order an amendment consisting of the complete text of H.R. 2, the line-item veto bill as passed by the House on February 6, 1995. This gives us an opportunity to reaffirm our commitment to passage of a line-item veto.

□ 1040

Madam Speaker, I urge my colleagues to adopt this rule, and I reserve the balance of my time.

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

Madam Speaker, we are very concerned about this rule that provides for the consideration of H.R. 2002, the fiscal year 1996 Transportation appropriations bill. We regret that we must oppose it.

We supported the resolution as it was reported from the Committee on Rules, although we were aware of some problems with the original rule. For example, many of us were concerned that the majority on the Committee on Rules gave the line item veto provision protection under the rule. While we all agree that reducing the Federal deficit is one of the most important tasks facing us in the Congress, and the President must have tools to help accomplish that task, the text of H.R. 2002, which the rule makes in order, should not be part of this debate today.

It is yet another example of protection for a controversial and major change in law, and one that the House and the other body have already had the opportunity to work their will on. The process is working, Madam Speaker, even if it is a little slower than some Members would like.

Nonetheless, Madam Speaker, we felt that, overall, the rule as it was reported on Wednesday was proper and was fair. We have generally been supportive of the majority's stated intention to provide open, unrestricted rules for as many of the appropriations bills as possible, and for its policy of providing waivers of House rules only when the authorizing committees agree to those waivers.

This rule was in compliance with those goals. Unfortunately, whether because of oversights and errors or because of the opposition from some in the majority party to the rule as it was reported, or perhaps some combination of these reasons, we are now being asked to consider a controversial amendment that changes entirely the nature of the rule as reported. We do not believe that this is the fair or right thing to do, Madam Speaker.

We are especially concerned that the amendment to the rule will provide a waiver of rule 212 for a provision in H.R. 2002 that repeals section 13(c) of the Federal Transit Action Act, that section of law that provides labor protections for transit workers. Under section 13(c), the Department of Labor reviews all Federal grants to transit agencies to ensure that the Federal money would not be used to the detriment of transit employees.

As the gentleman from West Virginia [Mr. RAHALL] testified in the Committee on Rules, when Congress passed the Urban Mass Transportation Act, we entered into a contract with transit employees. Congress said that the use of Federal funds to be used to acquire private transit companies should not worsen the transit employees' position. Section 13(c) is thus, in effect, a contract made with the concurrence of the transit industry with transit employees.

Madam Speaker, in a show of bipartisan unity that is somewhat rare these days, the chairman and ranking member of the Committee on Transportation and Infrastructure, the gentleman from Pennsylvania [Mr. SHUSTER] and the gentleman from California [Mr. MINETA], the chairman and ranking member of the Subcommittee on Surface Transportation of the Committee on Transportation and Infrastructure, the gentleman from Wisconsin [Mr. PETRI] and the gentleman from West Virginia [Mr. RAHALL] and the ranking member of the Subcommittee on Transportation of the Committee on Appropriations, the gentleman from Texas [Mr. COLEMAN], all asked that the Committee on Rules not protect that section of the bill which includes the provision to repeal section 13(c), and to abrogate existing collective bargaining agreements.

We feel strongly that the bipartisan request of these Members, including those who represent the committee with legislative jurisdiction over the section, should have been honored.

Madam Speaker, whether or not one supports section 13(c) is not the point of our objection. The point is that we should not even be debating the complex issues presented by this section as an add-on to an appropriations bill. In fact, we should not consider the repeal of any major provision of any law in the context of an annual appropriations bill; but certainly we should not be asked to protect such a provision from a point of view when the leadership of the authorizing committees disagree unanimously with including the provision in an appropriations bill, and strenuously object to our doing so, as in fact they do.

This sweeping legislative change will have an enormous effect on transit workers and their families in many of our Nation's cities. An issue of this magnitude should go through the normal legislative process, with hearings, markup, and consideration on the floor that is handled by the authorizing committee. That is how Members should decide on the validity of section 13(c). Its repeal should not be part of an appropriation bill.

Madam Speaker, as I mentioned earlier, we have other concerns about the rule, but we have generally been supportive, as I have said, of the attempts by the majority on the Committee on Rules to report most of the appropriations bills with basically open rules.

We have, however, been critical of the committee's decisions to provide waivers of standing House rules for provisions in the bills as reported by the Committee on Appropriations when waivers have not been provided for amendments that Members are seeking to offer. We thought in this rule as reported that we had reached a fairly good balance in that respect, and we very much regret that objections to the rule as reported mean that the provision repealing section 13(c) will be protected from the rule by a point of order, while several Members were denied similar protection for amendments that they sought to offer to the bill.

In particular, Madam Speaker, we object to this waiver if the gentleman from Texas [Mr. COLEMAN] is not accorded the same protection for his amendment to reform, rather than to repeal, section 13(c), and we believe that serious oversight should be corrected.

Madam Speaker, H.R. 2002 is a very important piece of legislation, affecting, as it does, the transportation and

infrastructure decisions our communities will be making in the years to come. The bill affects all Americans. Many of us regret that the bill slights funding for mass transit and that it slights funding for central transportation safety programs. Many of us who support strong fuel economy standards, the corporate average fuel economy standards, so-called, for automobiles, are concerned that they are frozen in the bill. Nonetheless, we had hoped to be able to consider the bill and our objections to it under a fair and open rule.

We regret that apparently will not be the case. The only fair way to deal with this situation would be to allow the gentleman from Texas [Mr. COLEMAN] to offer his amendment that proposes reform of section 13(c). If the previous question is defeated, that is the amendment, in fact, that we will offer.

We cannot express strongly enough our opposition to the amendment to the rule, especially when the request of the gentleman from Texas [Mr. COLEMAN] to be given waivers to protect his amendment was denied. Again, Madam Speaker, we oppose the amendment to the rule. If we must be required to address the repeal of a major law in an appropriations bill, both sides should have the opportunity to present their case and Members should be permitted to consider a reasonable alternative to the repeal of that law.

Madam Speaker, I reserve the balance of my time.

Mrs. WALDHOLTZ. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, let me address the concerns that have been raised by the gentleman from California. First, with regard to the line-item veto, I want to stress that the inclusion of the language in this particular bill regarding line-item veto is designed to simply allow us an opportunity to reaffirm what this body has already done.

On February 6 of this year, this House passed the line-item veto provision. The language that is included in this rule is identical to the language that was previously passed on February 6, so we are not asking for the House to change its previous action. We simply included this as a means to reemphasize the commitment that this House has to a line-item veto. We chose to include it in an appropriations bill because there is nothing that the line-item veto is more pertinent to than appropriations.

The whole point of a line-item veto in the hands of the President is to allow the President the opportunity to veto specific line items included in appropriations bills passed by this House. We felt that it was appropriate in light of the delay that we feel is happening between trying to bring together the versions passed in the House and Senate that at this time in the appropriations process, we wanted to allow the House the opportunity to reemphasize its support for this measure that passed overwhelmingly earlier this year.

Let me also address the particular rule amendment that I will be offering at the close of this debate. Once again, Madam Speaker, I want to emphasize that these changes were made in accordance with the protocol that has been followed by the Committee on Rules and by the authorizers and the appropriators throughout this appropriations process in that these changes are made as a result of agreement between the chairman of the authorizing committee, the gentleman from Pennsylvania [Mr. SHUSTER], the gentleman from the Committee on Appropriations, the gentleman from Louisiana [Mr. LIVINGSTON], and the chairman of the Subcommittee on Transportation of the Committee on Appropriations, the gentleman from Virginia [Mr. WOLF].

There were some concerns between these gentleman that had not been resolved as of the time the Committee on Rules considered and passed out this rule. After the rule was passed by our committee, they were able to resolve some of these differences, and the amendment that we are presenting today reflects the agreement that they were able to reach. There is absolutely nothing inconsistent with this procedure that we have followed with what we have done in previous appropriations bills. Once again, what is being included is a result of agreement worked out between the appropriators and the authorizers. We have had similar waivers for every other appropriations bill that has come before this House so far this year.

Let me say one other word. That is about the 13(c) provision. What we are attempting to do is simply allowing the House the opportunity to discuss this measure. We believe it is important that the House discuss this measure now, as the outcome of the debate on 13(c) will have a definite impact on funding requirements for transportation throughout our Nation. The waiver in the rule protects language in the bill that repeals section 13(c) of the Federal Transit Act regarding labor issues. Under this open rule, Members are allowed to offer amendments affecting the provision, allowing for consideration by this House and for vote by the entire membership.

Madam Speaker, I yield 3 minutes to the gentleman from Pennsylvania [Mr. SHUSTER], chairman of the Committee on Transportation and Infrastructure.

Mr. SHUSTER. Madam Speaker, I rise in support of the substitute rule being offered today. I had gone to the Committee on Rules and requested that several items that are legislative in nature and therefore would be violations of rule XXI, that they not be protected from points of order. The original rule acceded to my request on these items. Since that point we have had several discussions with the leadership on some of the items of concern and have reached an accommodation.

I am pleased to say in the report that I will be allowed to raise points of order against two legislative provisions, and I intend to do so: the central artery language, and appropriations for the Safe Communities Program, which is unauthorized.

In addition, unauthorized transit projects, as well as the national driver register, will be made subject to an authorization in a House-passed bill. This is essentially what I have been requesting, and this protects the integrity of the House rules, as well as the prerogatives and jurisdiction of the authorizing committee.

In addition, we have been able to reach accommodation on legislative language relating to the Hot Springs Airport. The substitute rule does not grant my request to leave unprotected the repeal of section 13(c) of the Federal Transit Act, as well as a related provision concerning arbitration of disputes in the National Capital region. I understand that these are leadership initiatives, and I support the leadership on protecting these provisions.

Madam Speaker, therefore, I urge support for the substitute rule.

Mr. BEILENSON. Madam Speaker, I yield 4 minutes to the gentleman from Texas [Mr. COLEMAN], a member of the Subcommittee on Transportation of the Committee on Appropriations.

Mr. COLEMAN. Madam Speaker, let me say at the outset, and I should say also to my colleague from Pennsylvania, we have problems certainly on this side of the aisle with this particular amendment to the rule being brought to the floor of the House. It is a break with tradition, certainly. Let me just say, I was handed 2 minutes ago this Waldholtz amendment. We have had days to go before the Committee on Rules, yet they cut some kind of deal behind closed doors.

I do not understand why we wanted the public not to take a part in the rules process. What happened in the negotiations? Who was in them? I do not know. Who said what? We do not know. I was told just a minute ago by the chairman of the Committee on Transportation and Infrastructure, the authorizing committee, that the chairman of the Committee on Appropriations was involved in negotiations. That is interesting. The public does not know that, do they, unless we just take their word for it? We do not know what was said in there. I think this is a terrible way to do business.

On their side of the aisle they started out this session of Congress by clamoring for openness, telling us how we are going to change all these kinds of things, and yet here we are, breaking with the tradition of the House and amending a rule on the floor. They could go back to the Committee on Rules in open public debate and discuss what they are doing, but they do not want to do that.

Last week we amended the Interior appropriations bill to limit debate. I

think there might have been some ability on the part of everyone to understand that process, but to do this this way is ridiculous. Let me tell the Members some of the things they protected and did not protect. That is why this rule ought to be defeated. Let me tell Members what this new amendment to the rule protects.

As Members may or may not know, there are 13 transit projects that we determined in our Subcommittee on Transportation, 13 transit projects that had not been authorized by the authorizing committee. Yet, the chairman, a Republican, the gentleman from Virginia, FRANK WOLF, decided nonetheless we should fund these. Our side of the aisle agreed that yes, many of these are ongoing, many of these are planned, and we should fund them, but in order to fund them, you have to protect them under the rule.

The chairman of the authorizing committee went to the Committee on Rules and said, ''Do not protect unauthorized legislation,'' we will get an authorization for these that we think are valid and ought to be authorized. Sure enough, the Committee on Rules, in open public debate, agreed. They said, ''You are right, we should not appropriate these unauthorized projects.'' We all accepted that.

Let me say to the Members, there were 15 or 20 Members of Congress that did not like that, but it was probably the right thing to do. I congratulate the Committee on Rules for doing it. However, hold the phone, wait a minute, we now have an amendment here on the floor that I got to see 2 minutes ago, not in front of the Committee on rules, not open to public debate, not written about, permitted to be written about by the media. Here it is, right here. I got to see it just 2 minutes ago. Wait a minute, have we had a public debate on the Committee on Rules on this issue? No.

Let me tell the Members what they do. Let me tell Members about these 13 projects. These are just an example of what they did. Let me tell about these 13 unauthorized projects, as we were told. They protected Canton-Akron-Cleveland Commuter, $6.5 million. We cannot strike it on a point of order. Wait a minute, we have got to go to the authorizing committee on DART North Central, DART Dallas-Fort Worth RAILTRAN, Miami-North 27th Avenue, Memphis Regional Rail, New Orleans Canal Street, Orange County Transit Way.

Hold it, wait a minute. We are going to protect St. Louis—St. Clair extension. No, the Puerto Rico issue is going to have to be authorized again. Tampa to Lakeland Whitehall Ferry Terminal, Wisconsin Central Commuter; hold it, we are going to protect Pittsburgh Airport, phase 1, $22.630 million.

We are picking and choosing in this amendment, already picking and choosing? Let us not make any mistake about it, when we vote, when we vote today in a few minutes, or whenever it is that the determination is made to vote on the previous question, a motion can be made by the author, the gentlewoman from Utah [Mrs. WALDHOLTZ], when we have the opportunity to vote on this particular motion, what happens is that we self-enact these.

Madam Speaker, it is my understanding that the Republicans are going to break with the tradition of this House and substantially amend a rule on the floor. I say it is my understanding, and not that I know, because I have not been consulted on this issue. It is not that I haven't been available. We were all here late into the night. I spent most of yesterday and this morning in committee with my colleagues on the other side. My staff has reached out to theirs and still not even a word to advise or counsel. That does not make for a family friendly schedule either for myself or my staff.

Last week, we amended the rule governing debate on the Interior appropriations bill to limit debate. This was done with the consultation of the ranking Democrat of the Appropriations Committee. I have consulted with many Members with more tenure than I and all agree that amending a rule is without precedent in modern times. Because it was for the good of the consideration of that bill and was limited to time restrictions, Democrats agreed.

I understand the frustration those on the other side must feel on the slow process of open rules. I too am frustrated. Long did Members across the aisle object when the Democratic majority wrote rules on appropriations bills limiting debate and in those instances where we felt an immediate need, protecting certain provisions from points of order. I do not wish to mislead anyone. When we were in charge, we tried to cultivate rules which allowed a reasonable amount of time for debate, but yet provided guidelines so that the appropriations process moved along at an efficient pace. However, the amendment that the majority is going to offer today does not limit debate. It substantially changes the rule. This is a dangerous precedent and frankly I am surprised that a leadership that prides itself on open rules and open debate would go behind closed doors after the legislative process had worked in the open, then cut a deal significantly changing the rule. You could have returned to the Rules Committee, pleaded your case again, and asked for a second rule, but that would have required a 1-day layover on the rule and we couldn't wait 1 day—even though it would serve to preserve the integrity of the House and of the legislative process. Also it would have been open to the public.

The frustration over the pace of the appropriations bill on the floor is no reason to set new precedent in this Chamber and move to substantially amend a rule on the floor, because a few, albeit influential members, did not get their way in the Rules Committee. The reason we have the Rules Committee is so that the competing interests of all Members may be heard when setting the parameters of debate. That is what we did on this bill. All the Members interested in shaping the rule went to the committee and pleaded its case.

No one got everything they asked for and a few Members were unhappy with the rule. So what did the leadership do? It went behind closed doors to draft an amendment changing the rule. In this case, the leadership not only blocks the constructive input of the minority, it suffocates the will of a significant portion of majority Members.

I am disappointed that the majority has chosen to do this on the transportation appropriations bill. This is one of the few appropriations bills both sides agreed would move through with little rancor. While not completely enamored with the bill, I had conceded several times in testimony and in conversation to Members that Chairman WOLF had dealt with the bill in a fairly evenhanded manner—until now.

What does the Republican amendment do? Well, that's a good question and until just a few minutes ago I didn't know for sure. This amendment that Republicans will offer at some unknown point, will reverse the decision of the Rules Committee and rewrite major labor laws. It does not strike the ability to attach the line-item veto to this bill—legislation which has already passed this House and which we are supposed to go to conference with the Senate on who does not agree with our approach. Again, that is why we have the deliberative process. The leadership has said that it did not want to bog down the appropriations process with authorizing legislation. That is what allowing this provision to remain does.

Adhering to the procedures of the House, I testified before the Rules Committee and asked that three legislative items not be protected in the rule. Two of those items repeal labor protection provisions—section 13(c) collective-bargaining rights and arbitration standards for the Washington Metropolitan Area Transit Authority, a matter never discussed in our subcommittee. I also asked the Rules Committee to make in order my amendment to reform instead of repeal one of the provisions, section 13(c) if they protected its repeal. The Rules Committee, which is comprised of nine Republicans and four Democrats, did not protect the two labor provisions as requested by the chairman of the subcommittee, allowing opponents to strike these ill-advised provisions. This amendment—crafted behind closed doors and without precedence on the House floor—reverses that decision.

We all agree that section 13(c) needs to be reformed. However, as demonstrated by the close 23-to-25 vote my reform amendment experienced in the Appropriations Committee, there is no consensus on this issue. I believe this issue is better left to the authorizing committees and the Department of Labor. Repealing section 13(c) is an attack on the collective-bargaining rights or our Nation's 200,000 transit workers. I understand that the chairman believes that repeal of section 13(c) will somehow help to compensate for the disproportionate reduction in funds that transit took in this bill.

Section 13(c) is intended to assure that the distribution of Federal grants to local transit systems does not harm transit workers and that employee issues arising out of Federal transit grants are properly addressed through collective bargaining. In its 30-year history, 13(c) has provided a remarkable measure of labor-management stability in an industry that has experienced unprecedented growth and change. In urban, suburban, and rural communities alike, 13(c) has provided an effective system for transit systems to manage significant changes without harming employees.

For those of us who are genuinely concerned about the delays attributed to the 13(c) program, striking the repeal or allowing my

amendment would have allowed the Department of Labor a reasonable amount of time to process the 13(c) applications. The Department of Labor has moved to address concerns about the time it takes to certify some labor agreements. On June 29, the Department published in the Federal Register substantive revisions to the 1978 guidelines which will leave in place the important employee protections, but will establish strict timeframes for the certification of protections in a more expeditious and predictable manner. Under these proposed rules, DOL certification permitting the release of funds will occur within 60 days.

I have heard from literally thousands of the transit workers who will be effected by this repeal. Workers from Dallas, TX; Orange County, NJ; La Mesa, CA, and elsewhere. They all share the same sentiment ''please don't take away the assurance of collective bargaining.'' Collective bargaining was created so that disruptions in labor caused by Federal grants could be dealt with in a manner fair for management and labor. This amendment to the rule protects the repeal of section 13(c) making it impossible for me to offer a reform amendment.

The third provision I requested not be protected, but the Rules Committee did protect from a point of order is a section in the bill forcing DOT employees receiving workers compensation who are eligible to retire should retire. Sounds good on the face of it. However, what the bill and report don't tell you is that substantial numbers of these retirees are disabled. They have been receiving workers compensation for several years. When you receive workers compensation, no money is credited toward the retirement system. Therefore, if you were an Air Traffic Controller who had 5 years of Federal service before becoming totally disabled for work in 1976, you would be eligible for the minimum retirement annuity—$130 month. This is drastically less than wage-loss benefit under the present system. How do you expect a disabled Federal employee to live on $130 a month?

Unfortunately when the doors were closed and member's projects were being protected, the disabled Federal employee was not.

We will probably not have a lot of time before the vote against the previous question. As demonstrated by the fact that we just received the amendment, the majority does not want these substantive changes to the amendment aired on the floor of the House. I urge my colleagues to vote ''no'' on the previous question so that we can restore reason and fairness to the process.

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

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

Mr. WILLIAMS. Madam Speaker, I just entered the Chamber. Did I hear the gentleman say that the list of projects that he was holding are unauthorized?

Did I understand correctly that that list that the gentleman is holding is of unauthorized projects, projects that this House or Senate have never authorized?

Mr. COLEMAN. That is right. The Republican Party said at the outset, the day we were swearing in our new Speaker, that we were not going to do those kinds of things.

Mr. WILLIAMS. If the gentleman will yield further, will the House have the opportunity to vote to accept these projects separately or collectively? Will we have a separate vote?

Mr. COLEMAN. Absolutely not. They have protected these projects. There is nothing Members can do about it, even if they are unauthorized. They made exceptions very specifically for certain of the projects that they wanted to accept. I just think this is doing something we should not do.

There is nothing wrong, let me say to my colleagues on the other side of the aisle, they know this, we know this, there is nothing wrong with going to the Committee on Rules and getting a rule they want, but can we not at least have a debate on these as a matter of fact? We do not have that. I do not understand all the rationale for the ones Members protected and did not protect. Is the public not entitled to know? It is taxpayer money, is it not? Of course it is. Do not tell us you cannot do that.

Madam Speaker, I think it is time that we understand what this amendment does, so I say to the Members, be careful when you vote. I am going to ask Members on both sides of the aisle to be absolutely careful when they vote on making the decision on making the previous question. The correct vote will be ''no.''

Mrs. WALDHOLTZ. Madam Speaker, I yield myself such time as I may consume.

I think it is important that we let the public know exactly what happened and how this rule came about. On Wednesday, the Committee on Rules passed out a rule that failed to protect, deliberately, by design, a list of projects that are unauthorized, because the appropriators and the authorizers had been unable to agree that they should be included. Accordingly, these projects that the gentleman has referred to were not included for protection in the rule, meaning that they would be subject to a point of order on the floor; that therefore, it would be not in order to allow them to be discussed, and that Members of this House would not be able to have a vote.

□ 1100

On Thursday, Madam Speaker, the gentleman from Pennsylvania [Mr. SHUSTER] and others met and were able to reach further agreement. They agreed that these projects should be allowed to be discussed on the floor of the House. Amendments to knock these projects out are certainly in order, and such amendments have already been prefiled, but they agreed that the Members of this body ought to have the opportunity to discuss them.

Once again, Madam Speaker, let me stress that unauthorized projects have been included for discussion in every appropriations bill that we have considered this year. But it has only been done where there has been agreement between the authorizers and the appropriators, and such agreement was reached on these projects yesterday.

There has been some intimation that somehow this was a secret. In fact, Madam Speaker, I explained this rule in great detail to the Legislative Digest late yesterday afternoon. I explained to them exactly what we had done on these mass transit projects. I explained to them exactly what we had done on the 13(c) requirement. There is nothing that has been kept secret in any way here.

This has been discussed with the news media. I assume they published their reports. If not, that is something over which we have no control.

Again, let me stress at the time the rule was passed out of the committee there was disagreement between the authorizers and the appropriators as to whether they should be considered. After the rule was passed out, they were able to come to an additional agreement.

It is interesting, I think, to note that the two projects about which the gentleman has raised the most objection are included for Members on his side of the aisle. The St. Louis metrolink project is a project in the district of the gentleman from Missouri [Mr. GEPHARDT]. The Pittsburgh Airport phase 1 is in the district of the gentleman from Pennsylvania [Mr. MASCARA].

We are not picking and choosing, Madam Speaker. We are not favoring one party over another or members of one committee over members of another. We are treating all similarly situated projects the same.

The projects on this list have not been authorized. There was disagreement. The agreement was reached that we could consider them, but, as this rule reflects, these projects will be subject to authorization by the House.

We have two opportunities to review these projects, one in the appropriations process and one in the authorization process. We are not picking and choosing, Madam Speaker. We are allowing the Members of this House the opportunity to discuss these items, to make amendments to determine whether we want to fund them or not, all in accordance with the protocol that has been followed throughout this appropriations process.

Madam Speaker, I reserve the balance of my time.

Mr. BEILENSON. Madam Speaker, I yield 3 additional minutes to the gentleman from Texas [Mr. COLEMAN].

Mr. COLEMAN. Madam Speaker, the gentlewoman is talking about last Thursday. That was last night. We were in session last night until about 11. The amendment I have got is dated July 21, 10 a.m. That is today. That is about an hour ago. I think that that is not the way we ought to legislate.

She says it is not done in secret. I guess not. America has had 62 minutes to find out what is in your amendment.

Let me just also say to the gentlewoman that last week, in dealing with another amendment to a rule, we did it for limiting debate. This is different. I hope the Members will recognize that

it is different in casting their vote today.

Adhering to the procedures of the House, I testified as a Member of the minority before the Committee on Rules and asked that three legislative items not be protected in the rule. Two of those repeal labor protection provisions, section 13(c) of the collective bargaining rights and arbitration standards for the Washington Metropolitan Area Transit Authority, a matter never discussed in our subcommittee.

I also asked the Committee on Rules to make in order an amendment if they decided, like your amendment has decided this, to not protect the repeal of 13(c) since it is legislation. Your decision is, no, no, you are not going to be able to reform it.

I asked the Committee on Rules, please, if you are going to protect it, at least let me have an amendment that would reform it and not completely repeal it. But your amendment does not allow me to do that because you are not the Committee on Rules.

I hope you understand that what you are doing with this amendment is cutting off our rights in the minority. A lot of us think that that is not the way that we ought to be legislating.

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

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

Mr. WILLIAMS. I appreciate the gentleman yielding.

Madam Speaker, the gentleman and I have been here for a number of years. I have been here for 17 years. I have listened during all of those years to a Republican marketing effort to try to convince the American people that the former Democratic leadership, whether it was Tip O'Neill, Tom Foley, Jim Wright, or whoever was corrupt, corrupt in part because they would not allow Republicans an up-and-down vote on major issues. They constantly repeated the misrepresentation that we had gag rules. Since I have been here, not one time, count them, not once have the Democrats used this kind of a stealth process to protect pork. Not once.

Mr. COLEMAN. Reclaiming my time, if I might, just in closing, I would urge all Members to understand that on the motion to recommit that is going to be made by the gentlewoman from Utah, we need to be together, those of us who believe on both sides of the aisle that this procedure and this procedure is wrong, we should vote no. Let us permit the Committee on Rules to write a rule that the Committee on Rules is charged with writing.

Mrs. WALDHOLTZ. Madam Speaker, I yield myself such time as I may consume.

Let me simply point out that, under the rules, the gentleman will have an opportunity to move to strike the provision on 13(c). So the gentleman will get an up-or-down vote on whether or not to repeal this particular provision. If the motion to strike is successful, then we will go back and be able to review this for the authorizing process. So there is an opportunity for the gentleman to strike this provision under the rules.

Madam Speaker, I yield 4 minutes to the gentleman from Florida [Mr. GOSS], my colleague on the Committee on Rules.

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

Mr. GOSS. Madam Speaker, I thank the gentlewoman from Utah for yielding me this time. I want to commend her for the excellent job she is doing handling this rule. As a veteran on the Committee on Rules with some very good battle scars of my own from managing the transportation appropriations bill the last couple of years, I very well know the challenges posed by this particular bill and the difficulty coming up with a fair formula that keeps everybody happy and addresses every Member's concern. It is a virtual impossibility.

Traditionally, this bill, perhaps more than others, has highlighted the tension that exists between the appropriators and the authorizers; and, frankly, that is what we are seeing played out here, some of that tension, and I know it is a frustrating process.

The budget process is supposed to work so that the authorizers set the policy decisions which are supposed to be agreed upon by the Congress before the money is spent. That makes sense.

The reality is that we seldom complete our authorizing work before the appropriations cycle begins and, as a result, we end up with spending bills that are filled with programs that have not been authorized and legislative provisions that in a perfect world probably should not be there but nevertheless are important in the Nation's business, which seems to have a higher priority, I think, and most do, than the exactness of our rules as long as our rules are free and fair, which is what we are trying to do.

Let me be clear. This is not the fault of any one committee or any one chairman. This is the fault of a budget process that has gotten, in my view, much too complex, somewhat unworkable and probably not up to the task in our current fiscal and political environment that we have.

The Subcommittee on Legislative and Budget Process of the Committee on Rules, working with our counterpart, the Subcommittee on Rules and Organization of the House, both these subcommittees together have begun holding hearings on the larger question of reforming the budget process. Of course, the Committee on Government Reform and Oversight and the Government Resources and the Committee on the Budget are involved in this as well.

Perhaps next time we have a transportation appropriations rule on the floor we will actually have some of these systemic problems resolved and reduce some of the tensions.

With regard to this specific rule, I think the gentlewoman from Utah has spoken terribly well to the issues that are out there and what has happened. I think we are up to date, and I think she is absolutely right. There will be a fair chance to deal with these issues.

I think the Committee on Rules has tried to develop a fair product that respects the wishes of the authorizers to the greatest extent possible, which is a guiding principle because of the situation between the appropriations cycle and the authorizing cycle. But we also want to assure that the hard work that the Committee on Appropriations has done in making the very tough spending decisions they have got to make as we get on the balanced budget glide path, we have got to preserve that work, too.

This is an attempt to balance that, and I think it does pretty well. It contains necessary waivers in order to allow the process to move forward to the point it has been negotiated as we get to this part of our calendar.

Madam Speaker, to my colleagues still concerned about our commitment to bringing forward a deficit lockbox that works, and I mention this because there has been a great deal of interest in it specifically, I remind the folks that are interested in a deficit lockbox that works that our Rules Committee in fact yesterday marked up a bill and we are hoping to keep it on track and bring it up to the floor for next week.

We think we have got a pretty good device that is going to work pretty well. It is simple and it is flexible.

Finally, I think this particular rule is written to send a strong signal to the other body that we are serious about our version of the line-item veto which we think very much is the version that will work.

Madam Speaker, I urge support of the rule. Once again, I want to congratulate the gentlewoman from Utah for her professional way of handling this. She has described it exactly correctly, and there is ample opportunity for everybody to get a vote on these issues as we go through the total cycle.

Mr. BEILENSON. Madam Speaker, I yield 2 minutes to the gentleman from Utah [Mr. ORTON].

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

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

Madam Speaker, I rise in opposition to the rule for the reasons stated, that it is protecting many pork projects.

This simply shows the additional need for the line-item veto. I am concerned, however, that the Speaker has stated ''line-item veto bites the dust,'' or ''we won't get to it this year,'' as quoted in the Washington Times. The gentleman from New York [Mr. SOLOMON] is even quoted in the Times saying, ''Perhaps the best thing is to wait until fall when the budget is finished. There's no sense in going through with it now.''

I rise to commend the Committee on Rules for allowing either the gentleman from New York [Mr. SOLOMON] or the gentleman for Pennsylvania [Mr. CLINGER] to offer what is in effect my amendment, to attach the line-item veto to the transportation appropriation bill.

On Wednesday the gentleman from South Carolina [Mr. SPRATT] and I came before the House Committee on Rules with an amendment to apply the provisions of H.R. 2 to this bill. H.R. 2 was the line-item veto bill which passed the House in February with an overwhelming margin of 294 to 134.

I also announced my intention to offer an amendment to apply the line-item veto to each and every appropriation bill remaining.

I am both pleased and amused to see that the Committee on Rules in direct response to my proposal has taken my idea and adopted it as their own. After all, imitation is the sincerest form of flattery.

During debate on this bill, I will be supporting the Solomon-Clinger line-item veto amendment, which is in reality the Orton-Spratt amendment. However, pride of authorship is not what is important here. Getting line-item veto back on track is the issue.

Enactment of this amendment is not an empty exercise. We have embarked on this campaign because I am disturbed by the previous statements of the Speaker reported in the press. Some have speculated the demise of line-item veto is due to a reluctance of the Republican Congress to give this power to a Democrat President. Others ascribe this to an honest disagreement between the House and Senate.

Either way, it is my strong belief that there is no reason not to apply line-item veto to additional spending bills this year.

Madam Speaker, I strongly support the line-item veto. Last year I led the fight to get this bill on the floor. This year I voted for it. It is my belief the taxpayers should not suffer from congressional inaction on this issue. Every bill we pass that is not subject to line-item veto means millions and potentially billions of dollars of unnecessary spending that we will not cut.

Madam Speaker, I rise in strong opposition to the resolution for the reasons stated by my colleague from California. This rule protects specific pork barrel projects from points of order. These are spending projects which have not been considered, debated, or authorized by the Transportation Committee and this body will not have the opportunity to eliminate them from this appropriation bill.

Does it seem hypocritical to anyone to adopt a rule which protects specific pork barrel projects and in the same rule allow an amendment to provide the President with line-item veto authority to veto those same pork barrel projects? Where is the reponsibility in such a rule? Wo unto the credibility of the Congress if we adopt this rule to protect our pork and then rely on the President to make us responsible by vetoing line items of pork from this legislation.

While I oppose this rule, I do support the amendment to apply line-item veto to this legislation. In past weeks I have become very concerned over the delay in adoption of the line-item veto. On June 7, 1995, in a Washington Times article entitled ''GOP Puts Line-Item Veto on Slow Track,'' Chairman SOLOMON is quoted as saying, ''Perhaps the best thing is to wait until fall when the budget is finished. There is no sense in going through with it now.'' Then on July 13, 1995, in the Washington Times article entitled, ''Line Item Veto, Product Liability Issues Bite the Dust:'' Speaker GINGRICH is quoted as saying, ''My sense is that we won't get to it this year.''

Madam Speaker, I commend the Rules Committee for allowing either Representative SOLOMON or CLINGER to offer what is in effect my amendment to attach line-item veto to the Transportation appropriations bill, H.R. 2002.

On Wednesday, Representative JOHN SPRATT and I came before the House Rules Committee with an amendment to apply the provisions of H.R. 2 to this bill. H.R. 2 was the line-item veto bill which passed the House in February by an overwhelming vote of 294 to 134. I also announced my intention to offer an amendment to apply line-item veto to each and every appropriations bill remaining for consideration this fiscal year.

I am both pleased and amused to see that the Rules Committee, in direct response to my proposal has taken my idea and adopted it as its own. After all, imitation is the sincerest form of flattery. During debate on this bill, I will be supporting the Solomon-Clinger line-item veto amendment, which is in reality the Orton-Spratt amendment. However, pride of authorship is not what is important here, getting line-item veto back on track is the issue.

The enactment of this amendment is not an empty exercise. I have embarked on this campaign because I am very disturbed by recent statements by the Speaker and others reported in the press that line-item veto may be dead for this year. Some have speculated that the demise of line-item veto is due to a reluctance of a Republican Congress to give this power to a Democrat President. Others ascribe this to an honest disagreement between the House and Senate. Either way, it is my strong belief that there is no reason not to apply line-item veto to individual spending bills this year.

Madam Speaker, I am a strong support of line-item veto. Last year, I led the fight to get this bill to the floor of the House. This year, I voted for final passage. It is my belief that the American taxpayer should not suffer from congressional inaction on this issue. Every bill we pass that is not subject to line-item veto means millions and potentially even billions of dollars of unnecessary spending that will not be cut.

Finally, while I am pleased that the Solomon-Clinger amendment has been made in order, I hope that this will not be merely a one-time symbolic effort to express the importance of line-item veto.

While Speaker GINGRICH and Majority Leader DOLE may have given up, I have not. And this House cannot abandon our strong bipartisan effort to enact line-item veto for the President of the United States, regardless of his or her party affiliation.

If we are to succeed in that effort, we must put maximum pressure on both Houses of Congress to come to agreement. We should apply line-item veto individually to each and every bill we send over to the other House. I pledge to continue the struggle to do so, and ask for the support of every Member of the House in this effort.

Mr. BEILENSON. Madam Speaker, I yield 4½ minutes to the distinguished gentleman from California [Mr. MINETA], the ranking member of the authorizing committee.

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

Mr. MINETA. Madam Speaker, I rise in very, very, very strong opposition to this rule and urge a ''no'' vote on the previous question.

There are two reasons for my opposition. First is the substance of the legislation that we are dealing with. Second, because of the process.

□ 1115

Now, there are many areas of concern in this rule and in this legislation. One of the areas I would like to point out is the area of my concern about section 13(c) of the Federal Transit Act.

As Members know, at the request of the authorizers, the Committee on Rules reported out a rule that did not, did not, protect points of order with respect to the repeal of section 13(c) in the Department of Transportation appropriations bill.

As part of that request, we had also asked that if the section 13(c) repealer were protected, that the rule make in order an amendment to be offered by the gentleman from Texas [Mr. COLEMAN] on 13(c).

What we have in this rule is the worst of both worlds; the 13(c) repealer is protected from a point of order and a reform amendment is not made in order.

Madam Speaker, this rule is not fair. As Members know, a repeal of section 13(c) could adversely affect the jobs and lives of hundreds of thousands of transit workers across the country.

As the ranking Democratic member of the Committee on Transportation and Infrastructure with jurisdiction over this issue, I am particularly opposed to the use of an appropriations bill to make such sweeping legislative changes affecting so many transit employees and their families in so many cities.

An issue of this magnitude should move through the normal legislative process with hearing, markup, and consequent floor action spearheaded by the authorizing committee and not tucked away in the deep recesses of an appropriations bill.

This problem is further compounded by failing to make in order a reform amendment that could have been offered and should have been offered by my colleague from Texas, Mr. COLEMAN, relative to 13(c).

Mr. COLEMAN. Madam Speaker, will the gentleman yield?

Mr. MINETA. I yield to the gentleman from Texas.

Mr. COLEMAN. Madam Speaker, that is just the one point I wanted to

make. When the gentlewoman from Utah [Mrs. WALDHOLTZ] stood up and said they can offer a motion to strike it, there are a lot of Members on both sides of the aisle that think there is a middle ground, that we do not have to do an either/or; we either have the 13(c) or we do not.

A lot of us, including the Secretary of Labor, including, by the way, the promulgation of rules that was announced on June 30th, agree that there ought to be a middle ground by which we can get reform of 13(c); not an either/or, take-it-or-leave-it like the gentlewoman's amendment to the rule causes us to do.

Madam Speaker, I am just going to say, the amendment of the gentlewoman from Utah precludes us from that middle ground. We cannot offer it.

Mr. MINETA. Madam Speaker, reclaiming my time, it is only fair that if a provision repealing a program is protected, that we be given an opportunity to offer an amendment which would reform the program, as our colleague from Texas has just indicated, and make its repeal unnecessary, especially when such a reform amendment almost prevailed, almost prevailed, at the Committee on Appropriations by a 2-vote margin.

Now, the second reason I am in opposition, the process is outrageous, because what we have is the ability to file a rule, let it lay overnight so that Members are able to see what the rule is. But in this instance, they filed a rule and now by stealth have an amendment coming to us to amend the rules.

Now, which amendment are we going to talk about? The 1 a.m. Waldholtz amendment of July 21, or are we talking about the 10 a.m. July 21 amendment? To me, this is outrageous that this kind of process is taking place with the use of the Committee on Rules to abrogate the legislative process.

Mrs. WALDHOLTZ. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, let me respond to the concerns expressed first on the line-item veto amendment. When the gentleman from Utah [Mr. ORTON] and the gentleman from South Carolina [Mr. SPRATT] came to the Committee on Rules, we agreed that this was an appropriate time for this House to reaffirm publicly its support of the line-item veto that was passed by this House on February 6.

But I need to point out that the amendment offered by the gentleman from Utah [Mr. ORTON] was not the same text as passed by the House on February 6. The Orton amendment did not include authority for the President to veto targeted tax benefits. Those are special tax provisions intended to benefit 100 people or less.

The amendment in order under the bill, however, consisting of the text of H.R. 2 itself, was already agreed upon and voted on and supported by this House in February. Making the amendment in order under the rule allows the House the opportunity to once again express our support, with the identical text, including line-item veto for these targeted tax benefits.

Addressing once again the 13(c), let me stress, Madam Speaker, that the way the rule is now constructed allows us to vote on repeal of 13(c) and allows those who want to continue this program to move to strike. We will have an opportunity to vote on whether or not this program should continue. If there is sufficient sentiment in this House that this program should continue, then we can go through a process of debate and consideration of necessary reforms through the authorization process. But we believe it is appropriate first to find out whether there is enough support in this House for the continuation of this program.

With that, Madam Speaker, I yield 1 minute to the gentlewoman from California [Ms. HARMAN].

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

Ms. HARMAN. Madam Speaker, I thank the gentlewoman from Utah [Mrs. WALDHOLTZ] for yielding, especially since she knows I rise in opposition to this rule.

The reason I am opposed is because once again the lockbox is not included. However, I would like to say to the gentlewoman, and to the other Republican and Democratic members of the Committee on Rules, how pleased I was that yesterday, finally, a lockbox bill was reported with bipartisan support. Now the question is when will the House consider it?

This is the lockbox. It is still empty. We have disposed of five appropriations bills. We will dispose of the agriculture bill later today. That is six. Now we are considering a rule for the transportation bill that excludes a lockbox amendment.

We have made over $200 million in cuts so far this year; cuts which will not go to deficit reduction. I know the gentlewoman from Utah joins me, as do many of our other colleagues, in feeling that it is far past time to have the lockbox enacted into law. Let us do it quickly and let us get on with reducing the deficit, which the American people demand.

Mr. BEILENSON. Madam Speaker, I yield 2 minutes to the distinguished gentleman from Michigan [Mr. BONIOR], the Democratic whip.

Mr. BONIOR. Madam Speaker, let me if I could put this debate, as it revolves around 13(c), into some perspective. The radical, extreme leadership on the Republican side of the aisle has decided, once again, that it will engage in class warfare against working people in this country.

Since 1979, 98 percent of all new income in America was generated by the top 20 percent of America. The other 80 percent stayed even or fell below what they were receiving. The largest employer in America today is not IBM or GM; it is temporary manpower services. The difference between what the average CEO in America makes and the average worker is 150 times more in salary; the average CEO makes 150 times more.

What we have here in this rule is an attempt to shut out literally tens of thousands of transit workers across this country from engaging in collective bargaining, a further erosion of the right of working people in this country to bargain for a fair day's work.

Madam Speaker, we may think that we are in a third wave. I think we have missed a wave, quite frankly, Madam Speaker. But the work of this country is still done by people who pack a lunch, who punch a clock, and who pour their heart and soul into work every single day and these transit workers are a part of what makes America go and work.

We, on our side of the aisle, feel aggrieved by the fact that we are not getting a chance to engage in this debate. I encourage my colleagues, in conclusion, Madam Speaker, to vote against the previous question so we could have a chance for the gentleman from Texas [Mr. COLEMAN] to offer his reforms and we can protect working people in this country.

Mr. BEILENSON. Madam Speaker, I yield 2 minutes to the distinguished gentleman from West Virginia [Mr. RAHALL], the ranking member of the subcommittee.

Mr. RAHALL. Madam Speaker, I thank the distinguished gentleman from California [Mr. BEILENSON], a member of the Committee on Rules, for yielding time to me.

Madam Speaker, I rise to urge a ''no'' vote when the previous question is ordered.

On Wednesday, correctly recognizing that it is not appropriate under House rules to allow legislation on an appropriations bill, the Rules Committee issued a rule to govern the Transportation appropriations bill that would not have protected from a point-of-order a provision repealing section 13(c) of the Transit Act.

This provision of law basically insures the collective bargaining rights of over 200,000 transit workers in this country.

On Thursday, however, the same Rules Committee issued an amendment to that rule, an amendment which now protects the section 13(c) repeal language from a point of order.

Now, Madam Speaker, this business of issuing amendments to rules is a relatively new tactic under which all kinds of mischief can be employed. Indeed, even now, most Members probably have only an inkling as to what this amendment includes.

Be that as it may, today I am urging a ''no'' vote on the previous question so that we will be in the position to offer an alternative rule that would make in order a compromise on the section 13(c) issue.

Indeed, during the Rules Committee hearing, RON COLEMAN, NORM MINETA, and I urged that the section 13(c) repealer not be protected from a point of order. Short of that, however, in the event the rule protected this provision, we asked that a compromise amendment to be offered by RON COLEMAN be made in order.

As I already noted, the original rule accommodated our initial request. The subsequent amendment completely closes us out.

And so, it is only by defeating the previous question that we will have a chance to offer our amendment.

Make no mistake about it. This is an extremely important matter, both substantively and procedurally.

Substantively, the provision repealing section 13(c) included in the bill would sell transit workers across this Nation into slavery.

In one fell swoop, this provision not only repeals a major item in transit law, but runs roughshod over existing collective bargaining agreements.

And this should not be allowed to happen as an amendment to an appropriation bill.

Procedurally, the issue involves fairness, and whether we are now going to allow debate governing major legislation to be dictated by amendments to rules issued in the middle of the night.

Again, vote ''no'' on the previous question.

Mr. BEILENSON. Madam Speaker, I yield 2 minutes to the gentleman from New Jersey [Mr. MENENDEZ].

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

Mr. MENDENDEZ. Madam Speaker, it is said the devil is in the details and the Transportation appropriations bill has the handiwork of the devil all over it. Today we see the majority's vision for America in its devilish detail. It has a single theme, take from the needy and give to the greedy.

This is a singularly bad bill. The Rules Committee knows this, but the majority leadership is so intent on union busting that they have to amend their own rules. Talk to the Parliamentarians. See how rarely this procedure has been done in the last 60 years. The legislating on this appropriations bill cannot withstand the scrutiny of the normal legislative process so the Republican leadership has to resort to stunts to pass their hidden agendas.

Why are the Republicans so afraid to step forward and say what they intend to do? Tell America the Republicans want to break up unions and drive down wages. Level with the American people that labor is not as important as capital to the Republican Party. That the contributions from road builders and developers are more important for Republicans than the average Joe being able to take the bus or subway to work in the morning. This is a bad bill. Reject the stunts to stifle debate. Vote no on moving the previous question on the rule. Send this horrible bill back and tell the Rules Committee to start over.

Vote against the previous question on the Transportation appropriation bill, and return control of the rule to those who would:

First, allow the Department of Labor and the authorizing committees to determine major labor laws—this includes section 13(c) collective bargaining rights.

Second, as a member of the Committee on Transportation and Infrastructure, preserve mass transit projects in Ohio, Kentucky, Texas, Florida, Tennessee, Louisiana, California, Missouri, Puerto Rico, New York, Wisconsin, and Pennsylvania.

Third, preserve the integrity of the deliberative process of the House of Representatives.

Vote against the previous question on H.R. 2002.

□ 1130

Mrs. WALDHOLTZ. Madam Speaker, I yield 6½ minutes to the gentleman from Virginia [Mr. WOLF], the chairman of the Transportation Subcommittee of the Committee on Appropriations.

Mr. WOLF. Madam Speaker, I rise in support of the rule. I am not an expert on drafting rules. Frankly, if I were on the Committee on Rules, I would have limited every amendment to 10 minutes on each side.

I think the schedule of this place is totally and completely out of control. All of us are going to be successful in the House, and we are going to fail in our own homes. So I have problems with the Committee on Rules. I think you all are too lenient and you ought to get control of the process so men and women who serve in this body can go home.

Let me talk about the two issues, though, that have come up. The last gentleman spoke. He talked about, and I see him sitting back here, about there is antilabor. It really is not antilabor.

I come from a labor background. My dad helped start the Fraternal Order of Police in Philadelphia. I come from blue-collar background. It is not that way.

Let me tell what we are trying to do—13(c) has basically driven up the cost of transit riding. We are trying to get control.

Let me give you an example for Washington, DC. I hope everyone will listen to this. In Washington, DC, the bus drivers make $46,000 a year after 3 years. They make more money than the teachers in the inner city. My daughter, Virginia, taught in the District of Columbia and made about $26,000 a year teaching and as you drive up those costs, what you fundamentally do is you make riding to work more expensive.

Let me give you another example here in the Washington metro area. A single parent living in Vienna drives his or her car to Vienna, pays $2-something to park, had to drop their children at a day care center, then spends $3.25 to come into this inner city, $3.25 to go out. That is $8 or $9 a day. A single parent just cannot do that.

And so this is a protransit rider thing, and I have told the bus drivers in my area, many of whom I represent, that I want to save their jobs because what has actually happened in 7 years, if something like this is not done, there will not be any Metro bus drivers in the Washington, DC, area because in Virginia and Maryland, where the gentlewoman chairing this and I come from, they are doing away with Metro drivers. They are going to DART and Ride On. You have buses crossing in the morning, one making $27,000, $28,000, $29,000, $30,000, the other making $46,000.

We also have bus drivers that are making in the range of $50,000 and $60,000.

So I want moms and dads and people to be able to use mass transit.

Second, I say to gentleman, I am pro mass transit. I want to keep the operating subsidies up. I do not necessarily agree with everybody in my party. I hope over the years we can keep operating subsidies up.

Third, what we did, and nobody has talked about it, I was in the committee and we were voting, is we allow for the first time under this for transits to be using their operating subsidy, their capital subsidies, to have bus overhauls.

Who is for this 13(c) repeal? Everybody can get up and offer an amendment. What was going to happen, it was going to be basically cheap grace. It could have been knocked out on a point of order.

Now we can have a battle. We may lose or we may win, but who are the people that are for the repeal? The Birmingham Metro Express, the Little Rock, AR, Central Transit, Los Angeles County Metro Transportation Authority, Los Angeles County Board of Supervisors, the Oceanside North County transit district, the Orange County Transportation Authority, there are more, Greater Bridgeport Transit District, Greater New Haven Transit District, Metro in Washington, DC, in Clearwater, Sun Coast Transit Authority, in Illinois the Chicago Regional Transit Authority, in Indianapolis, the city of Indianapolis, South Bend Public Transit Authority, in Nevada, the Regional Transportation Commission, in New Jersey, the Department of Transportation, in Newark, New Jersey Transit, in New York City, the Department of Transportation, in New York City, the Metropolitan Transit Protection Authority, in Buffalo, Niagara Frontier Transportation Authority, in Ohio, the Department of Transportation, in Pennsylvania, Lehigh and Northampton Transportation Authority, Pennsylvania Association of Municipal Transportation, and SEPTA, where I come from, SEPTA in Philadelphia, I used to ride

the 36 trolley car in the old PTC to work every day.

This is honest to goodness, and I know there are differences, but this is honestly a protransit vote, and I am not out to hurt the other issue.

When the two things were not protected, the one for the two transits, I would have like to have seen them treated the same way as the other transits. I would have felt, quite frankly, guilty on the floor except for the fact one is the gentleman from Illinois [Mr. DURBIN], and the gentleman from Missouri [Mr. GEPHARDT], and the other is the gentleman from Pennsylvania [Mr. MASCARA].

Since they are both Democratic Members, I do not feel so bad. We try to do something for a Republican Member: Had it been a Republican Member, quite frankly, I would have felt guilty about the rule.

Mr. MENENDEZ. Madam Speaker, will he yield?

Mr. WOLF. I yield to the gentleman from New Jersey.

Mr. MENENDEZ. Let me just say in some respects we are together, in some respects we are apart. My point is simply this: I say the reform of 13(c), and I think even the transit unions recognize that the way to do it is not through this process. It is through the authorizing committee. I think that is where the determination should be made, not unilaterally striking down the rights of collective bargaining for these people.

Second, I believe the gentleman when he says he is protransit, and I want to have a transit vote, too, very important to my district, but we are cutting already $310 million for mass transit subsidies. That is not protransit.

Mr. WOLF. We have done others. I have told transit people, go see Senator HATFIELD. I will be glad to work; if you get more in the Senate, I will be very, very sympathetic.

Third, you have a chance to go to your committee. This is what APTA said about the reform bill; APTA said on July 29, after the Department of Labor issued the first proposed rule in more than a decade. The DOL guidelines have now been reviewed by APTA's working group with lawyers who regularly deal with 13(c) issues on behalf of transits. They have concluded the Department of Labor's proposal would bring no substantive changes to the existing 13(c) process. Proposed procedural changes have significant loopholes as to render them meaningless.

I would hope, after we do this, the authorizers would take it and go reform it or repeal it. This is their chance. This is their chance, honestly, I believe, to have a vote on this. There will be a vote for lower transit costs for working people and anyone else who uses transit.

Mrs. WALDHOLTZ. Madam Speaker, I yield 2 minutes to the gentleman from Illinois [Mr. HASTERT].

Mr. HASTERT. Madam Speaker, I thank the gentlewoman, and I certainly thank the folks in the Committee on Rules for giving me a little time.

This is a commonsense approach I think we ought to take. There are reasons why we try make these changes.

Let me relate to you a conversation I had with the mayor of Chicago. The mayor of Chicago, a large city, very much dependent on mass transit, was telling me that the city created an industrial park in the middle of the city. They have cleared out some of the old industrial buildings, built new-type industrial buildings that would fit the needs of the city, but the only thing is the shift change comes in at 2 o'clock in the morning. Now, all of a sudden, there are 40, 50, 60 people that need a ride at 2 o'clock in the morning. The contract with the union bus system says, as to the drivers, they have to keep those drivers on a set schedule all night long. They could not afford to do it, but they were prohibited from going out and contracting with a bus company to pick those people up and take them home at 2 o'clock in the morning.

Now, there are some neighborhoods in Chicago I would not want to be stranded in at 2 o'clock in the morning, but yet because of the rigidity of this piece of legislation, there is no way out. There is no flexibility.

What we are doing, whether it is the authorizing committee or here in the Committee on Appropriations, is trying to find a solution to a problem that exists, a commonsense solution. It is time to do it, and I would ask for the support of the rule and the support of the amendment.

Mr. BEILENSON. Madam Speaker, I yield such time as she may consume to the gentlewoman from Florida [Mrs. MEEK].

(Mrs. MEEK of Florida asked and was given permission to revise and extend her remarks.)

Mrs. MEEK of Florida. Madam Speaker, I rise in strong opposition to this particular rule, because it is not reform. It is not. They are repealing instead of reforming. I am opposed.

Madam Speaker, I rise in strong opposition to the rule.

This effort to repeal the 13(c) labor protection program is being sold as a reform, but it is not reform in any sense.

It is—plain and simple—an all-out attack: an attack on collective bargaining—the most basic right of working men and women; an attack on this Nation's 200,000 transit workers, without whom our cities would be gridlocked; and an attack on the procedures of Congress itself.

This deal is an attempt to manipulate and to twist the rules of the House to sneak this change, though the House, under cover and without public input.

Why are they doing this?

They say they are doing it to save money and increase efficiency.

The fact is, the people pushing this amendment are listening to only one side: big transit authorities. The committee listened only to transit managers. They did not even bother to consider the views of transit workers.

Madam Speaker, transit workers are dedicated to their jobs and to the service of the public. They serve people in our society who have few transportation options—poor people who don't have cars and who need public transportation to get to work.

Madam Speaker, the 13(c) program has worked well for over 30 years. It has protected the collective bargaining and job rights for middle-class working people. Under 13(c), the transit industry has greatly expanded and improved efficiency and service. We should support this Nation's transit workers. We should protect collective bargaining rights. We should reform, not repeal section 13(c).

Mr. BEILENSON. Madam Speaker, I yield myself the remainder of our time.

Let me say there was a nice discussion of 13(c) by the gentleman from Virginia. I am afraid it is indicative of what seems to happen to appropriation chairmen around this place. These legislative issues are supposed to be debated and decided by the legislative committees and not by the appropriations committees. They are not supposed to be stuck in the middle of appropriations bills, as this particular one has.

In closing, Madam Speaker, I urge a ''no'' vote on the rule and the previous question. If the previous question is defeated, we will offer an amendment to the rule which self-executes the Coleman amendment regarding section 13(c) of the Federal Transit Act.

Defeating the previous question will allow us to protect certain provisions of the bill but also allow full and fair debate of the provision protecting the collective bargaining rights of transit workers. That is the only fair and proper thing to do.

Madam Speaker, I am including at this point in the RECORD the amendment which we shall offer. The amendment referred to follows:

AMENDMENT OFFERED BY MR. BEILENSON TO THE AMENDMENT OFFERED BY MRS. WALDHOLTZ OF UTAH TO H. RES. 194

At the end of the amendment add the following new instruction:

At the end of the resolution, as proposed to be amended, add the following new section:

SEC. 3. (a) The amendment printed in subsection (b) shall be considered as adopted in the House and in the Committee of the Whole and shall be considered as original text for the purpose of further amendment under the five-minute rule. Points of order against provisions thereby inserted in the bill for failure to comply with clause 2 or 6 of rule XXI are waived.

Page 53, strike line 1 through 13 and insert the following:

SEC. 343. Subsection (b) of section 5333 of title 49, United States Code, is amended by adding at the end the following:

''(4) The Secretary of Labor shall undertake all actions necessary to certify promptly employee protective arrangements under this section for the purpose of expediting the release of Federal assistance under this

chapter. The Secretary of Labor, working with the Secretary of Transportation, is directed to issue in final form by September 30, 1995, guidelines which ensure that protective arrangements with respect to a qualified application for Federal assistance under this chapter are certified within 60 days after receipt of such application from the Department of Transportation''.

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

Mrs. WALDHOLTZ. Madam Speaker, I yield myself the balance of my time.

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

Mrs. WALDHOLTZ. Madam Speaker, to close this debate, let me simply say the Committee on Rules has tried very hard to open up the amendment process for all Members regardless of party affiliation in this Congress.

Madam Speaker, I am inserting in the RECORD at this point a chart that will show in this Congress as of this date 72 percent of the rules that have been offered were open or modified open rules, whereas in the last Congress as of this date only 44 percent of the rules were open or modified.

Madam Speaker, we are trying to keep this amendment process open, and this rule accomplishes that. The Committee on Rules is trying to facilitate discussion of as many issues on the floor of this House as possible, and so this rule reflects the use of the guideline that provides customary necessary waivers where agreement has been reached between the responsible authorizers and appropriators.

This rule is no different in that regard. This rule does not guarantee the outcome of any particular process in this bill, but it does guarantee discussion on items that, without these waivers, would not be able to be brought to the floor of this House.

On 13(c), there is a motion to strike in order, and so if those who want to reform rather than repeal the program have sufficient strength to carry the day on this particular item, then we can go through the reform process in the authorizing process.

The point is, Madam Speaker, this is a rule that will allow us to consider critical funding issues for the transportation and infrastructure needs of our Nation.

I urge my colleagues to support this rule.

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

[As of July 20, 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	36	72
Modified Closed [3]	49	47	12	24
Closed [4]	9	9	2	4
Totals:	104	100	50	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 20, 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	PQ: 242–185 A: voice vote (7/18/95)
H. Res. 190 (7/17/95)	O	H.R. 2020	Treasury/Postal Approps. FY 1996	PQ: 232–192 A: voice vote (7/18/95)
H. Res. 193 (7/19/95)	C	H.J. Res. 96	Disapproval of MFN to China	A: voice vote (7/20/95)
H. Res. 194 (7/19/95)	O	H.R. 2002	Transportation 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. FOGLIETTA. Mr. Chairman, I join with my colleague in opposing the rule which protects a provision of the bill that repeals 13(c). For over 30 years, 13(c) has guaranteed collective bargaining rights to over 200,000 transit employees throughout the Nation. Changing course now would simply paralyze collective bargaining in transit. What that means in real terms is that bus drivers, trolley operators, and other transit workers face cuts in their wages and diminished job security. If you listened to opponents of 13(c) you would think we were talking about Donald Trump's wage and benefit demands. We are not. We are talking about a bus driver who may make $30,000 a year. Or a trolley operator fighting for a full package of health benefits.

These workers should have the protection of the collective bargaining process.

The Department of Labor, transit labor unions, and the Department of Transportation are taking real steps to address the issues. The administrative burdens and the costs of 13(c). They are working to reform 13(c). Let's let that process continue. I can report to you that the back and forth lobbying about this very issue has soured labor relations in Philadelphia which had been positive and productive. Let's defeat this rule.

AMENDMENT IN THE NATURE OF A SUBSTITUTE OFFERED BY MRS. WALDHOLTZ

Mrs. WALDHOLTZ. Madam Speaker, I offer an amendment in the nature of a substitute.

The Clerk read as follows:

Amendment in the nature of a substitute offered by Mrs. WALDHOLTZ:

Strike all after ''Resolved,'' and insert the following:

''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. 2002) making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 1996, and for other purposes. The first reading of the bill shall be dispensed with. Points of order against consideration of the bill for failure to comply with clause 3 of rule XIII or section 401(a) of the Congressional Budget Act of 1974 are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. After general debate the bill shall be considered for amendment under the five-minute rule. The amendment printed in section 2 of this resolution shall be considered as adopted in the House and in the Committee of the Whole. The bill, as amendment, shall be considered as the original bill for the purpose of further amendment under the five-minute rule and shall be considered by title rather than by paragraph. Each title shall be considered as read. Points of order against provisions in the bill for failure to comply with clause 2 or 6 of rule XXI are waived except as follows: beginning with the colon on page 20, line 14, through the citation on line 19; and page 54, lines 3 through 24. Where points of order are waived against part of a paragraph, points of order against a provision in another part of such paragraph may be made only against such provision and not against the entire paragraph. During 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. It shall be in order at any time to consider the amendment printed in part 2 of the report of the Committee on Rules accompanying this resolution, if offered by a Member designated in the report. That amendment shall be considered as read, 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. 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 15 minutes. 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.

Sec. 2. The amendment considered as adopted in the House and in the Committee of the Whole is as follows:

Page 20, line 13, insert ''(subject to passage hereafter by the House of a bill authorizing appropriations therefor, and only in amounts provided therein)'' before the first comma.

Page 27, line 23, insert ''(subject to passage hereafter by the House of a bill authorizing appropriations therefor, and only in amounts provided therein)'' before the semicolon.

Page 27, line 25, insert ''(subject to passage hereafter by the House of a bill authorizing appropriations therefor, and only in amounts provided therein)'' before the semicolon.

Page 28, line 4, insert ''(subject to passage hereafter by the House of a bill authorizing appropriations therefor, and only in amounts provided therein)'' before the semicolon.

Page 28, line 6, insert ''(subject to passage hereafter by the House of a bill authorizing appropriations therefor, and only in amounts provided therein)'' before the semicolon.

Page 28, line 8, insert ''(subject to passage hereafter by the House of a bill authorizing appropriations therefor, and only in amounts provided therein)'' before the semicolon.

Page 28, line 22, insert ''(subject to passage hereafter by the House of a bill authorizing appropriations therefor, and only in amounts provided therein)'' before the semicolon.

Page 28, line 24, insert ''(subject to passage hereafter by the House of a bill authorizing appropriations therefor, and only in amounts provided therein)'' before the semicolon.

Page 29, line 4, insert ''(subject to passage hereafter by the House of a bill authorizing appropriations therefor, and only in amounts provided therein)'' before the semicolon.

Page 29, line 8, insert ''(subject to passage hereafter by the House of a bill authorizing appropriations therefor, and only in amounts provided therein)'' before the semicolon.

Page 29, line 24, insert ''(subject to passage hereafter by the House of a bill authorizing appropriations therefor, and only in amounts provided therein)'' before the semicolon.

Page 30, line 2, insert ''(subject to passage hereafter by the House of a bill authorizing appropriations therefor, and only in amounts provided therein)'' before the semicolon.

Page 30, line 4, insert ''(subject to passage hereafter by the House of a bill authorizing appropriations therefor, and only in amounts provided therein)'' before the semicolon.

Page 30, line 6, insert ''(subject to passage hereafter by the House of a bill authorizing appropriations therefor, and only in amount provided therein)'' before the period.

Page 48, strike lines 5 through 7.

Page 51, strike line 14 and all that follows through line 22, and insert the following:

''Sec. 339. None of the funds in this Act may be used to enforce the requirement that airport charges make the airport as self-sustaining as possible or the prohibition against revenue diversion in the Airport and Airway Improvement Act of 1982 (49 USC 47107) against Hot Springs Memorial Field in Hot Springs, Arkansas on the grounds of such airport's failure to collect fair market rental value for the facilities known as Kimery Park and Family Park: Provided, That any fees collected by any person for the use of such parks above those required for the operation and maintenance of such parks shall be remitted to such airport: Provided Further, That the Federal Aviation Administration does not find that any use of, or structures on, Kimery Park and Family Park are in compatible with the safe and efficient use of the airport.''.

☐ 1145

Madam 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 (Mrs. MORELLA). The question is on ordering the previous question on the amendment and on the resolution.

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

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

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

The Sergeant at Arms will notify absent Members.

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

The vote was taken by electronic device, and there were—yeas 217, nays 202, not voting 15, as follows:

[Roll No. 546]

YEAS—217

Allard	Bunning	Davis
Archer	Burr	Deal
Armey	Burton	DeLay
Bachus	Buyer	Diaz-Balart
Baker (CA)	Callahan	Dickey
Baker (LA)	Calvert	Doolittle
Ballenger	Camp	Dornan
Barr	Canady	Duncan
Barrett (NE)	Castle	Ehlers
Bartlett	Chabot	Ehrlich
Barton	Chambliss	Emerson
Bass	Chenoweth	English
Bereuter	Christensen	Ensign
Bilbray	Chrysler	Everett
Bilirakis	Clinger	Ewing
Bliley	Coble	Fawell
Blute	Coburn	Fields (TX)
Boehlert	Collins (GA)	Flanagan
Boehner	Combest	Foley
Bonilla	Cooley	Forbes
Bono	Crapo	Fowler
Brownback	Cremeans	Fox
Bryant (TN)	Cubin	Franks (CT)
Bunn	Cunningham	Frelinghuysen

Frisa
Funderburk
Ganske
Gekas
Gilchrest
Gillmor
Gilman
Goodlatte
Goss
Graham
Greenwood
Gunderson
Gutknecht
Hancock
Hansen
Hastert
Hastings (WA)
Hayworth
Hefley
Heineman
Herger
Hilleary
Hobson
Hoekstra
Hoke
Horn
Hostettler
Houghton
Hunter
Hutchinson
Hyde
Inglis
Istook
Johnson (CT)
Johnson, Sam
Jones
Kasich
Kelly
Kim
Kingston
Klug
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Laughlin
Lazio
Leach
Lewis (CA)
Lewis (KY)
Lightfoot
Linder
Livingston
LoBiondo
Longley
Lucas
Manzullo
McCollum
McCrery
McInnis
McIntosh
McKeon
Metcalf
Meyers
Mica
Miller (FL)
Molinari
Moorhead
Morella
Myers
Myrick
Nethercutt
Neumann
Ney
Norwood
Nussle
Oxley
Packard
Parker
Paxon
Petri
Pombo
Porter
Portman
Pryce
Quillen
Radanovich
Ramstad
Regula
Riggs
Roberts
Rogers
Rohrabacher
Ros-Lehtinen
Roth
Roukema
Royce
Salmon
Sanford
Saxton
Scarborough
Schaefer
Schiff
Seastrand
Sensenbrenner
Shadegg
Shaw
Shays
Shuster
Skeen
Smith (MI)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Stearns
Stockman
Stump
Talent
Tate
Taylor (NC)
Thomas
Thornberry
Tiahrt
Torkildsen
Upton
Vucanovich
Waldholtz
Walker
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wolf
Young (AK)
Young (FL)
Zeliff
Zimmer

NAYS—202

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

NOT VOTING—15

Bateman
Brown (CA)
Collins (MI)
Cox
Crane
Dreier
Dunn
Gallegly
Goodling
Jefferson
Moakley
Reynolds
Torricelli
Volkmer
Watts (OK)

☐ 1211

The Clerk announced the following pair:

On this vote:

Mr. Dreier for, with Mr. Moakley against.

Mr. MCNULTY and Mr. MCHUGH changed their vote from ''yea'' to ''nay.''

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

So the previous question was ordered.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mrs. MORELLA). The question is on the amendment in the nature of a substitute.

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

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.

☐ 1215

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 70, EXPORTS OF ALASKAN NORTH SLOPE OIL

Mrs. WALDHOLTZ, from the Committee on Rules submitted a privileged report (Rept. No. 104–198) on the resolution (H. Res. 197) providing for the consideration of the bill (H.R. 70) to permit exports of certain domestically produced crude oil, and for other purposes, which was referred to the House Calendar and ordered to be printed.

GENERAL LEAVE

Mr. WOLF. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill (H.R. 2002) making appropriations for the Department of Transportation and related agencies for fiscal year ending September 30, 1996, and for other purposes, and that I may be permitted to include tables, charts, and extraneous matter.

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

There was no objection.

DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES APPROPRIATIONS ACT, 1996

The SPEAKER pro tempore. Pursuant to House Resolution 193 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 2002.

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IN THE COMMITTED OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 2002) making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 1996, and for other purposes, with Mr. BEREUTER in the chair.

The Clerk read the title of the bill.

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

Under the rule, the gentleman from Virginia [Mr. WOLF] will be recognized for 30 minutes, and the gentleman from Texas [Mr. COLEMAN] will be recognized for 30 minutes.

The Chair recognizes the gentleman from Virginia [Mr. WOLF].

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

Mr. Chairman, the gentle from Texas [Mr. COLEMAN] had made an excellent suggestion where, by using the whole hour, we limit it to half an hours, 15 minutes on each side.

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

Mr. WOLF. I yield to the gentleman from Texas.

Mr. COLEMAN. I have no objection to that.

Mr. WOLF. We will do that and Members can get home earlier.

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

Mr. WOLF. Mr. Chairman, I will summarize very quickly. The transportation bill we bring to the floor is a good bill. It is balanced. I thank all the members of the committee, and I will not mention their names but they know who they are.

Let me take a few minutes to summarize the bill. It is within the subcommittee's 602(b) allocation in domestic budget authority and outlays. In total, the bill provides $12.6 billion in budget authority and $36.9 billion in outlays.

I would add at this point the budget authority is reduced from fiscal year 1995 levels by $1 billion, and it is fair and balanced.

In order to meet the 602(b) allocation, we have to cut a number of programs. We set priorities. One was in the area of safety and, therefore, we made a special effort there.

After safety, the committee's second priority was to provide continued investment in the Nation's highways and bridges and transit systems, Amtrak, and airports. The bill provides $18 billion for the Federal aid highway program, the highest level in the history of the Nation, and permits the expenditure of all 99 percent of the tax receipts collected by the highway trust fund this year.

For the first time in countless years, the bill contains no special earmarked funds for highway demonstration projects. Rather, the committee has provided an increase of $840 million in the Federal aid highway program which will allow every State to receive additional funds for highway construction than they received.

I would hope then the Governors of these States, since they are getting this extra money, will then take it and apply to it many of the projects that Members of the body were interested in.

Aviation has been funded at $8.343 billion; within that amount is the airport improvement program at $1.6, an increase of 10 percent. The Coast Guard program has been helped at $3.653, and also the gentleman from Florida [Mr. YOUNG], in the defense authorization has also granted us $44 million.

Mr. Chairman, I am going to kind of just summarize and kind of end on that. There are a number of other things. One, we repealed section 13(c), which has driven up the cost of transit riders. That will be an issue we will talk about.

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

Mr. Chairman, the Transportation Appropriations Subcommittee brings to the floor today the fiscal year 1996 transportation appropriations bill. This bill has been crafted after a great deal of hard work and hearings and meetings with Members of the House and with the assistance and cooperation of all members of the subcommittee. We have consulted with the Department of Transportation and the administration as well as other interested parties. Where possible, the subcommittee has included provisions or language to address concerns expressed by these individuals.

I want to thank our Members, Mr. DELAY, Mr. REGULA, Mr. ROGERS, Mr. LIGHTFOOT, Mr. PACKARD, Mr. CALLAHAN, Mr. DICKEY, Mr. COLEMAN, Mr. SABO, Mr. DURBIN, and Mr. FOGLIETTA. Each Member and his staff has worked diligently and hard and the product is as much theirs as it is anyone's.

Let me just take a few minutes to summarize the bill we bring before you today. The bill is within the subcommittee's 602(b) allocation in domestic budget authority and outlays. In total, the bill provides $12.6 billion in budget authority and $36.9 billion in outlays. I would add at this point that budget authority is reduced from fiscal year 1995 levels by $1.0 billion. And most importantly, this bill is fair and balanced.

In order to meet the subcommittee's 602(b) allocation, the subcommittee had to set priorities, and our first priority was to protect programs and initiatives related to transportation safety. This is the primary reason for the Department of Transportation, and it is the Federal Government's responsibility in the transportation area. We must ensure that funding is available to promote and provide for safe transportation systems. This bill does just that.

The committee's second priority was to provide continued investments in the Nation's highways, bridges, transit systems, Amtrak, and airports. The bill provides $18 billion for the Federal aid highway program, the highest level in the history of the Nation; and permits the expenditure of almost 99 percent of the tax receipts collected by the highway trust fund this year. The bill provides the full amount authorized for transit expenditures from the transit account of the highway trust fund, and the bill spends $90 million more than collected this year for aviation programs financed from the aviation trust fund.

For the first time in countless years, the bill contains no special earmarked funds for highway demonstration projects. Rather, the committee has provided an increase of $840 million in the Federal aid highway program which will allow every State to receive additional funds for highway construction than they received last year. This decision represents less Federal intrusion in what should be State decisionmaking and provides a fairer process for the distribution of Federal dollars.

The bill provides $3.653 billion for the Coast Guard which is to be supplemented by an additional $44 million that is included in the defense bill to fund defense-related Coast Guard activities.

Aviation accounts are funded at $8.343 billion. Within that amount, the airport improvement program is funded at $1.6 billion, an increase of 10 percent. After a year where aviation fatalities were the highest in a decade, funds have been maintained or ever added for aviation security and safety-related systems.

Funding for the National Highway Traffic Safety Administration is recommended at levels slightly above last year, recognizing the need for continued funding to address alcohol-impaired driving and occupant protection.

Funding for Amtrak's capital program is funded at the level requested by the administration, $230 million, and operating expenses have been reduced by nearly $140 million. All appropriations for Amtrak are contingent upon authorizing legislation that reforms the National Rail Passenger Corporation.

But, as I mentioned earlier, difficult choices had to be made and for each increase over last year, reductions in other areas had to found. Funding for operations of several important agencies and grants for Amtrak and transit operating assistance have been reduced in order to stretch our transportation dollars as far as possible.

A number of programs have been eliminated, including local rail freight assistance, highway demonstration projects, Penn Station Redevelopment, and various smaller Coast Guard, FAA, and highway programs. The Interstate Commerce Commission is terminated on January 1, 1996.

Fifteen million provided for essential air service through a new Federal-State-local partnership that requires a 50–50 match by the State or local entity. This level represents a reduction of 55 percent.

Funding for administrative functions of the Department of Transportation have been reduced from last year's level in many cases. A reorganization of the Department's extensive field structure is directed, saving $25 million this year.

And transit operating has been reduced from $710 million to $400 million, $100 million below what the administration requested. To mitigate these reductions, however, the bill contains two provisions that will allow transit agencies the flexibility to reduce their costs and accommodate reductions in Federal operating assistance without reducing services or increasing fares. First, the bill repeals section 13(C) of the Federal Transit Act. Many transit agencies have informed the committee that the labor protections provided under section 13(c) are costly, outdated, burdensome, and impede innovation, efficiency, and growth of transit services. Second, the bill includes language, requested by the administration, that permits bus overhauls to be funded from transit capital funds.

The bill includes $29.9 million for pipeline safety, a reduction of $12.5 million below last year's level. This level is necessary not to compromise program operations or pipeline safety.

And lastly, the bill contains a provision that prohibits training that personally offends or seeks to change the personal, religious values, or the lifestyle of an individual. This provision stems from extensive hearings that the committee conducted regarding training at the Department of Transportation.

In summary, Mr. Chairman, this is a balanced bill, developed in a very difficult budget year. It provides for essential transportation needs of this country, it places a high priority on safety and trust fund financed programs and infrastructure investments. We have worked in a bipartisan fashion with the minority members of the subcommittee and throughout the Congress. I believe the bill deserves the committee's support, and I recommend it for approval.

As usual, Mr. Chairman, the committee report accompanying the bill spells out in detail the funding recommendations. For additional information or specific funding levels, I would refer my colleagues to that document.

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

FY 1996 TRANSPORTATION APPROPRIATIONS BILL (H.R. 2002)

	FY 1995 Enacted	FY 1996 Estimate	Bill	Bill compared with Enacted	Bill compared with Estimate
TITLE I - DEPARTMENT OF TRANSPORTATION					
Office of the Secretary					
Salaries and expenses	58,094,000	62,164,000	55,011,500	-3,082,500	-7,152,500
Immediate Office of the Secretary	(1,220,000)			(-1,220,000)	
Immediate Office of the Deputy Secretary	(563,000)			(-563,000)	
Office of the General Counsel	(7,878,000)			(-7,878,000)	
Office of the Assistant Secretary for Transportation Policy	(2,309,000)			(-2,309,000)	
Office of the Assistant Secretary for Aviation and International Affairs	(7,887,000)			(-7,887,000)	
Office of the Assistant Secretary for Budget and Programs	(4,400,000)			(-4,400,000)	
Office of the Assistant Secretary for Governmental Affairs	(2,260,000)			(-2,260,000)	
Office of the Assistant Secretary for Administration	(22,425,000)			(-22,425,000)	
Office of Public Affairs	(1,360,000)			(-1,360,000)	
Executive Secretariat	(932,000)			(-932,000)	
Contract Appeals Board	(930,000)			(-930,000)	
Office of Civil Rights	(1,779,000)			(-1,779,000)	
Office of Small and Disadvantaged Business Utilization	(936,000)			(-936,000)	
Minority Business Resource Center	(4,000,000)			(-4,000,000)	
Office of Intelligence and Security	(800,000)			(-800,000)	
Office of Intermodalism	(1,000,000)			(-1,000,000)	
Undistributed	(-2,313,000)			(+2,313,000)	
Office of civil rights		12,793,000	6,554,000	+6,554,000	-6,239,000
Transportation planning, research, and development	8,293,000	15,710,000	3,309,000	-4,984,000	-12,401,000
Office of Commercial Space Transportation: Operations and Research	8,080,000			-8,080,000	
Working capital fund	(93,000,000)	(104,364,000)	(102,231,000)	(+9,231,000)	(-2,133,000)
Payments to air carriers (Airport & Airway Trust Fund):					
(Liquidation of contract authorization)	(33,423,000)		(15,000,000)	(-18,423,000)	(+15,000,000)
(Limitation on obligations)	(33,423,000)		(15,000,000)	(-18,423,000)	(+15,000,000)
Rescission of contract authority	(-4,000,000)	(-38,800,000)	(-23,800,000)	(-19,800,000)	(+15,000,000)
Rescission		(-8,788,971)	(-8,788,971)	(-8,788,971)	
Rental payments	144,419,000	143,438,000	130,803,000	-13,616,000	-12,633,000
Headquarters facilities		331,000,000			-331,000,000
Minority business resource center program	1,800,000	1,900,000	1,900,000		
(Limitation on direct loans)	(15,000,000)	(15,000,000)	(15,000,000)		
Minority business outreach		2,900,000	2,900,000	+2,900,000	
Total, Office of the Secretary	218,788,000	569,903,000	200,477,500	-18,288,500	-369,425,500
(Limitations on obligations)	(33,423,000)		(15,000,000)	(-18,423,000)	(+15,000,000)
Total budgetary resources	(252,189,000)	(569,903,000)	(215,477,500)	(-36,711,500)	(-354,425,500)
Coast Guard					
Operating expenses	2,598,000,000	2,618,316,000	2,566,000,000	-32,000,000	-52,316,000
Acquisition, construction, and improvements:					
Vessels	187,900,000	203,700,000	191,200,000	+3,300,000	-12,500,000
Aircraft	11,800,000	19,500,000	16,500,000	+4,700,000	-3,000,000
Other equipment	29,700,000	56,300,000	42,200,000	+12,500,000	-14,100,000
Shore facilities and aids to navigation	89,350,000	99,800,000	92,275,000	-7,075,000	-17,525,000
Personnel and related support	44,200,000	48,900,000	43,000,000	-1,200,000	-5,900,000
Subtotal, A C and I	362,950,000	428,200,000	375,175,000	+12,225,000	-53,025,000
Environmental compliance and restoration	23,500,000	25,000,000	21,000,000	-2,500,000	-4,000,000
Alteration of bridges		2,000,000	16,000,000	+16,000,000	+14,000,000
Retired pay	562,585,000	562,022,000	562,022,000	+19,437,000	
Reserve training	64,981,000	64,859,000	61,859,000	-3,122,000	-3,000,000
Research, development, test, and evaluation	20,310,000	22,500,000	18,500,000	-1,810,000	-4,000,000
Boat safety (Aquatic Resources Trust Fund)	25,000,000		20,000,000	-5,000,000	+20,000,000
Emergency Fund (Oil Spill Liability Trust Fund) (limitation of permanent appropriation)			(3,000,000)	(+3,000,000)	(+3,000,000)
Total, Coast Guard	3,657,326,000	3,742,897,000	3,660,556,000	+3,230,000	-82,341,000
Federal Aviation Administration					
Operations	4,395,394,000	4,704,000,000	4,600,000,000	+4,606,000	-104,000,000
Facilities and equipment (Airport and Airway Trust Fund)	2,067,489,000	1,907,847,000	2,000,000,000	-67,489,000	+92,153,000
Rescission	(-35,000,000)		(-60,000,000)	(-25,000,000)	(-60,000,000)
Research, engineering, and development (Airport and Airway Trust Fund)	259,192,000	267,861,000	143,000,000	-116,192,000	-124,861,000
Grants-in-aid for airports (Airport and Airway Trust Fund):					
(Liquidation of contract authorization)	(1,500,000,000)	(1,500,000,000)	(1,500,000,000)		
(Limitation on obligations)	(1,450,000,000)	(1,500,000,000)	(1,600,000,000)	(+150,000,000)	(+100,000,000)
Aircraft purchase loan guarantee program	148,000	50,000	50,000	-98,000	
(Limitation on borrowing authority)	(9,970,000)	(1,600,000)	(1,600,000)	(-8,370,000)	
Total, Federal Aviation Administration	6,942,223,000	6,879,558,000	6,743,050,000	-199,173,000	-136,508,000
(Limitations on obligations)	(1,450,000,000)	(1,500,000,000)	(1,600,000,000)	(+150,000,000)	(+100,000,000)
Total budgetary resources	(8,392,223,000)	(8,379,558,000)	(8,343,050,000)	(-49,173,000)	(-36,508,000)
Unified transportation infrastructure investment program (limitation on obligations)		(-1,500,000,000)			(+1,500,000,000)
Total budgetary resources	(8,392,223,000)	(8,879,558,000)	(8,343,050,000)	(-49,173,000)	(+1,463,492,000)

FY 1996 TRANSPORTATION APPROPRIATIONS BILL (H.R. 2002)—Continued

	FY 1995 Enacted	FY 1996 Estimate	Bill	Bill compared with Enacted	Bill compared with Estimate
Federal Highway Administration					
Limitation on general operating expenses	(625,341,000)	(599,496,000)	(495,361,000)	(-29,980,000)	(-104,135,000)
Highway-related safety grants (Highway Trust Fund):					
(Liquidation of contract authorization)	(10,800,000)	(10,000,000)	(10,000,000)	(-800,000)	.....
(Limitation on obligations)	(10,800,000)	(10,000,000)	(10,000,000)	(-800,000)	.....
Rescission of contract authority	(-20,000,000)	.....	.....	(+20,000,000)	.....
Federal-aid highways (Highway Trust Fund):					
(Limitation on obligations)	(17,160,000,000)	(20,254,255,000)	(18,000,000,000)	(+840,000,000)	(-2,254,255,000)
(Exempt obligations)	(2,267,701,000)	(80,000,000)	(2,311,932,000)	(+44,231,000)	(+2,231,932,000)
(Liquidation of contract authorization)	(17,000,000,000)	(19,200,000,000)	(19,200,000,000)	(+2,200,000,000)	.....
Right-of-way revolving fund (Highway Trust Fund) (limitation on direct loans)	(42,500,000)	.....	.....	(-42,500,000)	.....
Motor carrier safety grants (Highway Trust Fund):					
(Liquidation of contract authorization)	(73,000,000)	(85,000,000)	(68,000,000)	(-5,000,000)	.....
(Limitation on obligations)	(74,000,000)	(85,000,000)	(79,150,000)	(+5,150,000)	(-5,850,000)
Surface transportation projects	362,055,000	.....	.....	-362,055,000	.....
Rescission	(-12,004,000)	.....	.....	(+12,004,000)	.....
High priority corridor (sec. 314A)	8,000,000	.....	.....	-8,000,000	.....
Orange County, CA toll road project (sec. 339a)	8,000,000	.....	.....	-8,000,000	.....
Total, Federal Highway Administration	362,055,000	.....	.....	-362,055,000	.....
(Limitations on obligations)	(17,344,850,000)	(20,348,255,000)	(18,089,150,000)	(+844,350,000)	(-2,260,105,000)
(Exempt obligations)	(2,267,701,000)	(80,000,000)	(2,311,932,000)	(+44,231,000)	(+2,231,932,000)
Total budgetary resources	(19,878,556,000)	(20,428,255,000)	(20,401,082,000)	(+522,526,000)	(-26,173,000)
Unified transportation infrastructure investment program (limitation on obligations)	.....	(-20,134,255,000)	.....	.....	(+20,134,255,000)
Total budgetary resources	(19,878,556,000)	(295,000,000)	(20,401,082,000)	(+522,526,000)	(+20,106,082,000)
National Highway Traffic Safety Administration					
Operations and research	79,556,000	84,586,000	73,316,570	-6,239,430	-11,281,430
Rescissions	.....	.....	(-4,547,185)	(-4,547,185)	(-4,547,185)
Operations and research (Highway Trust Fund)	46,997,000	59,744,000	52,011,930	+5,014,930	-7,732,070
Subtotal, Operations and research	126,553,000	144,342,000	125,328,500	-1,224,500	-19,013,500
Highway traffic safety grants (Highway Trust Fund):					
(Liquidation of contract authorization)	(151,000,000)	(180,000,000)	(153,400,000)	(+2,400,000)	(-26,600,000)
State and community highway safety grants (Sec. 402) (limitation on obligations)	(123,000,000)	(166,600,000)	(126,000,000)	(+3,000,000)	(-42,600,000)
National Driver Register (Sec. 403) (limitation on obligations)	(3,400,000)	(2,400,000)	(2,400,000)	(-1,000,000)	.....
Alcohol-impaired driving countermeasures programs (Sec. 410) (limitation on obligations)	(25,000,000)	(25,000,000)	(25,000,000)	.....	.....
Total, National Highway Traffic Safety Administration	126,553,000	144,342,000	125,328,500	-1,224,500	-19,013,500
(Limitations on obligations)	(151,400,000)	(196,000,000)	(153,400,000)	(+2,000,000)	(-42,600,000)
Total budgetary resources	(277,953,000)	(340,342,000)	(278,728,500)	(+775,500)	(-61,613,500)
Federal Railroad Administration					
Office of the Administrator	13,090,000	17,370,000	14,000,000	+910,000	-3,370,000
Local rail freight assistance	17,000,000	.....	.....	-17,000,000	.....
Rescission	(-6,583,000)	.....	.....	(+6,583,000)	.....
Railroad safety	47,729,000	51,104,000	49,940,660	+2,211,660	-1,163,340
Railroad research and development	20,500,000	48,947,000	21,000,000	+500,000	-27,947,000
Northeast corridor improvement program	200,000,000	236,000,000	100,000,000	-100,000,000	-135,000,000
Next generation high speed rail	20,000,000	30,000,000	10,000,000	-10,000,000	-20,000,000
Trust fund share of next generation high speed rail (Highway Trust Fund):					
(Liquidation of contract authorization)	(3,400,000)	(7,118,000)	(5,000,000)	(+1,600,000)	(-2,118,000)
(Limitation on obligations)	(5,000,000)	(5,000,000)	(5,000,000)	.....	.....
Rhode Island Rail Development	5,000,000	10,000,000	.....	-5,000,000	-10,000,000
Grants to the National Railroad Passenger Corporation:					
Operations	542,000,000	420,000,000	336,000,000	-206,000,000	-84,000,000
Transition costs	.....	.....	62,000,000	+62,000,000	+62,000,000
Capital	251,500,000	230,000,000	230,000,000	-21,500,000	.....
Long-term restructuring transition	.....	100,000,000	.....	.....	-100,000,000
Pennsylvania station redevelopment project	40,000,000	50,000,000	.....	-40,000,000	-50,000,000
Rescission	(-40,000,000)	.....	.....	(+40,000,000)	.....
Total, Grants to the National Railroad Passenger Corp	833,500,000	800,000,000	628,000,000	-205,500,000	-172,000,000
Total, Federal Railroad Administration	1,166,819,000	1,192,421,000	822,940,660	-333,878,340	-369,480,340
(Limitations on obligations)	(5,000,000)	(5,000,000)	(5,000,000)	.....	.....
Total budgetary resources	(1,161,819,000)	(1,197,421,000)	(827,940,660)	(-333,878,340)	(-369,480,340)
Unified transportation infrastructure invest program	.....	-1,045,000,000	.....	.....	+1,045,000,000
Total budgetary resources	(1,161,819,000)	(152,421,000)	(827,940,660)	(-333,878,340)	(+675,519,660)

FY 1996 TRANSPORTATION APPROPRIATIONS BILL (H.R. 2002)—Continued

	FY 1995 Enacted	FY 1996 Estimate	Bill	Bill compared with Enacted	Bill compared with Estimate
Federal Transit Administration					
Administrative expenses	43,080,000	44,292,000	39,280,000	-3,800,000	-4,942,000
Formula grants	640,000,000	1,244,200,000	490,000,000	-150,000,000	-754,200,000
Operating assistance grants	710,000,000	500,000,000	400,000,000	-310,000,000	-100,000,000
Formula grants (Highway Trust Fund) (limitation on obligations)	(1,150,000,000)	(1,120,850,000)	(1,110,000,000)	(-40,000,000)	(-10,850,000)
University transportation centers	6,000,000	6,000,000	6,000,000	.....	.....
Transit planning and research	92,259,000	109,027,000	82,259,000	-10,000,000	-17,777,000
Metropolitan planning program	.....	(41,512,500)	(39,436,250)	(+39,436,250)	(-2,076,250)
Rural transit assistance program	.....	(4,612,500)	(4,381,250)	(+4,381,250)	(-231,250)
Transit cooperative research program	.....	(8,475,000)	(8,051,250)	(+8,051,250)	(-423,750)
National TPR program	.....	(33,882,000)	(19,460,000)	(+19,460,000)	(-14,472,000)
State TPR program	.....	(8,475,000)	(8,051,250)	(+8,051,250)	(-423,750)
National transit institute	.....	(3,000,000)	(2,850,000)	(+2,850,000)	(-150,000)
Subtotal, Transit planning and research	(92,259,000)	(100,027,000)	(82,259,000)	(-10,000,000)	(-17,777,000)
Trust fund share of expenses (Highway Trust Fund) (liquidation of contract authorization)	(1,150,000,000)	(1,120,850,000)	(1,120,850,000)	(-29,150,000)	.....
Discretionary grants	.....	58,944,000	.....	.....	-58,944,000
Discretionary grants (Highway Trust Fund) (limitation on obligations):					
Fixed guideway modernization	(725,000,000)	(724,976,000)	(666,000,000)	(-59,000,000)	(-58,976,000)
Bus and bus-related facilities	(353,330,000)	(274,882,000)	(333,000,000)	(-20,330,000)	(+58,008,000)
New starts	(646,670,000)	(724,976,000)	(666,000,000)	(+19,330,000)	(-58,976,000)
Subtotal, Discretionary grants	(1,725,000,000)	(1,724,944,000)	(1,665,000,000)	(-60,000,000)	(-59,944,000)
Mass transit capital fund (Highway Trust Fund) (liquidation of contract authorization)	(1,500,000,000)	(1,700,000,000)	(2,000,000,000)	(+500,000,000)	(+300,000,000)
Interstate transfer grants - transit	48,030,000	.....	.....	-48,030,000	.....
Washington Metropolitan Area Transit Authority	200,000,000	200,000,000	200,000,000	.....	.....
Violent crime reduction program (Violent Crime Trust Fund)	.....	5,000,000	.....	.....	-5,000,000
Total, Federal Transit Administration	1,738,340,000	2,159,373,000	1,217,510,000	-521,830,000	-941,863,000
(Limitations on obligations)	(2,875,000,000)	(2,845,794,000)	(2,775,000,000)	(-100,000,000)	(-70,794,000)
Total budgetary resources	(4,614,340,000)	(5,005,167,000)	(3,992,510,000)	(-621,830,000)	(-1,012,657,000)
Unified transportation infrastructure invest program	.....	-2,154,373,000	.....	.....	+2,154,373,000
(Limitation on obligations)	.....	(-2,785,850,000)	.....	.....	(+2,785,850,000)
Total budgetary resources	(4,614,340,000)	(64,944,000)	(3,992,510,000)	(-621,830,000)	(+3,927,566,000)
Saint Lawrence Seaway Development Corporation					
Operations and maintenance (Harbor Maintenance Trust Fund)	10,251,000	10,243,000	10,190,500	-60,500	-52,500
Research and Special Programs Administration					
Research and special programs	28,238,000	31,862,000	28,030,000	-208,000	-5,832,000
Hazardous materials safety	(12,887,000)	(12,782,000)	(12,600,000)	(-287,000)	(-182,000)
Aviation information management	(2,453,000)	(2,282,000)	(2,322,000)	(-131,000)	(+40,000)
Emergency transportation	(1,328,000)	(1,301,000)	(1,088,000)	(-240,000)	(-215,000)
Research and technology	(2,530,000)	(7,604,000)	(3,209,000)	(+679,000)	(-4,395,000)
Program and administrative support	(7,032,000)	(7,893,000)	(7,394,000)	(+362,000)	(-499,000)
Accountwide adjustment	.....	.....	(-561,000)	(-561,000)	(-561,000)
Subtotal, research and special programs	(28,238,000)	(31,862,000)	(28,030,000)	(-208,000)	(-5,832,000)
Pipeline safety (Pipeline Safety Fund)	34,991,500	39,720,000	27,243,500	-7,748,500	-12,477,000
Pipeline safety (Oil Spill Liability Trust Fund)	2,432,500	2,696,000	2,696,000	+265,500	.....
Subtotal, Pipeline safety	37,424,000	42,416,000	29,941,000	-7,483,000	-12,477,000
Alaska Pipeline task Force (Oil Spill Liability Trust Fund) (reec)	(-544,000)	.....	.....	(+544,000)	.....
Emergency preparedness grants:					
(Emergency preparedness fund)	400,000	400,000	400,000	.....	.....
(Limitation on obligations)	(10,800,000)	(11,338,000)	(8,890,000)	(-1,910,000)	(-2,448,000)
Total, Research and Special Programs Administration	64,082,000	74,480,000	58,371,000	-7,691,000	-16,109,000
(Limitations on obligations)	(10,800,000)	(11,338,000)	(8,890,000)	(-1,910,000)	(-2,448,000)
Total budgetary resources	(74,882,000)	(85,818,000)	(65,261,000)	(-9,601,000)	(-20,557,000)
Office of Inspector General					
Salaries and expenses	40,000,000	40,238,000	40,238,000	+238,000	.....
General Provisions					
Administrative provision: Procurement (sec. 323a)	-65,120,000	.....	.....	+65,120,000	.....
Bureau of Transportation Statistics (transfer from Federal-aid Highways)	(15,000,000)	(20,000,000)	(20,000,000)	(+5,000,000)	.....
Federal railroad transfer (sec. 341)	3,000,000	.....	.....	-3,000,000	.....
Federal-aid highways (sec. 318 (a))	.....	-574,341,000	.....	.....	+574,341,000
Working capital fund reduction (sec. 327)	-7,000,000	.....	-10,000,000	-3,000,000	-10,000,000
DOT field office consolidation (sec. 338)	.....	.....	-25,000,000	-25,000,000	-25,000,000
ICC transition (sec. 344)	.....	.....	8,421,000	+8,421,000	+8,421,000

FY 1996 TRANSPORTATION APPROPRIATIONS BILL (H.R. 2002)—Continued

	FY 1995 Enacted	FY 1996 Estimate	Bill	Bill compared with Enacted	Bill compared with Estimate
Total, title I, Dept of Transportation (net)	14,134,164,000	14,199,787,000	12,755,149,004	-1,378,014,996	-1,438,578,025
Appropriations	(14,252,275,000)	(14,259,114,000)	(12,690,093,160)	(-1,402,181,840)	(-1,368,020,840)
Rescissions	(-118,111,000)	(-45,368,871)	(-64,934,156)	(+23,176,844)	(-19,547,185)
(Limitations on obligations)	(21,770,483,000)	(24,937,267,000)	(22,948,440,000)	(+678,017,000)	(-2,288,847,000)
(Exempt obligations)	(2,267,701,000)	(60,000,000)	(2,311,932,000)	(+44,231,000)	(+2,251,932,000)
Total budgetary resources including (limitations on obligations) and (exempt obligations)	(36,172,266,000)	(39,161,114,000)	(37,713,521,004)	(-458,766,996)	(-1,447,593,025)
Adjustments made for unified program	.....	-3,199,373,000	.....	.....	+3,199,373,000
(Limitation on obligations)	.....	(-24,420,105,000)	.....	.....	(+24,420,105,000)
Unified transportation infrastructure invest program	.....	24,392,976,000	.....	.....	-24,392,976,000
Total budgetary resources	(36,172,266,000)	(39,153,885,000)	(37,713,521,004)	(-458,766,996)	(-1,440,464,025)
TITLE II - RELATED AGENCIES					
Architectural and Transportation Barriers Compliance Board					
Salaries and expenses	3,350,000	3,656,000	3,656,000	+306,000	.....
National Transportation Safety Board					
Salaries and expenses	37,392,000	38,774,000	38,774,000	+1,382,000	.....
Emergency fund	.....	360,802	160,802	+160,802	-200,000
Total, National Transportation Safety Board	37,392,000	39,134,802	38,934,802	+1,542,802	-200,000
Interstate Commerce Commission					
Salaries and expenses	30,302,000	28,844,000	13,379,000	-16,923,000	-15,465,000
Payments for directed rail service (limitation on obligations)	(475,000)	(475,000)	(475,000)	.....	.....
Total, Interstate Commerce Commission	(30,777,000)	(28,319,000)	(13,854,000)	(-16,923,000)	(-15,465,000)
Panama Canal Commission					
Panama Canal Revolving Fund:					
(Administrative expenses)	(50,030,000)	(50,741,000)	(50,741,000)	(+711,000)	.....
(Limitation on operating and capital expenses)	(540,000,000)	.....	.....	(-540,000,000)	.....
Washington Metropolitan Area Transit Authority					
Interest payments and repayments of principal	9,193,000	.....	.....	-9,193,000	.....
Total, title II, Related Agencies	80,237,000	71,634,802	55,969,802	-24,267,198	-15,665,000
(Limitation on obligations)	(475,000)	(475,000)	(475,000)	.....	.....
Total budgetary resources	(80,712,000)	(72,109,802)	(56,444,802)	(-24,267,198)	(-15,665,000)
Total appropriations (net)	14,214,401,000	35,456,994,831	12,811,118,806	-1,403,282,194	-22,647,876,025
Scorekeeping adjustments:					
Offsets	-20,048,000	.....	.....	+20,048,000	.....
Emergency preparedness grants limitation	-5,554,000	-2,249,000	-4,887,000	+3,667,000	-2,448,000
St. Lawrence Seaway Tolls (loss of receipts)	9,570,000	.....	.....	-9,570,000	.....
FHA: Federal-aid highways (H.R. 1944)	.....	382,190,000	382,190,000	+382,190,000	.....
DOT retirement provisions	.....	.....	-14,950,000	-14,950,000	-14,950,000
General provision: Bonuses and awards	-4,650,000	.....	.....	+4,650,000	.....
(Portion derived from Trust Funds)	(-940,000)	.....	.....	(+940,000)	.....
ICC termination pay	2,900,000	.....	.....	-2,900,000	.....
Pipeline safety	.....	-4,037,000	8,440,000	+8,440,000	+12,477,000
Railroad Safety inspection fees (leg required)	.....	-893,000	.....	.....	+893,000
Total, adjustments	-20,880,000	375,011,000	370,883,000	+391,883,000	-4,028,000
Grand total (net)	14,193,521,000	35,833,975,831	13,182,101,806	-1,011,419,194	-22,651,874,025
Appropriations	(14,311,632,000)	(35,878,382,802)	(13,277,035,966)	(-1,034,596,034)	(-22,602,328,840)
Rescissions	(-118,111,000)	(-45,368,871)	(-64,934,156)	(+23,176,844)	(-19,547,185)
(Limitations on obligations)	(21,770,483,000)	(487,757,000)	(22,948,915,000)	(+678,017,000)	(+22,158,158,000)
(Exempt obligations)	(2,267,701,000)	(60,000,000)	(2,311,932,000)	(+44,231,000)	(+2,251,932,000)
Grand total budgetary resources including (limitations on obligations) and (exempt obligations)	(36,232,120,000)	(36,401,732,831)	(36,140,948,806)	(-91,171,194)	(+1,739,215,975)
Total mandatory and discretionary	14,193,521,000	35,833,975,831	13,182,101,806	-1,011,419,194	-22,651,874,025
Mandatory	571,926,000	582,072,000	582,072,000	+10,146,000	.....
Discretionary:					
Crime trust fund	.....	5,000,000	.....	.....	-5,000,000
General purposes	13,621,595,000	35,246,903,831	12,600,029,806	-1,021,565,194	-22,646,874,025
Total, Discretionary	13,621,595,000	35,251,903,831	12,600,029,806	-1,021,565,194	-22,651,874,025

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

The CHAIRMAN. The Chair would seek an understanding from the gentleman from Virginia [Mr. WOLF] and the gentleman from Texas [Mr. COLEMAN].

In other to respect the rule established, does each gentleman intend to yield back 15 minutes of their time?

Mr. WOLF. I do, Mr. Chairman.

Mr. COLEMAN. Mr. Chairman, that would be my intention. Let me only put the caveat on there, as some Members are asking for more time, I will advise the gentleman, we are not over that amount yet. I will certainly advise the chairman of the subcommittee, should that occur. My intention is for us to limit the debate to an even shorter time than the rule allowed.

The CHAIRMAN. That will be the order. Each gentleman yields back 15 minutes of their time.

The Chair recognizes the gentleman from Texas [Mr. COLEMAN].

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

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

Mr. COLEMAN. Mr. Chairman, I want to congratulate my distinguished colleague, the gentleman from Virginia [Mr. WOLF], on some of the good features of the bill. Certainly funding for the basic Federal highway construction and maintenance programs have been increased, a 5-percent increase in fact, over this year.

The funds are needed to address our deteriorating roads and crumbling bridges across the country. He was steadfast in his determination to free up funding for the basic highway formula program which benefits all States by not funding highway demonstration projects.

I will say to my colleagues, however, Mr. Chairman, that the statement of administration policy submitted by the White House on this bill states very clearly, and I quote, ''The committee bill would make it difficult to continue today's high level of transportation safety.''

I share the administration's concerns. Particularly with regard to the recommended cuts in the Federal Aviation Administration budget, funding for FAA operations is maintained in the bill at about this year's level, but the $4.6 billion recommended is $104 million less than the FAA requested to maintain the air traffic control system and address safety needs. I think that should be of concern to all Americans.

I think what is important to note, of course, too, is that this transportation bill affects the lives of every American in one way or another. We all know that when you drive to work, when you take your children to school, whatever method you use, in some way this bill affects whether or not we are able to do that in an effective and safe manner, hopefully, also in an efficient and rapid manner as necessary.

Let me say to you that cutting the research and technology that this bill cuts would speed the transfer of transportation technologies and boost commercial transportation applications. Had we not made those cuts, there is 40 percent less in this bill for high-speed rail activities in the bill and for the intelligent transportation systems program which will now be severely constrained.

In the rail area, neither freight railroads nor passenger rail service escaped this budget ax.

Assistance to freight railroads is terminated in the bill. Amtrak funding is severely reduced. Amtrak funding in this bill is $305 million or 30 percent less than it was in fiscal year 1995. It is less than the amounts assumed even in the House budget resolution.

Moving to the transit area, I and other Members of this body have deeply held differences of opinion with the chairman on priorities or transit funding and on transit policy. Federal support for community transit and bus operations take a real major cut in this bill, when the need for a major Federal role in transit continues unabated. Some 35 million Americans ride buses or some form of commuter rail service every day. They are working Americans. They are the elderly. They are the disabled. These are the people who will be affected by the 44 percent reduction in mass transit operating subsidies and the 20 percent reduction in transit formula grants in this bill.

I also want to reiterate my strong objections to the bill's provisions that have now been contained in this rule that are now part of the legislation, which does not permit us to reform 13(c). We cannot reform it. Sorry. Sorry. We passed a rule. We insisted that the Committee on Rules was wrong, so we passed an amendment by the gentlewoman from Utah now which saw to it that we are not able any longer to simply reform section 13(c).

I think that is a major mistake. Not only are the repeal of provisions and the rewriting of labor law in this legislation bad policy, I think it is especially bad when we do not even hold hearings on it. We did not hear from the transit workers. We did not hear from the transit property owners, those who own transit properties, to tell us about the effects on them specifically of 13(c) or any collective bargaining agreement.

Some of us, some of us who understand a little bit about the labor laws of this country recognize that at least we should have had hearings, but that did not occur.

I will say to my colleagues that it is not a money issue. No one can point to any credible evidence that repealing a lot of those provisions will save money. There is certainly no empirical evidence, and none in the testimony from any expert in our subcommittee. A lot of us think that is the reason that you should leave these matters to the authorizing committee.

In any event, Mr. Chairman, let me only close by saying to my colleagues that while I have grave concerns about the bill's prohibition that limits certain types of training conducted by the Department of Transportation, I also recognize that we must move on, if we are about the responsible business of running the government.

I do hope that we can achieve a better balance in the bill as we go through the process, when we meet with the Senate in conference, when we deal with amendments today and next week, perhaps. I look forward to working with the distinguished gentleman from Virginia toward that end.

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

□ 1230

Mr. WOLF. Mr. Chairman, I yield 4 minutes to the gentleman from California [Mr. PACKARD], a member of the committee.

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

Mr. PACKARD. Mr. Chairman, I rise in strong support of H.R. 2002, the Transportation appropriations bill for fiscal year 1996. This bill deserves the support of every Member of Congress. The Transportation Appropriations Subcommittee, under the very able leadership of Chairman FRANK WOLF, has produced a bill that will create jobs, build our Nation's infrastructure, and ensure the safety of our traveling public.

I want to take a moment here to congratulate Chairman FRANK WOLF. As you all know this is his first year as the chairman of the subcommittee. Well, I can tell you he hit a home run with his first effort.

This subcommittee held numerous hearings trying to identify the needs that exist across the Nation. This bill addresses them. I wish every Member of Congress had been able to sit through our hearings. If they had, I am certain that they would support this bill without hesitation.

This is a unique bill. With this bill this Congress builds America. We build the highways, transit systems and airports. We provide a network of transportation that moves America—its people, its products, its services. Across town or across the Nation this bill provides the necessary funding to make our citizens mobile and allow our goods and services to get to market.

This bill does other things as well. It funds the Coast Guard to protect our citizens that use our water ways. We fund other safety programs that keep our travelers safe.

This bill also repeals unnecessary regulations like 13(c). Section 13(c) is an arcane, outdated regulation whose primary purpose is to pit one Cabinet level Department—the Department of Labor against the Department of Transportation and against the Congress. Imagine if you can, Congress and the Department of Transportation providing much-needed transit funding for

your transit agency so that your constituents can get to and from work—but just as the grant from the Department of Transportation, and approved by Congress is ready to be released guess what happens? The Department of Labor steps in an overrules Congress and DOT and says no. Your transit agency cannot have those already approved funds. I urge your support for repeal.

Before my time runs out I want to take this opportunity to once again congratulate Chairman WOLF. He is a tireless worker and a principled man who listened to the concerns and interests that not only I had but of every Member who had an interest in this bill. He always extended the utmost courtesy and cooperation and his word is his bond. I want to thank him for working with me and for developing this bill—a bill that I am proud to support. I also want to take this opportunity to congratulate the very able gentleman from Texas and the ranking member on the subcommittee, RON COLEMAN.

I also want to a take a moment to recognize the staff of the committee—John, Rich, Stephanie, Linda, Cheryl, Kristi, and Deborah and all the others who worked on this bill on many late nights and weekends and who always worked with to answer questions I had or offer any assistance that I needed.

Mr. COLEMAN. Mr. Chairman, I yield 2 minutes to the gentlewoman from Ohio [Ms. KAPTUR] for a colloquy with the gentleman from Virginia [Mr. WOLF], the chairman of the subcommittee on Transportation of the Committee on Appropriations.

The gentleman from Virginia is prepared to answer questions. Mr. Chairman.

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

Mr. Chairman, I rise to engage in a colloquy with the chairman of the subcommittee regarding an important project at Toledo Express Airport.

The air traffic control facility at the Toledo Express Airport has experienced several equipment and structural problems during the last few years. There have been several near misses. The tower is now nearly 50 years old and at 57 feet, it is 43 feet shorter than towers at similar airports. Visibility is inadequate and the facility needs relocation.

Rather than waiting for the FAA to address this problem, the Toledo-Lucas County Port Authority has taken the initiative and proposed to construct a tower meeting FAA specifications. Construction would be financed by bonds issued by the Port Authority, and the FAA would move into the tower under a leaseback arrangement. This proposal would cut 3 years off of the time it would take the FAA to construct a tower under its normal procedures and save significant interest costs.

We have discussed this proposal. The chairman of the committee, the gentleman from Virginia [Mr. WOLF], as well as the gentleman from Texas [Mr. COLEMAN], have been most gracious and helpful.

It is my understanding that the gentleman supports the Toledo-Lucas County Port Authority proposal for the construction and leaseback of a Toledo Express Airport tower, is that correct?

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

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

Mr. WOLF. Yes, I believe it is a sound proposal, Mr. Chairman. In fact, I believe it is a very very, very sound proposal. It should not only be given strong consideration by the FAA, but frankly, I just hope they do it.

Ms. KAPTUR. It is my further understanding that the gentleman does encourage the FAA to do all it can to facilitate and expedite the project?

Mr. WOLF. That is correct. I will be glad to have a meeting in my office with the gentlewoman and the FAA so we can work the problem out.

Ms. KAPTUR. I thank the chairman, all my pilots, people that work near the airport, all that work in the control towers, and I thank the gentleman for his interest and assistance in this matter.

Mr. COLEMAN. Mr. Chairman, I yield 2 minutes to the gentleman from Rhode Island [Mr. REED].

Mr. REED. Mr. Chairman, I would seek to engage the distinguished chairman of the subcommittee in a coloquy, if he would be so amendable.

Mr. Chairman, as we know, the administration requested $10 billion for the Rhode Island Freight Rail Development initiative in the fiscal year 1996, to be matched dollar for dollar by the State of Rhode Island. This funding was to be combined with $5 million in fiscal year 1995 funds. Regrettably, the bill does not contain this request.

Is this correct, Mr. Chairman, I would ask the chairman of the subcommittee?

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

Mr. REED. I yield to the gentleman from Virginia.

Mr. WOLF. Yes, as the committee reported in its report: ''Language in the 1995 Transportation Appropriations Act requires that the project have matching State funds.'' As of June 1, 1995, the State has not been able to match the Federal appropriated money.

Mr. REED. Reclaiming my time, Mr. Chairman, recently the Governor of Rhode Island announced that he has all of the matching funds and that the State expects to commence preliminary work prior to the end of fiscal year 1995. In addition, the Governor has requested a Federal contribution of $1 million in fiscal year 1996 to continue this work. It is my understanding that the subcommittee continues to believe that this project is worthy of Federal support.

Is this also the chairman's understanding?

Mr. WOLF. If the gentleman will continue to yield, yes. As the committee report states: ''The committee is willing to reconsider funding for this project in fiscal year 1997 if the available funds are obligated.''

Mr. REED. In light of the expected obligation of fiscal year 1995 funds and the Governor's request, does the chairman believe this is an issue that may be considered during conference with other body provided that Chamber endorses the Governor's recent request?

Mr. WOLF. Yes; if the State is able to match and obligate the 1995 Federal funding and the Senate appropriates the funds for fiscal year 1996, the committee will certainly reconsider further funds for initiative.

Mr. REED. Reclaiming my time, Mr. Chairman, I thank the chairman of the subcommittee and his staff for his assistance and consideration. I would also like to extend my appreciation to the gentleman from Texas [Mr. COLEMAN] and his staff for their attention to this matter.

Mr. WOLF. Mr. Chairman, I yield 3 minutes to the gentleman from Michigan [Mr. PETRI], a member of the authorizing committee.

Mr. PETRI. Mr. Chairman, I thank the chairman of the Subcommittee on Transportation of the Committee on Appropriations for yielding time to me.

Mr. Chairman, I rise in support of H.R. 2002, the fiscal year 1996 DOT Appropriation Act.

I want to thank Chairman WOLF, Chairman LIVINGSTON, and ranking members OBEY and COLEMAN for their hard work in producing this legislation.

This bill sets high trust fund spending levels in the highway and transit programs. It recognizes the importance of infrastructure to our Nation, even in difficult budgetary times.

Unfortunately, some difficult choices needed to be made. However, I applaud the decision to make trust fund infrastructure spending a priority.

I urge my colleagues to support the bill.

Mr. COLEMAN. Mr. Chairman, I yield 3 minutes to the gentleman from New Jersey [Mr. PALLONE].

Mr. PALLONE. Mr. Chairman, I rise to commend the gentleman from Virginia [Mr. WOLF], the chairman of the subcommittee, and also the gentleman from Texas [Mr. COLEMAN], the ranking member, for the work they have done in this bill to maintain the pipeline safety program in the country. Pipeline safety is extremely important for my constituents, because just over a year ago a natural gas pipeline explosion occurred in Edison, NJ, in my district, and leveled the Durham Woods apartment complex, and dramatically altered the lives of thousands of my constituents.

I have learned in the last year that in order to maintain pipeline safety in this country, we need a competent Federal program with the knowledge and manpower to get the job done. The

only way we get that is to adequately fund the Federal program.

Last year, in the wake of the Edison accident, Congress appropriated some $37 million for the Office of Pipeline Safety. We finally gave this consistently underfunded program some teeth. This year, the President recommended $42 million for pipeline safety in his budget, an amount I think would go a long way toward improving the Federal program and enhancing State programs through Federal grants.

Although I fully support the President's request, I understand that the pipeline operators, whose user fees fund the program, do not want to pay that much. I do not agree with these operators, because I think the President's request does not place an undue financial burden on them, because I know that the $20 million they favor is not enough to run a good program.

However, I want to thank the gentleman from Virginia [Mr. WOLF] who worked very hard to take a middle ground, a compromise, that I think is very acceptable, that places about $29 million or $30 million into the Office of Pipeline Safety. It essentially reduces the burden on the pipeline operators, but gives the office enough money to do its job. I urge my colleagues to support this committee's appropriation level. I think that both the gentleman from Virginia [Mr. WOLF] and the gentleman from Texas [Mr. COLEMAN] have done a great job in coming up with this figure. I want to commend them.

I also want to point out that the committee report highlights the importance of the one-call notification system, and provides $1 million for grants to States to implement one-call systems. A one-call notification system would help many of the problems that are responsible for nearly two-thirds of all pipeline accidents in the Nation. The language that the chairman of the subcommittee has included in this bill makes me more confident that we can move a bipartisan Federal one-call bill in this Congress.

Mr. Chairman, I just wanted to touch on one other subject that is very important to the lives of the people who live along our Nation's coasts. I am greatly concerned about the Coast Guard's proposal to close 23 small boat unit stations around the country. There will be an amendment offered by the gentleman from Ohio [Mr. LATOURETTE] during title I that I cosponsored with others to basically transfer $6 million from the Office of the Secretary's account to the operation and maintenance account of the Coast Guard in order to provide funding for these small boat units, and to prevent their closures.

I think this is a very important amendment. The closures would come at a time when the Coast Guard has reported increases over the last 10 years in injuries and accidents. A larger burden is being placed on the Coast Guard, and closing stations is not the way to respond. I think the safety of lives is going to depend upon passing this amendment.

Mr. WOLF. Mr. Chairman, I yield 2 minutes to the gentleman from New Jersey [Mr. FRELINGHUYSEN].

Mr. FRELINGHUYSEN. Mr. Chairman, I thank the gentleman from Virginia, Chairman WOLF, for the time, and compliment him and the gentleman from Texas, Mr. COLEMAN, on the good work that they have accomplished in this bill. I rise in strong support of H.R. 2002, the Transportation Appropriations Act for Fiscal Year 1996.

Mr. Chairman, this bill is important for several reasons. First, it reduces overall transportation spending by $1.2 billion from last year's level. As Chairman LIVINGSTON has said on this floor several times, the Appropriations Committee is doing its job and this bill is further proof that we are keeping our promise to balance the budget.

Second, the bill is good for the State of New Jersey, the most densely populated State in the country. This bill gives New Jersey the funding and flexibility we need to improve our transportation system.

Most important, the bill provides $75 million for the urban core project, a series of mass transit upgrades which will take cars off the road and made commuting much easier for New Jersey residents. I thank the chairman and ranking member for including this important funding.

Finally, the bill ends an outdated requirement that has held up and raised the cost of several transit projects. This 30-year-old provision, known as 13C, has stifled innovation, efficiency, and growth in transit services, and I am pleased that the committee decided to end it.

Mr. Chairman, we know we have to do more with less money, and this bill does that. Transit operating subsidies have been reduced. But this bill repeals 13C which has been nothing more than a gift to organized labor for the past 30 years. This takes away labor's veto power over transit projects and lets transit manages do what they do best—which is manage.

Mr. Chairman, I again applaud the gentleman from Virginia for this bill and urge its adoption.

Mr. COLEMAN. Mr. Chairman, I am happy to yield 2 minutes to the gentlewoman from Florida, Mrs. CARRIE MEEK.

Mrs. MEEK of Florida. Mr. Chairman, I want to commend the chairman of the subcommittee, the gentleman from Virginia [Mr. WOLF], with whom I have worked before, and the ranking member, the gentleman from Texas [Mr. COLEMAN], for having worked together to bring such a bill as the one we see on the floor today. However, I am very concerned, as I always am, when we do substantive legislation on an appropriations bill.

I seek today to sort of let the Congress see what happens when we repeal 13(c). In this repealing of 13(c), we are thinking primarily about transit authorities. The Congress has done an excellent job of telling the Congress how transit authorities feel, but they neglected to show how transit workers feel, and to give them a fair and equitable chance to work with the authorities when Federal grants are provided to cities and to countries.

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I think by excluding the transit workers, one part of this continuum is left off. If we repeal 13(c), that is the effect of it. I am not saying that 13(c) is the answer for all of the problems. I think that 13(c) does need to be reformed, but it does not need to be repealed. Therefore, I call on the chairman and the members of this committee to please think this through very thoroughly in terms of the repeal, to think more of reforming. We have got about 200,000 transit workers out there that carry the people who live in my district and other districts like mine who need to get to work every day. I have women if they cannot get to Miami Beach to their jobs, they will not have a job. If they cannot get downtown to their jobs, they will not have jobs.

I am appealing to the gentleman from Virginia [Mr. WOLF] who is thinking about the working person and has in the past, to think of the impact, the negative impact of repealing 13(c), and instead think of making the necessary reformation and turning it over to the authorizing committee.

Mr. WOLF. Mr. Chairman, I yield 4 minutes to the gentleman from Texas [Mr. DELAY], a member of the committee.

Mr. DELAY. Mr. Chairman, I want to commend the gentleman from Virginia [Mr. WOLF], the chairman of the committee, for putting together a very difficult bill under very hard circumstances and bringing it to the floor. This is his first attempt at writing a transportation appropriations bill and I am very proud to say that I sit next to him on the committee. I am very proud of the work that he has done. I am also proud of my colleague and fellow Texan, the gentleman from Texas [Mr. COLEMAN], the ranking member, for his hard work on this committee. Particularly I thank the staff of the committee. I do not think we can thank the staff enough for putting up with us and helping us write these bills, because it is through their knowledge and their hard work that we are able to bring a bill of this quality to the floor.

Mr. Chairman, I rise to support this bill. It is a good bill. I can support an appropriation bill that actually cuts spending from last year. This is $1.4 billion less than 1995 in discretionary and $22.6 million less than even the President requested. But the thing that I am most proud about this bill is an issue that the gentleman from Virginia [Mr. WOLF] and I have worked on for many, many years, and, that is, that

the bill repeals section 13(c) of the Federal Transit Act which gives transit authorities the necessary flexibility to reduce operating expenses in their transit system.

Section 13(c) was originally intended to protect the rights of transit workers employed by private transit authorities that were acquired by public agencies in States that prohibited collective bargaining. Now, 30 years later, and ironically the same jobs that 13(c) seeks to protect may be the same jobs that are lost because of it. Like Amtrak, these protective arrangements provide transit workers up to 6 years of full compensation and benefits after they lose their job. Section 13(c) is a labor protection that has become too costly and outdated. It has impeded innovation, efficiency, and growth in providing transit services across the country, including new and restructured services.

Section 13(c) has become a means to pursue broader labor objectives and will mean ultimately the loss, not the protection, of jobs in the transit industry.

The bottom line is that section 13(c) has been used by the unions as another bite at the apple to get additional concessions that they could not get through regular collective-bargaining practices.

I encourage all the Members to vote against any amendment that would strike this repeal language.

Mr. Chairman, the bill is a responsible bill, and it is one that should be supported by all the Members of this House because it does represent a well-crafted piece of legislation. We eliminate the ICC in the bill, providing only close-down costs. The bill has absolutely no highway demonstration projects, allowing the States to do their job in designing and building highway projects that are the priorities of the State. There are no new section 3 starts. The only projects that are funded are ongoing projects that need completion. With regard to Amtrak, the bill requires the authorizers to make significant reforms, including labor reforms, before funding is provided.

I encourage all the Members to support the transportation appropriations bill.

The CHAIRMAN. The Chair would advise the bill managers that the gentleman from Texas [Mr. COLEMAN] has 1 minute remaining, and the gentleman from Virginia [Mr. WOLF] has 1½ minutes remaining.

PARLIAMENTARY INQUIRY

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

The CHAIRMAN. The gentleman will state it.

Mr. COLEMAN. Mr. Chairman, I understood that each of us had in fact not yet yielded back the 15 minutes yet. I understood we would do that at the end, provided we have the time. I just have some requests for time.

How much time did the gentleman from Virginia [Mr. WOLF] have?

The CHAIRMAN. He has 1½ minutes.

Mr. COLEMAN. Mr. Chairman, I do have two more speakers.

Mr. WOLF. Mr. Chairman, I yield the balance of my time, 1½ minutes, to the gentleman from Texas [Mr. COLEMAN].

The CHAIRMAN. The gentleman from Texas [Mr. COLEMAN] will be recognized for 2½ minutes.

Mr. COLEMAN. Mr. Chairman, I yield the balance of the time to the gentleman from Pennsylvania [Mr. BORSKI].

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

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

Mr. Chairman, this bill places the Nation's transportation priorities in the wrong place and it deserves to be defeated.

This is a backward-looking bill that promotes the transportation solutions of the 1950's. This bill does little to move forward with advanced technologies, especially the use of so-called third-wave technologies to help solve the problems of urban congestion. This bill attempts to overturn the progress that has been made in recent years, especially through the Intermodal Surface Transportation Efficiency Act of 1991 to promote a balanced national transportation system.

The investment numbers in this bill look good but the priorities are misplaced. I fully recognize the need to reduce spending, but I believe it is a serious mistake that will have long-term impacts on our Nation's economic growth to reduce our commitment to infrastructure investment. If we decide that infrastructure investment should be sacrificed, then all modes of transportation should share equally in the pain. Instead of continuing the trend for a balanced transportation system based on State and local flexibility, the Committee on Appropriations has decided to impose its view of a transportation system on the Nation. The committee has decided to raise highway spending by 4.5 percent and to increase the airport improvement program by 10.3 percent, while cutting the transit program by 13 percent. That includes a 43-percent cut in operating assistance, a cut that will jeopardize the very existence of many transit systems in rural areas and small cities. Cuts of that size are not fair, especially when other programs are getting more money.

These cuts are in the face of estimates by the Department of Transportation and by the transit industry that increased investment will be needed to replace aging and outdated equipment, to maintain current conditions, to complete expansions now under way, and to meet the Nation's congestion reduction and air-quality goals. It makes no sense to impose these severe cuts on transit systems that are important to so many people. It is not only the Nation's urban areas but also rural areas where there are thousands who need transit to reach their jobs, their schools and their medical care. This bill will make sure that many of these transit-dependent people will no longer be able to reach their destinations without driving.

In the Philadelphia area, the cuts in operating assistance will mean either a fare hike of 10 to 12 cents or the elimination of service to 8,000 riders every day. That would be a devastating impact on those 8,000 people and a total of 2 million annual trips.

This is a bill for the part of America that has cars and needs its airports expanded. It is not a bill for the working people of America.

The CHAIRMAN. The Chair would say to the managers of the bill that if either or both of the managers wish to reclaim their time or a portion of their time, they may do so by unanimous consent.

Mr. COLEMAN. Mr. Chairman, I ask unanimous consent to reclaim 1½ minutes of the time.

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

There was no objection.

Mr. COLEMAN. Mr. Chairman, I yield 1½ minutes to the gentleman from New Mexico [Mr. RICHARDSON].

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

Mr. RICHARDSON. Mr. Chairman, I thank the chairman and the ranking member for yielding me the time.

Mr. Chairman, I just want to alert my colleagues that later on in the debate, I will have an amendment that will reduce by .2 percent the administrative budget of the FAA management team. This is congressional relations advisers. This is administrative expenses.

It strikes me that when we are cutting food stamp funding, environmental restoration, that a bureaucracy that I will say to Members is not responsive, as somebody that has lost a number of flight service stations, cannot get radars because I am from a rural area, and a bureaucracy that does not represent the best interests of many aviation consumers, does not return telephone calls, is not responsive, that they can stand to take a cut just like everybody else does.

I wanted to alert my colleagues, and I have discussed this with the chairman and the ranking member.

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

Mr. RICHARDSON. I yield to the gentleman from Virginia.

Mr. WOLF. On another subject, I just want to congratulate the gentleman for the great work he has done with regard to traveling around the world and getting a number of people out. I just want to personally put that in the RECORD.

I thank the gentleman very much. Perhaps if Mr. Christopher leaves, the gentleman should be the Secretary of State.

I have no question on the amendment.

Mr. RICHARDSON. I thank the gentleman.

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

Mr. RICHARDSON. I yield to the gentleman from Texas.

Mr. COLEMAN. I thank the gentleman for yielding.

Mr. Chairman, I just also wanted to say, it seems to me the gentleman could get the Secretary of State to talk to the White House and they would probably take care of this FAA problem.

In any event, I understand the gentleman's amendment, and I am proud to have yielded him the time.

Mr. DE LA GARZA. Mr. Chairman, as the House considers the Transportation appropriations legislation, I wanted to take this opportunity to mention something that is important to south Texas and the nation as a whole—I am referring to the need for improvements along U.S. Highways 291 and 77 to enhance commerce with our trade partners to the north and south.

U.S. Highways 281 and 77 are the two main north-south transportation arteries in south Texas. They are located in a region that is experiencing the fastest growth of anywhere in Texas and anywhere else in the country, for that matter. Already, the North American Free Trade Agreement [NAFTA] has greatly increased commerce travelling these highways and the area is expected to absorb even more traffic.

Initiatives to improve and enhance U.S. Highways 281 and 77 are critical elements of a nationwide transportation system that will tie together major economic centers of our Nation with Canada and Mexico.

At this juncture when we are at the threshold of a new era in international trade, we can ill afford to allow our infrastructure to become deteriorated and congested. We must anticipate and prepare for the most efficient and safe flow of goods entering and exiting the United States. We can do so by improving and enhancing U.S. Highways 281 and 77 through south Texas.

The CHAIRMAN. All time for general debate has expired.

Pursuant to the rule, the amendment printed in section 2 of House Resolution 194 is adopted.

The bill, as amended, shall be considered as an original bill for the purpose of further amendment under the 5-minute rule by titles and each title shall be considered read.

During consideration of the bill for amendment, the Chairman of the Committee of the Whole may accord priority in recognition to a Member who has caused an amendment to be printed in the designated place in the CONGRESSIONAL RECORD. Those amendments will be considered read.

It shall be in order at any time to consider the amendment printed in part 2 of House Report 104–195, if offered by a Member designated in the report. That amendment shall be considered read, 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 made in order by the resolution.

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.

The clerk will designate title I.

The text of title I is as follows:

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Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of Transportation and related agencies for the fiscal year ending September 30, 1996, and for other purposes, namely:

TITLE I

DEPARTMENT OF TRANSPORTATION

OFFICE OF THE SECRETARY

SALARIES AND EXPENSES

For necessary expenses of the Office of the Secretary, $55,011,500, of which not to exceed $40,000 shall be available as the Secretary may determine for allocation within the Department for official reception and representation expenses: *Provided,* That notwithstanding any other provision of law, there may be credited to this appropriation up to $1,000,000 in funds received in user fees established to support the electronic tariff filing system: *Provided further,* That none of the funds appropriated in this Act or otherwise made available may be used to maintain duplicate physical copies of airline tariffs that are already available for public and departmental access at no cost; to secure them against detection, alteration, or tampering; or open them to inspection by the Department.

OFFICE OF CIVIL RIGHTS

For necessary expenses of the Office of Civil Rights, $6,554,000, and in addition, $809,000, to be derived from ''Federal-aid Highways'' subject to the ''Limitation on General Operating Expenses''.

TRANSPORTATION PLANNING, RESEARCH, AND DEVELOPMENT

For necessary expenses for conducting transportation planning, research, systems development, and development activities, to remain available until expended, $3,309,000.

WORKING CAPITAL FUND

Necessary expenses for operating costs and capital outlays of the Department of Transportation Working Capital Fund associated with the provision of services to entities within the Department of Transportation, not to exceed $102,231,000 shall be paid, in accordance with law, from appropriations made available to the Department of Transportation.

PAYMENTS TO AIR CARRIERS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(AIRPORT AND AIRWAY TRUST FUND)

(INCLUDING RESCISSION OF CONTRACT AUTHORIZATION)

For liquidation of obligations incurred for payments to air carriers of so much of the compensation fixed and determined under subchapter II of chapter 417 of title 49, United States Code, as is payable by the Department of Transportation, $15,000,000, to remain available until expended and to be derived from the Airport and Airway Trust Fund: *Provided,* That none of the funds in this Act shall be available for the implementation or execution of programs in excess of $15,000,000 for the Payments to Air Carriers program in fiscal year 1996: *Provided further,* That none of the funds in this Act shall be used by the Secretary of Transportation to make payment of compensation under subchapter II of chapter 417 of title 49, United States Code, in excess of the appropriation in this Act for liquidation of obligations incurred under the ''Payments to air carriers'' program: *Provided further,* That none of the funds in this Act shall be used for the payment of claims for such compensation except in accordance with this provision: *Provided further,* That none of the funds in this Act shall be available for service to communities in the forty-eight contiguous States that are located fewer than seventy highway miles from the nearest large or medium hub airport, or that require a rate of subsidy per passenger in excess of $200 unless such point is greater than two hundred and ten miles from the nearest large or medium hub airport: *Provided further,* That of funds provided for ''Small Community Air Service'' by Public Law 101–508, $23,600,000 in fiscal year 1996 is hereby rescinded: *Provided further,* That, notwithstanding any other provision of law, effective January 1, 1996 no point in the 48 contiguous States and Hawaii eligible for compensated transportation in fiscal year 1996 under subchapter II of chapter 417 of title 49, United States Code, including 49 U.S.C. 41734(d), shall receive such transportation unless a State, local government, or other non-Federal entity agrees to pay at least fifty percent of the cost of providing such transportation, as determined by the Secretary of Transportation: *Provided further,* That the Secretary may require the entity or entities agreeing to pay such amounts to make advance payments or provide other security to ensure that timely payments are made: *Provided further,* That, notwithstanding any other provision of law, points covered by the cost-sharing provisions under this head for which no State, local government, or non-Federal entity agrees to pay at least fifty percent of the cost of providing such transportation shall receive a reduced level of service in fiscal year 1996, to be determined by the Secretary as follows: The Secretary shall subtract from the funds made available in this Act so much as is needed to provide compensation to all eligible points for which a State, local government, or other non-Federal entity agrees to pay at least fifty percent of the cost of providing such transportation, and, with remaining funds, allocate to each other point an amount reduced by the ratio of the remainder calculated above to all funds made available in this Act: *Provided further,* That the Secretary shall allocate any funds that become unallocated as the year progresses to those points for which a State, local government, or other non-Federal entity does not agree to pay at least fifty percent of the cost of such transportation.

PAYMENTS TO AIR CARRIERS

(RESCISSION)

Of the budgetary resources remaining available under this heading, $6,786,971 are rescinded.

RENTAL PAYMENTS

For necessary expenses for rental of headquarters and field space not to exceed 8,580,000 square feet and for related services assessed by the General Services Administration, $130,803,000: *Provided,* That of this

amount, $1,897,000 shall be derived from the Highway Trust Fund, $41,441,000 shall be derived from the Airport and Airway Trust Fund, $836,000 shall be derived from the Pipeline Safety Fund, and $169,000 shall be derived from the Harbor Maintenance Trust Fund: *Provided further,* That in addition, for assessments by the General Services Administration related to the space needs of the Federal Highway Administration, $17,099,000, to be derived from ''Federal-aid Highways'', subject to the ''Limitation on General Operating Expenses''.

MINORITY BUSINESS RESOURCE CENTER PROGRAM

For the cost of direct loans, $1,500,000, as authorized by 49 U.S.C. 332: *Provided,* That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further,* That these funds are available to subsidize gross obligations for the principal amount of direct loans not to exceed $15,000,000. In addition, for administrative expenses to carry out the direct loan program, $400,000.

MINORITY BUSINESS OUTREACH

For necessary expenses of the Minority Business Resource Center outreach activities, $2,900,000, of which $2,642,000 shall remain available until September 30, 1997.

COAST GUARD

OPERATING EXPENSES

For necessary expenses for the operation and maintenance of the Coast Guard, not otherwise provided for; purchase of not to exceed five passenger motor vehicles for replacement only; payments pursuant to section 156 of Public Law 97–377, as amended (42 U.S.C. 402 note), and section 229(b) of the Social Security Act (42 U.S.C. 429(b)); and recreation and welfare; $2,566,000,000, of which $25,000,000 shall be derived from the Oil Spill Liability Trust Fund; and of which $25,000,000 shall be expended from the Boat Safety Account: *Provided,* That the number of aircraft on hand at any one time shall not exceed two hundred and eighteen, exclusive of aircraft and parts stored to meet future attrition: *Provided further,* That none of the funds appropriated in this or any other Act shall be available for pay or administrative expenses in connection with shipping commissioners in the United States: *Provided further,* That none of the funds provided in this Act shall be available for expenses incurred for yacht documentation under 46 U.S.C. 12109, except to the extent fees are collected from yacht owners and credited to this appropriation: *Provided further,* That the Commandant shall reduce both military and civilian employment levels for the purpose of complying with Executive Order No. 12839: *Provided further,* That of the funds provided for operating expenses for fiscal year 1996, in this or any other Act, not less than $314,200,000 shall be available for drug enforcement activities.

ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of acquisition, construction, renovation, and improvement of aids to navigation, shore facilities, vessels, and aircraft, including equipment related thereto, $375,175,000, of which $32,500,000 shall be derived from the Oil Spill Liability Trust Fund; of which $191,200,000 shall be available to acquire, repair, renovate or improve vessels, small boats and related equipment, to remain available until September 30, 2000; $16,500,000 shall be available to acquire new aircraft and increase aviation capability, to remain available until September 30, 1998; $42,200,000 shall be available for other equipment, to remain available until September 30, 1998; $82,275,000 shall be available for shore facilities and aids to navigation facilities, to remain available until September 30, 1998; and $43,000,000 shall be available for personnel compensation and benefits and related costs, to remain available until September 30, 1996: *Provided,* That funds received from the sale of the VC–11A and HU–25 aircraft shall be credited to this appropriation for the purpose of acquiring new aircraft and increasing aviation capacity: *Provided further,* That the Secretary may transfer funds between projects under this head, not to exceed $50,000,000 in total for the fiscal year, thirty days after notification to the House and Senate Committees on Appropriations, solely for the purpose of providing funds for facility renovation, construction, exit costs, and other implementation costs associated with Coast Guard streamlining plans.

ENVIRONMENTAL COMPLIANCE AND RESTORATION

For necessary expenses to carry out the Coast Guard's environmental compliance and restoration functions under chapter 19 of title 14, United States Code, $21,000,000, to remain available until expended.

ALTERATION OF BRIDGES

For necessary expenses for alteration or removal of obstructive bridges, $16,000,000, to remain available until expended.

RETIRED PAY

For retired pay, including the payment of obligations therefor otherwise chargeable to lapsed appropriations for this purpose, and payments under the Retired Serviceman's Family Protection and Survivor Benefits Plans, and for payments for medical care of retired personnel and their dependents under the Dependents Medical Care Act (10 U.S.C. ch. 55), $582,022,000.

RESERVE TRAINING

For all necessary expenses for the Coast Guard Reserve, as authorized by law; maintenance and operation of facilities; and supplies, equipment, and services; $61,859,000.

RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

For necessary expenses, not otherwise provided for, for applied scientific research, development, test, and evaluation; maintenance, rehabilitation, lease and operation of facilities and equipment, as authorized by law, $18,500,000, to remain available until expended, of which $3,150,000 shall be derived from the Oil Spill Liability Trust Fund: *Provided,* That there may be credited to this appropriation funds received from State and local governments, other public authorities, private sources, and foreign countries, for expenses incurred for research, development, testing, and evaluation.

BOAT SAFETY

(AQUATIC RESOURCES TRUST FUND)

For payment of necessary expenses incurred for recreational boating safety assistance under Public Law 92–75, as amended, $20,000,000, to be derived from the Boat Safety Account and to remain available until expended.

EMERGENCY FUND

(LIMITATION ON PERMANENT APPROPRIATION)

(OIL SPILL LIABILITY TRUST FUND)

Except as provided in emergency supplemental appropriations provided in other appropriations Acts for fiscal year 1996, not more than $3,000,000 shall be obligated or expended in fiscal year 1996 pursuant to section 6002(b) of the Oil Pollution Act of 1990 to carry out the provisions of section 1012(a)(4) of that Act.

FEDERAL AVIATION ADMINISTRATION

OPERATIONS

For necessary expenses of the Federal Aviation Administration, not otherwise provided for, including operations and research activities related to commercial space transportation, administrative expenses for research and development, establishment of air navigation facilities and the operation (including leasing) and maintenance of aircraft, and carrying out the provisions of subchapter I of chapter 471 of title 49, U.S. Code, or other provisions of law authorizing the obligation of funds for similar programs of airport and airway development or improvement, lease or purchase of four passenger motor vehicles for replacement only, $4,600,000,000, of which $1,871,500,000 shall be derived from the Airport and Airway Trust Fund: *Provided,* That there may be credited to this appropriation funds received from States, counties, municipalities, foreign authorities, other public authorities, and private sources, for expenses incurred in the provision of aviation services, including the maintenance and operation of air navigation facilities and for issuance, renewal or modification of certificates, including airman, aircraft, and repair station certificates, or for tests related thereto, or for processing major repair or alteration forms: *Provided further,* That funds may be used to enter into a grant agreement with a nonprofit standard setting organization to assist in the development of aviation safety standards: *Provided further,* That none of the funds in this Act shall be available for new applicants for the second career training program: *Provided further,* That none of the funds in this Act shall be available for paying premium pay under 5 U.S.C. 5546(a) to any Federal Aviation Administration employee unless such employee actually performed work during the time corresponding to such premium pay.

FACILITIES AND EQUIPMENT

(AIRPORT AND AIRWAY TRUST FUND)

For necessary expenses, not otherwise provided for, for acquisition, establishment, and improvement by contract or purchase, and hire of air navigation and experimental facilities and equipment as authorized under part A of subtitle VII of title 49, U.S. Code, including initial acquisition of necessary sites by lease or grant; engineering and service testing, including construction of test facilities and acquisition of necessary sites by lease or grant; and construction and furnishing of quarters and related accommodations for officers and employees of the Federal Aviation Administration stationed at remote localities where such accommodations are not available; and the purchase, lease, or transfer of aircraft from funds available under this head; to be derived from the Airport and Airway Trust Fund, $2,000,000,000, of which $1,784,000,000 shall remain available until September 30, 1998, and of which $216,000,000 shall remain available until September 30, 1996: *Provided,* That there may be credited to this appropriation funds received from States, counties, municipalities, other public authorities, and private sources, for expenses incurred in the establishment and modernization of air navigation facilities.

FACILITIES AND EQUIPMENT

(AIRPORT AND AIRWAY TRUST FUND)

(RESCISSION)

Of the available balances under this heading, $60,000,000 are rescinded.

RESEARCH, ENGINEERING, AND DEVELOPMENT

(AIRPORT AND AIRWAY TRUST FUND)

For necessary expenses, not otherwise provided for, for research, engineering, and development, as authorized under part A of

subtitle VII of title 49, U.S.C., including construction of experimental facilities and acquisition of necessary sites by lease or grant, $143,000,000, to be derived from the Airport and Airway Trust Fund and to remain available until September 30, 1998: *Provided*, That there may be credited to this appropriation funds received from States, counties, municipalities, other public authorities, and private sources, for expenses incurred for research, engineering, and development.

GRANTS-IN-AID FOR AIRPORTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(AIRPORT AND AIRWAY TRUST FUND)

For liquidation of obligations incurred for grants-in-aid for airport planning and development, and for noise compatibility planning and programs as authorized under subchapter I of chapter 471 and subchapter I of chapter 475 of title 49, U.S. Code, and under other law authorizing such obligations, $1,500,000,000, to be derived from the Airport and Airway Trust Fund and to remain available until expended: *Provided*, That none of the funds in this Act shall be available for the planning or execution of programs the obligations for which are in excess of $1,600,000,000 in fiscal year 1996 for grants-in-aid for airport planning and development, and noise compatibility planning and programs, notwithstanding section 47117(h) of title 49, U.S. Code.

AVIATION INSURANCE REVOLVING FUND

The Secretary of Transportation is hereby authorized to make such expenditures and investments, within the limits of funds available pursuant to 49 U.S.C. 44307, and in accordance with section 104 of the Government Corporation Control Act, as amended (31 U.S.C. 9104), as may be necessary in carrying out the program for aviation insurance activities under chapter 443 of title 49, U.S. Code.

AIRCRAFT PURCHASE LOAN GUARANTEE PROGRAM

None of the funds in this Act shall be available for activities under this head the obligations for which are in excess of $1,600,000 during fiscal year 1996.

FEDERAL HIGHWAY ADMINISTRATION

LIMITATION ON GENERAL OPERATING EXPENSES

Necessary expenses for administration, operation, including motor carrier safety program operations, and research of the Federal Highway Administration not to exceed $495,381,000 shall be paid in accordance with law from appropriations made available by this Act to the Federal Highway Administration together with advances and reimbursements received by the Federal Highway Administration: *Provided*, That $190,667,000 of the amount provided herein shall remain available until September 30, 1998.

HIGHWAY-RELATED SAFETY GRANTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(HIGHWAY TRUST FUND)

(INCLUDING TRANSFER OF FUNDS)

For payment of obligations incurred in carrying out the provisions of title 23, United States Code, section 402 administered by the Federal Highway Administration, to remain available until expended, $10,000,000, to be derived from the Highway Trust Fund: *Provided*, That not to exceed $100,000 of the amount made available herein shall be available for ''Limitation on general operating expenses'': *Provided further*, That none of the funds in this Act shall be available for the planning or execution of programs the obligations for which are in excess of $10,000,000 in fiscal year 1996 for ''Highway-Related Safety Grants''.

FEDERAL-AID HIGHWAYS

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

None of the funds in this Act shall be available for the implementation or execution of programs the obligations for which are in excess of $18,000,000,000 for Federal-aid highways and highway safety construction programs for fiscal year 1996.

FEDERAL-AID HIGHWAYS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(HIGHWAY TRUST FUND)

For carrying out the provisions of title 23, United States Code, that are attributable to Federal-aid highways, including the National Scenic and Recreational Highway as authorized by 23 U.S.C. 148, not otherwise provided, including reimbursements for sums expended pursuant to the provisions of 23 U.S.C. 308, $19,200,000,000 or so much thereof as may be available in and derived from the Highway Trust Fund, to remain available until expended.

RIGHT-OF-WAY REVOLVING FUND

(LIMITATION ON DIRECT LOANS)

(HIGHWAY TRUST FUND)

None of the funds under this head are available for obligations for right-of-way acquisition during fiscal year 1996.

MOTOR CARRIER SAFETY GRANTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(HIGHWAY TRUST FUND)

For payment of obligations incurred in carrying out 49 U.S.C. 31102, $68,000,000, to be derived from the Highway Trust Fund and to remain available until expended: *Provided*, That none of the funds in this Act shall be available for the implementation or execution of programs the obligations for which are in excess of $79,150,000 for ''Motor Carrier Safety Grants''.

NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION

OPERATIONS AND RESEARCH

For expenses necessary to discharge the functions of the Secretary with respect to traffic and highway safety under part C of subtitle VI of title 49, United States Code, and chapter 301 of title 49, United States Code, $73,316,570, of which $37,825,850 shall remain available until September 30, 1998: *Provided*, That none of the funds appropriated by this Act may be obligated or expended to plan, finalize, or implement any rulemaking to add to section 575.104 of title 49 of the Code of Federal Regulations any requirement pertaining to a grading standard that is different from the three grading standards (treadwear, traction, and temperature resistance) already in effect.

OPERATIONS AND RESEARCH

(HIGHWAY TRUST FUND)

For expenses necessary to discharge the functions of the Secretary with respect to traffic and highway safety under 23 U.S.C. 403 and section 2006 of the Intermodal Surface Transportation Efficiency Act of 1991 (Public Law 102–240), to be derived from the Highway Trust Fund, $52,011,930, of which $32,770,670 shall remain available until September 30, 1998.

OPERATIONS AND RESEARCH

(RESCISSIONS)

Of the amounts made available under this heading in Public Law 103–331, Public Law 102–388, and Public Law 101–516, $4,547,185 are rescinded from the national advanced driving simulator project.

HIGHWAY TRAFFIC SAFETY GRANTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(HIGHWAY TRUST FUND)

For payment of obligations incurred carrying out the provisions of 23 U.S.C. 153, 402, 408, and 410, Chapter 303 of title 49, United States Code, and section 209 of Public Law 95–599, as amended, to remain available until expended, $153,400,000, to be derived from the Highway Trust Fund: *Provided*, That, notwithstanding subsection 2009(b) of the Intermodal Surface Transportation Efficiency Act of 1991, none of the funds in this Act shall be available for the planning or execution of programs the total obligations for which, in fiscal year 1996, are in excess of $153,400,000 for programs authorized under 23 U.S.C. 402 and 410, as amended, of which $126,000,000 shall be for ''State and community highway safety grants'', $2,400,000 shall be for the ''National Driver Register'' (subject to passage hereafter by the House of a bill authorizing appropriations therefor, and only in amounts provided therein), and $25,000,000 shall be for section 410 ''Alcohol-impaired driving countermeasures programs'': *Provided further*, That from the $126,000,000 provided under ''State and community highway safety grants'', $3,000,000 shall be made available for the ''Safe communities'' program in three States, notwithstanding the provisions of 23 U.S.C. 402(c) and (g): *Provided further*, That none of these funds shall be used for construction, rehabilitation or remodeling costs, or for office furnishings and fixtures for State, local, or private buildings or structures: *Provided further*, That none of these funds shall be used to purchase automobiles or motorcycles for state, local, or private usage: *Provided further*, That not to exceed $5,153,000 of the funds made available for section 402 may be available for administering ''State and community highway safety grants'': *Provided further*, That not to exceed $500,000 of the funds made available for section 410 ''Alcohol-impaired driving countermeasures programs'' may be available for technical assistance to the States: *Provided further*, That not to exceed $890,000 of the funds made available for the ''National Driver Register'' may be available for administrative expenses.

FEDERAL RAILROAD ADMINISTRATION

OFFICE OF THE ADMINISTRATOR

For necessary expenses of the Federal Railroad Administration, not otherwise provided for, $14,000,000, of which $1,508,000 shall remain available until expended: *Provided*, That none of the funds in this Act shall be available for the planning or execution of a program making commitments to guarantee new loans under the Emergency Rail Services Act of 1970, as amended, and no new commitments to guarantee loans under section 211(a) or 211(h) of the Regional Rail Reorganization Act of 1973, as amended, shall be made: *Provided further*, That, as part of the Washington Union Station transaction in which the Secretary assumed the first deed of trust on the property and, where the Union Station Redevelopment Corporation or any successor is obligated to make payments on such deed of trust on the Secretary's behalf, including payments on and after September 30, 1988, the Secretary is authorized to receive such payments directly from the Union Station Redevelopment Corporation, credit them to the appropriation charged for the first deed of trust, and make payments on the first deed of trust with those funds: *Provided further*, That such additional sums as may be necessary for payment on the first deed of trust may be advanced by the Administrator from unobligated balances available to the Federal Railroad Administration, to be reimbursed from payments received from the Union Station Redevelopment Corporation.

RAILROAD SAFETY

For necessary expenses in connection with railroad safety, not otherwise provided for,

$49,940,660, of which $2,687,000 shall remain available until expended.

RAILROAD RESEARCH AND DEVELOPMENT

For necessary expenses for railroad research and development, $21,000,000, to remain available until expended.

NORTHEAST CORRIDOR IMPROVEMENT PROGRAM

For necessary expenses related to Northeast Corridor improvements authorized by title VII of the Railroad Revitalization and Regulatory Reform Act of 1976, as amended (45 U.S.C. 851 et seq.) and 49 U.S.C. 24909, $100,000,000, to remain available until September 30, 1998.

RAILROAD REHABILITATION AND IMPROVEMENT PROGRAM

The Secretary of Transportation is authorized to issue to the Secretary of the Treasury notes or other obligations pursuant to section 512 of the Railroad Revitalization and Regulatory Reform Act of 1976 (Public Law 94–210), as amended, in such amounts and at such times as may be necessary to pay any amounts required pursuant to the guarantee of the principal amount of obligations under sections 511 through 513 of such Act, such authority to exist as long as any such guaranteed obligation is outstanding: *Provided,* That no new loan guarantee commitments shall be made during fiscal year 1996.

NATIONAL MAGNETIC LEVITATION PROTOTYPE DEVELOPMENT

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

None of the funds in this Act shall be available for the planning or execution of the National Magnetic Levitation Prototype Development program as defined in subsections 1036(b) and 1036(d)(1)(A) of the Intermodal Surface Transportation Efficiency Act of 1991.

NEXT GENERATION HIGH SPEED RAIL

For necessary expenses for Next Generation High Speed Rail technology development and demonstrations, $10,000,000, to remain available until expended.

TRUST FUND SHARE OF NEXT GENERATION HIGH SPEED RAIL

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(HIGHWAY TRUST FUND)

For grants and payment of obligations incurred in carrying out the provisions of the High Speed Ground Transportation program as defined in subsections 1036(c) and 1036(d)(1)(B) of the Intermodal Surface Transportation Efficiency Act of 1991, including planning and environmental analyses, $5,000,000, to be derived from the Highway Trust Fund and to remain available until expended: *Provided,* That none of the funds in this Act shall be available for the implementation or execution of programs the obligations for which are in excess of $5,000,000.

GRANTS TO THE NATIONAL RAILROAD PASSENGER CORPORATION

To enable the Secretary of Transportation to make grants to the National Railroad Passenger Corporation authorized by 49 U.S.C. 24104, $628,000,000, of which $336,000,000 shall be available for operating losses and for mandatory passenger rail service payments, $62,000,000 shall be for transition costs incurred by the Corporation, and $230,000,000 shall be for capital improvements: *Provided,* That none of the funds under this head shall be made available until significant reforms (including labor reforms) in authorizing legislation are enacted to restructure the National Railroad Passenger Corporation: *Provided further,* That funding under this head for capital improvements shall not be made available before July 1, 1996: *Provided further,* That none of the funds herein appropriated shall be used for lease or purchase of passenger motor vehicles or for the hire of vehicle operators for any officer or employee, other than the president of the Corporation, excluding the lease of passenger motor vehicles for those officers or employees while in official travel status.

FEDERAL TRANSIT ADMINISTRATION

ADMINISTRATIVE EXPENSES

For necessary administrative expenses of the Federal Transit Administration's programs authorized by chapter 53 of title 49, United States Code, $39,260,000.

FORMULA GRANTS

For necessary expenses to carry out 49 U.S.C. 5307, 5310(a)(2), 5311, and 5336, to remain available until expended, $890,000,000: *Provided,* That no more than $2,000,000,000 of budget authority shall be available for these purposes: *Provided further,* That of the funds provided under this head for formula grants, no more than $400,000,000 may be used for operating assistance under 49 U.S.C. 5336(d).

UNIVERSITY TRANSPORTATION CENTERS

For necessary expenses for university transportation centers as authorized by 49 U.S.C. 5317(b), to remain available until expended, $6,000,000.

TRANSIT PLANNING AND RESEARCH

For necessary expenses for transit planning and research as authorized by 49 U.S.C. 5303, 5311, 5313, 5314, and 5315, to remain available until expended, $82,250,000 of which $39,436,250 shall be for activities under 49 U.S.C. 5303, $4,381,250 for activities under 49 U.S.C. 5311(b)(2), $8,051,250 for activities under 49 U.S.C. 5313(b), $19,480,000 for activities under 49 U.S.C. 5314, $8,051,251 for activities under 49 U.S.C. 5313(a), and $2,850,000 for activities under 49 U.S.C. 5315.

TRUST FUND SHARE OF EXPENSES

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(HIGHWAY TRUST FUND)

For payment of obligations incurred in carrying out 49 U.S.C. 5338(a), $1,120,850,000, to remain available until expended and to be derived from the Highway Trust Fund: *Provided,* That $1,110,000,000 shall be paid from the Mass Transit Account of the Highway Trust Fund to the Federal Transit Administration's formula grants account.

DISCRETIONARY GRANTS

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

None of the funds in this Act shall be available for the implementation or execution of programs the obligations for which are in excess of $1,665,000,000 in fiscal year 1996 for grants under the contract authority in 49 U.S.C. 5338(b): *Provided,* That there shall be available for fixed guideway modernization, $666,000,000; there shall be available for the replacement, rehabilitation, and purchase of buses and related equipment and the construction of bus-related facilities, $333,000,000; and there shall be available for new fixed guideway systems, $666,000,000, to be available as follows:

$42,410,000 for the Atlanta-North Springs project;

$17,500,000 for the South Boston Piers (MOS–2) project;

$6,500,000 for the Canton-Akron-Cleveland commuter rail project (subject to passage hereafter by the House of a bill authorizing appropriations therefor, and only in amounts provided therein);

$2,000,000 for the Cincinnati Northeast/Northern Kentucky rail line project (subject to passage hereafter by the House of a bill authorizing appropriations therefor, and only in amounts provided therein);

$16,941,000 for the Dallas South Oak Cliff LRT project;

$2,500,000 for the DART North Central light rail extension project (subject to passage hereafter by the House of a bill authorizing appropriations therefor, and only in amounts provided therein);

$5,000,000 for the Dallas-Fort Worth RAILTRAN project (subject to passage hereafter by the House of a bill authorizing appropriations therefor, and only in amounts provided therein);

$10,000,000 for the Florida Tri-County commuter rail project (subject to passage hereafter by the House of a bill authorizing appropriations therefor, and only in amounts provided therein);

$22,630,000 for the Houston Regional Bus project;

$12,500,000 for the Jacksonville ASE extension project;

$125,000,000 for the Los Angeles Metro Rail (MOS–3);

$10,000,000 for the Los Angeles-San Diego commuter rail project;

$10,000,000 for the MARC commuter rail project;

$3,000,000 for the Maryland Central Corridor LRT project;

$2,000,000 for the Miami-North 27th Avenue project ''(subject to passage hereafter by the House of a bill authorizing appropriations therefor, and only in amounts provided therein)'';

$2,500,000 for the Memphis, Tennessee Regional Rail Plan ''(subject to passage hereafter by the House of a bill authorizing appropriations therefor, and only in amounts provided therein)'';

$75,000,000 for the New Jersey Urban Core-Secaucus project;

$10,000,000 for the New Orleans Canal Street Corridor project ''(subject to passage hereafter by the House of a bill authorizing appropriations therefor, and only in amounts provided therein)'';

$114,989,000 for the New York Queens Connection project;

$5,000,000 for the Orange County Transitway project ''(subject to passage hereafter by the House of a bill authorizing appropriations therefor, and only in amounts provided therein)'';

$22,630,000 for the Pittsburgh Airport Phase 1 project;

$85,500,000 for the Portland Westside LRT project;

$2,000,000 for the Sacramento LRT extension project;

$10,000,000 for the St. Louis Metro Link LRT project;

$5,000,000 for the Salt Lake City light rail project: *Provided,* That such funding may be available only for related high-occupancy vehicle lane and intermodal corridor design costs;

$10,000,000 for the San Francisco BART extension to the San Francisco airport project;

$15,000,000 for the San Juan, Puerto Rico Tren Urbano project ''(subject to passage hereafter by the House of a bill authorizing appropriations therefor, and only in amounts provided therein)'';

$1,000,000 for the Tampa to Lakeland commuter rail project ''(subject to passage hereafter by the House of a bill authorizing appropriations therefor, and only in amounts provided therein)'';

$5,000,000 for the Whitehall ferry terminal, New York, New York ''(subject to passage hereafter by the House of a bill authorizing appropriations therefor, and only in amounts provided therein)''; and

$14,400,000 for the Wisconsin central commuter project ''(subject to passage hereafter by the House of a bill authorizing appropriations therefor, and only in amounts provided therein)''.

MASS TRANSIT CAPITAL FUND

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(HIGHWAY TRUST FUND)

For payment of obligations incurred in carrying out 49 U.S.C. 5338(b) administered by the Federal Transit Administration, $2,000,000,000 to be derived from the Highway Trust Fund and to remain available until expended.

WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY

For necessary expenses to carry out the provisions of section 14 of Public Law 96–184 and Public Law 101–551, $200,000,000, to remain available until expended.

SAINT LAWRENCE SEAWAY DEVELOPMENT CORPORATION

The Saint Lawrence Seaway Development Corporation is hereby authorized to make such expenditures, within the limits of funds and borrowing authority available to the Corporation, and in accord with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act, as amended, as may be necessary in carrying out the programs set forth in the Corporation's budget for the current fiscal year.

OPERATIONS AND MAINTENANCE

(HARBOR MAINTENANCE TRUST FUND)

For necessary expenses for operation and maintenance of those portions of the Saint Lawrence Seaway operated and maintained by the Saint Lawrence Seaway Development Corporation, $10,190,500, to be derived from the Harbor Maintenance Trust Fund, pursuant to Public Law 99–662.

RESEARCH AND SPECIAL PROGRAMS ADMINISTRATION

RESEARCH AND SPECIAL PROGRAMS

For expenses necessary to discharge the functions of the Research and Special Programs Administration, $26,030,000, of which $574,000 shall be derived from the Pipeline Safety Fund, and of which $7,606,000 shall remain available until September 30, 1998: *Provided*, That $2,322,000 shall be transferred to the Bureau of Transportation Statistics for the expenses necessary to conduct activities related to Airline Statistics, and of which $272,000 shall remain available until expended: *Provided further*, That up to $1,000,000 in fees collected under 49 U.S.C. 5108(g) shall be deposited in the general fund of the Treasury as offsetting receipts: *Provided further*, That there may be credited to this appropriation funds received from States, counties, municipalities, other public authorities, and private sources for expenses incurred for training, for reports publication and dissemination.

PIPELINE SAFETY

(PIPELINE SAFETY FUND)

For expenses necessary to conduct the functions of the pipeline safety program for grants-in-aid to carry out a pipeline safety program, as authorized by 49 U.S.C. 60107 and the Hazardous Liquid Pipeline Safety Act of 1979, as amended, and to discharge the pipeline program responsibilities of the Oil Pollution Act of 1990, $29,941,000, of which $2,698,000 shall be derived from the Oil Spill Liability Trust Fund and shall remain available until September 30, 1998; and of which $27,243,000 shall be derived from the Pipeline Safety Fund, of which $19,423,000 shall remain available until September 30, 1998: *Provided*, That from amounts made available herein from the Pipeline Safety Fund, not to exceed $1,000,000 shall be available for grants to States for the development and establishment of one-call notification systems.

EMERGENCY PREPAREDNESS GRANTS

(EMERGENCY PREPAREDNESS FUND)

For necessary expenses to carry out 49 U.S.C. 5127(c), $400,000 to be derived from the Emergency Preparedness Fund, to remain available until September 30, 1998: *Provided*, That not more than $8,890,000 shall be made available for obligation in fiscal year 1996 from amounts made available by 49 U.S.C. 5116(i) and 5127(d): *Provided further*, That no such funds shall be made available for obligation by individuals other than the Secretary of Transportation, or his designees.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

For necessary expenses of the Office of Inspector General to carry out the provisions of the Inspector General Act of 1978, as amended, $40,238,000.

The CHAIRMAN. Are there any amendments to title I?

□ 1300

POINT OF ORDER

Mr. SHUSTER. Mr. Chairman, I rise on a point of order against page 20, line 14, beginning with the colon through the citation on line 19.

The CHAIRMAN (Mr. BEREUTER). The gentleman must state the basis for his point of order.

Mr. SHUSTER. Mr. Chairman, this provision violates rule XXI, clause 2(a) of the rules of the House because it appropriates money for a ''safe communities'' program which is not authorized by law.

The CHAIRMAN. Does the gentleman from Virginia desire to be heard?

Mr. WOLF. Mr. Chairman, I concede the point of order.

The CHAIRMAN. The point order is conceded and sustained.

AMENDMENT NO. 10 OFFERED BY MR. SMITH OF MICHIGAN

Mr. SMITH of Michigan. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 10 offered by Mr. SMITH of Michigan: Page 7, line 20, strike ''$2,566,000,000'' and insert ''$2,565,607,000''.

Mr. SMITH of Michigan. Mr. Chairman, this amendment implements the original recommendation of the Coast Guard, the President's budget, and was also incorporated in the House budget resolution to phase out employees working in the Coast Guard personnel offices. There apparently was a misunderstanding on whether or not these offices would be closed.

According to the Coast Guard, whom I talked to this morning, possibly one might be closed, but the rest of the stations would be left open. This amendment strikes $393,000 out of the Coast Guard's operating and maintenance expenses used to fund unneeded employees in five civilian personnel offices.

The proposal is consistent with the administration, with the Coast Guard, with the budget resolution. Again this, proposal strikes funding for five employees that the Coast Guard recommends be phased out and personnel matters. The amendment restores the Coast Guard's proposal.

Mr. Chairman, as we rein in big government, it is very important to get the most for taxpayers' dollars. This amendment does cut Coast Guard overhead and allows the savings to be used for ships, equipment, and other more vital functions.

The amendment, according to OMB, will save $1.244 million over the 2-year consolidation period. This amendment makes fiscal sense. It has bipartisan support. I hope my colleagues on both sides of the aisle will consider supporting it.

Mr. WOLF. Mr. Chairman, I rise in support of the amendment, and we will accept the amendment. I think it is a good amendment and will save money.

Mr. COLEMAN. Mr. Chairman, the minority has no objection and would agree to the amendment.

Mr. DEFAZIO. Mr. Chairman, I move to strike the requisite number of words. Mr. Chairman, I rise to question the procedure here. There are a number of us who had amendments relating to the O&M account and my question is, if this amendment is acceded to, does that preclude any further amendments to the Coast Guard O&M account?

Mr. WOLF. Mr. Chairman, if the gentleman from Oregon would yield, I would say to the gentleman, no, it does not. What will happen is after this amendment is adopted, the committee will rise and the agriculture people will come back and nobody is foreclosed. When we begin on Monday or Tuesday or whenever we begin, we will start from here. No amendment will be foreclosed.

Mr. DEFAZIO. Mr. Chairman, reclaiming my time, my understanding is that there is some rule regarding revisiting an account once the number has been altered.

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

Mr. DEFAZIO. I yield to the gentleman from Texas.

Mr. COLEMAN. Mr. Chairman, let me say to the gentleman from Oregon, we reviewed, as a matter of fact, the Smith amendment in respect to what it might do to the DeFazio amendment. Our view is that it will require a rewrite of the amendment of the gentleman from Oregon [Mr. DEFAZIO]; not a changing of numbers. It will require some rewrite so that it does not violate a rule that does not allow us to revisit that same amendment twice.

So it will require a rewrite. All I can say is that I am sure that the gentleman from Virginia [Mr. WOLF], nor I, would in any way object to the gentleman being recognized as though he had correctly published that amendment in the RECORD.

Mr. DEFAZIO. Mr. Chairman, I thank the gentleman. If the Chairman agrees, then I would certainly not object to this amendment going forward.

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

The amendment was agreed to.

Mr. WOLF. 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. KLUG), having assumed the chair, Mr. LAHOOD, Chairman pro tempore of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 2002) making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 1996, and for other purposes, had come to no resolution thereon.

AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 1996

The SPEAKER pro tempore (Mr. KLUG). Pursuant to House Resolution 188 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for further consideration of the bill H.R. 1976.

□ 1305

IN THE COMMITTEE OF THE WHOLE HOUSE

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. 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, with Mr. KLUG in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee of the Whole rose on the legislative day of Thursday, July 20, 1995, the bill was considered as read.

After disposition of any questions earlier postponed under the authority granted by the order of the House of July 19, 1995, and pursuant to the order of the House of Thursday, July 20, 1995, no further amendments shall be in order except the following: The amendment by the gentleman from New Jersey [Mr. ZIMMER], 60 minutes; the amendment by the gentleman from Wisconsin [Mr. OBEY], 10 minutes; the amendment by the gentleman from Massachusetts [Mr. KENNEDY], 20 minutes; and the amendment by the gentleman from Florida [Mr. DEUTSCH], 20 minutes.

Each amendment may be offered only in the order specified, by the specified proponent or a designee, shall be considered read, shall be debatable for the time specified, 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.

When proceedings resume on the amendment offered by the gentleman from Ohio [Mr. HOKE], that amendment shall again be debatable for 10 minutes, equally divided and controlled by the proponent and an opponent of the amendment.

AMENDMENT OFFERED BY MR. HOKE

The CHAIRMAN. Pursuant to the order of the House of Thursday, July 20, 1995, the gentleman from Ohio [Mr. HOKE] and a Member opposed will each be recognized for 5 minutes.

The Chair recognizes the gentleman from Ohio [Mr. HOKE].

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

The purpose of the Hoke-Meehan amendment is very simple. What it does is reduces the appropriation for title I of Public Law 480, the Agricultural Trade Development Assistance Act of 1954, by $113 million to the level that was requested by the President and approved in the fiscal year 1996 budget resolution that we passed in this House.

What exactly is this title I program all about? Does it develop new markets for America's farm exporters, as its proponents would have you believe? Not according to a very long series of investigations by the Congressional Research Service and the General Accounting Office. In fact, there is not one single shred of nonanecdotal evidence that it develops long-term foreign customers.

Does it provide humanitarian food aid to save starving populations in desperately poor and hungry nations? No; in fact, that is not even the purpose of title I. That is the purpose of the $875 million that has been appropriated in titles II and III for emergency humanitarian food aid relief.

However, there is substantial evidence that Public Law 480, title I, does exactly the opposite. It undermines the ability of foreign farmers to compete with much cheaper, dumped, subsidized American agricultural products. This has literally resulted in the destruction of local foreign farm economies around the world.

In Egypt, an AID study found that the volume of United States food aid has become a disincentive to Egyptian farmers to produce grain. South Korea is frequently cited by Public Law 480 proponents as the best example of a success story where a recipient has become a customer. But according to a 1995 GAO study, there is no evidence to support the existence of a direct tie between title I aid and the development of commercial markets for United States farm goods in South Korea.

In fact, because of the disruptive impact that this program has had on local farm economies, the nations of Bulgaria, Latvia, Poland, and Slovakia, among others, are no longer participating in it.

Well, if it is not about developing new markets for American farm exporters and it is not about providing humanitarian food aid for poor nations, then what is it about?

Mr. Chairman, I think that the gentleman from Texas [Mr. ARMEY], the distinguished majority leader, got it right and said it best when he called this, the politics of greed wrapped up in the language of love.

What this is about is clear-cut, straightforward Government subsidies to big-farm and big-shipping interests. This is a program that makes it possible for the U.S. Government to dump our products at below-market prices on foreign countries at the expense of small foreign farmers, all for the benefit of the very largest, giant agri-conglomerates in the United States; companies like Archer Daniels Midland, Bunge, Cargill, Continental Grain, and others.

Well, good for them, but not good for foreign policy, not good for the American taxpayer, and not good for building long-term relationships. This is precisely the kind of corporate welfare that our constituents want us to get rid of. Here is our opportunity to bring it down to the level requested by the President and approved by the 1996 budget resolution that we have already voted for.

Mr. Chairman, I also want to inform my colleagues that this amendment has been endorsed by Americans for Tax Reform, Citizens Against Government Waste, Citizens for a Sound Economy, and the National Taxpayers Union.

Vote ''yes'' on the Hoke-Meehan amendment.

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

Mr. MEEHAN. Mr. Chairman, after last night's debate, I think what is needed is some clarity on the issue. What many of the opponents of this amendment suggested is that this amendment is adopted, and Public Law 480, title I funding is cut, that starving people around the world would not receive food assistance.

If that were the case, I certainly would have never cosponsored this amendment. An action such as this would be mean-spirited at the very least.

Title I is a market development program, not an emergency humanitarian food program. Other titles of the Public Law 480 act are responsible for these activities. Title II authorizes donations for agricultural commodities for emergency feeding programs and to carry out activities to alleviate the causes of hunger and disease and death. Title III authorizes grants of agricultural commodities to be used for food distribution programs and development of food reserves.

The distinction between these differing objectives was made clear by the Committee on Agriculture itself. The 1990 Agricultural Development and Trade Act distributed the responsibility for these programs to two different agencies with distinct missions. The management of title I activities was kept in the Department of Agriculture.

Mr. Chairman, I urge that Members vote for the Hoke-Meehan amendment. The administration is in favor of cutting back this appropriation.

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

The CHAIRMAN. The gentleman from Missouri [Mr. EMERSON] is recognized for 5 minutes.

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

Mr. EMERSON. Mr. Chairman, title I, about which we are talking, is directed toward countries that exhibit potential to become customers of U.S. agricultural commodities. It is a program that serves as a vital link between the assistance we give to severely impoverished nations and business we receive from cash-paying customers of U.S. agricultural commodities.

So, Mr. Chairman, I stand today in strong opposition to this ill-advised amendment and must refute some of the arguments that have been presented.

First of all, it was stated last evening that several countries have dropped out of the title I program. They have. They have graduated from the concessional program to become hard-cash customers of U.S. commodities. In fact, 43 of the 50 largest buyers of American farm goods are countries that used to receive food aid.

□ 1315

Examples of this include Egypt, which now purchases a half billion dollars in United States bulk grains annually, and Pakistan, which has become 1 of the top 10 importers of United States wheat.

Furthermore, both of these countries have allowed privatization of their government-managed food importing agencies, a reform which has been furthered by participation in this program.

Some have said that this program has outdated objectives. I disagree. Market development and privatization are still very much in style today. Development of our export markets is as important today, if not more so, than it has ever been.

This amendment affects specifically title I, the portion directed toward economically stronger food-deficit countries that have the potential of becoming commercial importers, but it is an important part of the entire Public Law 480 picture because it allows a transition between the assistance that we give to severely impoverished nations and business we receive from cash-paying customers of U.S. agricultural commodities.

I also want to respond briefly to the argument the title I program was deemed inadequate by the GAO and USDA. That is not true. Both agencies have offered suggestions for refining the program, and these concerns will be addressed in the farm bill.

However, using the appropriations process to limit the role of our food assistance and foreign market development efforts is neither a timely nor an appropriate manner to effect needed operational refinements. This program is a win-win situation. We provide jobs for U.S. workers both now and in the future, and we assist struggling countries to meet their food needs.

I urge my colleagues, I plead with my colleagues, to vote against this ill-advised amendment.

Mr. Chairman, I yield such time as he may consume to the gentleman from North Dakota [Mr. POMEROY].

Mr. POMEROY. Mr. Chairman, I thank the distinguished gentleman for yielding to me. He has been a true leader in having U.S. agriculture address the nutritional needs of countries that are in desperate shape from a food need standpoint.

This amendment comes right at the heart of a very important program we have long maintained, using our agricultural prowess to help shaky countries with serious food need shortages for their citizenry.

What have we gained from that? The benefit of world leadership, the benefit of stabilizing very unstable situations and, finally and best of all, new customers for our agricultural products.

Following the GATT Treaty, we are in a critical period of shakeout in terms of developing international markets. We must maintain the funding for Public Law 480. Please, do not succumb to the very shallow attractiveness of this amendment. Please, support the Committee on Appropriations and reject this amendment.

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

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

Mr. EMERSON. I yield back to the gentleman from New York.

Mr. WALSH. Mr. Chairman, I rise in strong opposition to this terribly insensitive amendment and attack on our Public Law 480 program.

Mr. EMERSON. I thank the gentleman for his contribution also. He is a distinguished leader on the Agriculture Appropriations Committee.

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

Mr. EMERSON. I yield to the gentleman from New Mexico, the chairman of the subcommittee.

Mr. SKEEN. I, too, think it is about time we quit talking about corporate welfare when we do not even know what the program is all about. I tell the gentleman that I admire him for taking this on, his support for this program. It is one of the things that helps agriculture in this country. That is exactly what we need.

The CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Ohio [Mr. HOKE] on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will designate the amendment.

The CLERK. The text of the amendment is as follows:

Amendment offered by Mr. HOKE: Page 71, after line 2, insert the following new section:

SEC. 726. The amounts otherwise provided in this Act for under the heading ''Public Law 480 Program Accounts'' are hereby reduced by the following amounts:

(1) The amount specified in paragraph (1) under such heading, $129,802,000.

(2) The amount specified in paragraph (2) under such heading, $8,583,000.

(3) The amount specified for the cost of direct credit agreements, $104,329,000.

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. Pursuant to the order of the House of Wednesday, July 19, the Chairman announces that he will reduce to a minimum of 5 minutes within which a vote by electronic device will be taken on each amendment on which the Chair has postponed further proceedings, and this first vote will be a 15-minute vote.

The vote was taken by electronic device, and there were—ayes 83, noes 338, not voting 13, as follows:

[Roll No. 547]

AYES—83

Andrews
Archer
Armey
Bachus
Baker (CA)
Ballenger
Barrett (WI)
Bartlett
Bass
Bilbray
Bilirakis
Blute
Chabot
Coburn
Davis
DeLay
Dornan
Duncan
English
Ensign
Eshoo
Fawell
Fowler
Fox
Franks (CT)
Franks (NJ)
Frelinghuysen
Gilchrest
Gordon
Goss
Green
Hancock
Hayworth
Hefley
Hilleary
Hobson
Hoekstra
Hoke
Horn
Hostettler
Inglis
Jacobs
Johnson (CT)
Kasich
Klug
Kolbe
Largent
LoBiondo
Longley
Luther
Manzullo
Meehan
Metcalf
Miller (FL)
Molinari
Myrick
Neumann
Owens
Payne (NJ)
Petri
Portman
Ramstad
Rohrabacher
Royce
Salmon
Sanford
Scarborough
Schumer
Sensenbrenner
Shadegg
Shays
Smith (WA)
Souder
Stearns
Stockman
Stump
Talent
Tate
Torkildsen
Wamp
White
Zeliff
Zimmer

NOES—338

Abercrombie
Ackerman
Allard
Baesler
Baker (LA)
Baldacci
Barcia
Barr
Barrett (NE)
Barton
Becerra
Beilenson
Bentsen
Bereuter
Berman
Bevill
Bishop
Bliley
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boucher
Brewster
Browder
Brown (FL)
Brown (OH)
Brownback
Bryant (TN)
Bryant (TX)
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cardin
Castle
Chambliss
Chapman
Chenoweth
Christensen
Chrysler
Clay
Clayton
Clement
Clinger
Clyburn
Coble
Coleman
Collins (GA)
Collins (IL)
Combest
Condit
Conyers
Cooley
Costello
Coyne
Cramer
Crapo
Cremeans
Cubin
Cunningham
Danner
de la Garza
Deal
DeFazio
DeLauro
Dellums
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dunn
Durbin
Edwards
Ehlers
Ehrlich
Emerson
Engel
Evans
Everett
Ewing
Farr
Fattah
Fazio
Fields (LA)
Fields (TX)
Filner
Flake
Flanagan
Foglietta
Foley
Forbes
Frank (MA)
Frisa
Frost
Funderburk
Furse
Ganske

Gejdenson
Gekas
Gephardt
Geren
Gibbons
Gillmor
Gilman
Gonzalez
Goodlatte
Graham
Greenwood
Gunderson
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hansen
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hayes
Hefner
Heineman
Herger
Hilliard
Hinchey
Holden
Houghton
Hoyer
Hunter
Hutchinson
Hyde
Istook
Jackson-Lee
Jefferson
Johnson (SD)
Johnson, E. B.
Johnson, Sam
Johnston
Jones
Kanjorski
Kaptur
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kim
King
Kingston
Kleczka
Klink
Knollenberg
LaFalce
LaHood
Lantos
Latham
LaTourette
Laughlin
Lazio
Leach
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Lightfoot
Lincoln
Linder
Lipinski
Livingston
Lofgren
Lowey
Lucas
Maloney
Manton
Markey
Martinez
Martini
Mascara
Matsui
McCarthy
McCollum
McCrery
McDade
McDermott
McHale
McHugh
McInnis
McIntosh
McKeon
McKinney
McNulty
Meek
Menendez
Meyers
Mfume
Mica
Miller (CA)
Mineta
Minge
Mink
Mollohan
Montgomery
Moorhead
Moran
Morella
Murtha
Myers
Nadler
Neal
Nethercutt
Ney
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Orton
Oxley
Packard
Pallone
Parker
Pastor
Paxon
Payne (VA)
Pelosi
Peterson (FL)
Peterson (MN)
Pickett
Pombo
Pomeroy
Porter
Poshard
Pryce
Quillen
Quinn
Radanovich
Rahall
Rangel
Reed
Regula
Richardson
Riggs
Rivers
Roberts
Roemer
Rogers
Ros-Lehtinen
Rose
Roth
Roukema
Roybal-Allard
Rush
Sabo
Sanders
Sawyer
Saxton
Schaefer
Schiff
Schroeder
Scott
Seastrand
Serrano
Shaw
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Solomon
Spence
Spratt
Stark
Stenholm
Stokes
Studds
Stupak
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Tejeda
Thomas
Thompson
Thornberry
Thornton
Thurman
Tiahrt
Torres
Torricelli
Towns
Traficant
Tucker
Upton
Velázquez
Vento
Visclosky
Vucanovich
Waldholtz
Walker
Walsh
Ward
Waters
Watt (NC)
Waxman
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Williams
Wilson
Wise
Wolf
Woolsey
Wyden
Wynn
Yates
Young (AK)
Young (FL)

NOT VOTING—13

Bateman
Brown (CA)
Collins (MI)
Cox
Crane
Dreier
Ford
Gallegly
Goodling
Moakley
Reynolds
Volkmer
Watts (OK)

□ 1340

The Clerk announced the following pair: On this vote:

Mr. Dreier for, with Mr. Moakley against.

Messrs. ALLARD, RUSH, BOEHLERT, and Ms. FURSE changed their vote from ''aye'' to ''no.''

Messrs. DAVIS, SHADEGG, HOEKSTRA, SCHUMER, GORDON, and GILCHREST changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

Mr. LAHOOD. Mr. Chairman, I ask unanimous consent to speak out of order and to address the House for 1 minute.

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

There was no objection.

Mr. LAHOOD. Mr. Chairman, I do not know if any of my colleagues were as thrilled as I was when I was driving around my district, I think on Monday, and had my radio on, and heard that one of our colleagues, a colleague from this House, was the one that had the courage and the guts to have two of our fellow Americans released by Saddam Hussein. It was not somebody from the administration; it was not somebody from the Senate. It was somebody from our House of Representatives.

Mr. Speaker, I also want to say I have been waiting all week to bring a little civility to the House, and what better way to do it than to recognize the gentleman from New Mexico [Mr. RICHARDSON]? We are in his debt for what he has done for two Americans and for all Americans.

Mr. Speaker, we are in his debt, and now we are asking him to free us from this institution today.

(Applause, the Members rising.)

Mr. RICHARDSON. Mr. Chairman, I ask unanimous consent to speak out of order and to address the House for 1 minute.

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

There was no objection.

Mr. RICHARDSON. First of all, I want to thank the gentleman from Illinois [Mr. LAHood] for the very generous words.

Second, I want to thank all of my colleagues for their expressions of support.

I want my colleagues to know that this was not a solitary effort. I got support from the administration and many on both sides of the aisle like the gentleman from Florida [Mr. STEARNS] and many others that worked with me to secure the release of the two Americans.

I also want my colleagues to know that Saddam Hussein did reject part of the deal, that being that I stay in Baghdad for a few days.

□ 1345

But seriously, I want to thank the gentleman from Illinois for the nice words.

I think that there is a role for those of us, many here, with abilities in foreign policy that can serve as mediators when our executive branch perhaps does not have the flexibility to do that. There are many here in this body like the FRANK WOLFs and JOHN PORTERs and NANCY PELOSIs and TOM LANTOSes and SAM GEJDENSONs and JIM MORANs and JIM OBERSTARs, all who have talents in foreign policy, care about human rights, and could very easily have undertaken the efforts that I just did.

I think it is important that as we move ahead in relationships with countries that previously have been antagonists, like with North Korea, that eventually we utilize the talents of some of our own, like JAY KIM and many others that have direct experiences on many of these issues.

To my colleagues, I thank them for their warm words. I am thankful for the support and friendship and the jokes, the Free Willy jokes, the many others that they have undertaken, but mostly to the gentleman from Illinois and to the American people and to the families of these two good men and these two good Americans, family values, two regular guys that innocently got caught and did not get a response from their government until it was a coordinated effort between the executive branch and the Congress. I thank you.

AMENDMENT OFFERED BY MR. SANFORD

The CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from South Carolina [Mr. SANFORD] 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 text of the amendment is as follows:

Amendment Offered by Mr. SANFORD: Page 71, after line 2, insert the following new section:

''SEC. 726. None of the funds appropriated or otherwise made available in this Act shall be used for the construction of a new office facility campus at the Beltsville Agricultural Research Center.''.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 199, noes 221, not voting 14, as follows:

[Roll No. 548]

AYES—199

Archer
Armey
Bachus
Baker (CA)
Baker (LA)
Ballenger
Barr
Barrett (NE)
Barrett (WI)
Bass
Bentsen
Bereuter
Bilbray
Bilirakis
Bliley
Blute
Bono
Brownback
Bryant (TN)
Bunning
Burr
Burton
Buyer
Camp
Castle
Chabot
Chambliss
Christensen
Chrysler
Coble
Coburn
Collins (GA)
Cooley
Cubin
Cunningham
Deal
Doggett
Dornan
Doyle
Duncan
Dunn
Ehlers
English
Ensign
Eshoo
Everett
Fawell
Fields (TX)
Flanagan
Foley
Forbes
Fowler
Fox
Franks (CT)
Franks (NJ)
Frelinghuysen
Frisa
Furse
Ganske
Geren
Goodlatte
Graham
Green
Greenwood
Gutknecht
Hall (OH)
Hall (TX)
Hancock
Hansen
Harman
Hastert
Hastings (WA)
Hayworth
Hefley
Heineman
Herger
Hilleary
Hobson

Hoekstra
Horn
Hostettler
Houghton
Hunter
Hutchinson
Hyde
Inglis
Istook
Jacobs
Johnson (CT)
Johnson, Sam
Jones
Kanjorski
Kasich
Kelly
Kennedy (RI)
Kildee
Kim
King
Kleczka
Klink
Klug
Kolbe
LaHood
Largent
Latham
Laughlin
Lazio
Lewis (KY)
Linder
LoBiondo
Lofgren
Longley
Luther
Manzullo
Martini
Mascara
McCarthy
McCollum
McHale
McHugh
McInnis
McIntosh
McNulty
Meehan
Metcalf
Meyers
Mica
Miller (FL)
Minge
Molinari
Mollohan
Montgomery
Moorhead
Murtha
Myrick
Neumann
Norwood
Nussle
Orton
Owens
Parker
Paxon
Petri
Pombo
Porter
Portman
Quinn
Ramstad
Reed
Regula
Rivers
Roemer
Rohrabacher
Ros-Lehtinen
Roth
Roukema
Royce
Salmon
Sanford
Saxton
Scarborough
Schaefer
Schumer
Seastrand
Sensenbrenner
Shadegg
Shays
Shuster
Sisisky
Smith (MI)
Smith (WA)
Solomon
Souder
Spence
Stearns
Stockman
Stump
Talent
Tanner
Tate
Taylor (MS)
Taylor (NC)
Thornberry
Tiahrt
Torkildsen
Torricelli
Upton
Waldholtz
Wamp
Weldon (FL)
Weldon (PA)
Weller
White
Wicker
Williams
Wyden
Young (FL)
Zeliff
Zimmer

NOES—221

Abercrombie
Ackerman
Allard
Andrews
Baesler
Baldacci
Barcia
Bartlett
Barton
Becerra
Beilenson
Berman
Bevill
Bishop
Boehlert
Boehner
Bonior
Borski
Boucher
Brewster
Browder
Brown (FL)
Brown (OH)
Bryant (TX)
Bunn
Callahan
Calvert
Canady
Cardin
Chapman
Chenoweth
Clay
Clayton
Clement
Clinger
Clyburn
Coleman
Collins (IL)
Combest
Condit
Conyers
Costello
Coyne
Cramer
Crapo
Cremeans
Danner
Davis
de la Garza
DeFazio
DeLauro
DeLay
Dellums
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Dooley
Doolittle
Durbin
Edwards
Ehrlich
Emerson
Engel
Evans
Ewing
Farr
Fattah
Fazio
Fields (LA)
Filner
Flake
Foglietta
Ford
Frank (MA)
Frost
Funderburk
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Gordon
Goss
Gunderson
Gutierrez
Hamilton
Hastings (FL)
Hayes
Hefner
Hilliard
Hinchey
Holden
Hoyer
Jackson-Lee
Jefferson
Johnson (SD)
Johnson, E. B.
Johnston
Kaptur
Kennedy (MA)
Kennelly
Kingston
Knollenberg
LaFalce
Lantos
LaTourette
Leach
Levin
Lewis (CA)
Lewis (GA)
Lightfoot
Lincoln
Lipinski
Livingston
Lowey
Lucas
Maloney
Manton
Markey
Martinez
Matsui
McCrery
McDade
McDermott
McKeon
McKinney
Meek
Menendez
Mfume
Miller (CA)
Mineta
Mink
Moran
Morella
Myers
Nadler
Neal
Nethercutt
Ney
Oberstar
Obey
Olver
Ortiz
Oxley
Packard
Pallone
Pastor
Payne (NJ)
Payne (VA)
Pelosi
Peterson (FL)
Peterson (MN)
Pickett
Pomeroy
Poshard
Pryce
Quillen
Radanovich
Rahall
Rangel
Richardson
Riggs
Roberts
Rogers
Rose
Roybal-Allard
Rush
Sabo
Sanders
Sawyer
Schiff
Schroeder
Scott
Serrano
Shaw
Skaggs
Skeen
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Spratt
Stark
Stenholm
Stokes
Studds
Stupak
Tauzin
Tejeda
Thomas
Thompson
Thornton
Thurman
Torres
Towns
Traficant
Tucker
Velázquez
Vento
Visclosky
Vucanovich
Walker
Walsh
Ward
Waters
Watt (NC)
Waxman
Whitfield
Wilson
Wise
Wolf
Woolsey
Wynn
Yates
Young (AK)

NOT VOTING—14

Bateman
Bonilla
Brown (CA)
Collins (MI)
Cox
Crane
Dreier
Gallegly
Goodling
Hoke
Moakley
Reynolds
Volkmer
Watts (OK)

□ 1355

The Clerk announced the following pair: On this vote:

Mr. Dreier for, with Mr. Moakley against.

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

Mr. CAMP and Mr. WICKER changed their votes from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. OLVER

The CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Massachusetts [Mr. OLVER] on which further proceedings were postponed and on which the noes prevailed by a voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

The text of the amendments is as follows:

Amendment offered by Mr. OLVER: Page 71, after line 2, insert the following new section:

SEC. (a) LIMITATION ON USE OF FUNDS.—None of the funds made available in this Act shall be used to pay the salaries of personnel to provide assistance to livestock producers under provisions of title VI of the Agricultural Act of 1949 if crop insurance protection or nonuninsured crop disaster assistance for the loss of feed produced on the farm is available to the producer under the Federal Crop Insurance Act, as amended.

(b) CORRESPONDING INCREASE IN FUNDS.—The amount otherwise provided in this Act for ''Rural Development Performance Partnerships'' is hereby increased by $60,000,000.

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 169, noes 248, not voting 17, as follows:

[Roll No. 549]

AYES—169

Abercrombie
Ackerman
Andrews
Armey
Barrett (WI)
Bass
Becerra
Beilenson
Bereuter
Berman
Bevill
Bilirakis
Blute
Boehlert
Bonior
Borski
Boucher
Brown (FL)
Brown (OH)
Cardin
Castle
Clayton
Clyburn
Coleman
Collins (IL)
Conyers
Costello
Coyne
Davis
DeFazio
DeLauro
Dellums
Deutsch
Dicks
Dingell
Dixon
Doggett
Doyle
Durbin
Ehlers
Engel
Ensign
Eshoo
Evans
Fattah
Fields (LA)
Filner
Foglietta
Ford
Fox
Frank (MA)
Frelinghuysen
Frisa
Furse
Gejdenson
Gordon
Green
Gutierrez
Hall (OH)
Harman
Hastings (FL)
Hilliard
Hinchey
Horn
Houghton
Hoyer
Jackson-Lee
Jacobs
Jefferson
Johnson (CT)
Johnson, E. B.
Johnston
Kanjorski
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Klink
LaFalce
Lantos
Lazio
Levin
Lewis (GA)
Lincoln
Lipinski
Lofgren
Lowey
Luther
Maloney
Manton
Markey
Martini
Mascara
McCarthy
McDermott
McHale
McKinney
Meehan
Meek
Menendez
Mfume
Miller (CA)
Mineta
Mink
Moran
Morella
Murtha
Nadler
Neal
Oberstar
Obey
Olver
Owens
Pallone
Pastor
Payne (NJ)
Payne (VA)
Pelosi
Pickett
Poshard
Quillen
Rahall
Rangel
Reed
Rivers
Roemer
Rohrabacher
Roukema
Roybal-Allard
Royce
Rush
Sabo
Sanders
Sawyer
Schroeder
Schumer
Scott
Serrano
Shaw
Shays
Skaggs
Slaughter
Spratt
Stark
Stearns
Stokes
Studds
Stupak
Tanner
Thompson
Torkildsen
Torres
Torricelli
Towns
Traficant
Tucker
Velázquez
Vento
Visclosky
Waters
Watt (NC)
Waxman
Wilson
Woolsey
Wyden
Yates
Young (FL)
Zeliff
Zimmer

NOES—248

Allard
Archer
Bachus
Baesler
Baker (CA)
Baker (LA)
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bentsen
Bilbray
Bishop
Bliley
Boehner
Bonilla
Bono
Brewster
Browder
Brownback
Bryant (TN)
Bryant (TX)
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Chabot
Chambliss
Chapman
Chenoweth
Christensen
Chrysler
Clement
Clinger
Coble
Coburn
Collins (GA)
Combest
Condit
Cooley
Cramer
Crapo
Cremeans
Cubin
Cunningham
Danner
de la Garza
Deal
DeLay
Diaz-Balart
Dickey
Dooley
Doolittle
Dornan
Duncan
Dunn
Edwards
Ehrlich
Emerson
English
Everett
Ewing
Farr
Fawell
Fazio
Fields (TX)
Flake
Flanagan
Foley
Forbes
Fowler
Franks (CT)
Franks (NJ)
Frost
Funderburk
Ganske
Gekas
Gephardt
Geren
Gilchrest
Gillmor
Gilman
Gonzalez
Goodlatte
Goss
Graham
Gunderson
Gutknecht
Hall (TX)
Hamilton
Hancock
Hansen
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Hefner
Heineman
Herger
Hilleary
Hobson
Hoekstra
Hoke
Holden
Hostettler
Hunter
Hutchinson
Hyde
Inglis
Istook
Johnson (SD)
Johnson, Sam
Jones
Kaptur
Kasich
Kelly
Kim
King
Kingston
Kleczka
Klug
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Laughlin
Leach

Lewis (CA)
Lewis (KY)
Lightfoot
Linder
Livingston
LoBiondo
Longley
Lucas
Manzullo
Martinez
Matsui
McCollum
McCrery
McDade
McHugh
McInnis
McIntosh
McKeon
McNulty
Metcalf
Meyers
Mica
Miller (FL)
Minge
Molinari
Mollohan
Montgomery
Moorhead
Myers
Myrick
Nethercutt
Neumann
Ney
Norwood
Nussle
Ortiz
Orton
Oxley
Packard
Parker
Paxon
Peterson (FL)
Peterson (MN)
Petri
Pombo
Pomeroy
Porter
Portman
Pryce
Quinn
Radanovich
Ramstad
Regula
Richardson
Riggs
Roberts
Rogers
Ros-Lehtinen
Rose
Roth
Salmon
Sanford
Saxton
Scarborough
Schaefer
Schiff
Seastrand
Sensenbrenner
Shadegg
Shuster
Sisisky
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Stenholm
Stockman
Stump
Talent
Tate
Tauzin
Taylor (MS)
Taylor (NC)
Tejeda
Thomas
Thornberry
Thornton
Thurman
Tiahrt
Upton
Vucanovich
Waldholtz
Walker
Walsh
Wamp
Ward
Weldon (FL)
Weller
White
Whitfield
Wicker
Williams
Wolf
Wynn
Young (AK)

NOT VOTING—17

Bateman
Brown (CA)
Clay
Collins (MI)
Cox
Crane
Dreier
Gallegly
Gibbons
Goodling
Greenwood
Moakley
Reynolds
Volkmer
Watts (OK)
Weldon (PA)
Wise

□ 1403

The Clerk announced the following pairs:

On this vote:

Mr. Moakley for, with Mr. Dreier against.

Mr. Wise for, with Mr. Watts of Oklahoma against.

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

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

So the amendment was rejected.

The result of the vote was announced as above recorded.

The CHAIRMAN. It is now in order to consider the amendment offered by the gentleman from New Jersey [Mr. ZIMMER].

AMENDMENT OFFERED BY MR. ZIMMER

Mr. ZIMMER. Mr. Chairman, I offer an amendment, amendment No. 29.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. ZIMMER:

Amendment No. 29: Page 71, after line 2, insert the following new section:

SEC. 726. (a) LIMITATIONS ON USE OF FUNDS.—None of the funds made available in this Act may be used to pay the salaries of personnel who carry out a market promotion program pursuant to section 203 of the Agricultural Trade Act of 1978 (7 U.S.C. 5623).

(b) CORRESPONDING REDUCTION IN FUNDS.—The amount otherwise provided in this Act for ''Commodity Credit Corporation Fund—Reimbursement for Net Realized Losses'' is hereby reduced by $110,000,000.

The CHAIRMAN. Pursuant to the order of the House of Thursday, July 20, 1995, the gentleman from New Jersey [Mr. ZIMMER] will be recognized for 30 minutes, and a Member opposed, the gentleman from New Mexico [Mr. SKEEN] will be recognized for 30 minutes.

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

Mr. ZIMMER. Mr. Chairman, I ask unanimous consent to yield 15 minutes of my time to the gentleman from New York [Mr. SCHUMER] and that he be permitted to control the time.

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

There was no objection.

Mr. SKEEN. Mr. Chairman, I ask unanimous consent to yield 15 minutes of my time to the gentleman from Illinois [Mr. DURBIN] and that he be permitted to control the time.

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

There was no objection.

The CHAIRMAN. To make things clear to my colleagues in the House, the proponents of the amendment control 30 minutes of the time, 15 minutes to the gentleman from New Jersey [Mr. ZIMMER] and 15 minutes to the gentleman from New York [Mr. SCHUMER]. The opponents control 30 minutes, 15 minutes to the gentleman from New Mexico [Mr. SKEEN] and 15 minutes to the gentleman from Illinois [Mr. DURBIN].

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

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

Mr. Chairman, this amendment would eliminate funding for the market promotion program, the program that epitomizes corporate welfare and congressional pork at its worst. Since 1986, one and a quarter billion taxpayer dollars have been used by MPP to underwrite the overseas advertising budgets of some of America's largest and most profitable businesses like Gallo, Blue Diamond, McDonald's, Burger King, Jim Beam, Hershey's.

I am proud of what this Congress has done to get the poor off welfare. I think it is time we showed the same commitment to getting the rich off welfare. At a time when we are eliminating hundreds of Federal programs for the sake of Federal budget reduction, we can no longer afford this program.

The gentleman from Wisconsin [Mr. OBEY] plans to offer an alternative amendment he says can preserve the MPP and still get rid of corporate pork. Do not be fooled by the Obey amendment. It is just pork lite. Mr. OBEY proposes to eliminate from eligibility any organization that sells more than $20 million. You heard that right, that is $20 million, not $20,000, not $200,000, not even $2 million, but $20 million.

Let me put that $20 million in perspective for you. The average American farm household income in 1993 was less than $43,000. It would take that average American farm household 466 years to earn $20 million. Most American farm producers are lucky if they gross $100,000, let alone $20 million. In fact, only 6 percent of all American farms gross more than $250,000 annually.

So who is the Obey amendment going to help? Who is he thinking of? The average farmer who earns $43,000, or the 94 percent of all American farms whose total gross annual sales are less than $250,000? I think not. Under the Obey amendment, you will be asking American taxpayers to subsidize the advertising budgets of those who do up to $20 million in business, and as high as it is, even the $20 million cap would be incredibly easy to evade.

In yesterday's debate on this bill, we heard how the current $50,000 per farm subsidy cap is a joke. The Obey amendment $20 million cap can be breached by any competent lawyer through the use of multiple bogus partnerships and dummy corporations. The Obey amendment $20 million will not get Ronald McDonald off welfare. Instead of one application for MPP money for Ronald McDonald, you get 500 from Ronald's franchises.

If you do not believe that this is welfare for the rich, then support the Obey amendment. If you really want to help small American farm producers break into overseas markets, then vote for the Zimmer amendment and scrap this program altogether. The Obey amendment, no matter where it places its cap, does not address the fundamental bias that this program has toward big business.

MPP requires a 50 percent match, and Obey will not change that. So if you are a California producer with less than $250,000 in sales and you can spare $2,000 for ads, MPP will give you $2,000. But if you are big business with $20 million in sales, and you can spare $200,000, you can get $200,000 from MPP. If you want to get rid of corporate pork and if you want to help the small producers, support the Zimmer amendment, vote to end this fatally flawed MPP program and ask the authorizing committee to create a brand-new program for you, one that has not been tainted by 10 long years of controversy and pork. You do not need to do this in this year of 1995. When the farm authorization bill comes to the floor, seize that opportunity. Vote for the Zimmer amendment, and do not settle for pork lite.

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

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

Once again, we hear the stories of 6 or 7 years ago and most of them were wrong then, and to dredge them up over and over does a disservice to this debate.

Through the efforts of this committee, we have forced the Department to redo the way it manages the Market Promotion Program, the idol of all of the great pork busters when they cannot find a pig. It now targets the small, nonbranded trade groups. The success of this program is well-known, and we

will hear story after story today to show how this program benefits American farmers and industry.

This program means jobs in the United States, and to pass this amendment means jobs in other countries. Vote ''no,'' save American jobs.

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

Mr. SCHUMER. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, I rise to join with my colleagues, the gentleman from New Jersey [Mr. ZIMMER], the gentleman from Ohio [Mr. HOKE], the gentleman from Wisconsin [Mr. BARRETT], the gentleman from New Jersey [Mr. LOBIONDO], and the gentleman from Minnesota [Mr. LUTHER], to end once and for all and never return to one of the most ill-conceived and wasteful programs in the annals of congressional spending, the market promotion program.

Joining us in spirit, if not in person as a cosponsor and one of the originators, is no other than the majority leader, the gentleman from Texas [Mr. ARMEY], who has worked with me for many years to kill the MPP Program. For 10 years this program has shoveled over $1.3 billion to pay mostly, not exclusively, but mostly, huge agribusinesses to advertise their products overseas.

The program was changed so badly, three times in separate reports by the GAO, for example, that Congress borrowed a tactic from the FBI's witness protection program and changed its name from TEA to MPP to give it a new lease on life.

Well, you can run but you cannot hide. MPP still brazenly gives cash grants to the biggest corporations in the world: $70 million to Sunkist, $40 million to Blue Diamond, $20 million Sunsweet, Gallo, $16 million, Pillsbury, $10 million, and a little hamburger company called McDonald's got over $1 million.

I have nothing against McDonald's or any of the other blue chip companies that receive these grants. They are what makes America tick. They are good. But it is simply wrong for corporations that grace the pages of Fortune magazine to receive taxpayer handouts.

Some companies never even sought the grants, there is so much money in this program that is unneeded, but took the money because USDA offered it free of charge.

□ 1415

USDA called Paul Newman's salad dressing company, for example, and asked if they wanted a grant. Now, is this a government program, or is this a Publishers Clearing House contest?

My favorite story, of course, is the one about the California Raisin Advisory Board. They received $3 million to introduce raisins to Japan. After this MPP fiasco, it will be centuries before the Japanese eat a single raisin. The Raisin Board used the same singing and dancing, ''I heard it through the grapevine'' claymation raisin campaign that proved so successful in the United States, but not so in Japan. First, it turns out that these claymation raisins were not bilingual, so they only sang in their native English. The Japanese could not understand.

Second, Marvin Gaye and his hit song, ''I Heard It Through the Grapevine,'' are virtually unknown in Japan, so the Japanese target audience did not get the pun.

Third, since the Japanese were not familiar with regular raisins, they were baffled by these gargantuan vaudevillian dancing raisins. They thought they were dancing potatoes or dancing chocolates.

Finally, and worst of all, the raisin figures that they had dancing had four fingers. In Japan, this is a very bad omen. It would be similar to the Japanese marketing the Nissan as satan. Therefore, this is not the only MPP-inspired fiasco.

A California walnut ad in Israel has puzzled Israelis scratching their heads. Only 1 in 20 Israelis could figure out what the ad was about. The rest thought the walnut was, you guessed it, a potato.

As bad as this program is, as tight as our budget is, as draconian as the cuts in this bill are for child nutrition, MPP, can Members believe this, received a $25 million increase.

Our MPP amendment funds this program at the level it deserves: zero. I urge Members to support a bipartisan amendment. Look who is supporting it: Heritage Foundation, the Citizens for a Sound Economy, the National Taxpayers Union, all the way over to the Center for the Public Interest, the Teamsters, and no group less than the Doris Day League for the Protection of Animals.

With all due respect to my colleagues, Mr. Chairman, I would like to make one final argument. I hope those of the Members, and their staffs watching on the television, please tell your Member this. If we pass this amendment and end the program, we skip the next three votes. We will be out of here much earlier this afternoon than we would otherwise. This final argument is one that even the gentleman from New Mexico, BILL RICHARDSON, could not negotiate such a good settlement. Therefore, I say to my colleagues in conclusion, do not be fooled by any substitutes. Vote against the MPP Program.

Mr. DURBIN. Mr. Chairman, I yield 1½ minutes to the gentlewoman from Florida [Mrs. THURMAN].

Mrs. THURMAN. Mr. Chairman, in response to my good friend, the gentleman from New York, I realize he comes from an urban area, but those companies he is talking about are selling food. Just so he will be reminded, food does not come from the grocery store, it comes from the farmer.

Beyond that, I want Members to know I strongly oppose this amendment. Just a few weeks ago this floor rejected an amendment to abolish OPIC, and the vote was 90 to 329. I know that OPIC is not structured like MPP, but they have the same purpose: to increase American exports; OPIC for manufactured jobs, MPP for agriculture. Last month's debate showed that exports not only create jobs but also create a positive balance of payments. OPIC creates American jobs. So does MPP.

Mr. Chairman, GATT allows us to support agriculture exports for a few years. Our economic competitors are using every legal means available, and so should we. I did not support GATT because I believe in fair trade. It is not fair trade if our competitors use tools that we deny our own farmers. Just look at this chart, and it shows what we spend as compared to others.

Mr. Chairman, the agriculture-related segment of the economy upstream and downstream from the farm constitutes about 17 percent of our gross domestic product. Agriculture exports have outpaced imports by about $20 billion in recent years.

Mr. Chairman, I just would like to remind this House that 43 State delegations supported OPIC last month, and we ought to be supporting MPP.

Mr. ZIMMER. Mr. Chairman, I yield 1½ minutes to the gentleman from Arizona [Mr. SALMON].

Mr. SALMON. Mr. Chairman, the Market Promotion Program is the ultimate corporate welfare—giving millions of taxpayer dollars away to many of our largest corporations. It is good business to advertise overseas, and corporations would, and do, do it on their own. Our Nation's businesses are the best in the world. They know how to advertise effectively both at home and abroad.

This amendment will not put people in the unemployment lines as its opponents say, but it will help to get people off of welfare. People like Ronald McDonald, the Keebler Elves, the Dancing Raisins, and the Pillsbury Doughboy, to name a few. In fact, in 1993, the GAO reported that they could find no correlation between the amount spent on the MPP, and the levels of U.S. agricultural exports.

We are taking great steps forward toward shrinking the Federal Government and balancing our budget. Continuing the MPP flies in the face of all that we are trying to do. We are making tough choices and setting tough priorities so that we will not burden our children with a debt that they had no part in creating. Providing seed money for multibillion-dollar corporations to advertise beer, nuts, fruit, or any other product overseas is not one of these important priorities.

In tight budgetary times, this program should not have even survived—but it was increased by 30 percent. The MPP has already cost taxpayers $1.2 billion. Let us end this corporate welfare program.

Without the MPP, the raisins will still dance, the doughboy will still giggle, and Ronald McDonald will still smile. The difference is that Mr. and Mrs. America will not be picking up the tab. Vote ''yes'' on the Zimmer-Schumer amendment.

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

Mr. WALSH. Mr. Chairman, I strongly oppose this amendment.

Corporate welfare, they say? The gentleman from New Jersey [Mr. ZIMMER] spoke of several of America's larger corporations. How about Bekins Skiff Orchards, how about McCluskey Farms, or western New York State apple growers? This program impacts on our farmers positively.

The MPP program, just this year, opened up a great new market for New York State apples in Israel. Trade sources in Israel report the market potential is 50,000 metric tons per year. This year we sold thousands of pounds of apples from New York State, upstate New York, to Israel. This means jobs. It means real income to our farmers all over the country, not just in New York. Stop this big city assault on our family farms. Vote ''no''.

Mr. SCHUMER. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Minnesota [Mr. LUTHER], cosponsor of the bill.

Mr. LUTHER. Mr. Chairman, I rise today as a cosponsor of this amendment to end funding for the Market Promotion Program [MPP].

The Market Promotion Program, as other speakers have mentioned, reimburses companies for advertising and promotion incurred in overseas markets. While I fully appreciate the merits of export promotion, and I respect the motives of those who support this program, I must ask why we are even considering funding a program like this when our Federal budget is completely out of balance and we are nearly $5 trillion in debt.

The MPP is a clear example of a taxpayer-provided subsidy for dozens of American's successful businesses. In fact, over the past decade, the MPP has cost American taxpayers over $1.2 billion to subsidize foreign advertising.

Like with other programs, a case can be made that this advertising is helpful in selling our products overseas, but if the program is so successful, then the private sector should—and hopefully will—continue the practice without help from American taxpayers.

In fact, to their credit, some of the companies, including at least one in my home State of Minnesota, has been candid and honest enough to say that while they benefit from this program, they understand the need to cut this subsidy along with other areas of Federal spending.

This amendment is supported by groups across the spectrum including the Concord Coalition, Citizens for a Sound Economy, and the National Taxpayers Union.

Mr. Chairman, let me conclude by saying I am surprised that we are even having to deal with an issue like this in today's environment. I thought the people of this country made it clear in last fall's election that they want change, discipline, and fiscal responsibility here in Washington. Why then does spending like this still appear in a bill on the floor of this House?

Today, after years of overspending, we have no extra money to spend and we must discipline ourselves the way the rest of the world does. We must ask ourselves, not whether there is some value in this program, but rather is it more important to provide this foreign advertisement subsidy or make future investments in our children's education, Head Start, job training, and health care for the people of this country.

And what credibility will we have in trying to hold the line in those areas if we fund this program?

I ask you to bring some discipline and common sense to our work and support this amendment.

Mr. DURBIN. Mr. Chairman, I yield 1½ minutes to the gentleman from California [Mr. DOOLEY].

Mr. DOOLEY. Mr. Chairman, this week all of us were greeted when we read our morning newspaper, regardless of where we were in the country, that the United States was experiencing the largest trade deficit in history, that we had an $11.5 billion trade deficit. It is ironic that today on the floor of this House, we are considering passing an amendment that would increase that trade deficit.

Our agricultural exports are one of the few sectors of our economy to have a positive balance of trade. We are exporting over $51 billion worth of agricultural goods, creating a $20 billion surplus of trade in that sector. When we look at this, we are doing this in light of the fact that we are being grossly overspent by our competitors in the international marketplace.

If we look what the EC is spending, they are spending 10 times as much as the United States is. On wine exports alone, the EC has their subsidies of $90 billion. That is more than we spend on the entire market promotion program.

We talk about the arguments about the major corporations and cooperatives in this country, but the only way a cotton farmer in California or an apple grower in Pennsylvania or a dairy farmer in New York can market their products overseas is through some type of cooperative or some type of corporation. The MPP gives the tools to the farmers, to the cooperatives, so they can compete against the unfair international competition.

Mr. Chairman, this program is a program that works. This chart clearly demonstrates that since MPP was instituted, our trade balance has gone up with our agricultural products. It is a success. Do not listen to some of the arguments of our urban neighbors and urban colleagues. Vote for MPP.

Mr. ZIMMER. Mr. Chairman, I yield 2 minutes to my colleague, the gentleman from New Jersey [Mr. LOBIONDO].

Mr. LOBIONDO. Mr. Chairman, I rise in strong support of the Zimmer amendment.

Mr. Chairman, we say it over and over—if we are going to balance the budget in 7 years, we must make some tough decisions. Cutting the market promotion program is not one of them. This is easy. There is no way that this program can be justified.

We must ask ourselves if it is an essential task of the Federal Government to advertise McDonald's Chicken McNuggets, Gallo Wine and Sunkist Oranges in foreign countries. The answer is no. Yet that is exactly what the market promotion program does.

The supporters of this program are going to talk about how the market promotion program is justified because it increases economic activity here in the United States.

Which means one of two things:

If the program is effective, we should eliminate funding because these multi-million-dollar corporations don't need it.

If, on the other hand, the market promotion program is not effective enough for private corporations to justify spending their money on it—then how do we justify spending more taxpayers' dollars on it?

Either way, we should eliminate funding for the market promotion program.

Since the program began in 1986, Congress has spent $1.25 billion to supplement the advertising budgets of some of the biggest corporations in the United States.

In this bill, spending on the market promotion program will increase from $85 million this year to $110 million in fiscal year 1996. This is a spending increase that we cannot tolerate.

Mr. Chairman, the American people sent us here to do what is right for the Nation. They want us to cut spending. They want us to stop putting them deeper and deeper in debt. And they want us to build a better economic future for them and their children. They want us to shrink the size of the Federal Government—to preserve those things that only government can accomplish, and get government out of those areas that should be left to the private sector.

We must make difficult decisions on spending in order to balance the budget in 7 years. The Zimmer amendment is an easy one. Vote ''yes'' on Zimmer-Schumer.

Mr. SKEEN. Mr. Chairman, I yield 2 minutes to the gentleman from California [Mr. RIGGS].

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

Mr. Chairman, I oppose any of these amendments pending on the floor

today to the 1996 agricultural appropriations bill which would either eliminate or reduce funding for the market promotion program.

□ 1430

Such an action would cripple American agriculture's ability to remain competitive in the post-GATT global marketplace.

Let me be clear about one thing. The world marketplace is still characterized by unfair competition. The European Union, for example, over the past 5 years has outspent the United States by 6 to 1 in terms of export promotion, and will be able to maintain this historical advantage even under GATT. The European Union now spends $89 million just promoting wine exports, which is more than we spend promoting all of our agricultural exports abroad.

The people that would be hurt by this amendment, which again comes from Northeasterners and I think is sort of a continuation of the overall war on the West emanating from Washington, DC, would be farmers and ranchers and the 1 million Americans whose jobs depend on U.S. agricultural exports. The fact of the matter is the MPP works.

Let me tell why. Arizona State University as part of a recent study completed analysis of the impact of MPP expenditures on 7 fruit and vegetable crops. The analysis showed that for every dollar of MPP funds spent overseas promoting American table grapes, there was an increase in value of $5.04. Even more dramatic was the return from a value-added product such as American wine. In addition, the study found that the return from the MPP to apple production was $18.19. The Market Promotion Program based on this study pays for itself and then some. The funds invested in the MPP translate into increased income for farmers, more jobs in the packaging and processing industries, and more jobs on the shipping lines.

Do not be deceived by these stories about so-called corporate abuse.

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

Mr. MEEHAN. Mr. Chairman, earlier this year I put together my own plan to balance the budget. I had to make some difficult decisions, but I learned a valuable lesson: If we're serious about balancing the budget, Congress has to stop allocating scarce resources to pork-barrel projects.

The Market Promotion Program is a flagrant example of misallocated funds. Last year alone the Department of Agriculture spent $110 million helping market American food products abroad: $2.9 million went to Pillsbury to sell pies and muffins; $465,000 went to McDonalds to market Chicken McNuggets; $10 million went to Sunkist to sell oranges; and $1.2 million went to the American Legend to market mink coats.

Ronald McDonald and the Pillsbury doughboy shouldn't take priority over feeding young children when it comes to Government spending. Congress should end the special interest handouts before cutting programs that people rely on—like WIC, and other nutrition programs.

Let's put an end to the Market Promotion Program. Vote for the Schumer-Zimmer amendment, and start cutting corporate welfare now.

Mr. DURBIN. Mr. Chairman, I yield 1½ minutes to the gentleman from Maine [Mr. BALDACCI].

Mr. BALDACCI. Mr. Chairman, we have been hearing a lot of talk about the large companies and how they benefit, but there are a couple of small Maine companies that benefit, and there are companies in the Northeast in the family farms that do benefit.

There is a family in Yarmouth, ME, Chick Orchards, which has been run by the Chick family since 1933. They have 500 acres of apple trees and about two-thirds is planted as McIntoch. Last year along they shipped 36,000 boxes of apples to supermarkets in the United Kingdom. Norman Chick chatted with me a while Wednesday and he told me how important the MPP program is to his success. Each time there is a promotion in the United Kingdom, he sees an increase in demand, an increase in sales. The Chick family has been on the orchard since 1933. That is a program that works.

This year for the first time ever funds from the Market Promotion Program are going to be used by the lobster industry in Maine, in my State. With the help of the MPP funds, a good deal of their money is going to be promoting the Sprucehead Lobster Company and the Seaview Lobster Company in Kittery, and they are going to be part of a delegation that travels to Japan and Korea.

The MPP program does work. Trade is the future. We are not going to have subsidies and price supports into the future. We have got to be able to give the small family farms the opportunities to be overseas.

It does work, it does work in the Northeast, and it works all over.

Mr. ZIMMER. Mr. Chairman, I yield 1½ minutes to the gentleman from Ohio [Mr. HOKE].

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

You are sitting in a beautiful restaurant, a little overpriced, kind of snooty, you are handed a list. See if any of these names sound familiar to you: Gundlach Bundaschu, Iron Horse, Trefethen, Chalone, Robert Mondavi, Far Hierte, Sutter Home, Fetzer, Dry Creek, Domaine Chendon, Firestone, Sebestiani, Simi, Korbel, Pine Ridge Parducci, Kendall-Jackson.

Wonderful list. Wonderful list. Why on Earth, please? Why on Earth are we subsidizing these vineyards for advertisement abroad? It is crazy.

The thing that I really do not understand about the people that are supporting this is that we have the same folks who are the most avid free traders, pro-GATT, pro-NAFTA, antitariff, anti any kind of barrier to trade. Yet they are saying, ''Well, we've got to have the MPP Program because we've got to subsidize them from within.'' It is just another way of having unfree trade. That is what it is all about.

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

Mr. HOKE. Did I miss one of them? Who did I miss?

I yield to the gentleman from California.

Mr. RIGGS. What I would like to point out to the gentleman, he did tick off a rather impressive list of wineries, most of which are small family-owned wineries. I just want to point out to him, of the 101 wineries participating in the MPP, 89 are small wineries.

Mr. HOKE. And probably 100 of them are from California.

Reclaiming my time, what I would like to point out, also, is that it is an extraordinarily regional kind of subsidy and welfare scheme. It goes 10 times to California what it goes once to Ohio. Ten times. It is unfair. It is crazy. It is antifree trade.

Mr. SKEEN. Mr. Chairman, I yield 1 minute to the gentleman from Washington [Mr. NETHERCUTT].

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

Mr. Chairman, it is fascinating that the proponents of this amendment, all from the northeast part of the United States, do not understand what we in the West do to help them sit in that restaurant and eat the food that is produced in this country and we do it because we export it overseas. A lot of our farmers in the West are potato growers, are apple growers, pea and lentil growers, and wheat growers.

The proponents of this amendment ought to come out to Washington State and see what we export overseas because Washington exports over 1 billion dollars' worth of agriculture products and those exports generate about $3 billion in economic activity and about 30,000 jobs in this country.

We benefit New Jersey and New York by the fact that we are able to export our goods overseas. We have to compete with the European Union who subsidizes their wine growers in this country to the tune of $89 million. We have to have this kind of assistance to be fair to the jobs and the economy of the Northwest. Vote ''no'' on this amendment.

Mr. SCHUMER. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Wisconsin [Mr. BARRETT], a cosponsor of the amendment.

Mr. BARRETT of Wisconsin. Mr. Chairman, imagine that you are a chairman or a president of a major corporation in this country, and Uncle Sam walks into your office and tells you, ''I've got a deal for you. Here's the deal. I subsidize your foreign advertising budget, while in exchange you do nothing. You just get the money.'' That is how the program works.

Also, think of every single company in your State. Not just your Congressional District. Every company in your State. Unless you are from New Jersey or unless you are from California, Gallo Wine last year received more money than every single company in your State under this program. Sunkist received more money than every single company in your State under this program. That is simply wrong. We should not have two corporations receiving more than every single company in my State or your State or anybody else's State. That is not a good distribution of resources.

The people who support this program say, well, the return on the dollar is very good. There was one person who was attacking the gentleman from New York [Mr. SCHUMER] who said, ''Wait a minute, there is a 5-for-1 return on my investment here.'' If there is a 5-for-1 on your investment, you would be a knucklehead if you did not invest yourself. If you are making that much money on the program, well, then invest. You don't need Uncle Sam to do it.

We hear in Congress that the private sector can do a lot of things better than Government. One thing is for sure. Private sector can do the private sector a lot better than Government can.

There is no reason for the Government to come in and subsidize these corporations. If there is a problem and if we want to encourage exports, we should do it in another way. But we should not be doing it by giving it to corporations who make millions of dollars in this country.

Mr. DURBIN. Mr. Chairman, I yield 1½ minutes to the gentleman from California [Mr. FAZIO].

Mr. FAZIO of California. Mr. Chairman, the first 20 years of my life I lived in New Jersey and New York and Massachusetts. Then the last 30 I have lived in the valleys of California. I have learned a little bit in that last 30-year time frame, but I have not forgotten how politically attractive a cutting amendment could be for the people who think they do not benefit from these programs.

Let me simply ask the gentleman who works for the gentleman from New York [Mr. SCHUMER] if he would leave the well.

I think this is a very important piece of information. The Europeans are spending a tremendous amount on export promotion. They understand where it is at in agriculture. Now with the GATT round completed, those subsidies for agriculture that are off the table are going to shift even more money over to the promotion of agricultural exports in competition with our growers.

Let me tell who these people are. They are people who grow 10 acres of almonds or 50 acres of prunes or 30 acres of wine grapes. These people are the heart of agriculture. Whether they sell through a small entity or a co-op or whether they sell through a large corporation, they have to find outlets for their products. They have to find income for their families. This program works. We ask for a 50/50 cost share. Nobody gets into these programs free. They have to think long and hard before they put the money on the table. But they have proven time and time again, as the gentleman from California [Mr. DOOLEY] showed, to increase export sales and increase farm income.

Let's face it, folks. Mistakes can be made. This program can be and has been reformed. But it works. If we turn our back on the international markets, we are killing our small farmers.

Mr. Chairman, I rise in opposition to this amendment which would eliminate the Market Promotion Program.

Every year, we see these short-sighted attempts to reduce or eliminate the Market Promotion Program. Fortunately, this House has kept this important program alive in the face of such opposition, and I hope we will be smart enough to do so again this year.

American agriculture leads the world in productivity and in total production. Agriculture accounts for our greatest export dollar. Agriculture and related food and fiber industries employ more Americans by far than any other industry.

However, one area in which we are falling short—and this has been analyzed by agricultural experts, the GAO and others—is promotion for our agricultural products overseas.

In particular, we need promotion for so-called value-added agricultural products. This is an area where our competitors in the European Union and Asia are making enormous promotion investments and reaping enormous returns. It is an area where we should be doing much more.

The Market Promotion Program is the program that fills this need.

Agriculture exports, projected to exceed $50 billion this year—up from $43.5 billion for fiscal year 1994—are vital to the United States.

Agriculture exports strengthen farm income.

Agriculture exports provide jobs for nearly a million Americans.

Agriculture exports generate nearly $100 billion in related economic activity.

Agriculture exports produce a positive trade balance of nearly $20 billion.

If U.S. agriculture is to remain competitive under GATT, we must have policies and programs that remain competitive with those of our competitors abroad.

GATT did not eliminate export subsidies, it only reduced them.

The European Union spent, over the last 5 years, an average of $10.6 billion in annual export subsidies—the United States spent less than $2 billion.

The EU spends more on wine exports—$89 million—than the United States currently spends for all commodities under the market promotion program.

MPP is critical to U.S. agriculture's ability to develop, maintain and expand export markets in the new post-GATT environment, and MPP is a proven success.

Our success with the MPP in California is very instructive.

MPP has been tremendously successful in helping promote exports of California citrus, raisins, walnuts, almonds, peaches and other specialty crops.

For example,

In Japan, MPP funds helped educate consumers regarding the high quality of United States cheeses. The result: a 15-fold increase in exports.

In Eastern Europe, MPP funds were used to provide technical and educational assistance to textile spinners. The result: U.S. cotton exports to this area rose to 1,100 metric tons with a value exceeding $1.4 million.

MPP permits small producers to pool the promotion efforts for particular commodity groups.

It may allow them to pursue new markets—markets they could not have pursued otherwise.

It may leverage their promotion efforts in a particular market that are already underway.

We have to remember that an increase in agriculture exports means jobs: a 10-percent increase in agricultural exports creates over 13,000 new jobs in agriculture and related industries like manufacturing, processing, marketing, and distribution.

The measure of any government program has got to be performance.

The Market Promotion Program performs.

For every $1 we invest in MPP, we reap a $16 return in additional agriculture exports. And as I said before, more exports means more jobs for Americans.

MPP has come under some criticism in recent years, and the program has been adjusted to take these recommendations into account.

In allocating funds, MPP gives small businesses the priority—we've stopped the subsidies for big companies that don't need the help.

MPP limits participation to 5 years—that means commodity groups will not grow dependent on MPP, but will use those funds wisely to put in place long-term, industry-wide promotion efforts.

MPP requires a cost-share—participants, including farmers and ranchers, must contribute as much as 50 percent of their own resources and cannot substitute MPP funds for investments they intended to make in the first place.

MPP is accountable—independent audits and on-going reviews ensure that the program remains effective and remains true to the intent of Congress.

In short, MPP is an effective program. If anything, we should be bolstering our commitment to value-added market promotion overseas instead of constantly whittling back our efforts in the face of significant investments by our competitors.

I strongly urge my colleagues to support American agriculture, support smart marketing efforts to promote American exports, support American farmers and producers, and oppose this amendment.

Mr. ZIMMER. Mr. Chairman, I yield 1 minute and 20 seconds to the gentleman from California [Mr. ROHRABACHER].

Mr. ROHRABACHER. Mr. Chairman, I rise in strong support of the Zimmer amendment to eliminate funding to the Market Promotion Program. We in the 104th Congress have been struggling to get pork out of the budget so we can balance the budget. We have talked about the evils of corporate welfare.

Believe it or not, this Market Promotion Program, I believe, is worse than pork and it is worse than corporate welfare, because at least Federal pork and corporate welfare dollars are spent in the United States. The Market Promotion Program on the other hand takes precious and scarce Federal dollars and spends them overseas to pay for advertising for very wealthy, rich American companies, like Sunkist, Gallo Wine in my State, and McDonald's.

Supporters of this foreign handout use the argument that scarce tax dollars are being spent to convince people to buy American products. Well, I do not care what American products you are talking about, it is not the job of the Federal Government to promote American products.

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The last thing we need is for hard-working taxpayers to be actually footing the bill for paying for wealthy companies' advertising. We do not want to use scarce tax dollars to convince the French to buy ''Le Mac.'' We do not need that.

What we need is open markets and let those companies handle their own advertising and produce superior products and we will win and we will prosper.

I support the Zimmer amendment, which will allow us to balance the budget by eliminating this unnecessary spending.

Mr. SKEEN. Mr. Chairman, I yield 2 minutes to the gentleman from Nebraska [Mr. BARRETT], a gentleman who knows the difference between a co-op and a corporation.

(Mr. BARRETT of Nebraska asked and was given permission to revise and extend his remarks.)

Mr. BARRETT of Nebraska. Mr. Chairman, I am opposed, of course, to the elimination of the MPP program.

In the first place, to kill this program with an amendment to the agriculture appropriations bill is simply not the way to go.

In my opinion it is clearly an attempt to set policy on an appropriations bill and it is a decision that we should want to debate when we talk about the farm bill, not now.

Mr. Chairman, this is not to say that I do not have some concerns with the Ag Department's administration of the program, because I do. In fact, I believe that the only congressional hearings that have taken place on this issue, on trade matters, with very few exceptions, have been my subcommittee. Those hearings were conducted by the General Farm Commodities subcommittee, the point committee on the new farm bill.

I wish Members who were offering this particular amendment, and perhaps others who support it, might have come to the committee of jurisdiction before taking an end run to the floor.

Even some strong advocates for MPP realize the political problems with the branded promotion part of the program where Federal dollars actually help benefit large private companies. However, the brand promotion increases the highest value and the fastest growing U.S. agricultural exports.

But I believe the changes can be made and I believe they will be made with respect to branded promotion. My subcommittee will address these matters at the appropriate time when we start marking up the farm bill after the August recess.

The MPP is just one of the few tools that we have that have been instrumental in assisting the United States in increasing and enhancing agricultural exports.

According to the testimony by the administrator of the foreign ag service, ''market promotion is really working the best.'' He added, ''To eliminate the MPP now, I think, would be not helping to keep America competitive in the coming years.''

The bottom line, Mr. Chairman, is the market promotion has been a success. It is a good example of Federal, State, and private partnership which has worked well. It may need some reform, but this is not the time nor is this the legislation to do it.

I urge a no vote. Let us do it the right way.

Mr. Chairman, I am opposed to the elimination of all funding for the Market Promotion Program for a number of reasons.

First, to kill this program with an amendment to the agriculture appropriations bill, is clearly an attempt to set policy on an appropriation bill. A decision we should want to debate in the farm bill.

This is not to say that I don't have some concerns with the Agriculture Department's administration of the MPP program. In fact, I believe the only congressional hearing in this Congress, relating to MPP and most of the other agricultural trade programs, was conducted by the Subcommittee on General Farm Commodities, which I chair.

I wish the Members who are offering this amendment, and others who support the abolishing of MPP, would come to the committee on jurisdiction before taking an end-run to the floor.

Even some strong advocates for MPP, recognize the political problem with the branded promotion part of the program, where Federal dollars help benefit large private companies.

However, the brand promotion increases the highest value and the fastest growing U.S. agricultural exports. But I believe changes can and should be made to MPP with respect to branded promotion, and my subcommittee will address this when we mark up the farm bill after the August recess.

Despite some problems, there is little doubt of the overall success and efficiency of this program. Unfortunately, like many government programs, the Market Promotion Program has been much more effective than it has been given credit.

The world markets are very competitive. In 1994, world farm subsidies amounted to $175 billion. That's correct, virtually all countries support their agricultural industry, and in 1994 those subsidies totaled $175 billion.

This year the European Union alone, will be spending $9 billion on export subsidies. The EU's overall farm expenditures is $54 billion. By comparison, this is roughly 10 times what the U.S. is expected to spend on agricultural trade programs.

The MPP is just one of the few tools we have, that have been instrumental in assisting the United States in increasing and enhancing agricultural exports.

According to testimony by the Administrator of the Foreign Agriculture Service, ''market promotion is really working the best.''

He added, and I quote, ''to eliminate the MPP now, I think, would be not helping to keep America competitive in the coming years.''

The bottom line is, the Market Promotion Program has been a success. It is a good example of a Federal-State and private partnership which has worked well. It may need some reform, but this is not the time, and certainly not the legislation, with which to kill the program.

I urge a ''no'' vote. Let's do it the right way.

Mr. DURBIN. Mr. Chairman, I yield 1 minute to the gentleman from California [Mr. CONDIT]

Mr. CONDIT. Mr. Chairman, I have to move through this quickly, so I am going to stand and state my opposition to the Zimmer amendment, the Obey amendment, and the Kennedy amendment.

Mr. Chairman, I come from California, a district which is dependent heavily on agriculture and we are also dependent on agricultural trade. Trade is the driving force for our economy in the Central Valley.

Today what we are trying to do is to penalize what we believe to be large ag companies. Let me assure my colleagues, we are not penalizing large ag companies with these amendments today. What we are doing is penalizing thousands of small farmers.

Let me give my colleagues an example. In my district, the largest wineries, the five largest wineries that participate in the Market Promotion Program, purchase 90 percent of the grapes. That is hundreds and thousands of independent grape growers.

Second, this Congress has already addressed the issue of small business during the 1993 Budget Reconciliation Act by requiring small business be given the first priority for funding of MPP.

Mr. Chairman, I am sorry I do not have more time, but I ask my colleagues to vote against all these amendments as they come up today.

I rise today in strong support of the Market Promotion Program [MPP].

Contrary to popular belief by some Members of this body, MPP is one of the most effective trade programs at the Department of Agriculture.

By eliminating the Market Promotion Program, Congress will be sending a message to Americans and American business that we can do without $1.4 billion in exports generated by this important program.

The Market Promotion Program is designed to assist in the promotion of U.S. agricultural products.

This program promotes American food and American farm products, not individual company names.

U.S. producers often find themselves competing not with their foreign agriculture counterparts but with foreign governments.

The European Community for example, subsidizes their wine industry $89 million annually, the government of France spends $229 million on the promotion of agriculture products and the Australian Government contributes $226 million to promote agriculture products such as dairy, wine, brandy, and processed meats.

By eliminating funding for the Market promotion Program you will be sending a message to the American farmers that what is appropriate in another country may not be appropriate in this country.

Congress will be saying that you can go out on your own and compete in a world market against foreign governments and fend for yourselves.

If the United States is serious about establishing fair trade and has the political resolve to establish its position in world trade, the Market Promotion Program is the right vehicle to use.

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

Mr. SKEEN. Mr. Chairman, I yield 1 minute to that high-spurring, hard-riding gentleman from Oregon [Mr. COOLEY].

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

Opponents of the Market Promotion Program have portrayed this program as ''corporate welfare.'' Nothing could be further from the truth.

U.S. Agriculture continues to face rigid competition in the global marketplace against heavily subsidized countries all over the world.

By helping U.S. Agriculture compete more effectively, the Market Promotion Program contributes to economic growth, job creation, and increased tax revenue.

Even Secretary Glickman has said, and I quote—''We cannot eliminate unilaterally our export assistance efforts at a time when the competition is increasing its investments in these areas.''

In Oregon, agricultural exports total over $500 million. Such exports alone generate over $1.4 billion in economic activity and provide over 15,000 export-related jobs.

Increasing exports not only helps boost economic activity, but adds to my State's and the Nation's job base.

I urge my colleagues to protect American jobs and reject this amendment.

Mr. DURBIN. Mr. Chairman, I yield 1 minute to the gentleman from California [Mr. FARR].

Mr. FARR. Mr. Chairman, I would say to the Members, ''Wake up. Look what is going on around here.'' We passed GATT last year. We passed NAFTA. We told the world we want to be competitive and now my colleagues want to cut the underpinnings that allow us to be competitive?

All you urban legislators that get up and talk about cutting this program turn around and say it is all right to use taxpayers moneys to promote New York, promote Massachusetts, and promote Atlantic City. ''Bring the tourists here. We will use the taxpayers' money to do that promotion.''

But when it gets to agriculture, ''No, we don't want to use any of that money. We don't want to promote.'' You walk into a restaurant and you talk abut the fact that there are all these big wine companies. There are also Chilean wines, European wines.

Do my colleagues know that the Europeans spend more money promoting European wine than is in this entire program? I represent small farmers who try to sell their strawberries. We grow more strawberries than California and the United States can consume. We have to sell them some place else. We have to have some help doing that.

They have to put their own money into it. They have to be in small business and can only be in the program for 5 years. This is a program that works. If we are going to be competitive in the world, we have to sell our product abroad. Do not undercut the small farmers in the United States. Vote no against this amendment and all the other ones that attack this program.

The CHAIRMAN. The gentleman from Minnesota [Mr. LUTHER], as the designee for the gentleman from New York [Mr. SCHUMER], is recognized.

Mr. LUTHER. Mr. Chairman, I yield 1½ minutes to the gentleman from Massachusetts [Mr. KENNEDY].

(Mr. KENNEDY of Massachusetts asked and was given permission to revise and extend his remarks.)

Mr. KENNEDY of Massachusetts. Mr. Chairman, let us be straight about what is going on here. This program is nothing more than a corporate grab of the worst order.

We are here on the floor of the Congress of the United States cutting the most important programs about the future of this country. Whether it is student loans or whether or not it is funds to assist our senior citizens.

But what we are saying is we do not have money for things like the fuel assistance program to heat or cool our homes, but there is plenty enough to buy a shot of Jim Beam whiskey to keep people warm at night.

We say there is no money to pay for summer jobs or paying for student loans, but the Pillsbury Dough Boy is going to go to the head of the class.

We say there is no money for public housing, but we are going to give wine to the homeless. And we have cut services for the needy and the frail elderly, but they will be able to go out and buy a cup of warm Campbell's soup.

We say there is no money to pay for the senior citizen's health care in this country. We cannot buy their pills, but we can buy them a pack of M&M's.

Mr. Chairman, I say to my colleagues let us stop what is going on here in this country with a corporate grab to grab the few dollars that are available to invest in the future of this country. These corporations are not the Ma-and-Pa kinds of operations that are being described. These are the biggest corporate 500 companies in America.

Ten percent is all they have to put up. The smallest vineyards in the country put up a very small amount of money and get a very small amount of money. The biggest companies, Ernest and Julio, the brothers themselves, stand up and get $22 million over 5 years to promote their wines overseas.

Let us be realistic about who wins and who loses in this country and who wins and who loses in this bill.

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

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

Ms. WOOLSEY. Mr. Chairman, the Market Production Program is very important to the people of my district in Marin and Sonoma County, CA. The wine and wine grapes from my district, many of them that were listed by the gentleman from Ohio, [Mr. HOKE] are famous worldwide. But these vintners have to fight to enter and compete in the world market.

The Market Promotion Protection Program, on the other hand, Mr. Chairman, helps these small wine producers. It helps them in my district compete with heavily subsidized foreign producers, producers who dominate the global marketplace.

The U.S. wine industry is at a disadvantage from the start because it receives no production subsidies from the Government. I repeat, no production subsidies from the Federal Government.

Mr. Chairman, I urge my colleagues to join me today in an effort to level the playing field of the global market by opposing the Schumer-Zimmer amendment. Let us help export California products, not California jobs.

Mr. SKEEN. Mr. Chairman, I yield 1 minute to the gentleman from Georgia [Mr. CHAMBLISS].

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

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

Mr. Chairman, the MPP has been a tremendous success in helping U.S. agriculture, including farmers and ranchers in my district and in my State, compete more effectively in the international marketplace. It has opened up markets in Eastern Europe for the sale of more United States cotton, opened markets in Japan for the sale of United States structured wood panels and beams, and opened up markets in Mexico for additional apples to be sold. We need this program.

Mr. Chairman, I say to my friends who are world and free market traders, this ought to be right down their alley. This is their opportunity to support free trade by U.S. agricultural product.

Mr. Chairman, I yield the balance of my time to my colleague, the gentleman from Mississippi [Mr. WICKER].

Mr. WICKER. Mr. Chairman, I think it is easy to get up here and toss around the words ''pork'' and ''boondoggle.'' This is a program that is working. It is working to create jobs in the global marketplace; 24,000 alone in my home State of Mississippi, over 1 million jobs nationwide.

Mr. Chairman, I urge a ''no'' vote on the Schumer amendment.

Mr. DURBIN. Mr. Chairman, I yield 1 minute to the gentleman from West Virginia [Mr. WISE].

Mr. WISE. Mr. Chairman, it seems like all the supporters of MPP are from the West, and I am, too, West Virginia. It is about 1 hour and 15 minutes from here. We have pockets of high unemployment, but yet the county that has the lowest unemployment is an agricultural county.

When my colleagues talk about pork, I would rather talk about poultry, because the MPP is helping move poultry into the Asian market. Take Hester Industries of Hardy County. Hester Industries, with $3,500 of MPP, of which they matched half of it, began a promotional campaign in Japan. In the last 6 months they have moved 100,000 pounds of drumsticks into the Japanese market.

Or Wampler-Longacre, a bigger company, yes, but using a little amount of MPP, which they had to match, I might add, they have been able to put hundreds of people to work, both in the poultry houses as well as the poultry processing industry as they promote their products in the Far East.

A very small amount of MPP leverages a large amount of jobs for West Virginians and, yes, in revenues for this Government as well as a healthy economy.

Mr. Chairman, I urge you to support the Market Promotion Program.

Mr. DURBIN. Mr. Chairman, I yield 1 minute to the gentleman from Kansas [Mr. ROBERTS], chairman of the Committee on Agriculture.

Mr. ROBERTS. Mr. Chairman, I have a letter from our Secretary of Agriculture, Mr. Dan Glickman. You know who is into market promotion big time under GATT, under free trade? Not the United States, not McDonald's, not Gallo. It is the European Union. As has been stated, they are spending more for wine export promotion than we invest in all of our products.

The gentleman from New Jersey [Mr. ZIMMER], the gentleman from New York [Mr. SCHUMER], and the gentleman from Ohio [Mr. HOKE] should introduce their bills in the British Parliament and the French Assembly and the German Bundestag.

It is easy to say the check goes to McDonald's. It does not. It goes to the United States Poultry, Egg and Potato Council, and McDonald's matches that contribution so that that customer in McDonald's in Bangkok will eat American French fries and American Egg McMuffins, representing 2,000 jobs in New Jersey, 10,000 jobs in New York, and I would tell the gentleman from Ohio [Mr. HOKE], 30,000 jobs in Ohio, not Chinese products.

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Mr. SKEEN. Mr. Chairman, I yield 1 minute to the gentleman from Ohio [Mr. BOEHNER].

Mr. BOEHNER. Mr. Chairman, I thank my colleague for yielding me this time.

Since 1985, we have reduced subsidies, direct subsidies, to farmers from $35 billion in 1985 and $9 billion last year, and as we have brought subsidies to farmers down, what we have done is we have moved money into export programs so that our farmers have fair access around the world.

There are a number of programs that they gain access for our farmers. The market promotion program is just one of these programs, and the special part about market promotion is that this is value-added products. It is commodities that are produced here in America, they are processed here in America with American labor, creating American jobs that we can use this program to move these products around the world. As we continue to bring down subsidies to farmers, as most every Member of this Congress wants to do, we have to ensure that our farmers are not being unfairly blocked from entry into other markets around the world, because the European Economic Union is trying to steal those markets from our small farmers. It is not fair. This is a good program. Defeat their amendment.

Mr. DURBIN. Mr. Chairman, would the Chair give us an accounting of the time at this moment.

The CHAIRMAN. The Chair would be delighted to give a time summary.

The gentleman from New Jersey [Mr. ZIMMER] controls 4 minutes, the gentleman from New Mexico [Mr. SKEEN] 5, the gentleman from New York [Mr. SCHUMER], the designee, the gentleman from Minnesota [Mr. LUTHER], 3 minutes, and yourself, 4 minutes.

Mr. DURBIN. Does the gentleman from New Mexico [Mr. SKEEN] have the right to close? Is that correct?

The CHAIRMAN. The gentleman from New Mexico as the chairman of the committee, has the right to close debate.

Mr. SKEEN. Mr. Chairman, I yield 1 minute to the gentleman from Iowa [Mr. LATHAM].

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

Mr. LATHAM. Mr. Chairman, I thank the subcommittee chairman for yielding me this time.

One thing that really concerns me in this whole discussion that is forgotten is that agriculture and the small farmers are going to take their hit as far as reducing the budget and getting to a balanced budget. In the next 7 years, we have passed a budget resolution that takes away $13.4 billion from the American farmer, and it is not just that, folks.

We are talking about real jobs in this program, and I think when you look at the proportion, if you are from California, we are talking about 137,000 jobs in California directly related to agricultural exports, and you talk about what the base closings did to California.

If you are in Iowa, Iowa is the second largest State as far as export jobs with 96,000 jobs; if you are in Illinois, there are 68,000 jobs.

I see the gentleman from Minnesota up here. You go back to Minneapolis and tell them you voted to take away 50,000 jobs in Minnesota and see what they say.

Defeat this amendment.

Mr. DURBIN. Mr. Chairman, I yield 1 minute to the gentleman from North Dakota [Mr. POMEROY].

Mr. POMEROY. Mr. Chairman, we are conducting this debate at a time when our trade deficits are running at a historic high. Our trading partners must be looking at us in absolute amazement.

Agriculture is one facet of our economy where we actually sell more than we buy, and the old ''hurt America first'' crowd now comes after agriculture. When will you be satisfied? When we import more agriculture, too?

In fact, in the post-GATT world, we are in a vicious competition for new markets, and the Europeans know exactly what that is all about. They have committed many times the amount of support for their export products than the United States of America.

The MPP program is a buy America program. It benefits farmers, ranchers, American workers that process and handle the product, and shippers. In fact, there are 20,000 American jobs that flow from $1 billion worth of agriculture exports.

The MPP program is a critical link. Do not pull the pin on our export program.

Mr. SKEEN. Mr. Chairman, I yield 1 minute to the gentleman from Illinois [Mr. EWING].

Mr. EWING. Mr. Chairman, I for the life of me cannot understand why we attack programs that increase ag exports and decrease our trade deficit.

We continue to cut agricultural programs domestically, and we need to protect and preserve our foreign trade and our foreign markets.

We need to do more, not less.

You know, this program, if it needs reform, let us reform it. Do not kill the goose that lays the golden egg of $100 million in economic activity, thousands and thousands of jobs and billions of dollars in tax revenues. Vote against these amendments.

Mr. LUTHER. Mr. Chairman, I yield 1½ minutes to the gentleman from Wisconsin [Mr. KLECZKA].

Mr. KLECZKA. Mr. Chairman, I rise in strong support of this amendment.

I was trying to find one of the proponents of this waste-of-moneys chart, but I cannot seem to locate it right, now, so I will not use it.

Mr. Chairman and Members, if we had an extra $110 million lying around

collecting dust, maybe we could justify giving it to corporations like Ralston Purina, Pillsbury, Snapple, name brand, very profitable companies.

But, my friends, we do not have an extra $110 million laying around. So at this point in time I think it is time to say we do not have the money. We have to abolish the program.

Why? What are we doing to the citizens of this country who provide those tax revenues? For the senior citizens of this country, we are going to cut Medicare by $270 billion. Do you know where the bulk of those funds are going to come from, my friends? From your pocket. It is going to come as out-of-pocket expenses to pay for the hospital bills and the doctors you are going to need.

So, as we give $110 million to E.J. Gallo and Pillsbury, you are going to pay more. For the students, $10 billion cut in student loans, they are not going to be able to afford college.

We do not have the $110 million.

Mr. ZIMMER. Mr. Chairman, I yield 1 minute to the gentlewoman from Washington [Mrs. SMITH].

Mrs. SMITH of Washington. Mr. Chairman, I think the thing that is important for me today is I came here to balance the budget, and we have $200 billion in excess spending.

When I went home for my townhalls, I was asked to get rid of corporate welfare, and corporate welfare being those things that American people could do for themselves.

When I look at this program, even though for a time we needed help in the marketing, I have to say now it is time we let industry do this for themselves, we let the farmers, we let the companies that market it, we let you and I, we let the big corporations. At some point we have to say no to some of this stuff. We cannot continue to say yes to everything.

It is nice, But it comes in the nonnecessary.

And yes, I have farming in my State, but everybody is going to have to sacrifice just a little bit if we are ever going to get there.

Our grandchildren have to see us do this now, or we will never get rid of the debt, and we are giving this cost to our grandchildren and our children and they just plain old should not have this charged to their account.

Mr. DURBIN. Mr. Chairman, I yield 1 minute to the gentleman from Missouri [Mr. EMERSON].

Mr. EMERSON. Mr. Chairman, it amazes me here in the House of Representatives. We are very often trying to fix things that are not broken.

Certainly, the program that we are talking about here is not broken. What we must remember is that people just do not buy soybeans and corn and wheat and cotton. They buy cooking oil and cereals and clothing products that are all processed by foreign companies also, and our competitors, our competitor nations, are certainly helping them.

The goal of branded promotion is to persuade foreign consumers to choose and develop a loyalty to brand names by U.S. companies that utilize U.S. commodities. It is also important to remember that products promoted in this program provide jobs here in the United States.

This program, which helps us assist the really very positive factor in our trade problems, agriculture, is one of the great things we have got going for us. This is the thing we want to whack.

I do not understand how this House could come to the conclusion that we want to hurt something that is helping us so very much.

Mr. Chairman, I rise in opposition to this amendment which would devastate the Market Promotion Program.

Through the Market Promotion Program, funds are available to conduct promotional and educational activities including trade servicing, technical assistance, and generic and branded advertising of U.S. grown agricultural commodities and products in foreign markets. A majority of the MPP efforts are focused on consumer-oriented, high-value products—the products that are found in supermarkets.

The MPP also provides that assistance may be made to private organizations for branded advertising when it is determined that such organization would significantly contribute to United States export market development. This is the aspect of the program that has generated controversy, because some view it as unfair that individual corporations receive funds.

What we must remember is that people don't buy soybeans, wheat, corn, and cotton. They buy cooking oil, cereals, and clothing—products that are also processed by foreign companies. The goal of branded promotions is to persuade consumers to choose and develop a loyalty to brands made by U.S. companies and that utilize U.S. commodities.

It is also important to remember that the products promoted in this program provide jobs in the United States. Selling value-added products overseas not only supports agricultural producers, but also creates jobs in the processing, merchandising, advertising, and transportation industries. For every $1 billion in agricultural exports, 20,000 jobs are created in the United States. Expansion assistance, the value added portion of total agricultural exports has more than tripled, reaching a record high of almost $17 billion in 1994. That growth translates to over 220,000 jobs throughout the country.

Furthermore, the cost-share requirements of the MPP require private companies selling branded products, with few exceptions, must contribute at least 50 percent of the promotional costs.

In short, the Market Promotion Program has helped boost U.S. exports, promoted economic growth, contributed to agriculture's trade positive trade balance, created additional employment opportunities, and enlarged the tax base. It has been a cost-effective method for leveraging the growth potential of the food industry.

While there is room for improving MPP, it is appropriate to make operational refinements in the farm bill rather than to dismantle now what has been a fundamentally successful program. Using the appropriations process to limit the role of our foreign market developments is neither a timely nor appropriate matter to effect needed modifications.

For these reasons, I urge my colleagues to vote ''no'' on this amendment and allow true reform to take place in the pending farm bill debate.

Mr. SKEEN. Mr. Chairman, I yield 1 minute to the gentleman from California [Mr. HERGER].

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

Mr. HERGER. Mr. Chairman, I strongly oppose this amendment. Mr. Chairman, in this time of burgeoning U.S. Trade deficits, why would we even consider eliminating one of our most successful export programs?

Consider, for example, what this program has done for the walnut and raisin industries in California. In 1986 the United States market share of walnuts in Japan was 30 percent. As a result of a highly successful MPP promotional program, 9 years later the California industry controls 71 percent of the market and exports nearly 12,000 metric tons of walnuts to Japan.

The raisin industry has enjoyed similar success in the United Kingdom where agricultural exports encounter stiff competition from heavily subsidized European commodities. Over the last 9 years, with the help of the MPP, California raisin shipments to the United Kingdom have increased sixfold, capturing 45 percent of the entire market. Today California raisins are known and preferred by over 54 percent of the households in England.

Mr. Chairman, let's not penalize ourselves for succeeding. I urge no vote on the Zimmer amendment.

Mr. DURBIN. Mr. Chairman, I yield 1 minute to the gentleman from Texas [Mr. STENHOLM].

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

Mr. STENHOLM. Mr. Chairman, I think we need to be reminded here in this body of some of the facts of what we are talking about today.

We are talking about reducing this appropriation bill. The $110 million is not in the bill we are considering today. It is in the farm bill, and that is why many of us are suggesting that we ought to take a look at the farm bill for this purpose, not this amendment today.

When we talk about this, I do not take a back seat to anyone on balancing the budget. Since 1981, the Committee on Agriculture has cut $50 billion from our function of the budget. Under the budget reconciliation bill, we will have to cut another 23 percent, and not from an inflated baseline but from a real baseline.

This discretionary bill is down 3.1 percent from last year, but it is completely overlooking we cut 14 percent.

The gentleman from Illinois [Mr. DURBIN] presided over that last year when there was a different chairman and minority member.

So let us keep our facts straight when we are talking about budget cuts.

Mr. Chairman, I rise in strong opposition to the Zimmer amendment calling for the elimination of funding in general or that would limit funding for salaries and expenses associated with the MPP program.

The United States must compete for world export markets. The new GATT trading rules are opening markets throughout the world, and U.S. agricultural producers must compete for shares of these newly opened markets. The European Union is expected in 1995 to spend over $54 billion—$6 billion more than last year—under its common agricultural policy to support its farmers, including over $9 billion for export subsidies alone.

The MPP is a value enhancing program that gives U.S. agribusinesses the added edge to be aggressive in markets that they otherwise would not. A new national food and agriculture policy project study has shown a $5 return on each $1 spent in MPP funds for certain horticultural products and products derived from them. According to USDA, every dollar spent through MPP results in an additional $16 in U.S. agricultural exports.

Currently, the United States spends less—$85.5 million—on MPP for all commodities than the European Union spends on wine exports—$89 million. The European Union, Australia, Canada, New Zealand, and other major foreign competitors are aggressively working with their agricultural producers and exporters in support of market development and promotion efforts. Such expenditures total nearly $500 million more than similar efforts by the United States.

MPP is vital to U.S. agriculture's ability to develop, maintain, and expand export markets in the new post-GATT environment, especially to some 20,000 family farms, that are members of agricultural cooperatives. As members of cooperatives that benefit from MPP, these families are able to engage in international markets that would otherwise be unavailable to them.

Our agricultural industry is the most competitive in the world, but it cannot compete against foreign governments alone.

Therefore, we need to keep the Market Promotion Program as it is, and allow the authorizing committee to address the concerns and criticisms of MPP in the farm bill. I strongly urge my colleagues to vote against any amendments reducing funding for the MPP.

Mr. DURBIN. Mr. Chairman, I yield myself 1 minute, the balance of my time.

Mr. Chairman, the Zimmer-Schumer amendment is nothing short of unilateral disarmament in the world trade war. They have replaced the peace-at-any-price crowd with the Zimmer-Schumer unemployment-at-any-price, because the Zimmer-Schumer amendment is a job killer. One million Americans work in businesses which have a direct interest in ag exports, and these are generally good-paying jobs. What the gentleman from New Jersey [Mr. ZIMMER] and the gentleman from New York [Mr. SCHUMER] want to do is to cut out those jobs, reduce them, make it more difficult for us to sell overseas, while every major exporting nation in the world is pumping up its export efforts.

ZIMMER and SCHUMER and all of their friends would have the United States throw in the towel. ZIMMER and SCHUMER just do not get it. They should sit down in Tokyo and Seoul and learn the realities of world trade competition.

American products can win the trade war overseas if we are willing to fight.

The Market Promotion Program is a proven success. For $110 million we leverage $50 billion in ag exports, creating jobs and farm income across America, and that is a great investment.

Mr. SKEEN. Mr. Chairman, I yield 1 minute to the gentleman from Wisconsin [Mr. ROTH].

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

When you sit here and listen to the debate, it boils down to ideology over realty. Stop and take a look at what is taking place with this amendment.

Some of my colleagues talk about big companies. You should be so lucky to have big companies involved. First, do you know what it takes for a big company to be involved in this program? You must cite unfair trade practice in the targeted country. Second, you want MacDonald's involved, because if MacDonald's is involved, every piece of beef has to be American, every piece of bread has to be American, every piece of cheese has to be American. Everything under this program has to be American. You should be so lucky to have the big companies involved in this program.

This program is for all the small companies, like the one in Door County up in Great Lakes, where 30 people have jobs because we are selling cherries overseas in Australia and opening the market in China. This is not an ongoing program. This is a beachhead program. Exporters get a few dollars to go over to these other countries to get them to understand what good products we have here in America.

□ 1515

I do not want anyone who votes for this amendment ever to tell me they are concerned about a trade deficit or jobs here in America. This is for good-paying jobs here in America.

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

Mr. Chairman, agriculture is an essential industry in this country. Agricultural jobs are very important to us, as are jobs in food production.

But there is absolutely no proven connection between the MPP and act exports or agricultural jobs, and do not take it from me. This is what the GAO, this is what the Office of Technology Assessment, has concluded.

In all the years of the MPP program, Mr. Chairman, not one disinterested group has looked at the program and come to its defense. They all conclude there is no evidence that these large corporations would not have spent their own money, McDonald's money, on this advertising if MPP were not available, and MPP has been under fire for all these years because the lion's share of its money has gone to the biggest corporations, and change it as they might try, this is still the case.

And so, as a result, in 1994, the last available year for data, while Berry Station Confectioners in New York, a small company, got $2,000 in MPP funds, Hershey's got $265,000, Tootsie Roll got $161,000, and M&M-Mars, which by the way, Mr. FARR, is in my State, got more than $300,000. In California, Ernest and Julio Gallo last year got a whopping $2½ million. Other vintners did get some money: $2,500 for Mountain View Vintner, $4,000 went to Sunny Dune Vineyards. Now we know why Gallo sells no wine before its time. It is waiting for its subsidy check.

This is not a regional issue, my colleagues. This is an issue that involves every State and every taxpayer. My State, as I said, is the home of M&M-Mars, of Ocean Spray, of Campbell Soup. My friend, the secretary of agriculture of New Jersey, and, yes, New Jersey does have a secretary of agriculture, is very upset with me for this, but I believe that we have to have frugality begin at home because this is a program that cannot be justified. It has been changed in its features; even the proponents of the program have said in passing that it still is not a program that does not need changes.

This reminds me of a story about the great baseball player, Leo Durocher, when he was a playing coach. He had a player who was committing error after error out on the field. Leo Durocher took that player out of the game, put himself in the game instead. The first play that happened thereafter was an easy fly ball. Leo Durocher dropped it. At the end of the inning Leo Durocher stormed into the dugout, told the player he had taken out of the game, ''You screwed up that position so bad nobody can play it.''

What we have got to do is terminate this program, pull it up by its roots, and allow the authorizing committee, the Committee on Agriculture, and the 1995 farm bill to come up with a program that will help exports in a way that does not benefit the biggest, and wealthiest, and least needy corporations.

In the past years the majority leader, the gentleman from Texas [Mr. ARMEY], has led the fight against this program, and I will close by quoting him:

> The market promotion program is a corporate handout, nothing more. I wonder about our commitment to deficit reduction if we cannot take Betty Crocker, Ronald McDonald, and the Pillsbury Doughboy off the dole.

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

Mr. SKEEN. Mr. Chairman, I yield the balance of my time to the gentleman from California [Mr. THOMAS].

The CHAIRMAN. The gentleman from California [Mr. THOMAS] is recognized for 1 minute.

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

Mr. THOMAS. Mr. Chairman, 10 years ago I thought it was important to have a cooperative effort between the Government and the private sector, not through subsidies, but through a cooperative effort. That is what this program is.

My colleagues have heard this is about trade. We are at war. It is post-GATT. My colleagues heard a lot of jokes earlier about raisins and about the Japanese. I ask my colleagues, Do you know the Japanese are our third largest raisin market? My colleagues heard talk about corporations. Sun-Maid is not a corporation; it is 5,000 farmers and 50,000 workers.

What we are talking about is something that we have got to do more of. We have got to be competitive in the world marketplace. The single largest positive balance-of-trade category is horticulture-agriculture. That is what we are talking about in the MPP program. We need market share, we need a cooperative effort between our Government and our American workers, farmers, and processors.

This program is $100 million. It brings back enormous benefits. It should be $1 billion. Let us knock this ill-conceived amendment where it belongs.

Mr. BEREUTER. Mr. Chairman, this Member rises in strong opposition to this misguided amendment which would eliminate the Market Promotion Program. If the other agricultural producing nations of the world did not grossly and unfairly subsidize the production and sale of agricultural and food products, this member would be more than willing to support this amendment. Unfortunately, free and fair trade does not exist in world agricultural trade. Even with the Market Promotion Program, U.S. producers are being out-subsidized by their competitors, including the very aggressive member countries of the European Union. The United States Department of Agriculture has determined that the United States would have to increase its current funding of the MPP by approximately 500 to 600 percent in order to catch-up with the European Union in consumer food exports by the year 2000.

The USDA recently concluded an exhaustive cost-benefit analysis of the MPP and the results are absolutely clear that a modest MPP Program greatly enables American agriculture to compete for high-value agricultural export markets.

Mr. Chairman, competition for agricultural markets in bulk commodities, intermediate, and high-value products is a high-stakes battle for good paying jobs here in the United States. Because of agricultural export programs like MPP, the U.S. agricultural industry currently enjoys a $19 billion trade surplus. With the help of the MPP, U.S. high-value agricultural exports have expanded by 75 percent over 7 years.

However, statistics and studies about the MPP do not reveal its total value. As the chairman of the Asia and the Pacific Subcommittee, this Member witnesses daily the proliferation of nontariff barriers specifically designed to keep U.S. high value agricultural products out of developing markets. In Taiwan and Korea for example, MPP circumvents a host of trade barriers by creating consumer demand for United States products. This demand in turn leads to relaxation and reform of the tariff and nontariff barriers which deny consumers in those countries access to U.S. exports.

Mr. Chairman, MPP is an important export tool and a good lesson for other export-related industries; MPP enables our agricultural industry to sell directly to the consumers of some of the world's most protected markets.

This Member acknowledges that MPP is not perfect and agrees that certain reform of the MPP is necessary to ensure that it does not allow Federal dollars to replace rather than augment private sector market development efforts. Nevertheless, as the General Accounting Office has suggested, while reform of the program may be necessary, elimination of the program could substantially affect our ability to compete for lucrative and emerging markets throughout the world.

Mr. Chairman, this Member urges his colleagues to vote ''no'' on this amendment.

Mr. SKAGGS. Mr. Chairman, here is the latest example of the bizarre sense of priorities prevailing in the House these days: Some of the same folks who have been arguing that this Government does not have enough money for school lunches are claiming that Ralston Purina and Fruit of the Loom should get more corporate welfare than ever before.

It seems we do not have money to clean up toxic waste sites, or to provide Medicare to elderly people, or to help students with college loans. But we apparently have plenty of cash lying around to give McDonalds to advertise Chicken McNuggets in Europe.

The truth is that in any year, the Market Promotion Program would be difficult to defend. But in this year when hundreds of efforts to help hard-working, middle-class families are being slashed or totally eliminated, it is simply astounding to see the Republican leadership actually increase this corporate giveaway program by $25 million taxpayer dollars.

We could be spending this $110 million to pay the salaries of 5,817 new police officers. Or we could pay for 56.1 million school lunches. Instead, we are going to engage in more business as usual: When it comes to tax breaks for the wealthy or corporate welfare for industry, there is no blank check the Republican leadership will not sign.

The Market Promotion Program is an insult to taxpayers and working Americans, and I urge my colleagues to support the amendment.

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

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

RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 154, noes 261, not voting 19, as follows:

[Roll No. 550]

AYES—154

Andrews
Archer
Armey
Bachus
Baker (CA)
Barrett (WI)
Bass
Bilbray
Blute
Borski
Brown (OH)
Brownback
Burton
Cardin
Castle
Chabot
Christensen
Chrysler
Coburn
Collins (IL)
Conyers
Coyne
Cremeans
Davis
DeLauro
DeLay
Dellums
Deutsch
Doggett
Doyle
Duncan
Engel
English
Ensign
Fawell
Foglietta
Fowler
Fox
Franks (CT)
Franks (NJ)
Frelinghuysen
Frisa
Gejdenson
Gibbons
Goss
Graham
Green
Greenwood
Gutierrez
Gutknecht
Hancock
Hayworth
Hilleary
Hobson
Hoekstra
Hoke
Horn
Hostettler
Hutchinson
Hyde
Inglis
Istook
Jacobs
Johnson, Sam
Kanjorski
Kasich
Kelly
Kennedy (MA)
Kennedy (RI)
King
Kleczka
Klink
Knollenberg
Kolbe
LaFalce
Largent
Lazio
Lewis (GA)
Linder
Lipinski
LoBiondo
Longley
Lowey
Luther
Maloney
Manzullo
Martini
McHale
McInnis
McNulty
Menendez
Mfume
Miller (CA)
Miller (FL)
Molinari
Moran
Morella
Myrick
Nadler
Neal
Neumann
Owens
Pallone
Payne (NJ)
Porter
Portman
Ramstad
Rangel
Reed
Regula
Rivers
Roemer
Rohrabacher
Roukema
Royce
Salmon
Sanders
Sanford
Saxton
Scarborough
Schumer
Sensenbrenner
Shadegg
Shaw
Shays
Shuster
Skaggs
Smith (NJ)
Smith (WA)
Solomon
Souder
Stark
Stearns
Stockman
Talent
Tate
Taylor (MS)
Tiahrt
Torkildsen
Torricelli
Towns
Velazquez
Vento
Visclosky
Waldholtz
Walker
Wamp
Waxman
Weldon (FL)
Weldon (PA)
Wolf
Yates
Zeliff
Zimmer

NOES—261

Ackerman
Allard
Baesler
Baker (LA)
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Becerra
Beilenson
Bentsen
Bereuter
Berman
Bevill
Bilirakis
Bishop
Bliley
Boehlert
Boehner
Bonilla
Bonior
Bono
Boucher
Brewster
Browder
Brown (FL)
Bryant (TN)
Bryant (TX)
Bunn
Bunning
Burr
Buyer
Callahan
Calvert
Camp
Canady
Chambliss
Chapman
Chenoweth
Clayton
Clement
Clinger
Clyburn
Coble
Coleman
Collins (GA)
Combest
Condit
Cooley
Costello
Cramer
Crapo
Cubin
Cunningham
Danner
de la Garza
Deal
DeFazio
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Dooley
Doolittle
Dornan
Dunn
Durbin
Edwards
Ehlers
Ehrlich
Emerson
Eshoo
Evans
Everett
Ewing
Farr
Fattah
Fazio
Fields (LA)
Fields (TX)
Filner
Flake
Flanagan
Foley
Forbes
Ford
Frank (MA)
Frost
Funderburk
Furse
Ganske
Gekas
Gephardt
Geren
Gilchrest
Gillmor
Gilman
Gonzalez
Goodlatte
Gordon
Gunderson
Hall (OH)
Hall (TX)
Hamilton
Hansen
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hayes
Hefley
Hefner
Heineman
Herger
Hilliard
Hinchey
Holden
Houghton
Hoyer
Hunter
Jackson-Lee
Jefferson
Johnson (CT)
Johnson (SD)
Johnson, E.B.
Johnston
Jones
Kaptur
Kennelly
Kildee
Kim
Kingston
Klug
LaHood
Lantos
Latham
LaTourette
Laughlin
Leach
Levin
Lewis (CA)
Lewis (KY)
Lightfoot
Lincoln
Livingston
Lofgren
Lucas
Manton
Martinez
Mascara
Matsui
McCarthy

McCollum
McCrery
McDade
McDermott
McHugh
McIntosh
McKeon
McKinney
Meek
Metcalf
Meyers
Mica
Mineta
Minge
Mink
Mollohan
Montgomery
Moorhead
Murtha
Myers
Nethercutt
Ney
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Orton
Oxley
Packard
Parker
Pastor
Paxon
Payne (VA)
Pelosi
Peterson (FL)
Peterson (MN)
Petri
Pickett
Pombo
Pomeroy
Poshard
Pryce
Radanovich
Rahall
Richardson
Riggs
Roberts
Rogers
Ros-Lehtinen
Rose
Roth
Roybal-Allard
Rush
Sabo
Sawyer
Schaefer
Schiff
Schroeder
Scott
Seastrand
Serrano
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (TX)
Spence
Spratt
Stenholm
Stokes
Studds
Stump
Tanner
Tauzin
Taylor (NC)
Tejeda
Thomas
Thompson
Thornberry
Thornton
Thurman
Torres
Traficant
Tucker
Upton
Volkmer
Vucanovich
Walsh
Ward
Waters
Watt (NC)
Weller
White
Whitfield
Wicker
Williams
Wilson
Wise
Woolsey
Wyden
Wynn
Young (AK)

NOT VOTING—19

Abercrombie
Bateman
Brown (CA)
Clay
Collins (MI)
Cox
Crane
Dreier
Gallegly
Goodling
Markey
Meehan
Moakley
Quillen
Quinn
Reynolds
Stupak
Watts (OK)
Young (FL)

□ 1542

The clerk announced the following pair:

On this vote:

Mr. Dreier for, with Mr. Quillen against.

Messrs. FLAKE, BEILENSON, FLANAGAN, and Ms. LOFGREN changed their vote from ''aye'' to ''no.''

Messrs. TIAHRT, DAVIS, YATES, GEJDENSEN, WELDON of Florida, LAZIO of New York, GUTIERREZ, DELLUMS, STARK, and BAKER of California, Mrs. MALONEY, and Mrs. COLLINS of Illinois changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

The CHAIRMAN. It is now in order to consider the amendment by the gentleman from Wisconsin [Mr. OBEY].

AMENDMENT OFFERED BY MR. OBEY

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follow:

Amendment offered by Mr. OBEY: Page 71, after line 5, insert the following new section:

SEC. 726. None of the funds appropriated or otherwise made available by this Act shall be used to pay the salaries of personnel who carry out a market promotion program pursuant to section 203 (7 U.S.C. 5623) of the Agricultural Trade Act of 1978 that provides assistance to organizations with annual gross sales of $20,000,000 or more, unless it has been made known to the official responsible for such expenditures that the organization (a) is a cooperative owned by and operated for smaller organizations that are members of the cooperative or (b) would satisfy the Small Business Administration standards for a small business.

The CHAIRMAN. Pursuant to the order of the House of Thursday, July 20, 1995, the gentleman from Wisconsin [Mr. OBEY] is recognized for 5 minutes, and a Member opposed will be recognized for 5 minutes.

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

The CHAIRMAN. The gentleman from New Mexico [Mr. SKEEN] will be recognized for 5 minutes in opposition to the amendment.

The gentleman from Wisconsin [Mr. OBEY] is recognized for 5 minutes.

□ 1545

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

The market promotion program is a program that is supposed to help provide funding for the promotion of U.S. agricultural products in foreign countries. Its original intent was to help the American farmer, I emphasize farmer, compete against heavily subsidized producers in Japan, Europe, and elsewhere.

This amendment is very simple. This amendment does not cut any money from the program. It simply says that you qualify for this program only if you are considered a small business under SBA definition, if you are a company with less than 20 million in annual sales, or if you are a cooperative representing a large number of small producers or companies and would under qualify the Small Business Administration standards for small business.

I have 10 top reasons for wanting to pass this amendment. They are as follows: Ernest & Julio Gallo received $6.9 million out of this program the last 2 years; Dole Corp., 2.4 million; Pillsbury, 1.75; Tyson Foods, 1.7; M&M Mars 1.5, Campbell Soups, 1.1; Seagrams, 793,000; Hershey's 738,000; Jim Beam Whiskey, 713; Ralston Purina, 434.

As I said last night, I have nothing against any of those products. I enjoy every last one of those products, every last one of them. But I would simply, while I like them, I would simply like to know that I am not subsidizing them with my tax dollars. I am happy to purchase them, but I do not want to subsidize them.

This amendment is not perfect, and I am sure opponents of it will find some reason to attack it for being imperfect, but I simply want to say to folks on both sides of this issue, to those like the gentleman from New Jersey [Mr. ZIMMER] who attacked this amendment during the discussion on the earlier bill, I would simply say this: Your amendment clearly overreached, but this is the only chance you have to send a signal to both the Committee on Agriculture and the Department that we want this program reformed.

To those of you who, like me, represent farm districts and would like to see no change in this program, I would simply say, sooner or later, if you do not reform it, you are going to lose it. With the kind of budget squeeze coming at the American people, with the cuts we are making or being asked to make in Medicare, with the cuts that are being imposed on us for education, for health, for job training, we have no business giving corporations on this list money to subsidize the exports of their own products.

I urge Members to support this amendment as a reasonable compromise.

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

Mr. SKEEN. Mr. Chairman, I yield 1½ minutes to the gentleman from Kansas [Mr. ROBERTS], chairman of the Committee on Agriculture, the now famous, powerful committee.

Mr. ROBERTS. Mr. Chairman, I thank the gentleman from New Mexico for yielding time to me. It is also good to see the gentleman from New Mexico. It is also good to hear from the gentleman from Wisconsin [Mr. OBEY] in his attempt here with this amendment to separate the wheat from the chaff and then try to export the chaff.

I rise in opposition to his amendment. Look, here is what this is all about. This is not going to take very long.

We must export high-value-added products. That is the future of agriculture program policy. The highest value ag products are branded products. These products are sold by brand loyalty.

The European Union has that all figured out. They will not let some branded products in. Here we have a Member of Congress that does not want to let the branded products out.

This amendment should be introduced in the Assembly of France or the Bundestag of Germany or the Parliament of maybe Great Britain. I have a better idea. What this is, basically, is just a revote on the previous amendment. You kill the branded products, you kill the program.

If that is what you want to do, go ahead and we can have a revote. But if you are really excited about a generic product as opposed to the laundry list of big companies who do such a great job on behalf of our farmers and ranchers and every consumer here with exports, let us just put it in a brown paper bag.

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

I would simply say, I am amused at the fact that some of the same Members in this House who will vote for a farm policy which will throw hundreds of thousands of small farmers over the cliff will bleed all over this floor for some of the largest corporations in this country.

I urge a ''yes'' vote on the amendment.

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

Mr. SKEEN. Mr. Chairman, I yield 1 minute to the gentleman from Georgia [Mr. KINGSTON].

Mr. KINGSTON. Mr. Chairman, I rise in opposition to the amendment. The

able and brilliant author of this amendment has called it imperfect. I agree with him. It is imperfect. It has got two problems.

One is substantive. First, if you outlaw the brands because of certain corporate receipts levels, then what they are going to do is set up another entity that has lower receipts to channel the funds through there.

Also this, as the previous speaker said, should probably be handled by the World Trade Organization, the GATT language or whatever else. This is not the proper place to do it.

The second problem with this amendment, though, is an inherent problem, and that is that the big dog does have the tendency to eat first and, yet, in that process the little bitty puppies also get some of the bone. How can you promote American hamburgers without McDonald's getting their share of the market? How can you promote American wine products without Gallo being a recipient of it?

I think we have got these two problems in this amendment, Mr. Chairman. There is no need to rush it. This amendment does kill the MPP. Vote ''no''.

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

Mr. WALSH. Mr. Chairman, as I understand it, this amendment would preclude any corporation with more than $20 million in annual gross sales from participating in the program. How long are we going to hear about rich versus poor, big versus little?

I would remind my colleagues, if you are looking for a job, do you turn it down because the company is too big? No. We are talking about jobs, good jobs. Larger companies often provide higher paying jobs with better benefits. Besides, these companies buy products from smaller companies.

This program contributes to our positive agricultural trade surplus. Let us not divide and be conquered. Stand up for all American agriculture. Vote ''no'' on Obey.

Mr. SKEEN. Mr. Chairman, I yield 30 seconds to the gentleman from California [Mr. CUNNINGHAM].

Mr. CUNNINGHAM. Mr. Chairman, about the only agriculture I have in my district is at the swap meet. So this is not real big.

And I know the gentleman from Wisconsin [Mr. OBEY] has good intentions in this thing. I grew up in Sheldon, MO, about 2,113 folks. I went back just a couple of months ago. Every single one of those farmers are having to work two and three jobs just to hang onto their farm. I think where you have a bigger organization that supports those organizations all the way down, I think we need to oppose this amendment.

Mr. SKEEN. Mr. Chairman, I yield the balance of my time to the gentleman from California [Mr. FAZIO].

Mr. FAZIO of California. Mr. Chairman, I oppose this amendment as strenuously as I did the prior amendment.

We are talking competing country to country and small farmers in this country need large entities, in some cases, yes, corporations, to speak for them in the international marketplace.

There is no question that the Europeans are spending much of their taxpayers' dollars to compete with us, 10 times as much. And when you eliminate the entities that the gentleman from Wisconsin [Mr. OBEY] read off in the well, you eliminate thousands of small farmers whose ability to play a role in the international marketplace would be totally eliminated.

We have made it clear that small business has a priority in this program. These large entities will be using it less and less over time because promotions have a 5-year limit on them.

What is most important for people to understand can best be understood in the context of the wine industry in our State.

Yes, there are 101 wineries participating, 89 of them are small wineries. But when you look at it in detail, you will discover that the five largest harvest 90 percent of all the independently grown grapes in our State. They cannot succeed if this limitation is imposed.

Please defeat the Obey amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin [Mr. OBEY].

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

RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 176, noes 229, not voting 29, as follows:

[Roll No 551]

AYES—176

Ackerman
Andrews
Archer
Armey
Bachus
Barrett (WI)
Bass
Becerra
Beilenson
Berman
Blute
Borski
Brown (OH)
Brownback
Bunn
Cardin
Castle
Chabot
Christensen
Clinger
Coburn
Coleman
Collins (IL)
Coyne
Cremeans
Davis
DeFazio
DeLauro
DeLay
Dellums
Deutsch
Doggett
Doyle
Duncan
Dunn
Ehlers
Engel
Ensign
Fattah
Fawell
Fields (LA)
Foglietta
Ford
Fox
Frank (MA)
Franks (CT)
Franks (NJ)
Frelinghuysen
Frisa
Furse
Gejdenson
Gibbons
Goss
Green
Greenwood
Gutierrez
Gutknecht
Hancock
Harman
Hayworth
Hilleary
Hinchey
Hoekstra
Hoke
Horn
Hostettler
Inglis
Istook
Jacobs
Kanjorski
Kaptur
Kasich
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
King
Kleczka
Klink
Klug
LaFalce
Largent
Lazio
Leach
Levin
Lewis (GA)
Linder
Lipinski
LoBiondo
Lofgren
Longley
Lowey
Luther
Maloney
Manzullo
Markey
Martini
Mascara
McHale
McInnis
McNulty
Menendez
Meyers
Mfume
Miller (CA)
Miller (FL)
Minge
Molinari
Moran
Morella
Myrick
Nadler
Neal
Neumann
Ney
Oberstar
Obey
Olver
Orton
Owens
Pallone
Payne (NJ)
Petri
Porter
Ramstad
Rangel
Reed
Rivers
Rohrabacher
Roukema
Roybal-Allard
Royce
Rush
Sabo
Salmon
Sanders
Sanford
Sawyer
Saxton
Scarborough
Schumer
Sensenbrenner
Serrano
Shadegg
Shaw
Shays
Shuster
Skaggs
Slaughter
Smith (MI)
Smith (NJ)
Smith (WA)
Solomon
Souder
Stark
Stearns
Stockman
Studds
Tate
Taylor (MS)
Tiahrt
Torkildsen
Upton
Velazquez
Vento
Visclosky
Waldholtz
Wamp
Waters
Watt (NC)
Waxman
Wolf
Wynn
Yates
Zeliff
Zimmer

NOES—229

Allard
Baesler
Baker (CA)
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bentsen
Bereuter
Bevill
Bilbray
Bilirakis
Bishop
Bliley
Boehlert
Boehner
Bonilla
Bonior
Bono
Boucher
Brewster
Browder
Brown (FL)
Bryant (TN)
Bryant (TX)
Bunning
Burr
Buyer
Callahan
Calvert
Camp
Canady
Chambliss
Chapman
Chenoweth
Chrysler
Clayton
Clement
Clyburn
Coble
Collins (GA)
Combest
Condit
Conyers
Cooley
Costello
Cramer
Crapo
Cubin
Cunningham
Danner
de la Garza
Deal
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Dooley
Doolittle
Dornan
Durbin
Edwards
Ehrlich
Emerson
English
Eshoo
Evans
Everett
Ewing
Farr
Fazio
Fields (TX)
Filner
Flake
Flanagan
Foley
Forbes
Fowler
Frost
Funderburk
Ganske
Gekas
Gephardt
Geren
Gilchrest
Gillmor
Gilman
Gonzalez
Goodlatte
Gordon
Graham
Gunderson
Hall (OH)
Hall (TX)
Hamilton
Hansen
Hastert
Hastings (FL)
Hastings (WA)
Hayes
Hefner
Heineman
Herger
Hobson
Holden
Hoyer
Hunter
Hutchinson
Hyde
Jackson-Lee
Jefferson
Johnson (CT)
Johnson (SD)
Johnson, E. B.
Johnson, Sam
Johnston
Jones
Kildee
Kim
Kingston
Knollenberg
Kolbe
LaHood
Latham
LaTourette
Laughlin
Lewis (CA)
Lewis (KY)
Lightfoot
Lincoln
Livingston
Lucas
Manton
Martinez
Matsui
McCarthy
McCollum
McCrery
McDade
McHugh
McIntosh
McKeon
McKinney
Meek
Mica
Mineta
Mink
Mollohan
Montgomery
Moorhead
Murtha
Myers
Nethercutt
Norwood
Nussle
Ortiz
Oxley
Packard
Parker
Pastor
Paxon
Payne (VA)
Pelosi
Peterson (FL)
Peterson (MN)
Pickett
Pombo
Pomeroy
Portman
Poshard
Pryce
Radanovich
Rahall
Regula
Richardson
Riggs
Roberts
Roemer
Rogers
Ros-Lehtinen
Rose
Roth
Schaefer
Schiff
Schroeder
Scott
Seastrand
Sisisky
Skeen
Skelton
Smith (TX)
Spence
Spratt
Stenholm
Stump
Talent
Tanner
Tauzin
Taylor (NC)
Tejeda
Thomas
Thompson
Thornberry
Thornton
Thurman
Torres
Towns
Traficant
Tucker
Volkmer
Vucanovich
Walker
Walsh
Ward
Weldon (FL)
Weller
White
Whitfield
Wicker

Williams	Wise	Wyden
Wilson	Woolsey	Young (AK)

NOT VOTING—29

Abercrombie	Gallegly	Quillen
Baker (LA)	Goodling	Quinn
Bateman	Hefley	Reynolds
Brown (CA)	Hilliard	Stokes
Burton	Houghton	Stupak
Clay	Lantos	Torricelli
Collins (MI)	McDermott	Watts (OK)
Cox	Meehan	Weldon (PA)
Crane	Metcalf	Young (FL)
Dreier	Moakley	

□ 1613

The Clerk announced the following pairs: On this vote:

Mr. Moakley for, with Mr. Dreier against.

Mr. McDermott for, with Mr. Watts of Oklahoma against.

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

So the amendment was rejected.

The result of the vote was announced as above recorded.

The CHAIRMAN. It is now in order to consider the amendment offered by the gentleman from Massachusetts [Mr. KENNEDY].

AMENDMENT OFFERED BY MR. KENNEDY OF MASSACHUSETTS

Mr. KENNEDY of Massachusetts. 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. KENNEDY of Massachusetts: Page 71, after line 2, add the following new section:

SEC. 726. None of the funds appropriated or otherwise made available by this Act for the Market Promotion Program may be used to promote the sale or export of alcohol or alcoholic beverages.

The CHAIRMAN. Pursuant to the order of the House of Thursday, July 20, 1995, the gentleman from Massachusetts [Mr. KENNEDY] will be recognized for 10 minutes, and a Member opposed will be recognized for 10 minutes.

Mr. SKEEN. Mr. Chairman, I ask unanimous consent that the time be reduced to 5 and 5, 5 minutes on each side, and that the gentleman from California [Mr. RIGGS] be allowed to control the remainder of the time on my side.

The CHAIRMAN. Under a previous ruling of the House and the agreement of the House, each side is given 10 minutes. We can, however, reach a consensus if both the gentleman from New Mexico [Mr. SKEEN] and the gentleman from Massachusetts [Mr. KENNEDY] will yield back 5 minutes each.

Mr. KENNEDY of Massachusetts. Mr. Chairman, do we do that at the end of the debate?

The CHAIRMAN. the Chair will advise the gentleman, he can do it right now and preserve the other 5 minutes.

Mr. KENNEDY of Massachusetts. Mr. Chairman, I yield back 5 minutes.

Mr. SKEEN. Mr. Chairman, I yield back 5 minutes.

Mr. KENNEDY of Massachusetts. Mr. Chairman, I yield myself such time as I may consume.

(Mr. KENNEDY of Massachusetts asked and was given permission to revise and extend his remarks.)

Mr. KENNEDY of Massachusetts. Mr. Chairman, I yield to the gentleman from Texas [Mr. COLEMAN].

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

Mr. COLEMAN. Mr. Chairman, I rise today to express concern about the proposed language contained in the Appropriations Committee report regarding the importation of Mexican avocados. This language is unnecessary and improperly seeks to create special procedural hurdles which the Secretary of Agriculture must overcome before determining whether to modify the embargo on Mexican avocado imports.

Moreover, the proposed language seeks to preserve technical barriers to trade of the type that Washington apple growers have been fighting for decades in Japan, Mexico, and elsewhere. Only recently have consumers in these countries been able to enjoy our apples while our growers enjoy the economic benefits of free trade. The United States is the most competitive producer of agricultural products in the world. Accordingly, we should act to encourage our trading partners to dismantle their technical barriers to U.S. agricultural exports.

THE COMMITTEE'S SPECIAL PROCEDURES ARE UNNECESSARY

The Department of Agriculture has been regulating agricultural imports successfully for over eighty years to protect American crops from the risks of imported pests or diseases. After extensive research and consultations with the Mexican authorities, the Department of Agriculture has now proposed a detailed plan under which avocados could be imported from one part of Mexico to the Northeastern United States, without risk to U.S. crops in the South or West. The Department has already held two public hearings on this issue and has scheduled five more hearings in August. Anyone interested in this issue may speak at one of the hearings or submit their views in writing. The Department will only decide whether to publish a final rule after considering all the views and evidence submitted.

The proposed language would state that the House Appropriations Committee ''expects'' the Department of Agriculture to ''ensure scientific credibility on pest risk assessment and risk management'' and to ''ensure that industry is provided with an opportunity to provide input on any proposed regulatory changes.'' This language is simply unnecessary. The Department has already published a detailed explanation of its ''systems approach'' to eliminate any risks posed by avocado imports. Moreover, the ordinary procedures for rulemaking under the Administrative Procedure Act already ensure that the industry will have ample opportunity to express its views in writing and at the five scheduled hearings. To the extent that the proposed language can be read to encourage the Secretary to apply a higher standard in this case than the scientifically-based standards ordinarily used by the Department, the use of this higher standard is unjustified and discriminatory.

The proposed language also suggests that the Secretary create an ''independent peer review panel'' before modifying the embargo on Mexican avocados. In other words, the proposed language seeks to create a special procedure applicable to only one product, from only one country. To adopt the proposed language would be to say: ''For all other crops, from all other countries, the Department's ordinary procedures and standards are good enough to protect American crops. But for some reason, the Appropriations Committee believe that the Department of Agriculture's well-established procedures and standards cannot be trusted with regard to one product: Mexican avocados.''

The committee language does not explain why these special, one-time-only procedures and standards are necessary in this case. But the reasons are apparent: referring a well-studied matter to an ''independent peer review panel'' is nothing but an attempt to further delay the import of Mexican avocados into the United States. The committee would cater to a special interest group at the expense of the American consumer by imposing delays and restrictions on the Secretary of Agriculture's ability to determine that continuing the embargo is scientifcally unjustified.

THE COMMITTEE'S APPROACH WOULD VIOLATE OUR TRADE COMMITMENTS AND HARM U.S. INTERESTS

Moreover, by encouraging the Department of Agriculture to delay the modification of an unjustified trade restriction, the proposed language would have the United States breach its obligations under two recent trade agreements: the North American Free Trade Agreement [NAFTA] and the World Trade Organization [WTO]. Both of these agreements were approved by the Congress to promote economic growth in America, the region, and the world, and a committee of this House—particularly a committee which lacks jurisdiction over trade policy—should not lightly advocate breaches of these vital agreements.

Both the NAFTA and the WTO contain provisions expressly addressing this type of trade restriction, which are known as ''phytosanitary measures.'' In particular, these rules prohibit the application of phytosanitary measures in a manner which either discriminates against the produce of one country or operates as a ''disguised restriction on trade.'' These rules were included at the insistence of the United States. The American negotiators pressed for international rules on phytosanitary measures to prevent other countries from using such measures as non-tariff barriers to agricultural products from the United States. As the world's largest exporter, the United States has the most to lose from trade barriers, including the overbroad use of phytosanitary measures. Japan and other countries have used excessively strict phytosanitary justifications to restrict U.S. agricultural exports that compete with their local products.

It is simply inconsistent with U.S. interests to encourage other countries to delay changes to their trade restrictions by adopting special new procedures of the sort suggested by the Committee. You can rest assured that protectionists in other countries will be studying the Committee's language as a model for delaying access to their markets for U.S. apples, rice, and other agricultural exports, to the detriment of the American economy.

Mr. KENNEDY. Mr. Chairman, first I want to thank the gentleman from Utah, Mr. JIM HANSEN, who has cosponsored the amendment with me, and I appreciate all the hard work he has put into it.

□ 1615

Mr. Chairman, this amendment should be titled the ''know when to say when'' amendment. It puts a halt on corporate subsidies to the alcohol industry to boost its booze abroad. It simply carves away a very targeted portion of the Market Protection Programs, the multi-million-dollar handout to the alcohol industry to lure drinkers in foreign countries. Over the course of the last 3 years, the taxpayers has reached deep into their pockets and handed over $24 million to the alcohol industry.

Let's just tell it like it is. The American taxpayers give subsidies to some companies that are making money hand over fist so that they can entice more people to drink. What we are doing here is financing a worldwide scam. We know what this kind of advertising is like. It is the most glamorous advertising in the world and hooks young people on the number one drug on this planet.

The wrongheadedness with which we subsidize alcohol exports and advertising by major alcohol corporations is compounded by the error of spending millions and millions of dollars to entice people to drink. It is a tragedy, and we should put an end to it.

Jim Beam last year got over $2.5 million to push its whisky abroad. Other whisky giants like Hiram Walker and Brown-Forman profited under this program. Even companies like Miller, Coors, and Stroh Beer get money under this program.

If that were not enough of a corporate scandal, we add insult to injury by asking the American taxpayer to foot the bill for some of the world's largest foreign alcohol giants. We actually pay these foreign alcohol companies to advertise our wine, our bourbon and our whiskey overseas. Seagrams, a Canadian company, received over $1 million from the United States taxpayers for wine promotion and nearly $150,000 to advertise Four Roses Whiskey in Europe and the Far East. Three English companies, including Guinness, have received almost $3 million to advertise United States-made bourbon and whiskey in Japan and Yugoslavia.

The Wine Institute itself spent $40,000 of United States taxpayers' money to fly a group of Japanese wine stewards to California for a weeklong adventure that included trips to several wineries.

The fact is that we are going to hear a lot of yakking from people that come from wine country that tell us that this is just a program to help out the small vintners of America. That is a bunch of hogwash. If you look at where the numbers go, notwithstanding the fact we heard the gentleman from California [Mr. FAZIO] talking about the fact that 89 of the vintners are small, that is, 89 of 100 vintners are the small vintners. They also get the small dollars.

If we look at it, Ernest and Julio, the two brothers that stood up to Caesar Chavez, they get 57 percent of all the money that goes into this program. Fifty-seven percent to one company that only made $1.5 billion more. Fetzer Vineyards, owned by Brown-Forman, makers of Jack Daniels, Southern Comfort, and Canadian Mist, millions more. Vintner International, another one of the largest companies in this country in the wine business, millions more.

Meanwhile, the small vintners, oh, yeah, there are a bunch of them, Geyser Park received $999, Pine Ridge received $162. Santa Cruz Winery, $223, Santino Wines, $4,167; and Saints Berry, $3,892.

Ladies and gentlemen, let's break the back of those corporations that come in and try to jump on the back of the taxpayer in this hall and say to them that we are going to stand up to not only welfare mothers but we are going to stand up to this kind of corporate subsidy as well.

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

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

Mr. Chairman, I would like to point out that this amendment, while broadly worded, is frankly a loaded gun pointed at the American wine industry.

Second, it would not save any money under the gentleman's amendment. We all are aware frankly that our domestic wineries are at a competitive disadvantage as they attempt to compete with European and South American wines due to the export subsidies and frankly the trade tariffs that are imposed on our wine exports abroad.

Mr. Chairman, I yield 1½ minutes to the gentleman from Fresno, CA [Mr. RADANOVICH], the first professional winemaker to serve in the U.S. House of Representatives.

Mr. RADANOVICH. Mr. Chairman, I rise in protest to this amendment that is being offered currently. I am a winemaker. I do not take MPP's. I never will take MPP's. But when my industry is singled out among 20 to 25 commodities that are participants in the MPP program, I must rise in protest.

Mr. Chairman, I am a member also of the Committee on the Budget and I do not believe that programs like this are going to survive 7 years of budget cuts that are necessary in order to get to zero. But I do agree that those decisions regarding the fate of MPP must be budget-driven and they must be decided within the Committee on Agriculture under the direction of the gentleman from Kansas [Mr. ROBERTS], our chairman, not from someone who comes from a State where there is very little agriculture and no participation in the program. I rise in strong protest to this amendment and urge ''no'' vote on the Kennedy amendment.

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

Let me make two quick points. Even the gentleman from Massachusetts, the maker of the amendment, points out that 100 some odd wineries have been participating in the MPP. Of that group, 89 are small wineries. These are mostly small, family owned operations. Second, the five largest wine recipients of the MPP purchase 90 percent of their grapes from independent grape growers. The gentleman's amendment would hurt those small grape growers which again are for the most part small, family owned businesses.

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

Mr. CONDIT. Mr. Chairman, I will be brief. What the Kennedy amendment does is single our independent grape growers across California. This penalizes farmers, farmers who grow grapes and sell them to the wineries in California and throughout this country. He is penalizing small, independent grape growers. If he has a beef with grape growers, do it a different way. This is not the way to do it.

There is $607 million paid in excise tax. That is what the wine industry does. It is a $9 billion industry in California. It is an important industry in California. It is about jobs, it is about American wine, and we should not single out this industry and discriminate against them. If we have got a beef with the grape growers, do it another way.

Mr. RIGGS. Mr. Chairman, I yield 30 seconds to the gentlewoman from California [Ms. WOOLSEY].

Ms. WOOLSEY. Mr. Chairman, I would like to say, although I respect the gentleman from Massachusetts, I do not support his amendment because this amendment directly and unfairly targets my constituents in Sonoma and Martin counties. These are the people who produce the best wines in the world. If this amendment passes, their world-famous wine would no longer be able to compete in the world market.

The amendment would devastate the small wine producers in my district, who rely upon Federal export assistance to enter the global marketplace.

Unlike Europe and South America, United States wine producers receive no production subsidies what-so-ever! Furthermore, our competitors out-spend the U.S. in export subsidies by more than 6 to 1!

Mr. Chairman, small California wineries cannot compete in such a lop-sided marketplace without some assistance.

The Kennedy amendment takes this critical assistance away from small wine producers. And, in doing so, it takes away jobs; it takes away trade; and, it takes away fairness.

We should help export California wine, not California's jobs!

Mr. RIGGS. Mr. Chairman, I yield 15 seconds to the gentleman from Louisville, KY, our mutual birthplace [Mr. WARD].

Mr. WARD. Mr. Chairman, I stand in opposition to this amendment. This amendment singles out one industry for punishment. We all know we need to increase exports. We need to make our balance of trade come out better. I stand in opposition to the amendment.

Mr. KENNEDY of Massachusetts. Mr. Chairman, I yield the balance of my time to the gentleman from Utah [Mr. HANSEN].

The CHAIRMAN. The gentleman from Utah is recognized for 30 seconds.

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

Mr. HANSEN. Mr. Chairman, in 1981 we had an interesting experience around here. We formed what was called the Presidential Commission on Drunk Driving under Ronald Reagan. We spent 1½ years working on that. We took a lot of time to do it. I was privileged to sit on that committee and we did an exhaustive study of what was going on in America.

After we did all this and found out how many were dying as a result of drunk driving, paraplegics, quadriplegics and people with very serious back injuries, we found that the No. 1 reason was the enticement they had to get people to drink. This is a harmless little amendment. It makes a lot of sense. All we are asking to do is take away the advertisement in this area. We are not in any way changing some of these other areas.

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

Mr. Chairman, I point out that recent studies have indicated that moderate alcohol beverage consumption could actually be beneficial to personal health.

Mr. Chairman, I yield the balance of my time evenly between my colleagues, the gentleman from Wisconsin [Mr. ROTH] and the gentleman from California [Mr. DORNAN].

The CHAIRMAN. The gentleman from Wisconsin [Mr. ROTH] will be recognized for 10 seconds, and the gentleman from California [Mr. DORNAN] will be recognized for 10 seconds.

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

Mr. ROTH. Mr. Chairman, this is the kind of amendment that drives us all to drink. It is discrimination aimed at Wisconsin where we produce the finest beers in the world and we want all people around the world to share in it.

Beer is a very noble product, and an honored part of American history. Many American fortunes have been made in the liquor industry. The liquor industry played an early role in the wealth of some of the most prominent American families, as the sponsor may recall.

Mr. DORNAN. Mr. Chairman, we are almost out of time.

When we work the doors here, JOSEPH, because you are a fourth-generation Irishman and I am a redheaded second-generation Irishman, and remembering that redheaded patriarch of your clan, and some friends in Scotland assure me they will not be toasting you in the champagne regions of France and the distilleries of beautiful Bonnie Scotland.

Mr. KENNEDY of Massachusetts. Just say no, big BOB. Just say no.

Mr. FAZIO of California. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Massachusetts [Mr. KENNEDY] which would prohibit the use of funds in the bill to promote the sale or export of alcohol or alcoholic beverages.

This amendment is targeted at the Market Promotion Program [MPP].

MPP is a good program which is conducting important value-added marketing overseas. It works effectively, and MPP has been a crucial element of improving the export situation of our domestic wine industry, centered in California.

The California wine industry produces an award-winning, high-value product that can compete with the best of the world's wine industries—but we need MPP to help get that message out.

U.S. wine production represents approximately 6.5 percent of world production. However, despite aggressive export growth during the past 6 years, the industry has only a 3.0 percent market share of wine exports.

We need MPP to help us do better.

We need to remember that the European Union spends more on export promotion for wine than the United States spends in promoting all of our agricultural products.

The European Community wine industries are heavily subsidized—to the tune of $1.5 billion, which includes $90 million for export promotion.

Other countries then do even more. For example, the Italian Trade Commission is funded for an additional $25 million.

When it comes to the wine industry, MPP is a program that helps small business.

In 1994, for example, 101 wineries participated in MPP and 89 were small wineries.

MPP promotes independent business.

The five largest wine recipients of MPP funds purchase over 90 percent of their grapes from independent grape growers.

In short, we will continue to battle for our fair share of foreign markets. But we need an export promotion program to allow us to achieve our competitive potential.

I urge my colleagues to defeat the Kennedy amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts [Mr. KENNEDY].

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

Mr. KENNEDY of Massachusetts. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to the order of the House of Wednesday, July 19, 1995, further proceedings on the amendment offered by the gentleman from Massachusetts [Mr. KENNEDY] will be postponed.

AMENDMENT NO. 5 OFFERED BY MR. DEUTSCH

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 5 offered by Mr. DEUTSCH:

Amendment No. 5: Page 71, after line 2, insert the following new section:

SEC. 726. None of the funds made available in this Act may be used to provide assistance to, or to pay the salaries of personnel who carry out a market promotion program pursuant to section 203 of the Agricultural Trade Act of 1978 (7 U.S.C. 5623) that provides assistance to, the U.S. Mink Export Development Council or any mink industry trade association.

The CHAIRMAN. Pursuant to the order of the House of Thursday, July 20, 1995, the gentleman from Florida [Mr. DEUTSCH] will be recognized for 10 minutes, and a Member opposed will be recognized for 10 minutes.

The Chair recognizes the gentleman from Florida for 10 minutes, and, in opposition, the gentleman from New Mexico [Mr. SKEEN] will be recognized for 10 minutes.

Mr. SKEEN. Mr. Chairman, I ask the gentleman if he would yield back 5 minutes.

Mr. DEUTSCH. Mr. Chairman, I yield back 5 minutes before we begin.

Mr. SKEEN. Mr. Chairman, I yield back 5 minutes.

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

Mr. Chairman, this is corporate welfare at its absolute worst; at its absolute worst. This is a program that spends about $2 million a year on the U.S. Mink Export Development Council, a council that is managed by four people, an attorney and assistant and representatives of two companies. Those two companies get 98 percent of the funds of that $2 million.

One of those companies happens to be a Canadian company. Actually, it is a subsidiary of a Canadian company whose gross revenues are 3.9 billion American dollars. What do they spend this money on every year? They spend it on fashion shows overseas and many times even work that is done to bring it back to the United States.

This is a copy of one of the fashion shows that does not even describe the minks or the mink stoles as America product.

Mr. Chairman, this is not an amendment against mink farmers; it is an amendment against the U.S. Mink Export Development Council program.

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

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

Mr. Chairman, I rise to oppose this amendment, and I again say through the efforts of this committee we have forced the Department to redo the way that it manages the market Promotion Program and it now targets the small, nonbranded groups.

We cannot pick apart this program and make it work. This program is good for America. Do not destroy this program. This program means jobs to the United States. To pass this amendment means jobs in other countries. Vote no and save American jobs.

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

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

Mr. PETRI. Mr. Chairman, I rise in opposition to the Deutsch amendment, because what it boils down to is a short-sighted attempt to exclude one particular industry from participation in this promotion program simply because animal rights activists do not like that industry.

The funding to promote U.S. mink exports to foreign markets is by law used only to promote the sale of U.S. produced mink and only U.S. mink ranchers can benefit from this program. The funding benefits only U.S. entities, just as every other MPP-funded program does. Ninty-five percent of U.S. produced mink are sold through two auction houses; one of them a rancher cooperative, that is rancher-owned, the other is substantially owned by hundreds of U.S. mink ranchers.

It is ridiculous to say that the mink ranchers who produce all those pelts do not benefit by the marketing work done by these two companies. I cannot honestly understand how less than $2 million in marketing assistance to U.S. mink exporters can be truthfully characterized as ''wasteful spending.''

It is not a give away. It is a matching funds program which helps counter the massive subsidies that European countries give directly to their mink producers.

Mr. Chairman, it seems to me that the questions we will answer when we vote on this amendment are these: Shall Congress discriminate against the MPP mink program just because it helps market U.S.-produced mink and not American seafood, paper products, grapes, walnuts, chocolate, cotton, raisins, feed grains, meats, wheat, rice, apples, wine or citrus from Florida and other States, even though the mink industry receives less marketing subsidy than any of these industries; and, shall Congress deny marketing assistance to the mink industry for the sole purpose of satisfying the extremists animal rights lobby?

Mr. Chairman, I must say that I think the rational answer to those questions, and the only real answer to those questions, is a resounding ''no.'' I urge my colleagues to join me in voting a resounding ''no'' on the amendment.

Mr. DEUTSCH. Mr. Chairman, I yield 1 minute to the gentleman from California [Mr. DORNAN].

Mr. DORNAN. Mr. Chairman, this is another one of those squirrely little issues where you have friends on both sides of the issues. But of all the subjects in all of the trade issues on the planet, why either party should be helping mink manufacturers, I do not know.

This would be a hard sell at any town hall meeting in America, and I would say if there was ever an industry that was on its own, it ought to be the mink industry.

Before we end up discussing vicuna coats and plain-cloth Republican coats or Democratic coats, I know my party has had an image problem for about 50 years as the party of the big guy, and my colleagues on the other side of the aisle get away with bloody murder, being the party of the little guy. I say let those little minks fight for themselves without Federal tax dollars.

Mr. SKEEN. Mr. Chairman, I yield such time as he may consume to the gentleman from Idaho [Mr. CRAPO].

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

Mr. CRAPO. Mr. Chairman, I stand in opposition to this amendment.

Mr. Chairman, agriculture is a major Idaho industry. With 21,000 farmers and ranchers, its annual production totals nearly $3 billion. This translates into billions of dollars in additional economic activity as well as an expanded tax base and tens of thousands of jobs.

This amendment arbitrarily excludes a small, yet very important part of this economy from participation in the MPP Program. Groups who do not believe that animals should be used for food, clothing or medical research are trying to prevent any MPP money from being used to retain and develop overseas markets for U.S.-produced mink.

MPP Program helps U.S. mink ranchers counter the efforts of massive production subsidies which go to foreign mink ranchers. In Idaho alone, the economic impact of the mink industry is $7.3 million a year. MPP funding to promote mink exports is an investment with a 5,000 percent return. For about $2 million, the MPP helps the U.S. mink industry achieve over $100 million in export sales each years.

Additionally, the United States mink industry has successfully promoted the superior quality of United States mink to quality-conscious furriers and importers in Italy, Japan, Hong Kong, and elsewhere. Over 95 percent of the U.S. mink industry's total sales will be exported this year.

Contrary to the comments made that MPP funds go to big corporations, all of the branded mink participants in the MPP Program are classified as ''small entities'' by the SBA. The industry is made up of small, family owned mink ranches in 28 States. MPP marketing assistance has helped the mink producers survive 5 years of global over production caused by direct and indirect subsidization in China, Russia, and mostly in Scandinavian countries.

I urge my colleagues to reject this anti-jobs amendment.

Mr. SKEEN. Mr. Chairman, I yield 1 minute to the gentleman from Minnesota [Mr. PETERSON].

Mr. PETERSON of Minnesota. Mr. Chairman, I rise today to strongly oppose the Deutsch amendment. My colleagues need to understand what is going on here. Ninety-five percent of our market of mink, the mink ranchers in my district, is overseas. They have no Government program. They have no other money that comes to them, except for this MPP program. It is only $1.9 million.

If we destroy this industry, what we are going to do is what we did with the wool and mohair industry; we are just going to give that industry to the foreign countries, to the Danish, to the Norwegians, to the Finlanders.

Mr. Chairman, I can personally tell my colleagues that these mink ranchers are having a tough time. They are on the verge of going out of business anyway. They do not need us to single them out with this amendment and make the situation harder.

Mr. Chairman, this is not about MPP. What this is about are the animal rights folks, who do not like these people, trying to drive one more nail in their coffin.

I ask my colleagues to strongly oppose this amendment and maintain the mink industry in this country. These are good people, family farmers. We do not need to put them out of business.

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

Mr. OWENS. Mr. Chairman, I rise in support of the amendment. During the last few days, we have heard clearly what the plot to balance the budget is all about. The plot to balance the budget is merely to squeeze out money from Medicare and Medicaid and money for the cities.

The plot to balance the budget is not sincere at all, because we are refusing to take away taxpayer subsidies for tobacco. We will not take away taxpayer subsidies for alcohol. We will not take away taxpayers subsidies for mink coats. How are we going to balance the budget?

It would be only fair if you were to offer export promotion funds for everybody. I have a used clothing processing plant in Brooklyn, the largest in the world, and they export used clothing to all parts of the world. The underdeveloped world buys a lot of used clothes. They should have the export advertising subsidy also. They should get in on it also.

All products, such as automobiles, have a hard time in Japan. They should have the export promotion program also. We should be fair and have socialized marketing across the board; never balance the budget, cut Medicare and Medicaid.

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

Mr. DEUTSCH. Mr. Chairman, I yield 1 minute to the gentleman from Connecticut [Mr. SHAYS], the cosponsor of the amendment.

Mr. SHAYS. Mr. Chairman, I tried to avoid participating in the debate today, because we are all tired and we all feel strongly about these issues. But I have a hard time recognizing we have annual deficits at over $200 billion a year, our national debt is close to $4.8 trillion, and I am going back to my district and telling them we are slowing the growth of Medicare, we are slowing the growth of Medicaid. We are cutting housing programs, we are cutting education programs, but we are going to subsidize tobacco, alcohol, and mink export?

This, to me, is an obscenity. I join my colleague and thank the gentleman for offering this amendment.

Mr. DEUTSCH. Mr. Chairman, I yield myself such times as I may consume.

Mr. Chairman, as I stated, this is truly corporate welfare at its worst. I ask my colleagues to take a look at the specifics of this particular program, what it really does. It is almost beyond belief what this program does. It is almost a parody of government gone crazy in terms of corporate welfare.

We have about $2 million a year, we give it to the U.S. Mink Export Development Council managed by 4 people, 2 of whom are representatives of companies. One is an attorney for the council and one an assistant.

Those people then all of a sudden, lo and behold, give 98 percent of the money that they get to the 2 companies represented on the board, at which point they then spend the money for fashion shows all over the world; Mainland China, Japan, Korea, Italy, and it is unclear what is going on.

One of the companies is a $3.9 billion gross sales a year Canadian company. It is foreign corporate welfare. We are doing so well today in America that we can afford foreign corporate welfare.

It is not about mink farmers; it is about this particular program. If we cannot get rid of this, we are not going to get rid of anything.

Mr. Chairman, I urge my colleagues to support the Deutsch-Shays amendment.

Mr. SKEEN. Mr. Chairman, I yield the balance of my time to the gentleman from Ohio [Mr. BOEHNER].

Mr. BOEHNER. Mr. Chairman, I thank my colleague from New Mexico, Mr. SKEEN, for yielding, and thank my colleagues in the House for their endurance during this entire consideration of the agriculture appropriation bill.

The amendment that we have before us has been explained very clearly by my colleagues that have proceeded me. There are two exchanges that handle U.S. furs for mink producers in America. It is the Seattle Fur Exchange, a co-op of ranchers out West. Here in the East, it is the New York market and 36 percent of it is owned by small mink farmers around the country.

But this program is about helping small farmers around our country. It is not about helping corporations. It is about helping our farmers compete in a world market where they have to compete with subsidized furs from all around the world. This program has helped open markets for U.S. producers. They have been through 5 years of almost all of them going out of business. They are actually starting to make some money, and pulling the plug on this program at this time, frankly, is not fair to them.

In the budget, agriculture is taking its hit. We are going to be putting up somewhere between $17 and $20 billion over the next 7 years to balance the budget. We are going to do our share. But this is not the way to do it.

But let me say to my colleagues that this amendment is more than about cutting money. Some who are interested in this amendment are interested in it only for one reason, because they want us to kneel down at the altar of political correctness of those radical animal rights people who do not want you to wear mink, they do not want to wear mink. They are bringing this to the floor of the House and it is unfair. Vote against this amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Florida [Mr. DEUTSCH}.

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

RECORDED VOTE

Mr. DEUTSCH. 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 order of the House of Wednesday, July 19, 1995, further proceedings on the amendment offered by the gentleman from Florida [Mr. DEUTSCH] will be postponed.

The point of no quorum is considered withdrawn.

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The CHAIRMAN. Pursuant to the order of the House of Wednesday, July 19, 1995, proceedings will now resume on those amendments on which further proceedings were postponed in the following order: The amendment offered by the gentleman from Massachusetts [Mr. KENNEDY] and the amendment offered by the gentleman from Florida [Mr. DEUTSCH].

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

AMENDMENT NO. 64 OFFERED BY MR. KENNEDY OF MASSACHUSETTS

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Massachusetts [Mr. KENNEDY] on which further proceedings were postponed and on which the noes prevailed by a 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 refused.

So the amendment was rejected.

AMENDMENT OFFERED BY MR. DEUTSCH

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Florida [Mr. DEUTSCH] on which further proceedings were postponed and on which the noes prevailed by a voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

The CHAIRMAN. A recorded vote has been requested. Those in support of the request for recorded vote will rise and be counted.

Mr. DEUTSCH. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The gentleman is correct. A quorum is not present.

The CHAIRMAN. Pursuant to clause 2 of rule XXIII, the Chair will reduce to a minimum of 5 minutes the time for an electronic vote ordered on the pending question following this quorum call.

□ 1645

PARLIAMENTARY INQUIRY

Mr. KENNEDY of Massachusetts. Mr. Chairman, parliamentary inquiry.

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. KENNEDY of Massachusetts. Mr. Chairman, a few minutes ago I had an amendment and enough people rose to ask for a recorded vote. You assured me that we had, and were going to have a recorded vote on my amendment. Are we having a recorded vote on my amendment?

The CHAIRMAN. As the Chair announced at that point, the Chair began to count for a recorded vote. The Chair then remembered the planned order to postpone any request for a recorded vote until later on. It was a mistake on the part of the Chair not to immediately postpone the request for a recorded vote, without counting for a sufficient number to support a recorded vote. When proceedings later resumed, the request was not supported by a sufficient number.

Mr. KENNEDY of Massachusetts. Wait a second, could I have unanimous consent to have another attempt to have that vote, please?

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

There was no objection.

RECORDED VOTE

Mr. KENNEDY of Massachusetts. Mr. Chairman, I demand a recorded vote on the Kennedy amendment.

The CHAIRMAN. Without objection, the Chair will vacate all proceedings since the resumption of unfinished business, to include those on the point of no quorum raised by the gentleman from Florida,

There was no objection.

PARLIAMENTARY INQUIRY

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

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. RIGGS. Just to establish the sequence of the votes now, will we be voting first on the Kennedy amendment followed by the Deutsch amendment?

The CHAIRMAN. The Chair will begin again, and it will be clear in just a minute.

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The CHAIRMAN. Pursuant to the order of the House of Wednesday, July 19, proceedings will now resume on

those amendments on which further proceedings were postponed in the following order:

The amendment by the gentleman from Massachusetts [Mr. KENNEDY] and the amendment offered by the gentleman from Florida [Mr. DEUTSCH].

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

AMENDMENT OFFERED BY MR. KENNEDY OF MASSACHUSETTS

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Massachusetts [Mr. KENNEDY] 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 CHAIRMAN. The Chair tells Members this will be a firm 17-minute vote.

The vote was taken by electronic device, and there were—ayes 130, noes 268, not voting 36, as follows:

[Roll No. 552]

AYES—130

Archer
Armey
Bachus
Barcia
Bartlett
Bass
Beilenson
Bereuter
Blute
Borski
Brown (OH)
Brownback
Canady
Cardin
Castle
Chabot
Christensen
Collins (IL)
Conyers
Coyne
Crapo
Davis
DeLay
Doyle
Duncan
Ensign
Fields (LA)
Fields (TX)
Flake
Ford
Fowler
Fox
Franks (CT)
Franks (NJ)
Frelinghuysen
Gibbons
Gilchrest
Goodlatte
Goss
Graham
Green
Gutierrez
Hall (TX)
Hansen
Hayworth
Hoke
Horn
Hostettler
Hunter
Inglis
Jackson-Lee
Jacobs
Kanjorski
Kasich
Kennedy (MA)
Kennedy (RI)
Kildee
King
LaFalce
Largent
Lewis (GA)
Linder
LoBiondo
Luther
Markey
Martini
McHale
McInnis
McKeon
McNulty
Mfume
Minge
Molinari
Moran
Morella
Myrick
Nadler
Neumann
Oberstar
Obey
Olver
Orton
Owens
Pallone
Payne (NJ)
Porter
Poshard
Ramstad
Rangel
Reed
Regula
Rivers
Rohrabacher
Roukema
Royce
Salmon
Sanders
Sanford
Scarborough
Schiff
Schroeder
Schumer
Sensenbrenner
Serrano
Shaw
Shays
Shuster
Skaggs
Smith (MI)
Smith (TX)
Smith (WA)
Solomon
Souder
Stockman
Tate
Tiahrt
Torkildsen
Towns
Velazquez
Vento
Visclosky
Waldholtz
Wamp
Waters
Waxman
Weldon (FL)
Wolf
Yates
Zeliff
Zimmer

NOES—268

Ackerman
Allard
Andrews
Baesler
Baker (CA)
Baldacci
Ballenger
Barr
Barrett (NE)
Barrett (WI)
Barton
Becerra
Bentsen
Berman
Bevill
Bilbray
Bilirakis
Bishop
Bliley
Boehlert
Boehner
Bonilla
Bonior
Bono
Boucher
Brewster
Browder
Brown (FL)
Bryant (TN)
Bryant (TX)
Bunn
Bunning
Burr
Buyer
Callahan
Calvert
Camp
Chambliss
Chapman
Chenoweth
Chrysler
Clayton
Clement
Clinger
Clyburn
Coble
Coburn
Coleman
Collins (GA)
Combest
Condit
Cooley
Costello
Cramer
Cremeans
Cubin
Cunningham
Danner
de la Garza
Deal
DeFazio
DeLauro
Dellums
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Dornan
Dunn
Durbin
Edwards
Ehrlich
Emerson
Engel
English
Eshoo
Evans
Everett
Ewing
Farr
Fattah
Fawell
Fazio
Filner
Flanagan
Foley
Forbes
Frank (MA)
Frisa
Frost
Funderburk
Furse
Ganske
Gejdenson
Gekas
Gephardt
Gillmor
Gilman
Gonzalez
Gordon
Greenwood
Gunderson
Gutknecht
Hall (OH)
Hamilton
Hancock
Harman
Hastert
Hastings (FL)
Hayes
Hefner
Heineman
Herger
Hilleary
Hinchey
Hobson
Hoekstra
Holden
Hoyer
Hutchinson
Hyde
Istook
Jefferson
Johnson (CT)
Johnson (SD)
Johnson, E. B.
Johnson, Sam
Johnston
Jones
Kaptur
Kelly
Kennelly
Kim
Kingston
Kleczka
Klink
Klug
Knollenberg
Kolbe
LaHood
Latham
LaTourette
Laughlin
Lazio
Leach
Levin
Lewis (CA)
Lewis (KY)
Lightfoot
Lincoln
Lipinski
Livingston
Lofgren
Longley
Lowey
Lucas
Maloney
Manton
Manzullo
Martinez
Mascara
Matsui
McCarthy
McCollum
McCrery
McDade
McHugh
McIntosh
McKinney
Meek
Menendez
Meyers
Mica
Miller (FL)
Mineta
Mink
Mollohan
Montgomery
Moorhead
Murtha
Myers
Neal
Nethercutt
Ney
Norwood
Nussle
Oxley
Packard
Parker
Pastor
Paxon
Payne (VA)
Pelosi
Peterson (FL)
Peterson (MN)
Petri
Pickett
Pombo
Pomeroy
Portman
Pryce
Radanovich
Rahall
Richardson
Riggs
Roberts
Roemer
Rogers
Ros-Lehtinen
Rose
Roth
Roybal-Allard
Rush
Sabo
Sawyer
Saxton
Schaefer
Scott
Shadegg
Sisisky
Skeen
Skelton
Slaughter
Smith (NJ)
Spence
Spratt
Stark
Stearns
Stenholm
Studds
Stump
Talent
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Tejeda
Thomas
Thompson
Thornberry
Thornton
Thurman
Torres
Traficant
Tucker
Upton
Volkmer
Vucanovich
Walker
Walsh
Ward
Watt (NC)
Weller
White
Whitfield
Wicker
Williams
Wilson
Wise
Woolsey
Wyden
Wynn
Young (AK)

NOT VOTING—36

Abercrombie
Baker (LA)
Bateman
Brown (CA)
Burton
Clay
Collins (MI)
Cox
Crane
Dreier
Ehlers
Foglietta
Gallegly
Geren
Goodling
Hastings (WA)
Hefley
Hilliard
Houghton
Lantos
McDermott
Meehan
Metcalf
Miller (CA)
Moakley
Ortiz
Quillen
Quinn
Reynolds
Seastrand
Stokes
Stupak
Torricelli
Watts (OK)
Weldon (PA)
Young (FL)

□ 1707

The Clerk announced the following pair:

On this vote:

Mr. Moakley for, with Mr. Dreier against.

Mr. WILLIAMS and Mr. BARR changed their vote from ''aye'' to ''no.''

Messrs. CANADY of Florida, SMITH of Michigan, BARTLETT of Maryland, and GRAHAM changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. DEUTSCH

The CHAIRMAN. The pending business is the demand of the gentleman from Florida [Mr. DEUTSCH] for a recorded vote 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. The gentleman from Florida [Mr. DEUTSCH] has demanded a recorded vote.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 232, noes 160, not voting 42, as follows:

[Roll No. 553]

AYES—232

Ackerman
Andrews
Archer
Bachus
Bass
Becerra
Beilenson
Berman
Bilbray
Bilirakis
Blute
Boehlert
Borski
Brown (FL)
Brown (OH)
Bryant (TX)
Burr
Buyer
Canady
Cardin
Castle
Chabot
Christensen
Clayton
Clement
Clyburn
Coble
Coburn
Coleman
Collins (GA)
Collins (IL)
Conyers
Costello
Coyne
Cremeans
Cubin
Cunningham
Danner
Davis
DeFazio
DeLauro
Dellums
Deutsch
Diaz-Balart
Dixon
Doggett
Dornan
Doyle
Duncan
Dunn
Durbin
Engel
Ensign
Eshoo
Evans
Farr
Fattah
Fawell
Fields (LA)
Filner
Flake
Foley
Ford
Fowler
Fox
Frank (MA)
Franks (CT)
Franks (NJ)
Frelinghuysen
Frisa
Funderburk
Furse
Ganske
Gejdenson
Gibbons
Gilman
Gordon
Goss
Graham
Green
Greenwood
Gutierrez
Hall (OH)
Harman
Hastings (FL)
Hayes
Hayworth
Heineman
Hilleary
Hinchey
Hobson
Hoke
Horn
Hostettler
Hyde
Inglis
Istook
Jackson-Lee
Jacobs
Jefferson
Johnson (SD)
Jones
Kanjorski
Kasich
Kelly
Kennedy (MA)
Kennedy (RI)
Kildee
King
Klink
LaFalce
Largent
LaTourette
Leach
Levin
Lewis (GA)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Luther
Maloney
Manton
Manzullo
Markey
Martini
Mascara
McCarthy
McCollum
McDade
McHale
McInnis
McKinney
McNulty
Menendez
Meyers
Mfume
Mica
Miller (FL)
Mineta
Minge
Mink
Molinari
Moran
Morella
Murtha
Myrick
Nadler
Neal
Neumann
Ney
Norwood

Olver
Pallone
Payne (NJ)
Pelosi
Porter
Portman
Poshard
Pryce
Ramstad
Rangel
Reed
Regula
Richardson
Riggs
Rivers
Roemer
Rohrabacher
Ros-Lehtinen
Roth
Roukema
Roybal-Allard
Royce
Rush
Sabo
Salmon
Sanders
Sanford
Sawyer
Scarborough
Schiff
Schroeder
Schumer
Sensenbrenner
Serrano
Shaw
Shays
Shuster
Skaggs
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Spratt
Stark
Stearns
Stockman
Studds
Tate
Taylor (MS)
Taylor (NC)
Torkildsen
Torres
Towns
Traficant
Upton
Velazquez
Vento
Visclosky
Volkmer
Waldholtz
Wamp
Ward
Waters
Waxman
Weldon (FL)
Weller
Wicker
Williams
Wilson
Wolf
Woolsey
Wyden
Wynn
Yates
Zeliff
Zimmer

NOES—160

Allard
Armey
Baesler
Baker (CA)
Baldacci
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Bereuter
Bevill
Bishop
Bliley
Boehner
Bonilla
Bonior
Bono
Boucher
Brewster
Browder
Brownback
Bryant (TN)
Bunn
Bunning
Callahan
Calvert
Camp
Chambliss
Chapman
Chenoweth
Chrysler
Clinger
Combest
Condit
Cooley
Cramer
Crapo
de la Garza
Deal
DeLay
Dickey
Dicks
Dingell
Dooley
Doolittle
Edwards
Ehrlich
Emerson
English
Everett
Ewing
Fazio
Fields (TX)
Flanagan
Forbes
Frost
Gekas
Gephardt
Gilchrest
Gillmor
Gonzalez
Goodlatte
Gunderson
Gutknecht
Hall (TX)
Hamilton
Hancock
Hansen
Hastert
Hefner
Herger
Hoekstra
Holden
Hoyer
Hunter
Hutchinson
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Kaptur
Kennelly
Kim
Kingston
Kleczka
Klug
Knollenberg
Kolbe
LaHood
Latham
Laughlin
Lazio
Lewis (CA)
Lewis (KY)
Lightfoot
Lincoln
Livingston
Longley
Lucas
Martinez
Matsui
McCrery
McHugh
McIntosh
McKeon
Meek
Mollohan
Montgomery
Moorhead
Myers
Nethercutt
Nussle
Oberstar
Obey
Orton
Oxley
Packard
Parker
Pastor
Paxon
Payne (VA)
Peterson (FL)
Peterson (MN)
Petri
Pickett
Pombo
Pomeroy
Radanovich
Rahall
Roberts
Rogers
Rose
Saxton
Schaefer
Scott
Sisisky
Skeen
Skelton
Smith (MI)
Stenholm
Stump
Talent
Tanner
Tauzin
Tejeda
Thomas
Thompson
Thornberry
Thornton
Thurman
Tiahrt
Tucker
Vucanovich
Walker
Walsh
Watt (NC)
White
Whitfield
Wise
Young (AK)

NOT VOTING—42

Abercrombie
Baker (LA)
Ballenger
Barton
Bateman
Bentsen
Brown (CA)
Burton
Clay
Collins (MI)
Cox
Crane
Dreier
Ehlers
Foglietta
Gallegly
Geren
Goodling
Hastings (WA)
Hefley
Hilliard
Houghton
Johnston
Lantos
McDermott
Meehan
Metcalf
Miller (CA)
Moakley
Ortiz
Owens
Quillen
Quinn
Reynolds
Seastrand
Shadegg
Stokes
Stupak
Torricelli
Watts (OK)
Weldon (PA)
Young (FL)

□ 1716

The Clerk announced the following pairs:

On this vote:

Mr. Moakley for, with Mr. Barton against.
Mr. Stokes for, with Mr. Ehlers against.
Mr. Dreier for, with Mr. Hastings against.
Mr. Quinn for, with Mr. Dermott against.
Mr. Shadegg for, with Mr. Watts against.

Messrs. JOHNSON of South Dakota, GORDON, HOKE, VOLKMER, GREENWOOD, SMITH of Texas, and MANZULLO changed their votes from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Mr. SKEEN. Mr. Chairman, at this point in the RECORD I insert a table that shows a comparison of accounts in the bill.

AGRICULTURE, RURAL DEVELOPMENT, FOOD & DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS BILL (H.R. 1976)

	FY 1995 Enacted	FY 1996 Estimate	Bill	Bill compared with Enacted	Bill compared with Estimate
TITLE I - AGRICULTURAL PROGRAMS					
Production, Processing, and Marketing					
Office of the Secretary	2,801,000	2,886,000	10,227,000	+7,426,000	+7,341,000
Executive Operations:					
Chief Economist		4,240,000	3,748,000	+3,748,000	-492,000
Office of the Assistant Secretary for Economics	540,000			-540,000	
World Agricultural Outlook Board	2,496,000			-2,496,000	
National Appeals Division		12,166,000	11,846,000	+11,846,000	-320,000
Office of Budget and Program Analysis	5,795,000	5,899,000	5,899,000	+104,000	
Office of Small and Disadvantaged Business Utilization		724,000			-724,000
Total, Executive Operations	8,833,000	23,029,000	21,493,000	+12,660,000	-1,536,000
Chief Financial Officer	580,000	4,952,000	4,133,000	+3,553,000	-819,000
Office of the Assistant Secretary for Administration	596,000	616,000	596,000		-20,000
Agriculture buildings and facilities (USDA)	135,193,000	135,774,000	135,774,000	+581,000	
Payments to GSA	(87,957,000)	(89,971,000)	(89,971,000)	(+2,014,000)	
Building operations and maintenance	(18,614,000)	(20,216,000)	(20,216,000)	(+1,602,000)	
Repairs, renovations, and construction	(28,622,000)	(25,587,000)	(25,587,000)	(-3,035,000)	
Advisory committees (USDA)	698,000	695,000	600,000	-128,000	-95,000
Hazardous waste management	15,700,000	15,700,000	15,700,000		
Departmental administration	26,187,000	27,347,000	27,886,000	+1,799,000	+539,000
Office of the Assistant Secretary for Congressional Relations	1,764,000	1,836,000	3,797,000	+2,033,000	+1,959,000
Office of Communications	5,198,000	5,890,000	5,198,000		-692,000
Office of the Inspector General	63,418,000	64,739,000	63,639,000	+221,000	-1,100,000
Office of the General Counsel	25,992,000	27,860,000	27,860,000	+1,868,000	
Office of the Under Secretary for Research, Education and Economics	520,000	535,000	520,000		-15,000
Economic Research Service	53,936,000	54,665,000	53,131,000	-805,000	-1,534,000
National Agricultural Statistics Service	81,424,000	89,837,000	81,107,000	-317,000	-8,730,000
Agricultural Research Service	714,889,000	709,810,000	705,810,000	-9,079,000	-4,200,000
Human Nutrition Information Service	(10,618,000)				
Buildings and facilities	43,718,000	30,200,000	30,200,000	-13,518,000	
Total, Agricultural Research Service	758,407,000	740,010,000	735,810,000	-22,597,000	-4,200,000
Cooperative State Research, Education, and Extension Activities:					
Research and education activities	433,436,000	432,212,000	389,372,000	-44,068,000	-42,840,000
Native Americans Institutions Endowment Fund		(4,600,000)	(4,600,000)	(+4,600,000)	
Buildings and facilities	62,744,000			-62,744,000	
Extension Activities	438,744,000	437,552,000	413,257,000	-25,487,000	-24,295,000
Total, Cooperative State Research, Education, and Extension Activities	934,926,000	869,764,000	802,629,000	-132,297,000	-67,135,000
Office of the Assistant Secretary for Marketing and Regulatory Programs	605,000	625,000	605,000		-20,000
Animal and Plant Health Inspection Service:					
Salaries and expenses	443,651,000	430,279,000	433,664,000	-9,987,000	+3,385,000
Special fund, user fees 1/	(96,660,000)	(100,254,000)	(100,254,000)	(+3,594,000)	
Buildings and facilities	6,973,000	12,541,000	12,541,000	+5,568,000	
Total, Animal and Plant Health Inspection Service	450,624,000	442,820,000	446,205,000	-4,419,000	+3,385,000
Agricultural Marketing Service:					
Marketing Services	56,591,000	50,807,000	46,862,000	-9,929,000	-3,945,000
New user fees	(4,452,000)	(3,887,000)	(3,887,000)	(-565,000)	
(Limitation on administrative expenses, from fees collected)	(57,054,000)	(56,461,000)	(56,461,000)	(+1,407,000)	
Funds for strengthening markets, income, and supply (transfer from section 32)	10,309,000	10,451,000	10,451,000	+142,000	
Payments to States and possessions	1,200,000	1,200,000	1,000,000	-200,000	-200,000
Total, Agricultural Marketing Service	66,100,000	62,258,000	58,113,000	-8,987,000	-4,145,000
Grain Inspection, Packers and Stockyards Administration	23,314,000	23,679,000	23,058,000	-256,000	-621,000
Inspection and Weighing Services (limitation on administrative expenses, from fees collected)	(42,784,000)	(42,784,000)	(42,784,000)		
Office of the Under Secretary for Food Safety		580,000	450,000	+450,000	-130,000
Food Safety and Inspection Service	516,738,000	594,889,000	540,365,000	+23,627,000	-54,524,000
Lab accreditation fees 2/	(1,000,000)	(1,000,000)	(1,000,000)		
Total, Production, Processing, and Marketing	3,178,784,000	3,254,178,000	3,062,196,000	-116,588,000	-191,982,000
Farm Assistance Program					
Office of the Under Secretary for Farm and Foreign Agricultural Services	549,000	570,000	549,000		-21,000

AGRICULTURE, RURAL DEVELOPMENT, FOOD & DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS BILL (H.R. 1976)—Continued

	FY 1995 Enacted	FY 1996 Estimate	Bill	Bill compared with Enacted	Bill compared with Estimate
Consolidated Farm Service Agency:					
Salaries and expenses		811,771,000	805,888,000	+805,888,000	-5,883,000
Agricultural Stabilization and Conservation Service, salaries and expenses	785,217,000			-785,217,000	
(Transfer from export loans)	(589,000)	(609,000)	(589,000)		(-19,000)
(Transfer from P.L. 480)	(1,036,000)	(746,000)	(745,000)	(-291,000)	
(Transfer from ACIF)	(200,227,000)	(214,163,000)	(208,446,000)	(+8,219,000)	(-5,717,000)
Total, salaries and expenses	(987,069,000)	(1,027,287,000)	(1,015,668,000)	(+28,599,000)	(-11,619,000)
State mediation grants	3,000,000	3,000,000	2,000,000	-1,000,000	-1,000,000
Dairy indemnity program		100,000	100,000	+100,000	
Outreach for socially disadvantaged farmers and ranchers	2,995,000	3,000,000		-2,995,000	-3,000,000
Total, Consolidated Farm Service Agency	791,212,000	817,871,000	807,888,000	+16,776,000	-9,983,000
Agricultural Credit Insurance Fund Program Account:					
Loan authorizations:					
Farm ownership loans:					
Direct	(78,061,000)	(70,000,000)	(35,000,000)	(-43,061,000)	(-35,000,000)
Guaranteed	(540,674,000)	(540,687,000)	(550,000,000)	(+9,326,000)	(+9,313,000)
Subtotal	(618,735,000)	(610,687,000)	(585,000,000)	(-33,735,000)	(-25,687,000)
Operating loans:					
Direct	(500,000,000)	(542,860,000)	(400,000,000)	(-100,000,000)	(-142,860,000)
Guaranteed unsubsidized	(1,735,000,000)	(1,700,000,000)	(1,700,000,000)	(-35,000,000)	
Guaranteed subsidized	(230,000,000)	(200,000,000)	(200,000,000)	(-30,000,000)	
Subtotal	(2,465,000,000)	(2,442,860,000)	(2,300,000,000)	(-165,000,000)	(-142,860,000)
Soil and water loans:					
Direct		(2,898,000)			(-2,898,000)
Guaranteed		(1,422,000)			(-1,422,000)
Subtotal		(4,320,000)			(-4,320,000)
Indian tribe land acquisition loans	(1,000,000)	(1,000,000)	(750,000)	(-250,000)	(-250,000)
Emergency disaster loans	(100,000,000)	(100,000,000)	(100,000,000)		
Credit sales of acquired property		(45,000,000)	(22,500,000)	(+22,500,000)	(-22,500,000)
Total, Loan authorizations	(3,184,735,000)	(3,203,867,000)	(3,008,250,000)	(-176,505,000)	(-195,617,000)
Loan subsidies:					
Farm ownership:					
Direct	10,983,000	16,373,000	8,187,000	-2,796,000	-8,186,000
Guaranteed	20,870,000	19,681,000	20,019,000	-851,000	+338,000
Subtotal	31,853,000	36,054,000	28,206,000	-3,647,000	-7,848,000
Farm operating:					
Direct	56,565,000	74,209,000	54,690,000	-1,875,000	-19,529,000
Guaranteed unsubsidized	9,360,000	18,360,000	18,360,000	+9,000,000	
Guaranteed subsidized	29,425,000	17,960,000	17,960,000	-11,465,000	
Subtotal	95,340,000	110,529,000	91,000,000	-4,340,000	-19,529,000
Soil and water loans:					
Direct		606,000			-606,000
Guaranteed		30,000			-30,000
Subtotal		636,000			-636,000
Indian tribe land acquisition	123,000	274,000	208,000	+83,000	-66,000
Emergency disaster	26,290,000	32,080,000	32,080,000	+5,790,000	
Credit sales of acquired property		8,226,000	4,113,000	+4,113,000	-4,113,000
Negative subsidies	-782,000	-296,000		+782,000	+296,000
Total, Loan subsidies	152,824,000	187,505,000	155,605,000	+2,781,000	-31,900,000
ACIF expenses:					
Salaries and expenses	229,735,000	214,852,000	208,935,000	-20,800,000	-5,717,000
Administrative expenses	14,031,000	12,606,000	12,606,000	-1,425,000	
Total, ACIF expenses	243,766,000	227,258,000	221,541,000	-22,225,000	-5,717,000
Total, Agricultural Credit Insurance Fund	396,590,000	414,763,000	377,146,000	-19,444,000	-37,617,000
(Loan authorization)	(3,184,735,000)	(3,203,867,000)	(3,008,250,000)	(-176,505,000)	(-195,617,000)
Total, Farm Assistance Programs	1,188,351,000	1,233,204,000	1,185,683,000	-2,668,000	-47,521,000

AGRICULTURE, RURAL DEVELOPMENT, FOOD & DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS BILL (H.R. 1976)—Continued

	FY 1995 Enacted	FY 1996 Estimate	Bill	Bill compared with Enacted	Bill compared with Estimate
CORPORATIONS					
Federal Crop Insurance Corporation:					
Federal crop insurance corporation fund	219,107,000	1,263,708,000	1,263,708,000	+1,044,601,000	
Commodity Credit Corporation:					
Reimbursement for net realized losses	15,500,000,000	10,400,000,000	10,400,000,000	-5,100,000,000	
Hazardous waste (limitation on administrative expenses)	(5,000,000)	(5,000,000)	(5,000,000)		
Borrowing authority (emergency)	1,000,000,000			-1,000,000,000	
Total, Corporations	16,719,107,000	11,663,708,000	11,663,708,000	-5,055,399,000	
Total, title I, Agricultural Programs	21,086,242,000	16,151,080,000	15,811,587,000	-5,174,655,000	-339,503,000
(By transfer)	(201,882,000)	(215,518,000)	(209,780,000)	(+7,898,000)	(-5,738,000)
(Loan authorization)	(3,184,755,000)	(3,203,887,000)	(3,008,290,000)	(-176,505,000)	(-195,617,000)
(Limitation on administrative expenses)	(104,838,000)	(108,245,000)	(108,245,000)	(+1,407,000)	
TITLE II - CONSERVATION PROGRAMS					
Office of the Under Secretary for Natural Resources and Environment	677,000	696,000	677,000		-19,000
Natural Resource Conservation Service:					
Conservation operations	555,082,000	645,735,000	629,986,000	+73,924,000	-15,749,000
River basin surveys, investigations, and watershed planning			14,000,000	+14,000,000	+14,000,000
River basin surveys and investigations	12,970,000	11,210,000		-12,970,000	-11,210,000
Watershed planning	10,548,000	7,542,000		-10,548,000	-7,542,000
Watershed and flood prevention operations	70,000,000	100,000,000	100,000,000	+30,000,000	
Resource conservation and development, Great Plains conservation program, forestry incentives program, and Colorado River Basin salinity control program			47,000,000	+47,000,000	+47,000,000
Resource conservation and development	32,845,000	28,900,000		-32,845,000	-28,900,000
Great Plains conservation program	15,172,000	11,000,000		-15,172,000	-11,000,000
Forestry incentives program	6,825,000	6,825,000		-6,825,000	-6,825,000
Colorado River Basin salinity control program	4,500,000	2,881,000		-4,500,000	-2,881,000
Wetlands reserve program	93,200,000	210,000,000	77,000,000	-16,200,000	-133,000,000
Total, Natural Resource Conservation Service	801,920,000	1,023,693,000	867,986,000	+66,066,000	-155,707,000
Consolidated Farm Service Agency:					
Agricultural conservation program	100,000,000	50,000,000	75,000,000	-25,000,000	+25,000,000
Water quality incentives program	(15,000,000)	(15,000,000)	(11,000,000)	(-4,000,000)	(-4,000,000)
Emergency conservation program		3,000,000			-3,000,000
Conservation reserve program	1,743,274,000	1,926,370,000	1,781,785,000	+38,511,000	-144,585,000
Total, Consolidated Farm Service Agency	1,843,274,000	1,979,370,000	1,856,785,000	+13,511,000	-122,585,000
Total, title II, Conservation Programs	2,645,871,000	3,003,759,000	2,725,448,000	+79,577,000	-278,311,000
TITLE III - RURAL ECONOMIC AND COMMUNITY DEVELOPMENT PROGRAMS					
Office of the Under Secretary for Rural Economic and Community Development	568,000	586,000	568,000		-18,000
Rural Housing and Community Development Service:					
Rural Housing Insurance Fund Program Account:					
Loan authorizations:					
Low-income housing (sec. 502)	(1,200,000,000)	(1,200,000,000)	(900,000,000)	(-300,000,000)	(-300,000,000)
Unsubsidized guaranteed	(1,000,000,000)	(1,300,000,000)	(1,500,000,000)	(+500,000,000)	(+200,000,000)
Housing repair (sec. 504)	(36,000,000)	(36,000,000)	(36,000,000)		
Farm labor (sec. 514)	(15,915,000)	(16,482,000)	(15,000,000)	(-915,000)	(-1,482,000)
Rental housing (sec. 515)	(220,000,000)	(220,000,000)	(150,000,000)	(-70,000,000)	(-70,000,000)
Site loans (sec. 524)	(832,000)	(832,000)	(800,000)	(-32,000)	(-32,000)
Credit sales of acquired property		(75,000,000)	(35,000,000)	(+35,000,000)	(-40,000,000)
Total, Loan authorizations	(2,471,547,000)	(2,847,114,000)	(2,635,800,000)	(+164,053,000)	(-211,314,000)
Loan subsidies:					
Single family (sec. 502):					
Direct	227,520,000	251,880,000	188,910,000	-38,610,000	-62,970,000
Unsubsidized guaranteed	17,200,000	2,210,000	2,550,000	-14,650,000	+340,000
Housing repair (sec. 504)	11,690,000	14,193,000	14,193,000	+2,503,000	
Farm labor (sec. 514)	7,911,000	9,482,000	8,629,000	+718,000	-853,000
Rental housing (sec. 515):					
Direct	115,500,000	92,973,000	82,035,000	-33,465,000	-10,938,000
Unsubsidized guaranteed	(1,000,000)			(-1,000,000)	
Credit sales of acquired property		13,073,000	6,100,000	+6,100,000	-6,973,000
Total, Loan subsidies	379,821,000	383,811,000	302,417,000	-77,404,000	-81,394,000
RHIF administrative expenses	389,818,000	395,211,000	390,211,000	+393,000	-5,000,000

AGRICULTURE, RURAL DEVELOPMENT, FOOD & DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS BILL (H.R. 1976)—Continued

	FY 1995 Enacted	FY 1996 Estimate	Bill	Bill compared with Enacted	Bill compared with Estimate
Rental assistance:					
(Sec. 521)	517,108,000	566,583,000	530,000,000	+12,892,000	-36,583,000
(Sec. 502(c)(5)(D))	5,900,000	5,900,000	5,900,000		
Total, Rental assistance	523,008,000	571,483,000	535,900,000	+12,892,000	-36,583,000
Total, Rural Housing Insurance Fund	1,292,647,000	1,350,505,000	1,228,528,000	-64,119,000	-121,977,000
(Loan authorization)	(2,471,547,000)	(2,847,114,000)	(2,635,600,000)	(+164,053,000)	(-211,514,000)
Self-Help Housing Land Development Fund:					
Loan authorization	(803,000)	(803,000)	(803,000)		
Loan subsidy	11,000	31,000	31,000	+20,000	
Administrative expenses	14,000			-14,000	
Rural Community Facility Loans Program Account:					
Loan authorizations:					
Direct 3/	(225,000,000)	(250,000,000)	(200,000,000)	(-25,000,000)	(-50,000,000)
Guaranteed 3/	(75,000,000)	(100,000,000)	(75,000,000)		(-25,000,000)
Total, Loan authorizations	(300,000,000)	(350,000,000)	(275,000,000)	(-25,000,000)	(-75,000,000)
Loan subsidies:					
Direct 3/	21,375,000	(43,800,000)	34,880,000	+13,505,000	+34,880,000
Guaranteed 3/	3,728,000	(4,740,000)	3,555,000	-173,000	+3,555,000
Total, Loan subsidies	25,103,000		38,435,000	+13,332,000	+38,435,000
Administrative expenses 3/		(11,247,000)	8,836,000	+8,836,000	+8,836,000
Very low-income housing repair grants	24,900,000	24,900,000	24,900,000		
Rural housing for domestic farm labor	10,900,000	10,900,000	10,000,000	-900,000	-900,000
Mutual and self-help housing	12,850,000	12,850,000	12,850,000		
Supervisory and technical assistance grants		2,500,000			-2,500,000
Rural community fire protection grants 3/	3,400,000	(3,400,000)	1,000,000	-2,400,000	+1,000,000
Compensation for construction defects	495,000	495,000	495,000		
Rural housing preservation grants	22,000,000	22,000,000	11,000,000	-11,000,000	-11,000,000
Rural housing performance partnerships program		90,602,000			-90,602,000
Subtotal, grants and payments	74,345,000	164,047,000	60,045,000	-14,300,000	-104,002,000
RHCDS expenses:					
Administrative expenses		53,650,000	53,315,000	+53,315,000	-335,000
(Transfer from RHIF)	(369,818,000)	(362,074,000)	(377,074,000)	(-12,744,000)	(-5,000,000)
(Transfer from ACIF)		(171,000)	(171,000)	(+171,000)	
(Transfer from RCFLP)		(11,114,000)	(8,731,000)	(+8,731,000)	(-2,383,000)
Total, RHCDS expenses	(369,818,000)	(447,009,000)	(439,291,000)	(+49,473,000)	(-7,718,000)
Total, Rural Housing and Community Development Service	1,392,120,000	1,568,233,000	1,389,190,000	-2,930,000	-179,043,000
(Loan authorization)	(2,772,150,000)	(3,197,717,000)	(2,911,203,000)	(+139,053,000)	(-286,514,000)
Rural Business and Cooperative Development Service:					
Rural Business and Industry Loans Program Account:					
Loan authorizations:					
Direct 3/		(50,000,000)			(-50,000,000)
Guaranteed 3/	(500,000,000)	(750,000,000)	(500,000,000)		(-250,000,000)
Total, loan authorizations	(500,000,000)	(800,000,000)	(500,000,000)		(-300,000,000)
Loan subsidies:					
Direct 3/		(3,505,000)			
Guaranteed 3/	4,750,000	(8,825,000)	6,437,000	+1,687,000	+6,437,000
Total, Loan subsidies	4,750,000		6,437,000	+1,687,000	+6,437,000
Administrative expenses 3/		(19,742,000)	14,868,000	+14,868,000	+14,868,000
Rural Development Loan Fund Program Account:					
(Loan authorization) 3/	(55,036,000)	(60,000,000)	(60,000,000)	(-26,036,000)	(-30,000,000)
Loan subsidy 3/	46,000,000	(53,885,000)	35,790,000	-10,210,000	+35,790,000
Administrative expenses 3/	1,476,000	(2,961,000)	1,792,000	+316,000	+1,792,000
Total, Rural Development Loan Fund	47,476,000		37,582,000	-9,894,000	+37,582,000
(Loan authorization)	(55,036,000)	(60,000,000)	(60,000,000)	(-26,036,000)	(-30,000,000)
Rural Economic Development Loans Program Account:					
Direct loans (limitation on obligations)	(12,865,000)	(14,091,000)	(12,865,000)		(-1,226,000)
Direct subsidy	3,077,000	4,085,000	3,729,000	+652,000	-356,000
Administrative expenses		864,000	584,000	+584,000	-280,000
Alternative Agricultural Research and Commercialization Revolving Fund	6,500,000	8,000,000	5,000,000	-1,500,000	-3,000,000
Loan authorization		(25,000,000)			(-25,000,000)
Loan subsidy		7,138,000			-7,138,000
Administrative expenses		500,000			-500,000

AGRICULTURE, RURAL DEVELOPMENT, FOOD & DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS BILL (H.R. 1976)—Continued

	FY 1995 Enacted	FY 1996 Estimate	Bill	Bill compared with Enacted	Bill compared with Estimate
Rural business enterprise grants 3/	47,500,000	(48,000,000)	46,000,000	-2,500,000	+46,000,000
Rural technology and cooperative development grants 3/	1,750,000	(3,500,000)	1,500,000	-250,000	+1,500,000
Local technical assistance and planning grants 3/	1,750,000	(2,500,000)		-1,750,000	
Rural business performance partnerships program		112,315,000			-112,315,000
RBCDS expenses:					
Salaries and expenses 3/	57,294,000	(8,546,000)	9,520,000	-47,774,000	+9,520,000
Salaries and expenses, FmHA	37,811,000			-37,811,000	
Rural business performance partnerships program		61,874,000			-61,874,000
(Transfer from RBILP)		(19,582,000)	(14,747,000)	(+14,747,000)	(-4,835,000)
(Transfer from RDLFP)	(1,476,000)	(2,946,000)	(1,764,000)	(+308,000)	(-1,184,000)
(Transfer from RETLP)		(864,000)	(584,000)	(+584,000)	(-280,000)
Self-Help HLDF (by transfer)	(14,000)			(-14,000)	
RBCDS (by transfer)		(32,119,000)			(-32,119,000)
Total, RBCDS expenses	(96,595,000)	(117,367,000)	(26,635,000)	(-69,960,000)	(-90,732,000)
Total, Rural Business and Cooperative Development Service	207,908,000	194,776,000	124,220,000	-83,688,000	-70,556,000
(By transfer)	(1,490,000)	(66,513,000)	(17,115,000)	(+15,625,000)	(-36,398,000)
(Loan authorization)	(568,036,000)	(915,000,000)	(550,000,000)	(-28,036,000)	(-365,000,000)
Rural Utilities Service:					
Loan authorizations:					
Water and waste disposal facility loans: Direct	(905,523,000)			(-905,523,000)	
Loan subsidies:					
Water and sewer: Direct	126,502,000			-126,502,000	
Rural Electrification and Telephone Loans Program Account:					
Loan authorizations:					
Direct loans:					
Electric 5%	(100,000,000)	(100,000,000)	(90,000,000)	(-10,000,000)	(-10,000,000)
Telephone 5%	(75,000,000)	(75,000,000)	(70,000,000)	(-5,000,000)	(-5,000,000)
Subtotal	(175,000,000)	(175,000,000)	(160,000,000)	(-15,000,000)	(-15,000,000)
Treasury rate: Telephone	(297,000,000)	(300,000,000)	(300,000,000)	(+3,000,000)	
Muni-rate: Electric	(575,250,000)	(575,250,000)	(500,000,000)	(-75,250,000)	(-75,250,000)
FFB loans:					
Electric, regular	(300,000,000)	(400,000,000)	(300,000,000)		(-100,000,000)
Telephone	(120,000,000)	(120,000,000)	(120,000,000)		
Subtotal	(420,000,000)	(520,000,000)	(420,000,000)		(-100,000,000)
Total, Loan authorizations	(1,467,250,000)	(1,570,250,000)	(1,380,000,000)	(-87,250,000)	(-190,250,000)
Loan subsidies:					
Direct loans:					
Electric 5%	9,703,000	23,520,000	21,168,000	+11,465,000	-2,352,000
Telephone 5%	5,497,000	14,955,000	13,958,000	+8,461,000	-997,000
Subtotal	15,200,000	38,475,000	35,126,000	+19,926,000	-3,349,000
Treasury rate: Telephone	60,000	60,000	60,000		
Muni-rate, electric	46,020,000	62,300,000	54,150,000	+8,130,000	-8,150,000
FFB loans: Electric, regular	450,000	3,360,000	2,520,000	+2,070,000	-840,000
Negative subsidy		-1,715,000			+1,715,000
Total, Loan subsidies	61,730,000	102,480,000	91,856,000	+30,126,000	-10,624,000
RETLP administrative expenses	29,982,000	34,385,000	29,982,000		-4,403,000
Total, Rural Electrification and Telephone Loans Program Account	91,712,000	136,865,000	121,838,000	+30,126,000	-15,027,000
(Loan authorization)	(1,467,250,000)	(1,570,250,000)	(1,380,000,000)	(-87,250,000)	(-190,250,000)
~~Rural Telecommunication Partnership Loan Program Account:~~					
Loan authorization		(15,000,000)			(-15,000,000)
Loan subsidy		594,000			-594,000
Administrative expenses		1,110,000			-1,110,000
Total		1,704,000			-1,704,000
Rural Telephone Bank Program Account:					
Direct loans (limitation on obligations)	(175,000,000)		(175,000,000)		(+175,000,000)
Direct loan subsidy	770,000		770,000		+770,000
RTB salaries and expenses	8,794,000		3,541,000	-5,253,000	+3,541,000
Distance Learning and Medical Link Grants	7,500,000	15,000,000	7,500,000		-7,500,000
Rural water and waste disposal grants	500,000,000			-500,000,000	
Solid waste management grants	2,995,000			-2,995,000	
Rural utilities performance partnerships program		785,183,000	562,000,000	+562,000,000	-223,183,000
Solid waste management grants, rural water and waste disposal grants, and water and waste disposal facility loans (administrative expenses)			12,740,000	+12,740,000	+12,740,000

AGRICULTURE, RURAL DEVELOPMENT, FOOD & DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS BILL (H.R. 1976)—Continued

	FY 1995 Enacted	FY 1996 Estimate	Bill	Bill compared with Enacted	Bill compared with Estimate
RUS salaries and expenses		19,627,000	19,211,000	+19,211,000	-416,000
Electric and telephone loans (by transfer)	(29,962,000)	(34,366,000)	(29,962,000)		(-4,403,000)
Rural telephone bank (by transfer)	(6,794,000)		(3,541,000)	(-3,253,000)	(+3,541,000)
Water and waste disposal loans (by transfer)		(17,760,000)			(-17,760,000)
Rural Telecommunication Partnership Loan (by transfer)		(1,110,000)			(-1,110,000)
Agricultural Credit Insurance Fund (by transfer)		(318,000)	(318,000)	(+318,000)	
Rural partnership (by transfer)			(12,623,000)	(+12,623,000)	(+12,623,000)
Subtotal	(36,776,000)	(73,230,000)	(66,675,000)	(+29,899,000)	(-7,555,000)
Total, Rural Utilities Service	738,273,000	956,379,000	727,600,000	-10,673,000	-228,779,000
(By transfer)	(36,776,000)	(53,803,000)	(46,464,000)	(+7,688,000)	(-7,139,000)
(Loan authorization)	(2,372,773,000)	(1,585,250,000)	(1,380,000,000)	(-992,773,000)	(-205,250,000)
(Limitation on obligations)	(175,000,000)		(175,000,000)		(+175,000,000)
Total, title III, Rural Economic and Community Development Programs	2,336,869,000	2,721,974,000	2,241,578,000	-97,291,000	-480,396,000
(By transfer)	(430,064,000)	(502,475,000)	(449,555,000)	(+19,471,000)	(-52,920,000)
(Loan authorization)	(5,732,961,000)	(5,897,957,000)	(4,851,203,000)	(-881,758,000)	(-846,754,000)
(Limitation on obligations)	(187,865,000)	(14,091,000)	(187,865,000)		(+173,774,000)
TITLE IV - DOMESTIC FOOD PROGRAMS					
Office of the Under Secretary for Food, Nutrition and Consumer Services	540,000	553,000	440,000	-100,000	-113,000
Food and Consumer Service:					
Child nutrition programs	2,202,274,000	2,369,942,000	2,354,566,000	+152,292,000	-45,376,000
Transfer from section 32	5,249,077,000	5,520,492,000	5,597,858,000	+348,781,000	+77,366,000
Total, Child nutrition programs	7,451,351,000	7,920,434,000	7,952,424,000	+501,073,000	+31,990,000
Special milk program	18,069,000			-18,069,000	
Special supplemental nutrition program for women, infants, and children (WIC)	3,470,000,000	3,820,000,000	3,729,807,000	+259,807,000	-90,193,000
(By transfer)			(4,000,000)	(+4,000,000)	(+4,000,000)
Commodity supplemental food program	84,500,000	86,000,000		-84,500,000	-86,000,000
Food stamp program:					
Expenses	26,167,710,000	26,119,887,000	25,954,828,000	+787,118,000	-165,059,000
Reserve	2,500,000,000	2,500,000,000		-2,500,000,000	-2,500,000,000
Nutrition assistance for Puerto Rico	1,130,528,000	1,143,000,000	1,143,000,000	+12,472,000	
Cattle tick eradication	12,472,000			-12,472,000	
Total, Food stamp program	29,830,710,000	29,762,887,000	27,097,828,000	-1,732,882,000	-2,665,059,000
Food donations programs for selected groups:					
Needy family program	33,154,000	78,639,000	65,000,000	+31,846,000	-13,639,000
Elderly feeding program	150,000,000	151,250,000	150,000,000		-1,250,000
Subtotal	183,154,000	229,889,000	215,000,000	+31,846,000	-14,889,000
Soup kitchens	40,000,000	40,000,000		-40,000,000	-40,000,000
Total, Food donations programs	223,154,000	269,889,000	215,000,000	-8,154,000	-54,889,000
The emergency food assistance program	40,000,000	40,000,000		-40,000,000	-40,000,000
Commodity purchases - TEFAP	25,000,000			-25,000,000	
Commodity assistance program			168,000,000	+168,000,000	+168,000,000
Total, The emergency food assistance program	65,000,000	40,000,000	168,000,000	+103,000,000	+128,000,000
Nutrition Initiatives:					
Nutrition support		45,528,000			-45,528,000
Nutrition promotion		4,218,000			-4,218,000
Food program administration	106,465,000	141,360,000	108,323,000	+1,858,000	-33,037,000
Total, Food and Consumer Service	40,249,269,000	42,090,314,000	39,271,382,000	-977,887,000	-2,818,932,000
Total, title IV, Domestic Food Programs	40,249,809,000	42,090,867,000	39,271,822,000	-977,987,000	-2,819,045,000
TITLE V - FOREIGN ASSISTANCE AND RELATED PROGRAMS					
Foreign Agricultural Service, direct appropriation	108,880,000	120,201,000	114,547,000	+5,667,000	-5,654,000
(Transfer from Commodity Credit Corporation)	(4,914,000)	(5,176,000)	(5,176,000)	(+262,000)	
(Transfer from export loans)	(2,792,000)	(3,137,000)	(2,792,000)		(-345,000)
(Transfer from P.L. 480)	(1,425,000)	(1,005,000)	(1,005,000)	(-420,000)	
Total, Program level	(118,011,000)	(129,519,000)	(123,520,000)	(+5,509,000)	(-5,999,000)
Scientific activities overseas (foreign currency program) (limitation on administrative expenses)	(1,062,000)			(-1,062,000)	

AGRICULTURE, RURAL DEVELOPMENT, FOOD & DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS BILL (H.R. 1976)—Continued

	FY 1995 Enacted	FY 1996 Estimate	Bill	Bill compared with Enacted	Bill compared with Estimate
Public Law 480 Program Account:					
Title I - Credit sales:					
Program level	(320,342,000)	(177,857,000)	(316,342,000)	(-4,000,000)	(+138,485,000)
Direct loans	(291,342,000)	(161,440,000)	(291,342,000)	.....	(+129,902,000)
Ocean freight differential	29,000,000	16,417,000	25,000,000	-4,000,000	+8,583,000
Title II - Commodities for disposition abroad:					
Program level	(821,100,000)	(795,703,000)	(821,100,000)	.....	(+25,397,000)
Appropriation	821,100,000	795,703,000	821,100,000	.....	+25,397,000
Title III - Commodity grants:					
Program level	(157,442,000)	(50,000,000)	(50,000,000)	(-107,442,000)	.....
Appropriation	157,442,000	50,000,000	50,000,000	-107,442,000	.....
Loan subsidies	236,162,000	131,833,000	236,162,000	.....	+104,329,000
Debt restructuring	.....	1,800,000	.....	.....	-1,800,000
Salaries and expenses:					
General Sales Manager	1,425,000	1,005,000	1,005,000	-420,000	.....
CFSA	1,036,000	745,000	745,000	-291,000	.....
Subtotal	2,461,000	1,750,000	1,750,000	-711,000	.....
Total, Public Law 480:					
Program level	(1,298,884,000)	(1,023,890,000)	(1,187,442,000)	(-111,442,000)	(+163,752,000)
Appropriation	1,246,165,000	997,203,000	1,134,012,000	-112,153,000	+136,809,000
CCC Export Loans Program Account:					
Loan guarantees:					
Short-term export credit	(5,000,000,000)	(5,200,000,000)	(5,200,000,000)	(+200,000,000)	.....
Intermediate export credit	(500,000,000)	(500,000,000)	(500,000,000)	.....	.....
Emerging democracies export credit	(200,000,000)	.....	.....	(-200,000,000)	.....
Loan subsidy	394,393,000	374,347,000	374,347,000	-20,046,000	.....
Salaries and expenses (Export Loans):					
General Sales Manager	2,792,000	3,137,000	2,792,000	.....	-345,000
ASCS	589,000	608,000	589,000	.....	-19,000
Total, CCC Export Loans Program Account	397,774,000	378,092,000	377,728,000	-20,046,000	-364,000
Total, title V, Foreign assistance and related programs	1,752,819,000	1,466,466,000	1,626,287,000	-126,532,000	+130,791,000
(By transfer)	(9,131,000)	(9,318,000)	(8,973,000)	(-158,000)	(-345,000)
TITLE VI - RELATED AGENCIES AND FOOD AND DRUG ADMINISTRATION					
DEPARTMENT OF HEALTH AND HUMAN SERVICES					
Food and Drug Administration					
Salaries and expenses, direct appropriation	819,971,000	828,999,000	819,971,000	.....	-9,028,000
Prescription drug user fee act	(79,423,000)	(84,723,000)	(84,723,000)	(+5,300,000)	.....
Mammography clinics user fee	(6,500,000)	(13,000,000)	(13,000,000)	(+6,500,000)	.....
New user fees	.....	(38,740,000)	.....	.....	(-38,740,000)
Total, Program level	(905,894,000)	(965,462,000)	(917,694,000)	(+11,800,000)	(-47,768,000)
Buildings and facilities	18,150,000	8,350,000	15,350,000	-2,800,000	+7,000,000
Rental payments	46,294,000	46,294,000	46,294,000	.....	.....
Total, Food and Drug Administration	884,415,000	883,643,000	881,615,000	-2,800,000	-2,028,000
DEPARTMENT OF THE TREASURY					
Financial Management Service: Payments to the farm credit system financial assistance corporation	57,026,000	15,453,000	15,453,000	-41,573,000	.....
INDEPENDENT AGENCIES					
Commodity Futures Trading Commission	49,144,000	59,711,000	49,144,000	.....	-10,567,000
Farm Credit Administration (limitation on administrative expenses)	(40,420,000)	(39,900,000)	.....	(-40,420,000)	(-39,900,000)
Total, title VI, Related Agencies and Food and Drug Administration	990,585,000	958,807,000	946,212,000	-44,373,000	-12,595,000
(Limitation on administrative expenses)	(40,420,000)	(39,900,000)	.....	(-40,420,000)	(-39,900,000)
Grand total:					
New budget (obligational) authority	69,084,195,000	66,421,993,000	62,722,934,000	-6,341,261,000	-3,699,059,000
(By transfer)	(841,067,000)	(727,309,000)	(872,308,000)	(+31,241,000)	(-55,001,000)
(Loan authorization)	(14,817,716,000)	(14,601,834,000)	(13,559,453,000)	(-1,058,263,000)	(-1,042,381,000)
(Limitation on administrative expenses)	(148,320,000)	(148,145,000)	(108,245,000)	(-40,075,000)	(-39,900,000)
(Limitation on obligations)	(187,885,000)	(14,091,000)	(187,885,000)	.....	(+173,774,000)

AGRICULTURE, RURAL DEVELOPMENT, FOOD & DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS BILL (H.R. 1976)—Continued

	FY 1995 Enacted	FY 1996 Estimate	Bill	Bill compared with Enacted	Bill compared with Estimate
RECAPITULATION					
Title I - Agricultural programs	21,066,242,000	16,151,090,000	15,911,587,000	-5,174,655,000	-239,503,000
Title II - Conservation programs	2,645,871,000	3,003,788,000	2,725,448,000	+79,577,000	-278,311,000
Title III - Farmers Home and Rural development programs	2,336,888,000	2,721,874,000	2,241,578,000	-97,291,000	-480,296,000
Title IV - Domestic food programs	40,249,809,000	42,080,867,000	39,271,822,000	-977,987,000	-2,819,045,000
Title V - Foreign assistance and related programs	1,752,819,000	1,496,486,000	1,626,287,000	-126,532,000	+130,791,000
Title VI - Related agencies and Food and Drug Administration	990,585,000	956,807,000	946,212,000	-44,373,000	-12,595,000
Total, new budget (obligational) authority	69,064,195,000	66,421,893,000	62,722,934,000	-6,341,261,000	-3,698,959,000

1/ Such sums as available from AQI user fee account for FY 1996.
2/ In addition to appropriation.
3/ On 9/2/95 the Administration amended its FY 1996 request (H.Doc. 104-63). This table reflects the program levels as submitted in the original budget.

PERSONAL EXPLANATION

Mr. VOLKMER. Mr. speaker, on Thursday, July 20, I missed four rollcall votes and on Friday, July 21, I missed three rollcall votes during consideration of H.R. 1976, Agriculture appropriations for fiscal year 1996.

On rollcall vote Nos. 542, 544, 545, 546, 547, 548, 549, I would have voted ''nay.''

Mr. REED. Mr. Chairman, H.R. 1976, the Agriculture appropriations bill for fiscal year 1996, represents a serious effort to cut Federal spending on agriculture programs. I am pleased that this bill cuts funding from current levels by nine percent. But we can go even farther. This bill preserves a number of agricultural subsidies that I believe should be reviewed in light of our desire to move toward reducing our deficit. Although this bill preserves Federal subsidies for several agricultural programs which I believe should be cut or eliminated, I am encouraged by the assurances from Chairman Roberts of the Agriculture Committee that he will ensure votes on these subsidy programs during consideration of the farm bill later this year.

This bill recognizes the importance of child nutrition programs funded through the Department of Agriculture. I am pleased that the Republican leadership recognized the shortsightedness of their initial proposal to reduce funding for school lunch and breakfast programs. H.R. 1976 provides $8 billion in funding for school lunch and breakfast programs, an increase of $501 million over fiscal year 1995, and $32 million more than the President's request.

This bill was also improved when an amendment offered by Representative HALL was accepted to remove the cap on the number of participants in the nutrition program for Women, Infants, and Children [WIC]. WIC is a cost-effective program which has significantly reduced rates of infant mortality, low birthweight, and anemia. If food cost inflation is lower than previous years, or if a State manages the program efficiently, the cap would have prohibited the state from enrolling additional eligible women, infants and children.

I do, however, remain concerned about the removal of the competitive bidding requirement included in this bill. If history serves as a guide, this will translate into higher costs for infant formula and fewer infants being served under the program.

Prior to enactment of the competitive bidding requirement in 1989, only half of State WIC programs used competitive bidding. The other half used industry-favored cost containment systems that saved 35 percent less than competitive bidding. For this reason, Congress passed the competitive bidding requirement in 1989 with bipartisan support and with support from the Bush White House.

Competitive bidding works. Competitive bidding saved the WIC program $1.1 billion last year. Nearly 25 percent of women, infants and children served by WIC last year were served with savings from competitive bidding. In my home State of Rhode Island, the competitive bidding requirement has enabled the program to serve an additional 5,000 infants.

If we are searching for deep cuts across programs, surely it makes sense to support an incentive for states to utilize competitive bidding, given the documented costs savings that result. The Bush administration supported the competitive bidding requirement in 1989 because it utilizes the free market to secure the lowest prices for infant formula, thereby making the most efficient use of the taxpayers' dollars and stretching WIC funds to serve more participants.

In States that do not use competitive bidding the losers will be vulnerable infants, pregnant women, and children. We should not sell out to large infant formula companies at the expense of infants, and I will urge my colleagues in the Senate to retain competitive bidding.

Finally, this legislation does not contain funding for the Coastal Institute at the University of Rhode Island. I am hopeful that through my continued effort and through the effort of the Senate, funding for this worthwhile project will be included in the conference report. The State of Rhode Island is enthusiastic about this project and voters have already approved a bond referendum for $7 million. Bonding authority and other approved matching sources are at the $12.56 level in support of this project. The Institute will focus on the major sources of estuarine pollution, including urban development, agriculture, and deep water activities. The Institute's mission has important implications for both these activities and for the world's fisheries. In addition, the Coastal Institute will contribute to the economic well-being of the region through the training and research that will be conducted.

Mr. ALLARD. Mr. Chairman, I support H.R. 1976, the Agriculture appropriations bill for fiscal year 1996. I commend Mr. SKEEN, my colleague from New Mexico, for putting together a good bill which makes a firm contribution toward achieving our goal of a balanced budget by 2002. This bill funds important programs necessary to provide agricultural research, nutrition, conservation, health and safety, and farm sector stability.

I appreciate the hard work that Mr. SKEEN, and the other Committee members have put into allocating scarce resources among the many worthwhile projects covered by this bill. I look forward to working with the chairman in the future on programs important to the agricultural sector of our economy.

I offered an amendment to this bill that would have cut $12 million from the Department's administrative accounts. This would have been less than 4 percent of the administrative funds. I was encouraged by the fact that 196 members of the House share my view that the Department's headquarter's bureaucracy should be further downsized at a time when farm programs are being cut dramatically. However, I accept the majority view that the Department's administrative downsizing is progressing at a sufficient pace.

Mrs. MORELLA. Mr. Chairman, I rise in opposition to the Bunning amendment to eliminate funding for the Food and Drug Administration [FDA].

FDA plays an important role in the lives of every American. It is the last stage in translating life saving medical innovation to consumers. It examines the medications and feeds for farm livestock and household pets. It insures the safety of the foods we eat, and it regulates one-fourth of every dollar Americans spend. Yet, the FDA budget is only one-tenth of 1 percent of the industries it regulates. Its employees work in facilities that are out of date and in decrepit condition.

Currently the agency is located in over 48 leased and owned buildings at 20 different sites across Maryland and the District of Columbia. Many FDA facilities are in appalling condition. It has become increasingly difficult to attract the caliber of employees the FDA needs to perform its mission, especially with respect to drug and medical device product review.

Who will ensure that the food in American grocery stores is safe? Will the manufacturers and the distributors do a better job? Will the pharmaceutical companies protect the public against dangerous drugs and medical devices? Must we have another Thalidimide scare before we appreciate the good work of this agency?

Vote against the Bunning amendment and protect the health and safety of the American public.

Mr. JOHNSON of South Dakota. Mr. Chairman, I rise today to express my serious concern about the Committee Report accompanying H.R. 1976, the fiscal year 1996 Agriculture appropriations bill, which contains a provision that will seriously affect the availability of food on Indian reservations nationwide, and will dramatically increase hunger and hardship for some of America's most underserved population, our low-income Native Americans.

In the report, the Appropriations Committee directs the Secretary of Agriculture to begin the termination of the Food Distribution Program on Indian Reservations, commonly known as the commodities program. Indians who benefit from the commodities program will be transferred to the Food Stamp Program.

This small non-controversial program has not been a target for cuts under any previous administration. The administration requested $78.6 million for reservation commodities in fiscal year 1996. The Committee's bill provides for $65 million for commodities, a difference of $13.6 million (17 percent). Should this severe underfunding and eventual phaseout proceed, more than 110,000 Native Americans on reservations in 24 States will be virtually cut off from monthly food supplements. This misguided shuffling of programs would result in increased costs to the Federal Government and add to our ever-increasing deficit.

When Congress and the Nixon administration instituted the Food Stamp Program nationwide in 1974, one exception was made. Then, as now, the supply of commodity food items directly to Indian tribes for distribution among low-income tribal members made better economic sense than the State-administered Food Stamp Program. Indian reservations are some of the most remote and sparsely developed areas in this country. Currently, Indians can participate in either the commodities or food stamps programs but not both. The Food Stamp Program requires individuals to trade food coupons for food at grocery stores. In many reservation areas, there are not many stores. Travel to stores may take hours by car. In addition, the prices for foods at on-reservation stores are generally higher than in urban or suburban areas. Thus, food stamps buy less food at reservation stores than off-reservation stores.

In addition, while tribes operate the distribution of commodities, States operate the Food Stamp Program. Conversion to the Food Stamp Program will require Native Americans

to travel vast distances to the nearest State food stamp office. Other problems with the Food Stamp Program include a differing set of eligibility rules, and the likelihood that nonperishable foods, which make up the bulk of the commodities programs, will be less available under the Food Stamp Program because stores are less likely to stock them. Without a continued commodities program, food shortages will result and people will go hungry.

Finally, it appears that conversion to the Food Stamp Program will result in increased costs to the Federal Government. In fiscal year 1994, the average per month cost of food stamp benefits was $69.01, compared to $33.51 for commodities.

There are nine federally recognized tribes in South Dakota, whose members collectively make up one of the largest Native American populations in any State. At the same time, South Dakota has 3 of the 10 poorest counties in the Nation, all of which are within reservation boundaries. In fiscal year 1994, 11,600 low-income individuals living on or near reservations in my State were served through this program. This poorly thought out reshuffling of existing successful programs will severely impact the health and well-being of Native Americans in my State and across the country.

Mr. EWING. Mr. Chairman. I want to inform the body that I am a farm owner and am involved in the Federal Farm Program, as I had been for many years before coming to Congress. I believe my involvement in and resulting knowledge of farm programs make me a more informed member of the Agriculture Committee. While I will vote present on this amendment to avoid any hint of conflict of interest, I am in opposition to the amendment to the Agriculture appropriations bill submitted by Representative LOWEY barring those with off-farm incomes of $100,000 or greater from participating in Federal farm programs.

First of all, farm programs are a part of this country's food security policy, not our welfare programs. Means testing ag payments make as much sense as means testing those who invest in Government bonds. The Clinton administration has repeatedly stated the need for outside investment in rural America. Landowners who own but do not operate farms represent outside capital that agriculture needs to finance farming, conserve soil and water resources, and support the economy of rural America. Forty-three percent of all U.S. farmland is owned by someone who does not actually farm the land. In my Illinois district some 70 percent is owned by absentee landowners. This provides most family farmers with the opportunity to operate on a scale that is economically viable. Land prices prohibit farmers from purchasing all the land necessary to provide for a viable operation.

If landowners with off-farm incomes of $100,000 or more are prohibited from participation in farm programs, land leases will move from share-rent leases to cash-rent. A share-rent lease simply means that both the tenant and landowner split costs and production, both assuming risks inherent to farming. Cash-rent leases represent a total shift of risk to the farmer. The tenant pays the landowner for the privilege of farming the land, then pays for all expenses and keeps all production.

I commend Representative LOWEY for trying to reduce Federal spending. The problem is, this amendment will not save money. Shifts in rental agreements will prevent this from happening. Ms. LOWEY'S amendment will not reduce spending, but it will hurt family farmers.

Mr. BENTSEN. Mr. Chairman. I strongly support the Agriculture Appropriations Bill for fiscal year 1996. Not only does this bill provide much needed funding for farm programs, it provides vital funding for research in the field of nutritional health.

The Children's Nutritional Research Center [CNRC] at Baylor College of Medicine is located in the heart of the Texas Medical Center in Houston. This center is currently our Nation's only Federal facility dedicated to investigating the food needs of pregnant and nursing women and of children through their adolescence.

Since its inception in November 1978, the Children's Nutritional Research Center has focused on critical questions relating to women and nutrition. These include determining how the diet of a pregnant woman affects her health and the health of her child and how a mother's nutrition affects by lactation and the nutrient contents of her milk. The center also has researched the relationship between nutrition and the physical and mental development of children.

In addition, CNRC has conducted amazing research which has identified the genes contributing to nutrient intake and determined the factors that regulate these genes. This research will lead to valuable discoveries in the field of genetics.

This year, CNRC will fully activate the two remaining units of its research program, the Metabolic Research Unit and the Greenhouse. The Metabolic Research Unit will serve as the central laboratory for detailed nutrition studies in the center. The 12 apartments, 2 nurseries, metabolic kitchen, and four recreational areas in the unit will allow family participation in CNRC's research activities. Studies will examine the nutrients associated with growth and development and the role of diet in birth weight.

The Greenhouse will prepare plant foods to study the digestion of carbon, nitrogen, iron, and calcium in foods eaten by pregnant and nursing women and their children. Recently, CNRC scientists uncovered a major research breakthrough by using labeled foods to accurately determine essential and nonessential nutrients. The Greenhouse will further study this phenomenon and is unique among the Department of Agriculture's nutrition research centers.

I am pleased that the Agriculture Appropriations Subcommittee has agreed to maintain funding for the Children's Nutrition Research Center. Under the Guidance of Baylor College of Medicine, one of the premier academic health science centers in the Nation, I am certain CNRC will continue to lead the way in the field of nutritional research.

The CHAIRMAN. Pursuant to House Resolution No. 188 and the order of the House of July 20, 1995, the Committee rises.

Accordingly the Committee rose, and the Speaker pro tempore (Mr. CRAPO) having assumed the chair, Mr. KLUG, 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. 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, pursuant to House Resolution 188 he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

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

Is a separate vote demanded on any amendment adopted by the Committee of the Whole? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

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

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

The vote was taken by electronic device, and there were—yeas 313, nays 78, not voting 43, as follows:

[Roll No. 554]

YEAS—313

Allard
Andrews
Archer
Armey
Bachus
Baesler
Baker (CA)
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Bass
Bereuter
Bevill
Bilbray
Bilirakis
Bishop
Bliley
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boucher
Brewster
Browder
Brown (FL)
Brownback
Bryant (TN)
Bryant (TX)
Bunn
Bunning
Burr
Buyer
Callahan
Calvert
Camp
Canady
Castle
Chabot
Chambliss
Chapman
Chenoweth
Christensen
Chrysler
Clayton
Clement
Clinger
Clyburn
Coble
Coburn
Coleman
Collins (GA)
Combest
Condit
Cooley
Costello
Cramer
Crapo
Cremeans
Cubin
Cunningham
Danner
Davis
de la Garza
Deal
DeFazio
DeLauro
DeLay
Diaz-Balart
Dickey
Dooley
Doolittle
Dornan
Doyle
Dunn
Durbin
Edwards
Ehrlich
Emerson
Engel
English
Evans
Everett
Ewing
Farr
Fawell
Fazio
Fields (TX)
Flake
Flanagan
Foley
Forbes
Ford
Fowler
Franks (CT)
Frelinghuysen
Frisa
Frost
Funderburk
Furse
Ganske
Gejdenson
Gekas
Gilchrest
Gillmor
Gilman
Gonzalez
Goodlatte
Gordon
Goss
Graham
Green
Greenwood
Gunderson
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hansen
Hastert
Hastings (FL)
Hayes
Hayworth
Hefner
Heineman
Herger
Hilleary
Hinchey
Hobson
Hoekstra
Hoke
Holden
Horn
Hostettler
Hoyer
Hunter
Hutchinson
Hyde
Inglis
Istook
Jackson-Lee
Jefferson
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Jones
Kanjorski
Kaptur
Kasich
Kelly
Kennedy (RI)
Kildee
Kim
King
Kingston
Klink
Klug
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Laughlin
Lazio
Leach
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Lightfoot
Lincoln
Linder
Lipinski

Livingston
LoBiondo
Longley
Lowey
Lucas
Luther
Manton
Manzullo
Martini
Mascara
Matsui
McCarthy
McCollum
McCrery
McDade
McHale
McHugh
McInnis
McIntosh
McKeon
McKinney
McNulty
Meek
Meyers
Mica
Miller (FL)
Minge
Mink
Molinari
Mollohan
Montgomery
Morella
Murtha
Myers
Myrick
Nethercutt
Neumann
Ney
Norwood
Nussle
Orton
Oxley
Packard
Pallone
Parker
Pastor
Paxon
Payne (VA)
Pelosi
Peterson (FL)
Peterson (MN)
Pombo
Pomeroy
Porter
Portman
Poshard
Pryce
Radanovich
Rahall
Ramstad
Reed
Regula
Richardson
Riggs
Rivers
Roberts
Roemer
Rogers
Ros-Lehtinen
Rose
Roth
Roukema
Sabo
Sanford
Sawyer
Saxton
Schaefer
Schiff
Scott
Serrano
Shadegg
Shaw
Shays
Shuster
Sisisky
Skaggs
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Spratt
Stenholm
Stockman
Talent
Tanner
Tate
Tauzin
Tejeda
Thomas
Thompson
Thornberry
Thornton
Thurman
Tiahrt
Torres
Towns
Traficant
Tucker
Upton
Visclosky
Vucanovich
Waldholtz
Walker
Walsh
Wamp
Ward
Watt (NC)
Weldon (FL)
Weller
White
Whitfield
Wicker
Wilson
Wise
Wolf
Woolsey
Wyden
Wynn
Young (AK)
Zeliff
Zimmer

NAYS—78

Ackerman
Baldacci
Becerra
Beilenson
Berman
Blute
Brown (OH)
Cardin
Collins (IL)
Conyers
Coyne
Dellums
Deutsch
Dicks
Dingell
Dixon
Doggett
Duncan
Ensign
Eshoo
Fattah
Fields (LA)
Filner
Frank (MA)
Franks (NJ)
Gephardt
Gibbons
Gutierrez
Hancock
Harman
Jacobs
Johnson (SD)
Kennedy (MA)
Kennelly
Kleczka
LaFalce
Lofgren
Maloney
Markey
Martinez
Menendez
Mfume
Mineta
Moran
Nadler
Neal
Oberstar
Obey
Olver
Owens
Payne (NJ)
Petri
Pickett
Rangel
Rohrabacher
Roybal-Allard
Royce
Rush
Salmon
Sanders
Scarborough
Schroeder
Schumer
Sensenbrenner
Slaughter
Stark
Stearns
Studds
Stump
Taylor (MS)
Torkildsen
Velazquez
Vento
Volkmer
Waters
Waxman
Williams
Yates

NOT VOTING—43

Abercrombie
Baker (LA)
Ballenger
Barton
Bateman
Bentsen
Brown (CA)
Burton
Clay
Collins (MI)
Cox
Crane
Dreier
Ehlers
Foglietta
Fox
Gallegly
Geren
Goodling
Hastings (WA)
Hefley
Hilliard
Houghton
Johnston
Lantos
McDermott
Meehan
Metcalf
Miller (CA)
Moakley
Moorhead
Ortiz
Quillen
Quinn
Reynolds
Seastrand
Stokes
Stupak
Taylor (NC)
Torricelli
Watts (OK)
Weldon (PA)
Young (FL)

□ 1734

The Clerk announced the following pairs:

On this vote:

Mr. Watts of Oklahoma for, with Mr. McDermott against.

Mr. Dreir for, with Mr. Moakley against.

Mr. Ballenger for, with Mr. Stokes against.

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate had passed without amendment a bill of the House of the following title:

H.R. 1944. An act making emergency supplemental appropriations for additional disaster assistance, for anti-terrorism initiatives, for assistance in the recovery from the tragedy that occurred at Oklahoma City, and making rescissions for the fiscal year ending September 30, 1995, and for other purposes.

GENERAL LEAVE

Mr. SKEEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the bill, H.R. 1976, and that I may include tabular and extraneous material.

The SPEAKER pro tempore (Mr. CRAPO). Is there objection to the request of the gentleman from New Mexico?

There was no objection.

PERMISSION FOR COMMITTEE ON APPROPRIATIONS TO FILE A PRIVILEGED REPORT ON VETERANS AFFAIRS, HOUSING AND URBAN DEVELOPMENT, AND INDEPENDENT AGENCIES APPROPRIATIONS BILL, 1996

Mr. SKEEN. Mr. Speaker, I ask unanimous consent that the Committee on Appropriations may have until midnight tonight to file a privileged report on a bill making appropriations for VA, HUD and independent agencies for the fiscal year ending September 30, 1996, and for other purposes.

The SPEAKER pro tempore. All points of order are reserved on the bill.

Is there objection to the request of the gentleman from New Mexico?

There was no objection.

LEGISLATIVE PROGRAM

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

Mr. FAZIO of California. Mr. Speaker, I take this time to yield to the gentleman from Texas [Mr. ARMEY], the distinguished majority leader, to explain the schedule for next week.

Mr. ARMEY. Mr. Speaker, I thank the gentleman from California for yielding to me.

Mr. Speaker, by now it is obvious to most of the Members that we did not make our 3 o'clock departure today. Mr. Speaker, before I give the details of next week's legislative schedule, let me first outline what we need to accomplish next week in order to protect the August recess for Members. I recognize that we have all worked very hard for many long hours during this appropriations process, and I think by and large that we have made good progress.

We have worked these long hours for many reasons, not the least of which is our strong commitment to preserve the right of every Member to offer amendments to these important pieces of legislation. I want to thank each and every Member for their patience and diligent efforts to keep the House on schedule.

That being said, to protect the August departed tour date, next week we need to complete the Transportation appropriations bill, as well as the Commerce, Justice, State, and the VA–HUD appropriations bills.

I realize that working all night every night is unhealthy and is not overly productive. With that in mind, I will outline a schedule I feel is more reasonable and fair to Members.

Mr. Speaker, on Monday the House will meet at 10:30 a.m. for the morning hour and 12 o'clock for legislative business. Members should be advised that there will be no recorded votes before 5 o'clock on Monday, During the time when no recorded votes are expected, we plan to consider the rule and amendments to H.R. 70, the Alaskan oil export bill. If any recorded votes are ordered on H.R. 70, they will be postponed. We then plan to return to the Transportation appropriations bill. We will rise no later than 10 o'clock p.m. on Monday night, hopefully, after completing consideration of the Transportation bill.

On Tuesday, and the balance of the week, the House will meet at 10 a.m. for legislative business. On Tuesday, we plan to consider H.R. 1943, the San Diego Coastal Corrections Act. We will then return to the appropriations bill, hopefully taking up the Commerce, State, Justice bill. We plan to rise on Tuesday by no later than 8 o'clock. Members will take note that the House will meet in joint session with the Senate at 11 a.m. on Wednesday to receive the President of Korea. We hope to rise no later than 10 p.m. on Wednesday night.

On Thursday, we hope to finish no later than midnight, unless a few extra hours of work would allow us to complete our scheduled business and get Members home to their districts and their families at an earlier time.

Members should realize that when we finish the schedule I have outlined, we will go home. But if we have not, the House will work on Friday and through the weekend to finish the business I mentioned earlier.

Again, I would like to thank the Members for their help and patience thus far during this difficult process, and I would simply close by saying that no one is looking more forward to the August break and to a good fishing hole than I am. And I thank the gentleman for yielding.

Mr. FAZIO of California. Mr. Speaker, I do appreciate particularly the 8 o'clock departure on Tuesday night, which I think accommodates both parties. But I did have some questions about some of the bills that were not listed on the calendar.

I wonder if you could tell us whether or not the deficit reduction lockbox bill would be brought up. The gentlewoman from California [Ms. HARMAN] has asked me to inquire about that bill, and indicate if it will be before the body at any time over the next 2 weeks, whether or not it would be available for amendments.

Mr. ARMEY. Mr. Speaker, if the gentleman will continue to yield, that bill is under consideration in the committee. We do not expect to be able to consider it next week. We have many Members on our side that are also anxious for it and we are trying to move as fast as we can, and we will try to be as open as we can on the rule, but of course that would be the jurisdiction of the Rules Committee.

Mr. FAZIO of California. Mr. Speaker, that bill, of course, has a great deal to do with all of the appropriations we are passing, and I gather that we are probably going to pass all of the appropriations bills before we take up the lockbox?

Mr. ARMEY. Mr. Speaker, I appreciate that. We are moving as fast as we can on the matter.

Mr. FAZIO of California. Mr. Speaker, it looks like the last two bills that will be coming up during the getaway week would be the defense appropriations bill and the health human services and education labor bill; is that correct?

Mr. ARMEY. I expect that is correct, and of course, depending on the progress we make, if possible, possibly telecommunications.

Mr. FAZIO of California. That was my question. I was wondering, that is a major bill. Do you hope to bring it up before the August break, and if so, how much time do you think would be devoted to such an important measure?

Mr. ARMEY. It is an important piece of legislation, as the gentleman knows. It is kind of a slippery thing. And so we are just sort of playing it by ear. If we can sort of get everybody in agreement at a time that is opportune, we will try to bring it up and try to be as generous as we can on the rules relating to this consideration.

Mr. FAZIO of California. Mr. Speaker, we do appreciate the heads-up about next Friday and into the weekend, but as the gentleman has indicated, we will stay in Thursday night as late as reasonable, if we could complete our work, in hopes of avoiding the possibility of a Friday session, which I know had been originally left vacant for Members to plan in their districts other activities. At the moment, however, it looks like Friday is a very likely prospect; is that what the gentleman is saying?

Mr. ARMEY. Mr. Speaker, of course, all of this depends upon how much progress we have on the floor management, and the managers frankly deserve our appreciation. But assuming they can have success, we might be able to finish it on Thursday night, and I think most Members, if we get close to that, recognizing then the chance of being home on Friday, of approval or moving on.

I have to tell you, I have a—I fear that it is more likely that we will be in Friday than not, and although I think with all of our efforts and a good cooperative week, we could avoid Friday. So that too is a strong possibility that we do not want to ignore.

Mr. FAZIO of California. But Saturday, Sunday, and Monday, July 31, which had been noticed as a day available to Members in their districts, with any luck at all will not be encumbered; is that correct?

Mr. ARMEY. I think the gentleman actually put his finger on the key point, with any luck at all.

Mr. FAZIO of California. I appreciate that.

Mr. Speaker, I yield to the gentleman from Indiana [Mr. ROEMER] who is the chairman of the family friendly caucus, which I might say has had a rather bad year here in Congress.

Mr. ROEMER. Mr. Speaker, I thank the gentleman for that very kind and gracious introduction. I appreciate that.

As the majority leader knows, we put together a family friendly schedule at the beginning of this year, and it has not performed very well. I am delighted that I did not sign the resolution stating that this was going to be a family friendly Congress.

Let me ask the gentleman a couple of questions. Speaker GINGRICH said on this floor at that podium back in January 4, and I quote, we are going to set schedules we stick to so families can count on time to be together, unquote.

Certainly, 10 p.m., Monday night, 9 p.m. Tuesday night, 10 p.m. Wednesday night, and then midnight, at least, Thursday night, maybe Friday, maybe Saturday, I don't know that we are going to see our families. I also am not sure that this is what the American people want us doing. We have been in session 300 more hours, 150 more rollcall votes, 54 percent of the time, we have been adjourning after 9 p.m. And while you are announcing the schedule earlier to us, it certainly is not good news for next week.

I have a couple of questions.

Mr. ARMEY. Mr. Speaker, if the gentleman will continue to yield, let me make this point, and then if the gentleman would please excuse my impatience, I too have a plane I would like to catch to get home to my family.

I take my chapter and verse from Jimmy Buffet who has a wonderful song called ''Trying to Reason with Hurricane Season.''

□ 1745

I have been singing Mr. Buffett's song to a little bit different lyrics called ''Trying to reason with the appropriations season.'' That is the season of inconvenience to the body at large, out of consideration for the rights of the Members at large.

I would say to the gentleman, count up the notes, and in addition to the information you have I think you would also find an extraordinarily high number of votes on motions to rise and motions to adjourn.

Mr. ROEMER. Mr. Speaker, I would say to the gentleman, we are happy to work as hard as we were during the first 6 months, and I voted for many items in the contract, but the Speaker himself said after the first 6 months that we would have a more reliable schedule, a schedule where we would occasionally see our families and children, a schedule which was predictable.

Now we are not going to have that between now and August, nor will we have it in September or October. Can the gentleman give us some indication of September and October and when we will adjourn? Is it going to be right before Christmas?

Mr. ARMEY. If the gentleman will yield, and let me remind the gentleman I, too, am trying to catch my plane, and I can only tell the gentleman that the only thing I have to fly by right now is my best hopes and aspirations and the faith and confidence I have in the goodwill of my colleagues.

Mr. ROEMER. Further, Mr. Speaker, could I make some suggestions to the distinguished majority leader?

Mr. ARMEY. Yes.

Mr. ROEMER. We certainly want to work hard, Mr. Majority Leader, we do not have any complaint with that, but we want to work smart. If I could give the gentleman some suggestions, could we come in at 8 o'clock in the morning and start our 1-minutes, so those people that want to give 1-minutes are here at 8 o'clock, they give 10 minutes on each side, 20 on each side, and we start the legislative business by 9 o'clock in the morning? Those are American work hours.

Mr. ARMEY. If the gentleman will continue to yield, this kind of suggestion, especially particularly the gentleman—I cannot believe you guys are trying to make me miss my plane.

Mr. ROEMER. We have been missing lots of planes for 7 months, Mr. Speaker.

Mr. ARMEY. These are all under consideration. We are working with it, but I have to tell the gentleman, one of the things that does in fact make it difficult to come upon a universally agreed upon comfortable arrangement is that we insist on paying regard to the legitimate rights of the individual Members. That sometimes makes it a little bit more complicated.

Gentleman, I welcome all your suggestions, and the gentleman from Mississippi [Mr. MONTGOMERY] has given me a suggestion in writing and gotten a list of cosigners for his suggestion, and I am sure he is here to present that to me.

Mr. ROEMER. If I could reclaim my time, Mr. Speaker, I could want to let the gentleman from Mississippi [Mr. MONTGOMERY] have just one question, and let the gentleman get off to Margaritaville.

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

Mr. ROEMER. I yield to the gentleman from Mississippi.

Mr. MONTGOMERY. Mr. Majority Leader, have a great flight, but when you fly away, think about working on Tuesdays, Wednesdays, and Thursdays from 9 a.m. to 9 p.m., and I would appreciate that.

Mr. ARMEY. The gentleman from Mississippi [Mr. MONTGOMERY] has been very generous.

If the gentleman will continue to yield for one quick moment, I think we have a statement here that needs to be clarified. I would like to make it very clear so there is no misunderstanding regarding working on Monday, July 31. It is very clear that we will work, and it will be necessary for us to work on that, but hopefully not on the weekend before.

Mr. FAZIO. I thank the leader for his comments.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 2076, DEPARTMENTS OF COMMERCE, STATE, AND JUSTICE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS ACT, 1996

Mr. GOSS, from the Committee on Rules, submitted a privileged report (Rept. No. 104–200) on the resolution (H. Res. 198) providing for the consideration of the bill (H.R. 2076), making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 1996, and for other purposes, which was referred to the House Calendar and ordered to be printed.

ADJOURNMENT TO MONDAY, JULY 24, 1995

Mr. GOSS. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 10:30 a.m. on Monday next for morning hour debates.

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

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

Mr. GOSS. Mr. Speaker, I ask unanimous consent that business in order under the Calendar Wednesday rule be dispensed with on Wednesday next.

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

There was no objection.

PERSONAL EXPLANATION

Mr. PAYNE of New Jersey. Mr. Speaker, on vote 547, the amendment offered by the gentleman from Ohio, I inadvertently voted ''yes.'' I intended to vote ''no,'' and I request that the RECORD reflect that.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1404

Mr. PAYNE of Virginia. Mr. Speaker, I ask unanimous consent that my name be removed as cosponsor of H.R. 1404.

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

There was no objection.

DESIGNATION OF THE HONORABLE RICHARD K. ARMEY TO ACT AS SPEAKER PRO TEMPORE TO SIGN ENROLLED BILLS AND JOINT RESOLUTIONS

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

THE SPEAKER'S ROOMS,
HOUSE OF REPRESENTATIVES,
Washington, DC, July 20, 1995.

I hereby designate the Honorable RICHARD K. ARMEY to act as Speaker pro tempore to sign enrolled bills and joint resolutions.

NEWT GINGRICH,
Speaker of the House of Representatives.

The SPEAKER pro tempore. Without objection, the designation is agreed to.

There was no objection.

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 are recognized for 5 minutes each.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York [Mr. OWENS] is recognized for 5 minutes.

[Mr. OWENS addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from 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.]

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

[Mr. HORN addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Texas [Ms. JACKSON-LEE] is recognized for 5 minutes.

[Ms. JACKSON-LEE addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey [Mr. PALLONE] is recognized for 5 minutes.

[Mr. PALLONE addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

THE WORST OF TIMES FOR AMERICA'S WOMEN

The SPEAKER pro tempore. Under the Speaker's announced policy of May 12, 1995, the gentlewoman from Colorado, [Mrs. SCHROEDER] is recognized for 60 minutes as the designee of the minority leader.

Mrs. SCHROEDER. Mr. Speaker, I must say this has been really quite a week. There was some question whether I wanted to stay and do a special order. The more I looked at what happened in this week, I really feel it is very historic and it is very important to take the floor and say to the American people that I hope they are digesting what is transpiring. Right now, if we look at all the things going on between Waco hearings, Whitewater hearings, all the trials on television and Bosnia, I think very few people realize what is transpiring to their rights here.

This week ended with such a fitting end that really says it all. As we know, our Speaker kind of got elected as the prince of angry white men, and I think it is very fitting that he ended up celebrating the end of this week where he is now. We have our Speaker off at the Bohemian Club. Many people may say, ''what is the Bohemian Club? Why do we think we heard that name?'' We heard it a lot during the prior Republican administration, and then we have not heard it for quite some time. However, the Speaker has put it back into our whole lexicon.

Herbert Hoover once called the Bohemian Club and its annual party the greatest men's club on Earth. The San Diego Union described it the following way:

The Bohemian Club is known for its raucus campouts in the grove. Their woods north of San Francisco are where powerful politicians, executives, and many others, partially clad or dressed in drag, meet each year for 2 weeks of carousing and networking. The grove gatherings are known for raunchy skits, speechmaking, sing-along, gambling, open urination on trees, and other targets.

I guess they are all there celebrating, because at the end of this week they will all say it probably is the best of times for rich white men in America, and so obviously that is where the Speaker belongs.

However, I must say after this week, it is really the worst of times for America's women. This has been a week where issues on women have been absolutely pounded. Things we never thought we would see happen have happened on this floor, and I do not think America's women know it. Women, if you want to know why they are out there running around in the trees, partially clothed, no women are allowed, people are picketing, all sorts of noise going on in San Francisco, let me tell the Members what the Speaker and his friends are celebrating.

No. 1, they passed a ban so that Federal employees cannot even purchase health insurance that would cover perfectly legal abortion rights. Even for rape and incest they cannot buy health insurance. That is pretty astounding, and for people who believe in individual rights, that is really amazing.

No. 2, the 25-year-old family planning program that is known as title 10, that provides all sorts of family planning services, pelvic exams, Pap smears, screening for sexually transmitted diseases, and many other things, that was zeroed out this week.

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

Mrs. SCHROEDER. I yield to the gentleman from Texas.

Mr. DOGGETT. Mr. Speaker, do I understand, I would ask the gentlewoman, that, for example, Planned Parenthood of Boston and planned parenthood organizations and other community family planning across the country have not just been reduced in scope, like so many of the slash-and-burn efforts here in the Congress this week, but have been totally eliminated in the measure that came out of the appropriations bill?

Mrs. SCHROEDER. The gentleman from Texas is absolutely correct.

Mr. DOGGETT. The gentlewoman is not just talking about the controversial subject of abortion, that right being denied for all of our Federal employees and for all of their families, but the gentlewoman is talking about any form of Federal participation in family planning for families that want to plan, who do not want to face the choice of abortion, but want to actually have a variety of alternatives presented for family planning, they are going to get zero, zip, in the way of Federal support?

Mrs. SCHROEDER. The gentleman from Texas has really hit the nail on the head. I think the gentleman from Texas probably also knows, because he has visited those family planning clinics, many of them are the primary care for many of America's low-income women during their childbearing age. That is where they go for their physical, their Pap smears, their breast checks, that is where they go for their entire range of health care services during that period in their life. To just zero it out, and say there will be no family planning, absolutely zero it out, which I still cannot believe it happened, but they did, because we heard so many people who were antiabortion saying, ''But I am always for family planning.''

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

Mrs. SCHROEDER. I yield to the gentleman from California.

Mr. FARR. Mr. Speaker, joining in with the gentleman from Texas and the gentlewoman from Colorado, this is a 25-year-old-program that the Federal Government has been involved in. Not only does it provide funding for organizations, private and nonprofit, like Planned Parenthood, but it also provides grants to public entities and agencies. Those agencies have served an estimated 4.3 million people in 1995 through a network of 4,200 clinics provide key reproductive services. The gentlewoman has talked about those services, services that are screening for sexually transmitted diseases, for Pap tests, for pelvic exams, and other important tests. What essentially they are doing is cutting off health care, health care to women and to young ladies and to girls.

I rise in consternation with what has happened this week, because I am a father of a young teenager. Telling her over the phone this week about this, she was absolutely shocked. She said, ''Daddy, does that mean because you buy Blue Cross health insurance from the Federal Government, that if I get raped, that your health care policy cannot take care of the medical exam that I would have to have and the services that I might need?'' And I said, ''Yes, isn't that disgusting?'' She said, ''I can't believe it. You mean that is what you have done in Congress this week?''

Mrs. SCHROEDER. It was not a proud week. It is not a proud week, and it is very difficult to explain. I am glad the gentleman from California was awake and the gentleman from Texas was awake. I do not know how we get everyone else awake to understand it. We talk about fundamentalists in other countries, but it seems like fundamentalists kind of took over this Congress, because when you go after family planning, that is really kind of as American as apple pie.

Mr. DOGGETT. If the gentlewoman will continue to yield further, indeed, the family planning program as described by our colleague, the gentleman from California, it actually is a program that has had support even of some of the people that have probably been members of the Bohemian Club. It has had broad bipartisan support from Republicans and Democrats until the extremists took control of the committee, is that not correct?

□ 1800

Mrs. SCHROEDER. The gentleman from Texas always has such an interesting mind.

You know, I had never thought of that, but I will bet if you could poll the members of the Bohemian Club, you would find a very high percentage of them are significant donors to Planned Parenthood. Because I think that is the one thing I have always found very interesting on family planning, that most people understand how important it is and contribute a lot.

But as much as they contribute, Federal funding has always been very, very essential, because there are so many women in their childbearing age, and they need this—we are talking visits every 6 months to a year. It is very essential. You cannot just say, well, they had their visits so they do not need to go back for 40 years. Wrong, believe me.

So my guess is that there are an awful lot of the contributors there, and I wonder if they would be frolicking with the Speaker quite as much and skipping through the trees, doing whatever they do, if they knew that while he was away the appropriations zeroed this out.

Mr. FARR. Will the gentlewoman yield for a moment?

Let me just add on that. You realize that I am from California, and the Bohemian Club Grove is in Marin County, CA, and it has been there for over about 100 years, I think, of people. It is sort of the corporate heads of America go there, and the irony is that their own corporations, 70 percent of all the private health care plans in America, provide services which Congress denied to Federal employees.

So there is a—I mean, this—if you are going to make government more like the private sector, you certainly do not want to begin by denying health care, medical services to women that the private sector, major corporations in America and those CEO's that are running around, as you say, in the Bohemian Club Grove are providing to their own employees.

Mrs SCHROEDER. Well, I think that is a very interesting point, too.

Is it not a shame—you know, the gentleman from Ohio often says, ''Beam me up.'' Is not it a shame the three of us cannot be beamed up to the Bohemian Club and go around and run a poll saying to all the people there playing in the trees at camp, ''Did you know that we have just made Federal employees second-class citizens this week? Did you know we just zeroed out family planning? Did you know we also unraveled Roe versus Wade and, for the first time, this House has declared a medical procedure illegal, which is absolutely astounding?''

And we could say, ''Did you know this week we had a committee prohibit medical schools from teaching, even teaching abortion procedures. That is pretty interesting. Did you know we prohibited in one of the committee

Federal funding on human embryos, which is going to hamper contraceptive research, and also the search to look for curing birth defects and different diseases?''

We could lay a whole bunch of things on these guys, and I honestly think they would be with us. They may be celebrating without knowing what has really been done.

Mr. FARR. Did you know, following up on that, that the defense authorization bill prohibits private-funded abortions for our service men and women, and I say men because they are overseas with their families, from being performed in overseas military hospitals? Private services.

So that means if you are in the military or you are a military dependent and you want to use your own money and you choose your own military hospitals, which we have there for our military active duty personnel, that you are denied. You have got to go out into the foreign market.

At what risk do you go at that foreign market? We are subjecting people who are giving their lives to military service from just the basic benefits that their own relatives receive working for private corporations in America.

We have gone—this antiwoman attitude in this Congress is, I think, beginning to show itself so strongly in how we are trying to set up women as a second-class citizenship in America.

Mrs. SCHROEDER. You know, I am very pleased that both of you came to talk about this, because usually it is the women who are here railing about this, and maybe that is why we do not get through. But it is really great to have people here who do get it and who are starting to be as frightened as some of us, wondering what is coming next.

I mean, we are getting ready to celebrate women having had the vote for 75 years. Maybe this is the year we really learn how to start using the vote if we see much more of this going backward.

Mr. DOGGETT. Will the gentlewoman yield?

Mrs. SCHROEDER. I would be delighted to.

Mr. DOGGETT. So we have seen our military forces being treated as second-class citizens. They are discriminated against even in the case of rape of a servicewoman or the spouse of a serviceman. These services are not available.

Mrs. SCHROEDER. Absolutely. Even if you are overseas.

Mr. DOGGET. This week the members of our Federal work force all across the country, whether it is a park ranger or a nurse in a VA hospital or a security person right here at the Capitol, a young woman doing that very important work, again, if there is rape or incest, there is discrimination. No longer will they be able to have health care services available to other Americans.

And then, in addition to that, we have even got these extremists coming in and saying they will dictate accreditation standards for medical schools, they will say what kind of research we can and cannot have.

With all of this interference in the lives of young American women, where you say do not consult with your spouse, do not consult with your minister or rabbi, do not consult with your family, go take it up with your Congressman and interfere in those private decisions, do you think that instead of hearing so much in the news about angry men, we ought to be hearing something about angry young women who should be angered and upset that extremists would do this to them and interfere in their very most personal decisions?

Mrs. SCHROEDER. That is precisely my point. I think if they just had any idea what is happening, they would be very angry.

And my fear is about a year from now, when this starts to really have an impact, they are going to come running through our doors screaming, ''Why didn't anyone tell us?''

I feel rather like Paul Revere riding through saying the British are coming. Only we are saying the fundamentalists have won. You know, we are in real trouble here.

I also have to say that, for every woman, there are some very serious thoughts here about who in the world would think about being an OB–GYN.

If you were a young man 30 years old and you are thinking about a specialty in medical school, would you be an OB–GYN with the Congress here telling you what kind of procedures you can have, what kind of research you can do, what you can and cannot learn in medical school, what you can and cannot say to your patients and also cutting funding right and left?

And, furthermore, if you ever did it and you ever even treated one woman because you were concerned about her condition, you could never be Surgeon General, like Dr. Foster.

Mr. DOGGETT. When you get put on one of these wanted posters which have now spread to the political realm, but one group is putting up wanted posters for physicians performing legal procedures and another group is putting up wanted posters for Members of Congress who have the audacity to support that basic constitutional right.

Mrs. SCHROEDER. You do wonder who is running the show.

I am one of the people on the wanted poster for politicians, so I now know how the doctors who are on those wanted posters feel. And if you were a young person planning your future, I do not think you would go sign up to be an OB-GYN, such as your daughter or I think your daughter—

Mr. DOGGETT. She will be getting into medical school this next month. I know that will be one of the areas that she studies in her practice, but I have to say, as a father, I cannot help but have concern that if she chooses to go into that area of specialty she may actually risk her life, as so many physicians are doing today, as so many people at these Planned Parenthood and other community planning agencies risk their lives to simply provide basic health care services that our young American women need.

Mr. DOGGETT. What is so surprising about all this is this is the year of the conservative attitude in the House of Representatives and Congress, an the whole attitude here is get government off your back. But, indeed, these policies get government so far involved in the most personal issues in one's life. Because in order to monitor and prohibit you have got to police it.

I cannot imagine what kind of trickle-down enforcement procedures are going to be there. And the message it says, let me just read you from a Sara Lowenthal, who lives in Santa Cruz, a community that I represent. She wrote this to me. She says, ''As an HIV educator who works directly with at-risk teens, the attack on title X scares me. One of the most direct, effective and influential ways that local teens can get information about HIV is through Planned Parenthood. The elimination of title X is not just a rightist attack on reproductive rights. It is a deconstruction of an educational block that protects Santa Cruz teens from HIV. I am deeply disheartened by the actions of the radical right.''

She is an educator at the local level, and these educators are hard to get, because they do not get paid a lot. They volunteer a lot of their time. And I think that message is not just a message about what specialty to go in. It is also a negative message about what kind of an educator to become.

Mrs. SCHROEDER. It is truly amazing that as we are saying get government out of regulation, get government out of all these areas, we are moving right into the classroom, into the doctor's office, into people's bedrooms, into all of these different areas, and we are going to totally regulate this area vis-a-vis women, and, as I say, long term, since almost all women get their primary care from OB-GYN's.

If we do not have any good OB-GYN's, we are all in trouble in the future if we do not have good doctors watching after our health care.

There are some other instances that are kind of did-you-knows this week. I mean, we all saw Kiri Jewell, that beautiful young 14-year-old, talking about the problems that she had had—I mean, I get chills even thinking about it. But her father having to go to court and do all of this because at 10 she is raped by David Koresh.

Well, did you know there are Members in this body who are saying, ''That is really a side show, that is really irrelevant, that really did not matter''?

I mean, has the NRA so totally taken this place over we cannot hear a young woman's voice saying, ''Let me tell you what happened to me in Waco'' and how she had been taught to teach—to do suicide by David Koresh? They do not hear.

We had many couples come here wanting to talk about the abortion procedure outlawed by the Committee on the Judiciary, and only one person got to testify. Nobody listened to their voices. It is like they are road kill. We have an agenda. We are rolling right over you. And these were all people who had gone through very, very difficult trying times and thought that they had a right to petition their government.

Mr. DOGGETT. If any of these young women came today to the Congress where all of us were working, this House in session past midnight last night—I know our crime task force got together before 8 this morning. If any of those young women or young men came here to this Congress, would they have found Speaker GINGRICH here today?

Mrs. SCHROEDER. No. He is in California playing in the trees.

Mr. DOGGETT. What is going on out there? I missed the first part of your remarks.

Mrs. SCHROEDER. I must say, I was really surprised when I read in the New York Times, and I have seen it in several other newspapers now so I assume it is true, that the Speaker today arrived at the Bohemian Club's 2-week camp-out.

And, you know, I guess neither one of you were here when we used to have incidents about that. If you remember, there were women trying to get hired by the Bohemian Club at one time, and they said, no, they would never—they did not care what the Federal law said, they would never hire women because it would inhibit the members in their 2-week frolic.

I am not quite sure what they all do, but, apparently, it is quite a frolic.

Mr. DOGGETT. Is he gone for 2 weeks?

Mrs. SCHROEDER. I think he is probably coming back next week, but I do not really know. I guess it started last week, so he got out there today.

But while we are here, he is playing, and we are doing some very serious things. And I just—I find these kind of—I guess it is a group of great, powerful men that love to go to the woods, and I guess they dress up like druids and do different things. I am not quite sure. But it is some privately owned redwoods, and that is where he is.

Mr. DOGGETT. Is this part of the book tour or what.

Mrs. SCHROEDER. I do not think they sell books there. I have never seen anything about them buying—I do not think they read books there either. I think they do something different.

But I understand he is coming back through Iowa and then will come here. So maybe he is selling books in Iowa.

Mr. FARR. I think that the issue here, or the symbol, is that this has been a week in which the Gingrich-led Congress, the conservative aspects of it, have taken away rights that protect women, taken away the rights to buy health care policies that provide services for medical abortions.

They have zeroed out family planning money. They have affected the defense authorization bill that prohibits private funded abortions from being performed in overseas military hospitals.

□ 1815

They have cut back, major cutbacks in the international planning funds, and then to cap that off by going off to an all-male retreat, I think, is really symbolic of this sort of take away from women or discounting women or trying to put women as secondary citizens. It is symbolic of what is going on, and I think the women of this country ought to wake up and become involved.

Mrs. SCHROEDER. I certainly hope they do. I join the gentleman from California for being actually very saddened. It is actually like they are tap dancing on women's rights that have been burned this week in different legislation that have come out. I certainly am saddened by that, and I certainly hope that women in this country do wake up and start saying to people wait a minute, wait a minute, we pay the same taxes as everyone else, which we do. They do not say, ''Women, hey, we are going to give a 50-percent discount because we do not think you are quite up to handling things, and we are going to micromanage your lives because we do not think you are up to handling things,'' and so forth.

I think women have come a long way in this country. They really have believed progress was preordained. I think most American women would be totally shocked to know this has all been done, especially family planning. We go back to where we started, family planning, research, we worked so hard to make progress that was made on trying to catch up on women's health, and, boom, 1 week it all blows up.

Mr. FARR. I as a father, you as a mother, can understand what we try to do as parents is ensure or give hope to our kids that there will be a better, sounder, safer, saner world which they can grow up in. I only have one child. It is a daughter. I guess that makes me a feminist because I really want to see the world in which women have equal opportunity.

I am very proud to tell her that just this week I met with the highest-ranking woman in the Navy, and she is coming out to be the commandant or provost of the naval postgraduate school and, I think, someday will be chief of naval operations, and I hope so. She is a very talented woman, and to be able to show symbols of where women in society have become equal to men so that she, as she grows up, and with her colleagues, that women can see that they can do everything that any male can do. We have certainly seen that in winning Olympic Gold Medals, and we will see that in Atlanta when the Olympics come, and certainly in every profession, Sally Ride being the first woman into space and so on.

But I come here as a new Member of Congress, a relatively new Member, and I am just shocked because California is a pretty big State, and serving in the State legislature, I thought I had seen conservative politicians. But I have to tell you I never heard on the floor of the State legislature in California the kind of rhetoric I heard here this week. That led me to be so shocked that I wanted to come and join with you and share with you my concerns as a father and as a representative of one congressional district in the United States that I think that the Congress, under the new leadership, is doing a great disservice to women. It is setting up and saying, if you are a woman and you want to go into Federal employment, do not go there.

We pointed out in our dialog today, if you go into the private sector, you can receive benefits that you will not be able to receive in the public sector, not even an equal playing field for health care delivery services that we know we have a lot of teenage pregnancies, we know we have HIV issues to deal with. You deal best with that with education. That is what the title X moneys are all about. Then they have taken away those things.

We have told people if you are going to go overseas, you cannot even use your private money in an American-sponsored military hospital to get these services.

What kind of message are we trying to send as a country as to how we respect women if we are going to discount, disregard, and really put them in jeopardy?

Mrs. SCHROEDER. The gentleman makes a very good point. Let me ask a question of you as a father.

Do you think your daughter needs special congressional oversight, much more so than the young men that you have probably met that are her friends, do you really think that she needs this additional guidance and her doctors need additional guidance and her teachers need additional guidance? Is there something about women that I am blinded to that I do not see?

Mr. FARR. Absolutely not. I think you see it very clearly. I can see clearly now, and what I can see clearly now is that the new majority here wants to make women second-class citizens. I am appalled by that, my daughter is appalled by that, my wife is appalled by that, my father is appalled by it. I think all of our family is looking at this and saying what is going on in Washington, DC?

Mrs. SCHROEDER. It has been a very tough week. Then we hear the family-friendly stuff. People are not home enough. People are telling me they are keeping pictures of themselves by the door, ''If this man comes to the door, let him in, it is your father,'' because they are afraid they will think it is a stranger. Nobody can ever get home. They are working hard. What we are doing is blowing everything up. This is

kind of slash-and-burn week for women's rights, I will tell you, and everything has been slashed and burned that I am aware of.

I just hope it starts to get better. I really thank the gentleman from California for joining me in this. His daughter should be very proud.

As I say, as a mother of a son and a daughter, I do not think one needs more congressional guidance than the other. They are equal in my eyes. I think they ought to be equal in the eyes of the Congress.

Mr. FARR. I absolutely agree. I hope what we do need guidance for is America, wake up. Women in this country, wake up, come to Washington. We need to hear your voices. We need to hear your concerns. We need to change attitudes here in Washington that are taking away the rights you have as citizens of this country by denying you services which all other people in our society are entitled to.

Mrs. SCHROEDER. The gentleman is absolutely correct.

I think this is the 200th day of this Congress in which we have been in session 300 hours longer than we were at the same time last year, and we have done more damage to women and children, the elderly. It is really not a proud record.

MY ADVICE TO THE PRIVILEGED ORDERS

The SPEAKER pro tempore (Mr. CRAPO). Under the Speaker's announced policy of May 12, 1995, the gentleman from Texas [Mr. GONZALEZ] is recognized for 30 minutes as the designee of the minority leader.

Mr. GONZALEZ. Mr. Speaker and my colleagues, we are told every day about a revolution in Congress. Day after day, my colleagues from the other party, the Republican Party, advance one or another bill, and they call it or label it revolutionary.

But what is revolutionary about a bill that prohibits the government from updating and improving meat inspection? How is it revolutionary to prohibit cleaner, safer meat? And what is revolutionary about legislation that cuts environmental cleanup funds by one-third, or a bill that makes it impossibly expensive and cumbersome to protect delicate wetlands in our country?

Under this kind of legislation the Republicans advocate this year, the government would have to pay slave owners to emancipate their slaves if it was 130 years ago. In fact, the kind of things that the Republicans have talked about this year are purely and simply an effort to turn the clock back, to force us back into the darkest ages of economic exploitation.

For instance, their attitude on meat inspection is a rank arrogant betrayal of a fundamental premise of what was, at the turn of the century, a revolutionary reform, the commitment of the government to ensure that the Nation's food supply is not contaminated and is safe to consume.

The back-door repeal of statutes designed to clean up the Earth, which we have been everything almost weekly, and prevent its further despoilation is simply a return to 19th century ideas that no one has any responsibility to either neighbor or to future generations.

The Republican agenda is not revolutionary. It is, plain and simple, an attack, an all-out attack on ordinary standards of decent human conduct. Decent human conduct requires that those who have great power and wealth to refrain from manufacturing and selling poisonous products, but the Republicans would say that 1906 meat inspection standards cannot be changed, cannot be made better, despite the fact that hundreds of people die every year from foul meat, and Republicans would say that land developers should be perfectly free to destroy wetlands despite the fact that these lands are the vital source of anything resembling a thriving national fishing industry.

These are not revolutionary ideas. They are merely the candles that quiet the tantrums of impatient, powerful, wealthy donors who feed endless millions of dollars into the political maw of this machine and who want nothing more than to exploit this country as ruthlessly as the robber barons did in a bygone era.

But I do not want to talk about the mindless cruelty of the present majority. These cruelties will soon enough be understood by the American people. Eventually they will have their distilled judgment as the full facts are known, and they will be, and who are smart enough to understand that this is merely a spreading of an endless banquet for the rich and the powerful and that the feast has been paid for by a vast transfer of wealth from ordinary wage-earners to the wealthier of those among us.

What I do want to talk about is the great pain and frustration that ordinary Americans feel today, the uncertainty they feel about the future.

The truth is that ordinary, law-abiding work-a-day Americans are themselves sliding backward in their feeling that they know they are. They are angry. Let there be no mistake, they are frustrated. Let there be no mistake in understanding that.

They went to see their lives get better, not worse. These frustrations are not the figments of anyone's imagination. They are the product of a real longstanding slide backward for most of our fellow citizens.

I pride myself in being in the most intimate contact one human being could have with those is that he has as actually serious responsibility that no one man could really fully fulfill to represent, a multitude, but in good faith tries to do so by being in immediate and most intimate contact.

It is understood from what I hear and where I meet every weekend when we are in session and when we are not, I go nowhere but in the district, and the immediate beneficiaries of this frustration and anger are those that now have the power, the majority.

But their policies will make the problems worse, and they will not be able to gloat for too long.

Now, I belong to a party, and have been proud to do so since the beginning, that interprets as fundamental premise, as one that is very basic in what I tried to adhere to in all of my career, in my position first as a local representative, then as a State and now as a national since 1961.

Representation is what I have sought, no other kind of political elective office but this, and that is what I have best understood and strived to perform.

We have got to work in such ways and always at all times to redeem the great traumas of this Nation, its historic commitment that every person have a decent, hopefully rising, standard of living and being.

□ 1830

The American Revolution is not about the freedom to be exploited. It is about the freedom to political and religious expression, the freedom to be protected against an intrusive government, and it is about equal protection under the law, and it allows us the right to enjoy, above all, the fruits of your own labor.

By that standard the Republican Party on all levels fails. The Republicans are simply trying to install a whole new system of what is tantamount to exploitation exploitation of irreplaceable resources, exploitation of hard-pressed and lowly wage earners, exploitation of frustration and fear, which they hope can be used to keep quiet the very people that are being exploited.

The sad fact is the people of the country are playing a losing game. They are working harder, they are producing more, and they are being rewarded considerably less. I do not think there has been another time in modern history which this has happened that I can recall, and I have been aboard on this level now more than three decades, much more, approximating four, and I can tell you that that is my assessment.

Now it is a so-called white-collar worker whose own standard of living is declining, whose job security is threatened more and more every day, and it is a two-income family who now are finding it harder and harder to stay even or even to stay employed, and more and more professional workers are reduced to part-time employment or contract work, the equivalent of piecework in the old clothing-stitching factories, garment factories.

There were a plethora of them in the hard Depression period of my youth and that I can recall to this day, my aunts, and my mother and other relatives getting up at 4:30 in the morning, and all through the day, with the

exception of the middle of the week where I would accompany my aunt to go there because she could not speak English to this garment factory to deliver the hand-stitched products that day and night my mother and my aunts, my sister and all, would be doing during the week. What was the reward? A man at the window would pick that garment, and look at it, and examine it, and then, if he okayed it, it was 5 cents.

Of course I have got to translate here. With a nickel in that day and time you could buy a loaf of bread, you could buy a whole quart of milk, so there is no way to extrapolate those standards. The world has long gone by in which no power I would be able to summon could describe to my colleagues of these newer generations.

Now obviously the numbers indicate that job growth is taking place. But that job growth is in service and in retail jobs which are the low end of the economic pecking order. As a result, incomes have been going down collectively. For a while a family could stay even and perhaps even get ahead by having a second wage earner in the family, but presently even the number of two-earner families is shrinking, and we have more and more families that are less and less able to meet the daily necessities of life, a house or apartment, some kind of access to transportation, some way to buy clothing and food, and some way to pay for medical care.

Perhaps it is not too visible to a lot of us that have the comforts, good clothing, perhaps free of debt, good place to go home and sleep in comfort with all the creature comforts anybody could summon in today's living standards, have a full meal three times a day. It is hard to conceive, very hard to conveive, of anybody not comfortable if we are comfortable.

We see the evidence of this desperation everywhere in the burgeoning numbers of beggars and homeless. I walk down the street here to go to the local drugstore or grocery store, and where it used to be that there would be none, in half a block I will encounter four mendicants pleading for a handout. That was not so since I came to the Congress until fairly recently of just a few years ago.

So the evidences are in the burgeoning numbers of beggars and homeless, and declining support for schools, and more and more people depending on government for health and medical care, and most all of it in the growing frustration and anger which sometimes expresses itself at the ballot box, and some seek to explain it by one wild conspiracy theory or another in which most express by a kind of cynical anger which has been most artfully exploited by radio talk shows.

We are not losing jobs because American workers are unproductive. In fact, productivity is up by 37 percent just during the last decade or the 10 years. That kind of productivity increase is normally accompanied by an increase in real income, but that is not happening now. If you look at real earnings, that is earnings expressed in constant 1982 dollars, American workers today are earning 40 cents an hour less than they did 10 years ago. What is more, real wages in this country hit their peak in 1972, and I said so at the time and said at that time real income has dropped from $8.55 an hour in constant dollars to $7.30 an hour, a drop of $1.25 an hour. To put it another way, American workers are about 12 percent poorer today than they were in 1972.

No wonder people have tried to supplement their incomes with a second job. No wonder so many are unable to even think about a new car for instance. Car prices have risen far faster than incomes, and so have the prices of housing, medical care, and the other essentials.

More and more Americans are being forced to take temporary jobs because companies do not want to hire full-time workers, and so the temporary-job business has increased by 50 percent in the past 5 years alone, and some 2¼, 2.25 million Americans, are so-called temps or temporaries. In other words, for every 10 Americans in a solid manufacturing job, there is 1 American who is hanging on by doing temporary work, work that pays few, if any, benefits, usually does not include health care, and pays less per hour for the same work as a regular employee would earn.

Even when jobs are not just disappearing, millions of Americans have seen employers transform these job into low-pay situations. A major airline, for instance, spun off its reservation business to a subsidiary owned by that same company. The subsidiary then told the employees they were welcome to the jobs, but the jobs would pay less than half the present rate. With that kind of story common, used every day, is it any wonder that housing starts today are 20 percent below the rate of a decade ago?

None of this is happening because corporate profits are too low. In fact, corporate profits are at record levels. This slide in wages is not happening because of high unemployment. Unemployment is less than 6 percent, the lowest in 6 years. The slide is not happening because of a stock market crash. The market has never been higher. What is happening is that fewer and fewer Americans are taking more and more of the economic pie, and so we are seeing a creeping pauperization of this country.

What saddens me is that the current majority in control wants to enact policies that would accelerate this pauperization. They would enact a tax system that would transfer more money from the poor to the rich. They will enact cuts in all kinds of programs, from education to Medicare, that we will pay for that transfer the wealth from the bottom to the top, and they would blame the social ills that flow from all of this on the very poor victims themselves.

Sixty years ago the country was on the verge of a great class struggle. I was there and was of an age that had it indelibly imprinted in my mind, heart, and soul to this day. This was the age of the immense struggle over unionization. It was the age of the picketing line, the lockout, the violence that I witnessed in my hometown and the whole panoply of antilabor laws sought by industrialists who were determined to share no power with the workers of the Nation.

Today we hear our counterpart party Members, Republican Members, accusing Democrats of fomenting class warfare. That is not unlike the segregationist accusing civil rights protesters of being agitators. But the truth is, unless there is an injustice, unless there is a grievance, nobody gets excited by an orator who denounces something as evil or wrong.

The Republicans know that there is injustice, and, if they do not know, then they are far more dense than I ever will believe they are. They know that they are wrong. They should know that people are angry. But they want to blame all this on educators who are guilty of nothing more than telling the truth. If we are about to enter into some kind of class warfare, there can only be one reason for it. Too many people have been pushed too far. We need to understand the fact about what is happening in this country, and what is happening is that too many hard-working Americans are finding that they are losing ground no matter how hard they work, how hard they strive, how frugal they may be. Too many Americans are losing wages and benefits for no good reason at all because they know they are producing more and better goods and doing all the things they are supposed to do to make this a great and growing economy.

No wonder they are beginning to ask, ''Well, what about me? What is my share?'' No wonder they are asking why they cannot plan on being able to retire, or why they cannot afford to get ill, or why they cannot have a decent place to live.

Now there is no question about it because a party identifies itself with these policies. The Republican Party and its policies do not address any of this, and frankly I am not certain that my own party that I have adhered to, the Democrat Party, is doing much more either, which is a terribly sad confession to make to the people of this country who are in urgent need to have some reaction from those sources of power that have been built in their country as forces or institutions that are supposed to meet that. This is the premise for the existence of these two great parties, but twiddle-dee-dee, twiddle-dee-dum, when it comes to these basics, it hurts me. I have always identified as a Democrat, but then the choice was impossible to do otherwise in the manner I came up. But I must

say truthfully today, and I have spoken out, I have antagonized some of my so-called fellow Democrats both here and at home. So what? As we used to say, if the shoe fits, put it on.

So we will see a great, and growing and greater anger in this country. It does not take a genius to predict that. I have seen it. I have had it told, and I have visibly registered. I pride myself in coming from a level that I have never lost contact with the society back home, and I know of the frustration. I know that when people lose hope, then we have trouble. We will see a general revolt as people demand a fair share of the wealth they have helped to create.

□ 1845

As they demand a secure future for themselves and their families, as they demand a decent environment to live and work in.

Mr. Speaker, I hope and pray not to see that. I have seen it in my youth, and I recall to this day the bitterness and the anger and how the scars remained for at least some generations there. True, the Lord has been kind and has preserved me to witness the emergence from those dreary days, but I am fearful, I must confess.

I am never one to have been governed by fear. Fear, I think, is the big enemy all along. I have always tried to act not in reaction to fear, but with as detached and as cool as possible a judgment would enable me to see.

Those who think they saw agitation in the civil rights struggle, those who think they saw unrest during the Vietnam period, did not live through the squalid and violent times through the 1930's as I have, when the Army drove squatters from the Washington areas here with violence, when States tried to keep America from crossing their borders to find work, and when people did not hesitate to fight and die for the right to unionize, or even to protest.

I would not want to see the kind of deprivation that causes that, not again, when there is no need. God has blessed us. We must deserve that blessing too, and make sure that we have wisely and charitably and with consideration made use of this gift of plenty.

Mr. Speaker, if we are to avoid repeating history, I say to my colleagues, we must all listen better. We must all show compassion, and we must all show more concern for ordinary people than I have seen thus far this year, or indeed in recent years. Most of all, we must have a passion for justice that I see as almost entirely missing from this body today. A passion, a passion for justice, not just a desire or a hope, but a passion for justice. An unquieted, uninterrupted passion for justice. I have not seen it, unfortunately, not lately.

To those I say that the American people have never lost their thirst and passion for justice. It is there. They are crying out for it, maybe in a temporary wilderness, maybe not, and sooner or later, one way or the other, they will be heard.

LOOKING BACK TO VIETNAM

The SPEAKER pro tempore (Mr. CRAPO). Under the Speaker's announced policy of May 12, 1995, the gentleman from California [Mr. DORNAN] is recognized for 60 minutes as the designee of the majority leader.

Mr. DORNAN. Thank you, Mr. Speaker. Obviously, I am going to be the last speaker, and most of our colleagues are in automobiles and airplanes heading back to their districts across the country. I will be shortly myself back on the trail. I want to be respectful of our hard-working reporters of official debate. They are understaffed by three people at the end of the week, and this has been a particularly arduous week for them. They can begin a well-deserved rest after they put in the several, more than several hours compiling all of the records today at the end of the day.

So I do not intend to take the hour. I had thought I was going first. Next week is going to be more hectic than this week, and the week after that, before we take our August break, is going to be one rapidly-moving treadmill. But I have something that I must get out to the American people through C–SPAN. There are not many folks in the gallery tonight, and I want this on the record. I will send the written RECORD to people. But it is important.

As with most of my presentations, I will put a bit more energy into it to hold onto my audience than the two preceding presentations. You always like to have a good lead-in with a lot of energy and an exciting topic so you do not lose the C–SPAN audience to the evening news, which is filled with more terror and modern American controversy.

I have promised people in all 50 States, as I have been out there on the campaign trail, that I will do something about McNamara, Robert Strange McNamara's insulting book, cruel book, ripping open the wounds of Vietnam, rending the hearts of now aging mothers and dads and beautiful young widows that are now in middle age with grown up children, and children who were toddlers that are not in their thirties, early forties, late twenties, with families of their own who are still trying to find answers for the agony of Vietnam. Both POW/missing-in-action groups are in town, the League of Families and the Alliance of Families of our missing. I made promises to them.

I believe that of all people to end up in the White House, William Jefferson Blythe Clinton was the last human being of all the 42 Presidents, or anybody who has ever run for President, to normalize relations with war criminals in Hanoi who broke every single paragraph and line, who violated every letter of the spirit and the intent of the Paris peace accords worked out between Le Duc Tho, war criminal, and Henry Kissinger, never described as naive, but certainly naive in this case; they violated all of it. The Communist rulers in Hanoi today, and we see other Members of the other Chamber, the United States Senate, going over there on John F. Kennedy's funeral airplane, literally Kennedy's Air Force One that brought his broken body home from Dallas, the very plane that Lyndon Baines Johnson became President on, the 36th President of the United States, sworn in on that airplane.

That airplane, on a nonbipartisan trip, all members of one party, all of them liberals, all of them with $12.50 of per diem in their pockets, on their way to Hanoi and Saigon to congratulate the war criminals for their victory over at least three of the dominoes, South Vietnam, Cambodia, and Laos.

Mr. Speaker, I have been doing a lot of thinking about my last two special orders where I said I had made an historical statement on this floor, and that I was going to stand by it. My words were taken down, my speaking privileges were removed for the day. I could have appealed the ruling of the Chair. In retrospect, I thought it would have been an easy party line victory that was an historical statement that I used against Mr. Clinton.

I have rethought it, and I said I would do it again on the floor, and I probably will not. There are many ways to discuss history without using words and trying to understand why decent men who are parliamentarians found three simple words worthy of being stricken from the RECORD.

Let me approach this gingerly. Here is the U.S. Constitution. A handful of us carry it around with us almost every day, try to have it every day. Here is article 3, section 3. It gives the definition of treason against the United States.

When the Constitution was written, the United States were always spoken of in plural. As any historian will tell you, this ended with the Civil War where we became truly one union, one entity. So I will explain this as I read section 3, article 3. It said, Treason against the United States shall consist only in levying war against them. ''Them'' means the plural of the handful of States that existed then, the 13 agricultural Colonies of the original United States. It shall consist only in levying war, and war is capitalized, against them. Or, in adhering to their, all 13 States, Enemies, with a capital E, giving them Aid, with a capital A, a simple word, and Comfort, with a capital C.

So there is where the term came from. Aid and Comfort, capital A, capital C, and adhering to their enemies, plural. New sentence: No person shall be convicted of treason unless, on the testimony, for some reason testimony is capitalized, of two witnesses, witnesses capitalized, to the same overt act, two witnesses to an overt act, of

giving aid and comfort to enemies, or a confession in open court.

Now, this says, the Congress shall have power to declare the punishment of treason, but no retainer of treason shall work, corruption of blood or forfeiture, except during the life of the person attained. A rather archaic 1787 language.

Now, because of those words, to put those three words together, enemy in any juxtaposition with two very simple words we use all the time in medicine, giving aid or giving comfort, it constitutes an inference of treason. I never intended to give that inference on the day after the State of the Union, and I have never even applied it to Jane Fonda, because without a declaration of war, which we had in neither Korea or the Vietnam war, we were in the peculiar position of seeing Americans do whatever they felt like to demoralize our troops in the field who were shedding blood, or to assist a Communist cause anywhere in the world and describe it as a nationalist cause, and many people felt that.

With the emergence of McNamara's book, an arrogant and self-serving a piece of writing, and not very good quality writing, at that, and Clinton, in answer to a CNN reporter, Wolf Blitzer by name, that this gave him vindication for what he did overseas during the Vietnam war, it is a stunning offense and hurt to everybody who lost a loved one in the decade of Vietnam's bloodshedding or anyone who is in a wheelchair today, or left a limb behind in Vietnam, or saw a young boyhood friend blown to pieces or die slowly in their arms.

Mr. Speaker, I have several books here that I want to recommend for Americans to read if they think they are qualified to debate me on this subject of our Commander in Chief or Vietnam.

□ 1900

When I was in Des Moines, IA, last March, a Vietnam veteran gave me this book, ''Working-Class War,'' by Christian J.G. Appe, subtitle: American Combat Soldiers in Vietnam. It is a perfect historical piece to describe that Vietnam was fought by working-class kids, the sons, and in the case of the 80 females' names on the wall, Army nurses, almost every one of them, that it was a war where the middle class of America gave up their sons; very few, very few from the Ivy League schools.

The best and the brightest, I believe, were the ROTC students, the graduates of West Point, Annapolis, and the Air Force Academy of Colorado Springs who, by the very volunteer nature of their going to the academies to get a commission, or the ROTC, or the OCS, that they were the best and brightest, standing up to communism in that period.

What triggered my thought response to Mr. Clinton was his reference in the State of the Union, with the Medal of Honor winner sitting up here, who had won the Medal of Honor 6 days past his 17th birthday in the battle of Iwo Jima, he made reference to the cold war, that we have won the cold war. When somebody says ''we,'' they are including themselves in that process.

I cannot think of a single, solitary effort in his entire life that Mr. Clinton gave or performed to have added to the success of what President John F. Kennedy called the long twilight struggle against communism. There are other Members in this Chamber and in the Senate who I do not believe lifted a tiny pinkie in their entire lives to contribute one scintilla of effort to winning that cold war. There are those who never wore the uniform, voted for a strong defense budget, or gave support to our men in uniform; verbally, town hall meetings, with just nothing much more than respect.

There are women, of course, who have never been subject to a draft in this country, mothers who gave their sons, sisters who saw their brothers go off and supported them, wrote to them, kept their morale up, and there are people who are 4–F, God's call, who worked in the defense industry, gave money, or paid their taxes willingly. You can come down a long thermometer of effort to find some tiny contribution, but there are Members of this Chamber and the other body, and Mr. Clinton, who did nothing. If you did nothing, that is better than contributing to the other side.

Mr. Speaker, here is McNamara's ugly, hurtful, self-serving book called ''In Retrospect.'' Let me put something in retrospect. When you read this book, you learn what has stunned me for years, that Mr. McNamara resigned after 7 years in the position of Secretary of Defense, the architect of this war, almost the sole architect, as President Johnson never, ever had a feel for military affairs.

In spite of the fact that he wore a Silver Star to his grave, he did not earn that Silver Star. The B–26 Martin Marauder that he was on on a mission for Sam Rayburn as a Congressman on a leave of duty to be a lieutenant commander, starting at the top is nice, in the U.S. Navy, to bring back some firsthand information for Speaker Sam Rayburn, the aircraft that he was on by name the Harried Hare, H-A-R-E, turned back with a generator problem before it had seen any combat. It was never fired upon. The log shows 1 hour and 5 minutes, about 30 minutes out to the north coast, heading toward the north coast of New Guinea to bomb Lei, came back before it got over the Owen Stanley Mountain Range.

For that he was awarded a Silver Star by PR types in General McArthur's campaign, I am sure MacArthur never knew this, and he accepted this, knowing in his heart he had done nothing but fly a short mission that never went into combat. Even if it had, what was he doing except being hunkered down in the back of an airplane? Men have given their lives to get a Bronze Star with V for valor and have paid for it with their life or their limbs of the health of their body for the rest of their lives.

LBJ let McNamara run rampant for 7 years with this noble cause, as Ronald Reagan always referred to it and still does, and still do I, this noble cause, crippled politically in this Chamber, the other Chamber, and mainly at the White House under LBJ and under Nixon, who by his own admission, on a television show to David Frost, said ''The biggest mistake I made in my career, Mr. Frost, was I did in 1972 in Vietnam what I should have done in 1969. I should have done it all in 1969 my first year in office, and maybe there would not have been killing fields in Cambodia, 1 to 2 million people dead, no 68,000 people executed by death list of our Vietnamese allies, no 100,000 or 200,000 killed in Laos, no 750,000 drowned or torn apart by sharks or human sharks called pirates on the South China seas or along the Thai or Vietnamese coast.'' All of that agony and grief was caused by Nixon waiting to win a second term, raw ego. But Nixon accounts for 18,000, 19,000 names on the wall.

The other 39,000 to 40,000 are LBJ's, so LBJ gave McNamara his head. McNamara resigned on leap year day, February 29, 1968. He was so clever, he thinks, although David Halberstam told me in a radio discussion with me that he does not think McNamara was very bright, and that was the key to the whole thing, in spite of his academic achievement, or his 2 months as president of Ford Motor Co., or less than 90 days, anyway.

He writes in this incredible self-serving book that in his resignation ceremony at the river entrance of the Pentagon, he was supposed to have a fly-by. Who is going to give him a fly-by? Vietnam vets, veterans of aerial combat over Southeast Asia? Maybe a Korean ace thrown in there? What were they going to use, F–100's that I flew in peacetime, or F–4 Phantoms, which were used by Marines, Navy, and Air Force? What were they going to fly for him? F–105 Thunderchiefs, that he decimated the whole 1,000-plane fleet against the hills and thud ridge of the Red River Valley of North Vietnam, so much so that the aircraft picked up a name by the pilots of ''the Thud'' itself, that big, beautiful long Tunderchief? Is that what was going to fly a tribute to Robert Strange McNamara—that is his mother's maiden name, by the way—it really is strange. I feel like calling him Robert Evil McNamara, as does historian Col. Harry Summers. I will call him that. I have called him that.

He resigns on the day that only pops up every 4 years, Presidential years, interestingly, February 29, 1968. Well, God rained on his parade. There was weather, no fly-by. Everybody was drenched. They went inside, and then he took his what appears to be lovely

wife, Marge, and off they go to Aspen, Snow Mass at Aspen.

I took my young kids there, my two young sons, and three daughters stayed home, a month after Saigon fell, to show them millionaire Robert Strange McNamara's home on the ski run at Snow Mass at Aspen, and it was an energy crisis period, and there were tiki lights, burning gas lights, all around this millionaire's hideaway at Aspen.

That is where he went for all of March 1968, and Mr. Speaker, March is when our hospitals in Vietnam and Laos and in the Philippines and Trippler hospital in Hawaii were filled with more wounded than any point or month during the entire war. There were more amputees and double amputees and triple amputees and young men dying in those hospitals and dying on the air shuttle hospital planes back to Hawaii and other hospitals, more people being returned broken to their families, more names were put on that wall in the month of February and March, when he is skiing in Aspen, than any other 2-month period of the entire war.

As a matter of fact, in the first 10 days of the Tet offensive of the month he resigned, I remember the figure, it is pretty easy, 1,111 Americans killed in action. He did not want to touch it, because he was quitting that month. He had given his notice to President Johnson, who let him pick his departure date, Leap Year Day, months before.

I remember Johnson telling Walter Kronkite, in a goodbye or finale audio interview, that McNamara made a speech in Canada that we could never win the war. That is what this book is basically about, only he made that decision in 1963 before we had had any Americans—two dozen were killed in action when he decides we cannot win it, and 58,000 end up paying with their lives, and 100,000 others with broken bodies.

There is a page in here, interestingly, page 105, listen to this. I read this on the floor last week. I feel like doing it every month until I retire from here. He is in Washington, returning from Vietnam, and Kennedy is not in the grave 26 days. This is 1 day shy of Kennedy's assassination day, November 22. This is December 21, 1963. He comments on a secret program that is about to be launched bailing out courageous young South Vietnamese officers into North Vietnam. We did it all that next Spring, and every one of them was captured and tortured to death. Is that fascinating? McNamara sent all these people north to be tortured to death, young Vietnamese officers. In this whole book, he treats our Vietnamese allies in the South disgracefully, either by ignominiously dismissing them, or talking about how corrupt they are, as though the heroes are the Communists up in Hanoi.

He says, McNamara, quoting from his book directly, page 105: ''Upon my return to Washington of December 21, I was less than candid when I reported to the press. Perhaps a senior government official could hardly have been more straightforward in the midst of war.'' He is calling it a war, and it is December, 4 days before Christmas of 1963, 2 dozen men are killed in action. That was over a 2-year period. Jim Davis, the first man killed, on this exact date, December 21 of 1961, so it is 2 years since the first man was killed and we are still under 30.

He says: ''I couldn't have been more straightforward in the midst of a war. I could not fail to recognize the effect discouraging remarks might have on those we strove to support—the South Vietnamese—as well as those we sought to overcome—the Viet Cong and North Vietnamese. It is a profound, enduring, and universal ethical and moral dilemma: How, in times of war and crisis, can senior government officials be completely frank to their own people without giving aid and comfort to the enemy?''

Mr. Speaker, there is the term that got me in trouble, ''aid and comfort to the enemy.'' He is applying that just about a Secretary of Defense at a press conference, being too candid with the press and then transmitting the truth to the American people. Let us flash forward. I will keep this little newspaper clipping at this point in McNamara's book for the rest of my life. Some great-grandchildren will remove it some day and say, ''Interesting similarity.''

Let us flash forward from December 21, 1963, to May 20, 1995. Here is Mr. Clinton, challenging the NRA to donate the proceeds of that controversial letter that was stupidly and offensively written about bucket helmets and jackboots, when it should have merely been written combat helmets and combat boots.

Why were we using M–1 tanks, two of them, M–2 Bradley fighting vehicles, 4 of them, they wanted 14 to assault the compound of a religious cult that was accumulating weapons and seducing young children, children as young as 10, but the women were obviously hostage prisoners, and there were 24 little babies left in there when 51 days later they hit it again, but obviously it was in violation of posse comitatus to use tanks that were not available to Mogadishu 6 months later, let alone all these Bradley fighting vehicles that could have blown through simply-made roadblocks, that caused Rangers to bleed to death all night because we did not have one Bradley or one Abrahms tank 6 months later, 5½ months later in Mogadishu.

Here is the article in the liberal Washington Post, by Ann Devry, and the title again: ''Clinton Challenges NRA to Donate Letter Proceeds.'' Listen to this. He says, ''The money should be given over,'' which is an interesting point, because they, the NRA, made the money by attacking the police. They admitted they did the wrong thing, the NRA, and they ought to give the money up. Interesting, Clinton, who has fought the antigun control forces of the NRA through his Presidency, added ''I hope the NRA knows by now that anyone who pretends that police officers are the enemy is only giving aid and comfort to criminals, who are the real enemy.''

□ 1915

So Clinton likes that term now, aid and comfort to the enemy, the enemy being criminals, if you are criticizing police officers. So, I wonder does he think, it seems to be a Democratic theme at the hearings that two of our subcommittees have joined together to have and that they are having on the Senate side about this atrocity at Waco, and then we will get around to the atrocity, even worse, because of greater loss of life at Oklahoma City. But does Clinton think our hearings are giving aid and comfort to criminals in the street?

Is everybody who belongs to the NRA a criminal for wanting to own, under the Second Amendment, for their own self-defense weapons? Because, as I said in that same speech where four or five of my words were removed, the Second Amendment has nothing to do with hunting. It is not about hunting; hunting mallard ducks or bears or stags or anything. It is about political freedom.

As I said, it is about situations like Grozny in Chechnya, or Bosnia. I did not mention Bosnia, but I did mention 1776. Somebody has to dissect this McNamara book that so cavalierly uses this term from article III, section 3 of the Constitution about aid and comfort.

Now, I took off our computer screen in our office's WordPerfect thesaurus, it is the computer thesaurus on all of our word processors, to look for synonyms for ''aid'' and ''comfort.'' And I got Roget's II Thesaurus, and I decided never again would I use that term, even about Jane Fonda or even about people who, like Tom Hayden, a State senator in California, in violation of our State Constitution, which is far more specific than our beautiful Federal Constitution, because it does not say that you need a declaration of war.

It says anybody that assists or gives aid and comfort to any fighting force in conflict with our men must never be allowed to serve in office in California. And I went there the day years ago when we almost threw Hayden out as an assemblyman. The vote was 36 to 33; 11 people did not have the guts to show up for the vote.

Now, he is in the State senate, serving against our Constitution. Again, somebody who gave aid and comfort to Hanoi. And, unfortunately, we only have 17 Republicans. If he were in the assembly today, he would be thrown out by our California Constitution.

So if you take ''aid'' and look for a synonym, in Roget's II Thesaurus it says ''help.'' That is a verb. Or a noun: ''help'' or ''helper.''

For ''comfort,'' verb. ''Console, solace, soothe, relieve.'' Noun: ''consolation, solace.'' Synonym for enemy: Simple, ''opponent, foe.'' It did not even have ''adversary''; that is too neutral.

You come down to our computer thesauruses, Mr. Speaker, on your own office word offices, to get rid of that word, ''aid.'' You can use ''aid, abet, assist, succor, sustain.'' There is a good word. If you need a noun, which is the way I used it, ''assistance, relief, support, comfort, assistant, attendant supporter.''

If you are looking for another word for ''comfort,'' which the word computer uses perfectly as a synonym for ''aid,'' you could use ''cheer, console, reassure, soothe.'' If a noun is needed, ''consolation, solace, succor, contentment, abundance, luxury.'' It goes off the point here.

''Enemy,'' they use in the thesaurus, ''adversary, antagonist, betrayer, foe.'' A song I learned to sing at 8 years of age: ''Let's remember Pearl Harbor as we did the Alamo, let's remember Pearl Harbor as we go to meet the foe.'' In that case, Japan and Germany and Italy. ''Nemesis, opponent, rival.''

So if I want to talk about Jane Fonda going to Moscow, which she did on the way to Hanoi and on other trips, of course, coming back from Hanoi, if I want to talk about Jane Fonda going to Moscow or Beijing, which she did later when she decided that Russia was not nice to her when she was making Doll House. The unions abused her when she was making the Ibsen movie, I do not think anybody ever saw it in Moscow studios. She decided China was the place of the future, Beijing. She didn't like that much either. She is used to a millionaire lifestyle.

But suppose we said Jane Fonda went to Moscow to help the foe in Hanoi; to sustain the communist forces in Hanoi; to give them assistance and to support. Suppose we said Jane Fonda went to Moscow to sustain and support, to give cheer and to reassure the foe of our fighting forces in Vietnam.

Now, of course she sat in a gun pit. she made radio broadcasts. And when our POWs were released in 1973, and the issue was still in doubt as to whether South Vietnam would prevail as a democracy with 44 newspapers in Saigon, of course there is one now, a communist rag, she called our colleague, PETE PETERSON, on that side of the aisle, and SAM JOHNSON on this side of the aisle, and Senator MCCAIN, on the Republican majority side in the Senate, she called them liars, professional killers, and hypocrites.

If you are scratching your head, Mr. Speaker, colleagues or Americans watching the proceedings, by hypocrite, she meant how could they fight in a war and then, if they were tortured, not expect to the tortured. She knows nothing about the Geneva Convention, so that is hypocritical.

When Bill Clinton went to Moscow, and here is a book I recommend: Clinton Confidential, a Climb to Power, by George Carposi. He and I have chatted on the phone. He wants to show me his research on page 64 to explain this paragraph, and it answers the question that Congressman JOHNSON, Congressman HUNTER, Congressman DORNAN and Congressman CUNNINGHAM, the three of us from California, SAM from Texas, could not get answered on this House floor in September and October. Nobody would phone in this information to our offices, and we were each taking over a thousand calls a day: Why did Clinton go to Moscow for only 2½ days at 27 degrees below zero, 10 inches of snow cover.

And I am at the airport with four wives of missing-in-action heroes, one Marine three Air Force, and we are under arrest. And Ross Perot is cooling his heels in Denmark, at 40 years of age, a billionaire with a 707 filled with food and medicine for the POWs delayed from Christmas. Came all the way around the world, across the Pacific, Vientiane, Laos, down through India, up through Europe and into Copenhagen waiting for clearance as the Russians promised in the Russian embassy, for him to fly it in, even without him on the airplane, even with a Russian crew, to go to Moscow where they would go fly it back to Hanoi.

He never got into Moscow. I was kicked out of the airport. Four of us out of five, including me, coming down with pneumonia, because there was no heating in the old hotel where they locked us up.

What was Clinton doing? Broke. No money. Freezing cold. And he arrived all by himself on New Year's eve with no money. Here is the answer, page 64: Clinton's activities in Moscow remain a mystery in full. He has never discussed with the media ever, ever, Mr. Speaker, to this day, either that trip or his travel to at least one other known defector country, Norway. The defector from NATO, as far as our effort in Vietnam is concerned. However, one phase of his short visit to Moscow has been ascertained.

Clinton attended the January 2, so-called peace rally and banquet held in the National Hotel's ballroom. That is where he was put up, for free, I guess. That had as guest of honor, U.S. Senator Eugene McCarthy, the Minnesota Democrat that was defeated in 1968 by Vice President Humphrey.

There are no other details of Clinton's trip to Moscow, which presumably ended when he boarded another Aeroflot jet, he came down by train from Leningrad, just the next day and the plane took him to Prague, where he stayed for 4 days.

Now, Moscow was far more interesting in that period than Prague, but he stayed for 4 days with an Oxford classmate, Jan Kapold, and that family. Jan's grandmother and I discussed this with a Czechoslovakian gentleman at this hall today. I had forgotten her name and he knew it right off of the top of his head. The woman whose party threw Jan Masaryk, the Czech hero during World War II, out of the window and called it a suicide.

Jan, one of his classmates at Oxford, her grandmother was Maria Smernova. Not even a Czech. She was a Rumanian, I found out from this gentleman. And this author, George Carposi of this book, Clinton Confidential, went up to the Czechoslovakian consulate in New York and found out that she was truly the founder of the Communist party in Czechoslovakia just after World War II. The murderers Jan Masaryk.

And she was its first president, a position she still held when Clinton stayed with them in Prague in 1970. And the book gets more interesting than that on every level; Whitewater, personal life, everything.

Mr. Speaker, that is the sixth book that has come out last year. And if people want to check with me about why I wear a Clinton countdown watch that shows 473 days until a glorious election, I hope, November 5, 1996, when the Grand Old Party controls, hopefully, again this distinguished body of parliamentarians and the House of Lords, as I lovingly call the U.S. Senate.

If we can control the White House and sync up those three bodies of power, maybe we can begin to roll back $5 trillion worth of debt that has been heaped on my nine grandchildren and my five grown children and my Sally and me and we have a 10th grandchild well on the way. Maybe we can do that.

But to do it, we cannot do this with kid gloves, as my Navy-attack, torpedo-bomber-pilot, 58-combat-mission friend George Bush tried to do. We have to take the gloves off. Honorably, Marquess of Queensbury debate rules, looking for the proper synonyms of ''sustenance'' and ''solace'' and ''comfort'' and ''sustaining'' and find other words for Hanoi than the word I, unfortunately, used. Use ''foe,'' ''adversary,'' ''Communist killer,'' ''war criminal''; a lot of other ways to describe this.

And you are going to have to read some other books if you want to be one step ahead of me. I have not found one Congressman or Senator yet who has read The Rise of Bill Clinton, that is the subtitle, On The Make, by Meridith Oakley.

This book is by a young female reporter who is shown here with Bill Clinton as the attorney general back in 1978; a picture with young Meridith Oakley who followed his entire career. That came out less than 2 years ago.

And then it was followed by Bob Woodward's book, ''The Agenda.'' How many Congressmen and Senators have read this? Look at this fascinating confrontation on page 287. Senator BOB KERRY, medal of honor winner, arguing with Clinton over the greatest tax increase in the history of civilization. In all of recorded history, nothing has been as massive as the Democratic-engineered tax increase of the summer of 1993. Not a single Republican on this

side of the aisle, or in the other body, voted for it.

KERRY does not want to vote for it, the Medal of Honor winner who left a leg on an island in Vietnam. Clinton pleads with KERRY that he needs his vote. ''My presidency is going to go down now,'' he said sharply, by now shouting at the top of his voice. KERRY comes back, ''I do not like the argument that I am bringing the presidency down.''

Hey, this is by a Pulitzer Prize winner. Maybe commander and hero of advocacy journalism, Bob Woodward. His name is as big as the title on the book. In the paperback it says ''Bob Woodward's The Agenda.'' He is a hot author.

He has Kerry saying, ''I don't like the argument that I am bringing the presidency down,'' he shouted back getting fed up. Clinton shouted that the defeat would do precisely that. KERRY could not flee from his responsibility.

By the way, Mr. Speaker, KERRY eventually voted for the big tax increase, but he extracted a good price; the commission that our colleague, CHRIS COX was on that JUDD GREGG of New Hampshire cochaired, where KERRY and JUDD GREGG, two U.S. Senators said, in 20 years there will only be three lines in the U.S. budget: interest on the debt, Social Security, and Medicare. No Coast Guard lighthouses, no Marine Corps, no tower operators, crime running wild in the streets. Just three items. KERRY extracted that from him.

Clinton shouts ''You are going to wreck my presidency.'' And KERRY says, bottom of page 287, The Agenda, ''I really resent the argument that somehow I am responsible for your presidency surviving,'' KERRY bellowed, is the word Bob Woodward chose.

Clinton comes back. The ultimate four-letter word, there are pages in the Chamber, the ultimate four-letter word followed by the pronoun ''you,'' Clinton yelled. Turn page. When I read this book I cold not hardly move fast enough to see if what KERRY's rejoinder was; whether he was going to echo the President. He did not.

KERRY felt he always tried to be respectful of the Commander in Chief, but he also wanted to defend himself and he continued shouting back. Clinton pressed on two themes. He had to have KERRY's vote. ''I need it,'' he said at one point plaintively. ''I need it.'' He also said that if KERRY denied him the vote, KERRY would wreak national havoc.

I've got the responsibility for me,'' KERRY replied. Now he is not shouting. ''I have got my vote. My vote matters. I vote based upon what I believe is right' always have. I don't particularly on big issues like this, like to shave it and so that's where it is.'' ''Fine,'' said Clinton brusquely. ''Okay. If that's what you want to do, go do it.'' Both crushed their phones down.

□ 1930

Interesting verb. Crushed their phones down. Clinton was irate, turned to his advisers after the conversation and said, ''It is going to be a no.'' No was a yes. Got to read the Agenda. This is the one that talks about purple rages, lava flowing from the top of his head, the Commander-in-Chief treating George Stephanopolous like an abused wife. Book two, Agenda.

Then out came—let me get these two straight now. Yes, inside the White House, Ronald Kessler, seen him do several interviews, best-selling author of the FBI and inside the CIA. Subtitle: The Hidden Lives of the Modern Presidents and the Secrets of the World's Most Powerful Institution.

It was the revelations of the Kennedys that sold the book. And Inside the White House, the cooks talk, the butlers talk, the Secret Service talks, the hired help talk. And what the revelation says is what the British would call is all about unseemly speech in front of the hired help and explosions and domestic quarrels. Book three.

Book four. Young picture of handsome Bill Clinton looking for all the world like Mickey Rooney with a lot of hair, honest, open, innocent face, looks like a Dornan in a way. Biography of Bill Clinton, first in his class. And it does not mean that he graduated first in grade school, high school, college. It means he was first of the baby boomers to achieve such raw naked power.

Another winner of a Pulitizer Prize, David Moraniss, M-O-R-A-N-I-S-S. I ought to give the publishers on these.

On the Make, Regnery; Bob Woodward, Simon and Shuster; Inside the White House, Pocketbooks; First in His Class, back to Simon and Shuster again.

Seen a lot of interviews with this man. This was serialized for 4 days, 3 or 4 days in the liberal Washington Post. Fascinating book. Read this and you will understand why there is chaos in our country and why every other week Clinton alternates in a race back to the center or back to his liberal core of beliefs.

And in between all of this, Mr. Speaker, and my colleagues, if you read this book, POW, written in our bicentennial year or written for over a 3-year period, researched over 5 or 6, published in 1976 by John G. Hubell, H-U-B-E-L-L, association with Andrew Jones, and Kenneth Tomlinson, this book, POW, will tell you about why the Vietnamese are war criminals.

You will read lines like this from one-term Senator Jerry Denton, a more honorable and decent man I have never served with at either Chamber. He was so tortured, the white heat coursing through his body, the white, red-hot pain, that he was sure his spine would snap. Jerry had never known pain to equal this.

SAM JOHNSON, the same. Do not understand that you could suffer such pain and not lose consciousness. Stockdale, same thing. Robby Reisner, same thing.

And these men, the ones that are most tortured, the ones that won the Medal of Honor, the Medal of Honor with valor written across it, the only word on the Medal of Honor, by sustaining unbelievable torture so as not to make a broadcast, they begged William Jefferson Blythe Clinton, do not normalize relations with the war criminals.

I came across a quote from Senator Denton the other day. They are all—all the POWs are going to have a reunion in Annapolis this weekend. I was going to go up there, and then I talked to one, and they said, ''We are really just going to have a few beers and share some good memories and some awful memories.'' And they said, ''We would love to have you, but no politics.'' And I decided, no, that is their moment. This is just that incredible band of brothers that suffered so under the war criminals that are now laughing in our face in Hanoi.

If you read this working-class war, read POW, you do not have to read such else about Vietnam.

This week coming up, we will dedicate the Korean War Memorial, the war that I joined at 19 and was mercifully on my to pilot training when it ended so I never had to shoot at another mother's son or end up broken or a POW.

My dad always told me about World War I. His prayer was, ''Take me to heaven, Lord, but don't burn me and don't cripple me.'' And his prayers were answered, although he had three wounds, two of them for poison gas.

I was raised in a military family. I understand what sacrifice is all about. The brave die but once, cowards die a thousand times.

And those that did not understand that this cold war was exactly what Kennedy called it, a twilight struggle against what Pope Pius the 11th called the intrinsic horrible evil of communism, those who did not want to join any noble cause or any part of that struggle against communism, they can laugh themselves all the way to Hanoi and back, all the way to Havana and back, all the way to Moscow and back, all the way to Beijing and back, but they still in the end have to live with themselves and their delusions that we were the imperialist interventionist, evil bad guys, we were the enemy of Vietnam.

I remember that Pogo line being thrown in my face by college, smart-ass punks saying, we have met the enemy, the enemy is us, we are the evil ones. Ho Chi Minh is George Washington. He is the arrow. I can hear Clinton repeating all of that at the teaching he did at London while he was giving a class at Oxford. On the way back, he told them, ''Get lost. I can do anything I want.''

Senator MCCAIN told about the war, and I have got to rake JOHN over the coals for that, that normalization was

a 48 Hours story. No, Senator, it is not a 48 Hours story.

The Committee on Rules gave us our day in court today. We will have a debate on this floor about no money going toward setting up a U.S. embassy in an enemy-foe-adversary-opponent capital where the war criminals, those who actually got the blood of our men on their hands, lieutenant colonels and the majors, they are now the ones that are the colonels and the generals in the political military/political leaders.

The war criminals have taken over, the ones that are not dead that are older, like General Giap who sent 13- and 12-year-olds into battle to die, who had a thousand people, most of them civilians, executed along the Pearl River during McNamara's cowardly bug-out month, during February 1968, 5,000 people executed. That was under Giap's order.

Giap is the one who sent hundreds of thousands of young peasant children to die against B–52s that McNamara was using improperly in this 7 years of his crime.

I had a major, Army major, he is now a U.S. Congressman from Indiana, come up to me and say, Mr. Chairman, he is on my personnel committee, why can we not subpoena Kissinger and Eagleburger and current Secretary Winston Lord to tell us why everything went wrong with the Paris Peace Accords, why we never got a single live prisoner back from Laos, not one? A couple before the war really spooled up who escaped, and one after in 1974, but who—civilian was shot down after the war was won. It was over in Vietnam. Why did we not get back 399 men shot down in Laos?

And I said, you know, it is a simple idea. I said, we should have Kissinger. We will not have to subpoena him. He is a good man. He will come. So will Larry Eagleburer. I know Larry. So will Winston Lord. He did not come this time, but he will next time. He knows I am ready to subpoena anybody who does not want to come and face up to this ugly book of McNamara's.

Then STEVE BUYER came to me, Congressman BUYER of Indiana, just a few days ago. He wrote me a letter. He says:

> ''Why can't we subpoena Robert Strange McNamara to come before the full National Security Committee and answer for this book? Why can't he help us write laws so that no Defense Secretary or no President ever again will allow American fighting men to be called 'detained by a hostile power' instead of 'prisoners,' why he will allow our people to be treated as criminals and air pirates instead of respectful fighting men following the orders of their country?''

You notice, Mr. Speaker, we never called Scott O'Grady a prisoner of war for the 6 days he was missing. We did not hardly have a title for him. They gagged on the words ''detained by hostile power.'' They did not know what to call it. Was it a hostage?

What penalty have the Bosnian Serbs paid for destroying a $125 million piece of American equipment and trying to kill one of our officers? Nothing.

Instead, we are starting to put men in there with a man who avoided serving his country three times and the last time had an induction date of July 28, 1969, politically suppressed, reversed, obliterated, and mauled by a Governor, Senator Fulbright, by the draft board and by completely deviously telling the commander of the ROTC at Arkansas that he fully intended to join the ROTC unit, which obviously he did not, was already making plans to go back to Oxford and set up demonstrations on October 15, on October—and November 15.

Remember that it was Hanoi who called Clinton's organized November 15, 1969, demonstrations the fall offensive. That was a Communist title from the foe in Hanoi. The adversary, opponent, the killers of our Americans, the foe of the Hanoi called it the fall offensive and Clinton was part of the fall offensive. Sympathetic, coordinated demonstrations against the United States of America in Stockholm, Oslo, Helsinki, he visited all those capitals within days, in Moscow, London, Paris, New York, Washington, D.C., and I think in Atlanta, I know in L.A., San Francisco, and I know in Chicago, all coordinated worldwide.

I have just had an intelligence officer write to me that the Communists in Hanoi were obsessed with their image synching because Jeremiah Denton, POW, some day to become a U.S. Senator from Alabama, had tapped out with his eyelashes the words torture.

And then Bob Frischman came back. I met with him after he had been debriefed, had no elbow, saw his picture in prison holding up his arms, one arm with no elbow, let his wounds heal improperly. He was released early for some public relations reason. And Bob Frischman came back and told the horror stories of torture.

I do not know why my friend, Melvin Laird, served here for almost three decades, maybe more than that, he was Secretary of Defense under Richard Nixon, replacing Clark Clifford's 1-year tenure who replaced McNamara after McNamara's 7. He went through the 7 days of January, 1969, all of February, all of March, all of April, and all of June.

I was dying during this period because I knew what was going on in Hanoi. On July 10, 1969, Mel Laird had a massive press conference at the Pentagon, full world-court press, and said, ''Our men are being tortured in Hanoi, some to death.''

The story built through August, September, October, November, December, January, February, and this intelligence officer is sending me intercepts that he had in Tan Son Nhut.

Monday, I toured the NSA for 4 or 5 hours, National Security Agency. That is where we listen to everything around the whole world. NSA was as big then as it is now. They were listening to all the communist traffic that they were obsessed with, covering the torture stories. And did they find a hero in a Hill staffer who served in this House and has now gone to the Senate? They sure did. He went down with a Government camera, Government film that he later sold to Life Magazine and took pictures of the so-called tiger cages on Con Son Island, 125 miles southeast of Saigon and said, ''Well, we are brutalizing them.'' They had their story.

Life Magazine published these purloined Government pictures, and that story began to go around the world feeding people like Jane Fonda. At that time, she was still going to orgies with Roger Vadim in Paris, but it ricocheted around the world that oh, my God, the Americans are torturing people just like the Vietnamese, so they are all hypocrites. One story cancels out the other.

PHIL CRANE told me this week that as a freshman Congressman he was in Taiwan on a fact-finding trip by himself. He got a call from Saigon, headquarters at Tan Son Nhut. Come on down here, Congressman, and we will send you out to the Con Son tiger cages to show you that they have been cleverly photographed, and they are not the brutal places of imprisonment used to counter the stories of our men, truthful stories of being tortured and beaten to death.

And PHIL CRANE told me he will get the pictures for me, that he brought them to the House floor here all blown up, late 1970s showed them. Said he will give them free to any of the press but not to Life Magazine.

□ 1945

Some people published them as a big story in ''Human Events'' they are sending me Monday, and PHIL CRANE did his best as a freshman Congressman to try to counter the damage done to our fighting men in prison in Hanoi by the efforts to say that we did to them what they were doing to our men, and it just was not true.

I will never forget Jane Fonda when we returned the North Vietnamese and Viet Cong prisoners across the divide on the DMZ, the 17th parallel. Jane Fonda said, ''Well, you notice that all of these men are on crutches, and they're amputees, and none of our prisoners have a single amputation because they killed everybody or allowed them to die if they lost an arm or a leg.'' We patched up the North Vietnamese prisoners. That was obvious to a premed student, to a high school or grade school kid, that people survived our captivity with arms and legs gone, but not a single American came home with a limb missing or in bad mental state. If an American lost his sanity in prison, Irkle Beale, J.J. Connell, they were taken off and either murdered or allowed to die. Some of their remains have come home, and some of their remains have not come home.

So, if anybody out there across America wants to discuss this with me, they have got a lot of reading to do. It

is fascinating reading. It is current history. It is current events. It will give you an understanding and a feel for the men and women who wear the uniform, not just in our military services, but in the Coast Guard and in all of our law enforcement agencies, marshals, sheriffs, deputy sheriffs, cops up and down the line in all cities, American towns, and villages, and hamlets, people who will give their life not just for your life, but for your property.

Read this material, and you will understand why BOB DORNAN is sometimes aggressive, sometimes passionate, always dedicated, and always wanting to keep my eye focused on changing the leadership at the top to sync up with the worthy people up and down the chain of command like the 19 men who died in Mogadishu on October 3, 4, and 6, 1993, deaths that I predicted on this House floor in September and October of 1992, that I said would happen if we put someone into the White House who did not understand this dangerous world we live in.

I wanted to speak shorter than this, and I apologize to the official reporters, but obviously to this American this is very, very important, and I would point out, Mr. Speaker, and those that try to keep some modicum of civility here on this House floor, that I did not mention a book called ''Passion and Betrayal,'' which was the sixth book called ''Passion and Betrayal,'' which was the sixth book to come out in the past 18 months because I believe that book should be called ''Lust and I Got Just What I Deserved'' because you cannot make a credible case with a bimbo against somebody who traffics in that kind of person.

So I do not recommend reading what the Washington Post recommended people read because they said it was the first long-awaited Presidential pornography and it is about time was the reviewers smart-aleck attitude in recommending that dumb book. Do not waste time. Do not look for articles in Playboy or Penthouse, although somebody told me there is even a factual article in Penthouse last month and the month before, that you really can get away with saying you read the articles. Do not do that. Read these five books. Read the McNamara book. Try to get it from a library. Do not give him any money. And read ''Working Class War,'' and you will understand why some of us are passionate, and it is not a 48-hour story.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. GOODLING (at the request of Mr. ARMEY), for July 20 after 6 p.m. and for today, on account of illness.

Mr. DREIER at the request of Mr. ARMEY), for today, on account of personal reasons.

Mr. CRANE (at the request of Mr. ARMEY), for today, on account of illness in the family.

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 Mrs. SCHROEDER) to revise and extend their remarks and include extraneous material:)

Mr. OWENS, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

Ms. JACKSON-LEE, for 5 minutes, today.

Mr. PALLONE, 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 Mrs. SCHROEDER) and to include extraneous matter:)

Mr. CONYERS.

Mr. JACOBS.

Mr. SERRANO.

Mr. JOHNSON of South Dakota.

Ms. HARMAN.

Mr. MCNULTY.

Mr. NADLER.

Mr. LIPINSKI.

Ms. NORTON, in two instances.

Mr. MILLER of California.

Mrs. MALONEY.

Mr. COLEMAN.

Ms. JACKSON-LEE.

Mr. RICHARDSON.

(The following Members (at the request of Mr. GOSS) and to include extraneous matter:)

Mr. CRANE.

Mr. GOODLING.

Mr. BLUTE.

Mrs. ROUKEMA.

Mr. COOLEY.

Mr. GILMAN.

Mr. FRANKS of New Jersey.

Mr. PACKARD.

ENROLLED BILLS SIGNED

Mr. THOMAS, from the Committee on House Oversight, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was signed by the Speaker:

H.R. 1944. An act making emergency supplemental appropriations for additional disaster assistance, for anti-terrorism initiatives, for assistance in the recovery from the tragedy that occurred at Oklahoma City, and making rescissions for the fiscal year ending September 30, 1995, and for other purposes.

ADJOURNMENT

Mr. DORNAN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 50 minutes p.m.), under its previous order, the House adjourned until Monday, July 24, 1995, at 10:30 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1238. A communication from the President of the United States, transmitting his request to make available appropriations totaling $100,000,000 in budget authority for the Department of Health and Human Services for the Low Income Home Energy Assistance Program and to designate the amount made available as an emergency requirement pursuant to section 251(a)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, pursuant to the provisions of Public Law 103–333 (H. Doc. No. 104–102); to the Committee on Appropriations and ordered to be printed.

1239. A letter from the Director, Office of Management and Budget, Director, Congressional Budget Office, transmitting a joint report pursuant to section 329 of the Riegle Community Development and Regulatory Improvement Act of 1994; to the Committee on Banking and Financial Services.

1240. A letter from the Chairman, Nuclear Regulatory Commission, transmitting a report on abnormal occurrences at licensed nuclear facilities for the first quarter of calendar year 1995, pursuant to 42 U.S.C. 5848; to the Committee on Commerce.

1241. A letter from the Director, Defense Security Assistance Agency, transmitting a copy of Transmittal No. E–95 which relates to enhancements or upgrades from the level of sensitivity of technology or capability described in section 36(b)(1) AECA certification 91–19 of May 25, 1991, pursuant to 22 U.S.C. 2776(b)(5); to the Committee on International Relations.

1242. A letter from the Archivist of the United States, National Archives and Records Administration, transmitting notification to Congress that Floyd B. Justice, the inspector general of the National Archives and Records Administration, has accepted a position with the Department of State's Office of Inspector General, pursuant to Public Law 95–452, sec. 8E(e) (102 Stat. 2524); to the Committee on Government Reform and Oversight.

1243. A letter from the Deputy Executive Director, Reserve Officers Association of the United States, transmitting a copy of the report of audit for the year ending March 31, 1995 of the association's accounts, pursuant to 36 U.S.C. 1101(41) and 1103; to the Committee on the Judiciary.

1244. A letter from the Administrator, Federal Aviation Administration, transmitting the Administration's report on a study on reflectorization of taxiway and runway markers, pursuant to Public Law 102–581, section 126(b) (106 Stat. 4885); to the Committee on Transportation and Infrastructure.

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. MCINNIS: Committee on Rules. House Resolution 197. Resolution providing for the consideration of the bill (H.R. 70) to permit exports of certain domestically produced crude oil, and for other purposes (Rept. 104–198). Referred to the House Calendar.

Mr. WALKER: Committee on Science. H.R. 1814. A bill to authorize appropriations for environmental research, development, and demonstration activities of the Environmental Protection Agency for fiscal year 1996, and for other purposes; with an amendment (Rept. 104–199). Referred to the Committee of the Whole House on the State of the Union.

Mr. GOSS: Committee on Rules. House Resolution 198. Resolution providing for the consideration of the bill (H.R. 2076) making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 1996, and for other purposes (Rept. 104–200). Referred to the House Calendar.

Mr. LEWIS of California: Committee on Appropriations. H.R. 2099. A bill making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for fiscal year ending September 30, 1996, and for other purposes (Rept. 104–201). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. LUTHER (for himself, Mr. GEPHARDT, and Mr. CONDIT):

H.R. 2090. A bill to reduce the number of executive branch political appointees; to the Committee on Government Reform and Oversight.

By Mr. ANDREWS:

H.R. 2091. A bill to exclude certain veterans' compensation and pension amounts from consideration as adjusted income for purposes of determining the amount of rent paid by a family for a dwelling unit assisted under the United States Housing Act of 1937; to the Committee on Banking and Financial Services.

By Mr. BARR (for himself, Mr. MARTINEZ, Mr. HEINEMAN, Mr. SCHIFF, Mr. BERMAN, Mr. SERRANO, and Mr. BRYANT of Tennessee):

H.R. 2092. A bill to expedite State reviews of criminal records of applicants for private security officer employment, and for other purposes; to the Committee on Economic and Educational Opportunities, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. CHENOWETH (for herself, and Mr. CRAPO):

H.R. 2093. A bill to amend the Federal Crop Insurance Act to include seed crops among the list of crops specifically covered under the noninsured crop disaster assistance program; to the Committee on Agriculture.

By Mrs. CHENOWETH:

H.R. 2094. A bill to amend section 1864 of title 18, United States Code, relating to tree spiking, to add avoidance costs as a punishable result; to the Committee on the Judiciary.

By Ms. FURSE:

H.R. 2095. A bill to amend the Internal Revenue Code to provide that capital gains not be recognized if invested in certain small businesses; to the Committee on Ways and Means.

By Mrs. MINK of Hawaii:

H.R. 2096. A bill to amend title 10, United States Code, to extend eligibility to use the military health care system and commissary stores to an unremarried former spouse of a member of the uniformed services if the member performed at least 20 years of service which is creditable in determining the member's eligibility for retired pay and the former spouse was married to the member for a period of at least 17 years during those years of service; to the Committee on National Security.

By Mr. SERRANO:

H.R. 2097. A bill to amend the Internal Revenue Code of 1986 to provide a tax credit for investment necessary to revitalize communities within the United States, and for other purposes; to the Committee on Ways and Means.

By Mr. SMITH of Michigan (for himself and Mr. SHAYS):

H.R. 2098. A bill to amend title 31, United States Code, to authorize the Secretary of the Treasury to manage the cash positions of the U.S. Government whenever it is unable to borrow sufficient funds to meet its needs; to the Committee on Ways and Means.

By Mr. LEWIS of California:

H.R. 2099. A bill making appropriations for the Department of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for fiscal year ending September 30, 1996, and for other purposes.

By Mr. STOCKMAN:

H. Res. 199. Resolution amending clause 2 of rule XXII of the Rules of the House to prohibit the introduction or consideration of legislation designating a building or any other structure in honor of a person who is serving or has served as a Member of Congress, a Federal judge, or an officer of the executive branch before the date that is 5 years after the person has retired from that office; to the Committee on Rules.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

140. By the SPEAKER: Memorial of the Senate of the State of Nevada, relative to urging the Congress of the United States to adopt proposals that are equitable to all States for regulating the air quality within the area surrounding the Grand Canyon; to the Committee on Commerce.

141. Also, memorial of the Senate of the State of Nevada, relative to the visitor facilities program at the Hoover Dam; to the Committee on Resources.

142. Also, memorial of the Senate of the State of Nevada, relative to urging the Congress of the United States to approve the designation of the National Highway System; 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. 109: Mrs. THURMAN.
H.R. 244: Mr. ANDREWS.
H.R. 359: Ms. RIVERS.
H.R. 468: Mrs. THURMAN.
H.R. 475: Mr. HAYWORTH.
H.R. 528: Mr. FROST.
H.R. 549: Mrs. THURMAN.
H.R. 743: Mr. BILBRAY.
H.R. 783: Mr. COBURN.
H.R. 785: Ms. LOFGREN.
H.R. 803: Ms. DUNN of Washington.
H.R. 881: Mr. SMITH of New Jersey.
H.R. 957: Mr. STEARNS, Mr. FRELINGHUYSEN, and Mr. DOYLE.
H.R. 974: Mr. STUPAK and Mr. HASTINGS of Florida.
H.R. 1003: Mrs. KENNELLY and Mr. TRAFICANT.
H.R. 1046: Mr. ENGEL.
H.R. 1061: Ms. HARMON, Mr. LEWIS of California, Mr. DOOLITTLE, Mr. FRAZER, and Mrs. KELLY.
H.R. 1090: Mr. MONTGOMERY.
H.R. 1161: Mr. HINCHEY.
H.R. 1384: Mr. WARD and Mr. RAHALL.
H.R. 1385: Mr. DOYLE.
H.R. 1430: Ms. LOFGREN.
H.R. 1501: Mr. BASS, Mr. BRYANT of Tennessee, and Mr. HOSTETTLER.
H.R. 1532: Mr. BISHOP.
H.R. 1560: Mr. HOLDEN.
H.R. 1566: Mr. SMITH of New Jersey.
H.R. 1604: Mrs. ROUKEMA.
H.R. 1610: Mr. FAZIO of California.
H.R. 1637: Mr. HOUGHTON, Mrs. COLLINS of Illinois, and Mr. HYDE.
H.R. 1661: Mr. PALLONE, Mr. ROEMER, Mr. ZIMMER, Mr. DUNCAN, Mr. LUTHER, Mr. BRYANT of Tennessee, Mr. RAHALL, Mr. KLECZKA, Mr. HOUGHTON, Mr. COYNE, Mrs. MALONEY, Mr. FORBES, Mr. PAXON, Mr. HUTCHINSON, and Mr. WICKER.
H.R. 1709: Mr. BARRETT of Wisconsin, Mr. DELLUMS, Mr. JOHNSTON of Florida, Mr. LUTHER, Mr. VENTO, and Mr. WILLIAMS.
H.R. 1744: Ms. ESHOO, Mr. SENSENBRENNER, Mrs. COLLINS of Illinois, Mr. DOOLEY, and Mr. PETRI.
H.R. 177: Mr. GOSS, Mr. SANDERS, and Mr. BARRETT of Wisconsin.
H.R. 1776: Ms. NORTON and Ms. MCCARTHY.
H.R. 1791: Mr. ROBERTS, Mr. VOLKMER, Mr. CRAPO, Mr. PETE GEREN of Texas, and Mr. MCDERMOTT.
H.R. 1833: Mr. MCCOLLUM, Mr. BACHUS, Mr. BROWNBACK, Mr. RAHALL, Mr. BAKER of Louisiana, Mr. BARR, Mr. PARKER, Mr. HERGER, Mr. RADANOVICH, Mr. RIGGS, Mr. SAM JOHNSON, and Mr. MANTON.
H.R. 1866: Mr. MURTHA, Mr. JOHNSTON of Florida, Mr. DELAY, Mr. CASTLE, and Mr. KING.
H.R. 1872: Ms. NORTON, Mr. BRYANT of Texas, and Mr. FRANK of Massachusetts.
H.R. 1893: Mr. WOLF, Mr. LIPINSKI, Ms. RIVERS, Mr. WALSH, and Mr. MANTON.
H.R. 1915: Mr. GUTKNECHT.
H.R. 1972: Mr. CHAMBLISS, Mr. BEREUTER, Mr. HORN, and Mr. TANNER.
H.R. 1973: Mr. BARRETT of Wisconsin, Mr. DEUTSCH, Mr. GEJDENSON, Mr. HOEKSTRA, Mr. KILDEE, Mr. LUTHER, Ms. NORTON, Mr. OBERSTAR, Ms. VELÁZQUEZ, and Mr. VENTO.
H.R. 1994: Mr. SKEEN.
H.R. 2008: Mr. GUTIERREZ.
H.R. 2026: Mr. LIPINSKI, Ms. NORTON, and Mr. BOEHLERT.
H.R. 2030: Mr. CARDIN, Mr. CLYBURN, Mrs. COLLINS of Illinois, Ms. DELAURO, Mr. DOOLEY, Mr. DURBIN, Mr. HALL of Ohio, Ms. KAPTUR, Mr. KENNEDY of Massachusetts, Mr. KLINK, Mr. LEWIS of Georgia, Mr. LIPINSKI, and Ms. SLAUGHTER.
H.R. 2066: Mr. CUNNINGHAM, Mr. GUNDERSON, and Mr. MILLER of California.
H. Con. Res. 42: Mr. BARRETT of Wisconsin, Mr. BONIOR, and Mr. FILNER.
H. Con. Res. 47: Mr. COYNE, Mr. GALLEGLY, Mr. BECERRA, Mrs. JOHNSON of Connecticut, Mr. KING, and Mr. NEAL of Massachusetts.
H. Con. Res. 79: Mr. GENE GREEN of Texas and Ms. MCKINNEY.
H. Res. 174: Mr. BRYANT of Texas, Mr. MINGE, Mrs. MALONEY, Mrs. MEEK of Florida, Mr. EVANS, Mr. TORKILDSEN, Mr. DEUTSCH, Mr. BERMAN, Mr. RUSH, Mr. VENTO, Mr. FRANK of Massachusetts, Mr. STARK, Mr. WILLIAMS, Mr. OWENS, Mr. YATES, Mr. GEJDENSON, Mr. MORAN, and Mr. JACOBS.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, sponsors were deleted from public bills and resolutions as follows:

H.R. 1404: Mr. PAYNE of Virginia.

DISCHARGE PETITIONS—ADDITIONS OR DELETIONS

The following Members added their names to the following discharge petitions:

Petition 4 by Mr. BRYANT on House Resolutions 127: Fortney Pete Stark.

AMENDMENTS

Under clause 6 of rule XXIII, proposed amendments were submitted as follows:

H.R. 70

OFFERED BY: MR. MILLER OF CALIFORNIA

AMENDMENT NO. 1 Page 6, line 17, strike the closing quotation marks, semicolon, and ''and''.

Page 6, and after line 17, insert the following:

''(7) The total average daily volume of exports allowed under this subsection in any calendar year shall not exceed the amount by which the total average daily volume of oil delivered through the Trans-Alaska Pipeline System during the preceding calendar year exceeded 1,350,000 barrels per calendar day.''.

H.R. 70

OFFERED BY: MR. TRAFICANT

AMENDMENT NO. 2: Page 5, line 14, insert ''constructed in the United states,'' after ''vessell''.

H.R. 70

OFFERED BY: MR. YOUNG OF ALASKA

(Amendment in the Nature of a Substitute)

AMENDMENT NO. 3: Strike all after the enacting clause and insert the following:

SECTION 1. EXPORTS OF ALASKAN NORTH SLOPE OIL.

Section 28 of the Mineral Leasing Act (30 U.S.C. 185) is amended by amending subsection (s) to read as follows:

''EXPORTS OF ALASKAN NORTH SLOPE OIL

''(s)(1) Subject to paragraphs (2) through (6) of this subsection and notwithstanding any other provision of this Act or any other provision of law (including any regulation) applicable to the export of oil transported by pipeline over right-of-way granted pursuant to section 203 of the Trans-Alaska Pipeline Authorization Act (43 U.S.C. 1652), such oil may be exported unless the President finds that exportation of this oil is not in the national interest. The President shall make his national interest determination within five months of the date of enactment of this subsection. In evaluating whether exports of this oil are in the national interest, the President shall at a minimum consider—

''(A) whether exports of this oil would diminish the total quantity or quality of petroleum available to the United States;

''(B) the results of an appropriate environmental review, including consideration of appropriate measures to mitigate any potential adverse effects of exports of this oil on the environment, which shall be completed within four months of the date of the enactment of this subsection; and

''(C) whether exports of this oil are likely to cause sustained material oil supply shortages or sustained oil prices significantly above world market levels that would cause sustained material adverse employment effects in the United States or that would cause substantial harm to consumers, including noncontiguous States and Pacific territories.

If the President determines that exports of this oil are in the national interest, he may impose such terms and conditions (other than a volume limitation) as are necessary or appropriate to ensure that such exports are consistent with the national interest.

''(2) Except in the case of oil exported to a country with which the United States entered into a bilateral international oil supply agreement before November 26, 1979, or to a country pursuant to the International Emergency Oil Sharing Plan of the International Energy Agency, any oil transported by pipeline over right-of-way granted pursuant to section 203 of the Trans-Alaska Pipeline Authorization Act (43 U.S.C. 1652) shall, when exported, be transported by a vessel documented under the laws of the United States and owned by a citizen of the United States (as determined in accordance with section 2 of the Shipping Act, 1916 (46 U.S.C. App. 802)).

''(3) Nothing in this subsection shall restrict the authority of the President under the Constitution, the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.), or the National Emergencies Act (50 U.S.C. 1601 et seq.) to prohibit exports of this oil or under Part B of title II of the Energy Policy and Conservation Act (42 U.S.C. 6271–76).

''(4) The Secretary of Commerce shall issue any rules necessary for implementation of the President's national interest determination, including any licensing requirements and conditions, within 30 days of the date of such determination by the President. The Secretary of Commerce shall consult with the Secretary of Energy in administering the provisions of this subsection.

''(5) If the Secretary of Commerce finds that exporting oil under authority of this subsection has caused sustained material oil supply shortages or sustained oil prices significantly above world market levels and further finds that these supply shortages or price increases have caused or are likely to cause sustained material adverse employment effects in the United States, the Secretary of Commerce, in consultation with the Secretary of Energy, may recommend, and the President may take, appropriate action concerning exports of this oil, which may include modifying or revoking authority to export such oil.

''(6) Administrative action under this subsection is not subject to sections 551 and 553 through 559 of title 5, United States Code.''.

SEC. 2. GAO REPORT.

(a) REVIEW.—The Comptroller General of the United States shall conduct a review of energy production in California and Alaska and the effects of Alaskan North Slope oil exports, if any, on consumers, independent refiners, and shipbuilding and ship repair yards on the West Coast and in Hawaii. The Comptroller General shall commence this review two years after the date of enactment of this Act and, within six months after commencing the review, shall provide a report to the Committee on Energy and Natural Resources of the Senate and the Committee on Resources and the Committee on Commerce of the House of Representatives.

(b) CONTENTS OF REPORT.—The report shall contain a statement of the principal findings of the review and recommendations for Congress and the President to address job loss in the shipbuilding and ship repair industry on the West Coast, as well as adverse impacts on consumers and refiners on the West Coast and in Hawaii, that the Comptroller General attributes to Alaska North Slope oil exports.

H.R. 2002

OFFERED BY: MR. ANDREWS

AMENDMENT NO. 18: Page 15, line 8, strike ''$1,600,000,000'' and insert ''$1,563,000,000''.

H.R. 2002

OFFERED BY: MR. ANDREWS

AMENDMENT NO. 19: Page 54, after line 24, insert the following:

SEC. 346. None of the funds in this Act may be used for planning or execution of the military airport program.

H.R. 2002

OFFERED BY: MR. COBURN

AMENDMENT NO. 20: Page 30, line 19, strike ''$200,000,000'' and insert ''$135,000,000''.

H.R. 2002

OFFERED BY: MS. DANNER

AMENDMENT NO. 21.: Page 25, line 25, strike ''$2,000,000,000'' and insert ''$1,974,000,000''.

Page 26, line 1, before the colon insert ''and $26,000,000 of budget authority shall be available solely for purposes of 49 U.S.C. 5311''.

H.R. 2002

OFFERED BY: MR. KIM

AMENDMENT NO. 22: Page 12, line 7, strike ''$4,600,000,000'' and insert ''$4,582,500,000''.

H.R. 2002

OFFERED BY: MR. LATOURETTE

AMENDMENT NO. 23: Page 2, line 8, strike ''$55,011,500'' and insert ''$49,011,500''.

Page 7, line 20, strike ''$2,566,000,000'' and insert '$2,572,000,000''.

H.R. 2002

OFFERED BY: MR. LATOURETTE

AMENDMENT NO. 24: Page 2, line 8, after the fist dollar amount, insert the following: ''(reduced by $6,000,000)''.

Page 7, line 20, after the dollar amount, insert the following: ''(increased by $6,000,000)''.

H.R. 2002

OFFERED BY: MR. LATOURETTE

AMENDMENT NO. 25: At the end of the bill, add the following new title:

TITLE V—ADDITIONAL GENERAL PROVISIONS

SEC. 501. None of the funds made available in this Act may be used to close, consolidate, realign, or reduce to seasonal status any Coast Guard multimission small boat station.

H.R. 2002

OFFERED BY: MR. SMITH OF MICHIGAN

AMENDMENT NO. 26: Page 16, line 6, strike ''$495,381,000'' and insert ''$402,131,000''.

H.R. 2002

OFFERED BY: MR. SMITH OF MICHIGAN

AMENDMENT NO. 27: Page 26, line 8, strike ''$6,000,000'' and insert ''$3,000,000''.

H.R. 2076

OFFERED BY: MR. BARR

AMENDMENT NO. 2: At the appropriate place, insert the following:

Sec. Limitation on the Use of Funds for Diplomatic Facilities in Vietnam

None of the funds appropriated or otherwise made available by this Act may be obligated or expended to pay for any cost incurred for (1) opening or operating any United States diplomatic or consular post in the Socialist Republic of Vietnam that was not operating on July 11, 1995; (2) expanding any United States diplomatic or consular post in the Socialist Republic of Vietnam that was operating on July 11, 1995; or (3) increasing the total number of personnel assigned to United States diplomatic or consular posts in the Socialist Republic of Vietnam above the levels existing on July 11, 1995.

H.R. 2076

OFFERED BY: MR. MOLLOHAN

AMENDMENT NO. 3: Page 24, line 6, strike ''$2,000,000,000'', and all that follows through ''1995'' on line 9, and insert the following:

''$1,790,000,000 shall be for Public Safety and Community Policing Grants authorized by section 10003 of the 1994 Act; and $210,000,000 shall be for carrying out the crime prevention programs authorized under sections 30202,. 30307, 30702, 31904, 31921, 32101, 40121, and 50001 of the 1994 Act''.

H.R. 2076

OFFERED BY: MR. MOLLOHAN

AMENDMENT NO. 4: On page 24, line 13, strike ''$475,000,000'' and insert ''$505,000,000''

On page 24, line 18, strike ''$300,000,000'' and insert ''$270,000,000''.

H.R. 2076

OFFERED BY: MR. MOLLOHAN

AMENDMENT NO. 5: On page 43, line 2, strike ': Provided, That'' and all that follows through ''grants'' on line 10.

H.R. 2076

OFFERED BY: MR. MOLLOHAN

AMENDMENT NO. 6: On page 44, line 4, strike ''$1,690,452,000'' and insert ''$1,752,652,000''.

On page 44, line 14, strike ''$1,687,452,000'' and insert ''$1,749,652,000''.

On page 43, line 16, strike ''$60,000,000'' and insert ''$50,000,000''.

On page 45, line 14, strike ''$42,731,000'' and insert ''$32,731,000''.

On page 51, line 4, strike ''$2,411,024,000'' and insert ''$2,388,824,000''.

On page 57, line 4, strike ''$1,716,878,000'' and insert ''$1,706,878,000''.

On page 59, line 3, strike ''$363,276,000'' and insert ''$353,276,000''.

H.R. 2076

OFFERED BY: MR. PORTMAN

AMENDMENT NO. 7: Page 51, line 4, strike ''$2,411,024,000'' and insert ''$2,409,024,000''.

Page 51, line 6, strike ''$14,454,000'' and insert ''$13,454,000''.

Page 51, line 8, strike ''$11,000,000'' and insert ''$10,000,000''.

H.R. 2076

OFFERED BY: MR. RICHARDSON

AMENDMENT NO. 8: Page 57, line 4, after the dollar amount, insert the following: ''(reduced by $500,000)''.

Page 72, line 20, strike ''$28,000,000'' and insert ''$28,500,000''.

H.R. 2076

OFFERED BY: MR. STENHOLM

AMENDMENT NO. 9: Page 80, line 19, strike ''$278,000,000'' and insert ''$250,000,000''.

Page 80, line 20, strike ''$265,000,000'' and insert ''$237,000,000''.

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PROCEEDINGS AND DEBATES OF THE 104th CONGRESS, FIRST SESSION

Vol. 141 WASHINGTON, FRIDAY, JULY 21, 1995 No. 119

Senate

(Legislative day of Monday, July 10, 1995)

The Senate met at 9 a.m., on the expiration of the recess, and was called to order by the President pro tempore [Mr. THURMOND].

PRAYER

The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer:

Gracious Father of all the families of the Earth, this Sunday we institute Parent's Day. We pray that this special day, established by Congress and signed into law by the President, will be a day to recall America to a new commitment to the family.

We ask You to bless parents as they live out the high calling of being parents. Help them to learn from the way You parent all of us as Your children. You have shown us Your faithfulness, righteousness, and truthfulness. You never leave or forsake us; You respond to our wants with what is ultimately best for our real needs. You love us so much that You press us to become all that You intended.

As parents, we commit ourselves to moral purity, absolute honesty, and consistent integrity. Help us to be dependable people in whom our children experience tough love and tender acceptance along with a bracing challenge to excellence and responsibility. May our example of patriotism raise up a new generation of Americans who love You and their country.

Be with parents when they grow weary, become discouraged, or feel that they have failed. Be their comfort and courage. Remind them they are partners with You in launching children into the adventure of living for Your glory and by Your grace. Amen.

RECOGNITION OF THE ACTING MAJORITY LEADER

The PRESIDENT pro tempore. The able acting majority leader.

SCHEDULE

Mr. BURNS. Mr. President, I wish to mention that this morning the leaders' time has been reserved and the Senate will begin consideration of H.R. 1817, the Milcon appropriations bill. Under the consent agreement entered into last night, at 10:20 this morning the Senate will resume consideration of the rescissions bill. At that time, there will be 40 minutes of debate remaining and as many as three stacked rollcall votes to occur following the debate at approximately 11 a.m. Senators should therefore expect votes throughout today's session of the Senate.

With that, I yield the floor.

Mr. MURKOWSKI addressed the Chair.

The PRESIDENT pro tempore. The able Senator from Alaska.

Mr. MURKOWSKI. Mr. President, I wonder if I could have unanimous consent for about a minute as in morning business to introduce a bill.

The PRESIDING OFFICER (Mr. SANTORUM). Is there objection to the request of the Senator from Alaska? Without objection, it is so ordered.

Mr. MURKOWSKI. Good morning, Mr. President. I thank my colleagues, the Senator from Montana and the Senator from California, who have been so gracious to extend me a minute this morning.

(The remarks of Mr. MURKOWSKI pertaining to the introduction of S. 1054 are located in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

MILITARY CONSTRUCTION APPROPRIATIONS, 1996

The PRESIDING OFFICER. Under the previous order, the Senate will now proceed to the consideration of H.R. 1817, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (H.R. 1817) making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 1996, and for other purposes.

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on Appropriations, with amendments, as follows:

(The parts of the bill intended to be stricken are shown in boldface brackets and the parts of the bill intended to be inserted are shown in italic.)

H.R. 1817

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 1996, for military construction, family housing, and base realignment and closure functions administered by the Department of Defense, and for other purposes, namely:

MILITARY CONSTRUCTION, ARMY

(INCLUDING RESCISSIONS)

For acquisition, construction, installation, and equipment of temporary or permanent public works, military installations, facilities, and real property for the Army as currently authorized by law, including personnel in the Army Corps of Engineers and other personal services necessary for the purposes of this appropriation, and for construction and operation of facilities in support of the functions of the Commander in Chief, **[**$611,608,000**]** *$496,664,000,* to remain available until September 30, 2000: *Provided,* That of this amount, not to exceed **[**$50,778,000**]** *$44,034,000* shall be available for study, planning, design, architect and engineer services, as authorized by law, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of his determination and the reasons therefor*: Provided further, That of the funds appropriated for ''Military Construction, Army'' under Public Law 102–143, $6,245,000 is hereby rescinded.*

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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MILITARY CONSTRUCTION, NAVY

For acquisition, construction, installation, and equipment of temporary or permanent public works, naval installations, facilities, and real property for the Navy as currently authorized by law, including personnel in the Naval Facilities Engineering Command and other personal services necessary for the purposes of this appropriation, [$588,243,000] *$542,186,000*, to remain available until September 30, 2000: *Provided*, That of this amount, not to exceed [$66,184,000] *$49,477,000* shall be available for study, planning, design, architect and engineer services, as authorized by law, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of his determination and the reasons therefor.

MILITARY CONSTRUCTION, AIR FORCE

(INCLUDING RESCISSIONS)

For acquisition, construction, installation, and equipment of temporary or permanent public works, military installations, facilities, and real property for the Air Force as currently authorized by law, [$578,841,000] *$532,616,000*, to remain available until September 30, 2000: *Provided*, That of this amount, not to exceed [$49,021,000] *$23,894,000* shall be available for study, planning, design, architect and engineer services, as authorized by law, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of his determination and the reasons therefor*: Provided further, That of the funds appropriated for ''Military Construction, Air Force'' under Public Law 102–136, $2,765,000 is hereby rescinded: Provided further, That of the funds appropriated for ''Military Construction, Air Force'' under Public Law 102–368, $13,240,000 is hereby rescinded*.

MILITARY CONSTRUCTION, DEFENSE-WIDE

(INCLUDING TRANSFER OF FUNDS *AND RESCISSIONS*)

For acquisition, construction, installation, and equipment of temporary or permanent public works, installations, facilities, and real property for activities and agencies of the Department of Defense (other than the military departments), as currently authorized by law, [$728,332,000] *$818,078,000*, to remain available until September 30, 2000: *Provided*, That such amounts of this appropriation as may be determined by the Secretary of Defense may be transferred to such appropriations of the Department of Defense available for military construction or family housing as he may designate, to be merged with and to be available for the same purposes, and for the same time period, as the appropriation or fund to which transferred: *Provided further*, That of the amount appropriated, not to exceed [$68,837,000] *$83,992,000* shall be available for study, planning, design, architect and engineer services, as authorized by law, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of his determination and the reasons therefor*: Provided further, That of the funds appropriated for ''Military Construction, Defense-wide'' under Public Law 101–519, $3,234,000 is hereby rescinded: Provided further, That of the funds appropriated for ''Military Construction, Defense-wide'' under Public Law 102–136, $6,800,000 is hereby rescinded: Provided further, That of the funds appropriated for ''Military Construction, Defense-wide'' under Public Law 102–380, $8,590,000 is hereby rescinded: Provided further, That of the funds appropriated for ''Military Construction, Defense-wide'' under Public Law 103–110, $8,131,000 is hereby rescinded*.

MILITARY CONSTRUCTION, ARMY NATIONAL GUARD

(INCLUDING RESCISSIONS)

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Army National Guard, and contributions therefor, as authorized by chapter 133 of title 10, United States Code, and military construction authorization Acts, [$72,537,000] *$93,121,000*, to remain available until September 30, 2000.

MILITARY CONSTRUCTION, AIR NATIONAL GUARD

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Air National Guard, and contributions therefor, as authorized by chapter 133 of title 10, United States Code, and military construction authorization Acts, [$118,267,000] *$134,422,000*, to remain available until September 30, 2000*: Provided, That of the funds appropriated for ''Military Construction, Air National Guard'' under Public Law 103–110, $6,700,000 is hereby rescinded*.

MILITARY CONSTRUCTION, ARMY RESERVE

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Army Reserve as authorized by chapter 133 of title 10, United States Code, and military construction authorization Acts, [$42,963,000] *$48,141,000*, to remain available until September 30, 2000.

MILITARY CONSTRUCTION, NAVAL RESERVE

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the reserve components of the Navy and Marine Corps as authorized by chapter 133 of title 10, United States Code, and military construction authorization Acts, [$19,655,000] *$7,920,000*, to remain available until September 30, 2000.

MILITARY CONSTRUCTION, AIR FORCE RESERVE

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Air Force Reserve as authorized by chapter 133 of title 10, United States Code, and military construction authorization Acts, [$31,502,000] *$32,297,000*, to remain available until September 30, 2000.

NORTH ATLANTIC TREATY ORGANIZATION SECURITY INVESTMENT PROGRAM

For the United States share of the cost of the North Atlantic Treaty Organization Security Investment Program for the acquisition and construction of military facilities and installations (including international military headquarters) and for related expenses for the collective defense of the North Atlantic Treaty Area as authorized in military construction authorization Acts and section 2806 of title 10, United States Code, $161,000,000, to remain available until expended.

FAMILY HOUSING, ARMY

For expenses of family housing for the Army for construction, including acquisition, replacement, addition, expansion, extension and alteration and for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, as follows: for Construction, [$126,400,000] *$71,752,000*, to remain available until September 30, 2000; for Operation and maintenance, and for debt payment, [$1,337,596,000] *$1,339,196,000*; in all [$1,463,996,000] *$1,410,948,000*.

FAMILY HOUSING, NAVY AND MARINE CORPS

For expenses of family housing for the Navy and Marine Corps for construction, including acquisition, replacement, addition, expansion, extension and alteration and for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, as follows: for Construction, [$531,289,000] *$504,467,000*, to remain available until September 30, 2000; for Operation and maintenance, and for debt payment, [$1,048,329,000] *$1,051,929,000*; in all [$1,579,618,000] *$1,556,396,000*.

FAMILY HOUSING, AIR FORCE

For expenses of family housing for the Air Force for construction, including acquisition, replacement, addition, expansion, extension and alteration and for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, as follows: for Construction, [$294,503,000] *$261,137,000*, to remain available until September 30, 2000; for Operation and maintenance, and for debt payment, [$863,213,000] *$850,059,000*; in all [$1,150,730,000] *$1,111,196,000*.

FAMILY HOUSING, DEFENSE-WIDE

For expenses of family housing for the activities and agencies of the Department of Defense (other than the military departments) for construction, including acquisition, replacement, addition, expansion, extension, and alteration, and for operation and maintenance, leasing, and minor construction, as authorized by law, as follows: for Construction, $3,772,000, to remain available for obligation until September 30, 2000; for Operation and maintenance, [$30,467,000] *$42,367,000*; in all [$34,239,000] *$46,139,000*.

DEPARTMENT OF DEFENSE FAMILY HOUSING IMPROVEMENT FUND

(INCLUDING TRANSFER OF FUNDS)

For the Department of Defense Family Housing Improvement Fund, $22,000,000, to remain available until [expended] *September 30, 2000*: *Provided*, That, subject to thirty days prior notification to the Committees on Appropriations, such additional amounts as may be determined by the Secretary of Defense may be transferred to this Fund from amounts appropriated in this Act for Construction in ''Family Housing'' accounts, to be merged with and to be available for the same purposes and for the same period of time as amounts appropriated directly to that Fund: *Provided further*, That appropriations made available to the Fund in this Act shall be available to cover the costs, as defined in section 502(5) of the Congressional Budget Act of 1974, of direct loans or loan guarantees issued by the Department of Defense pursuant to the provisions of, and amendments made by, the National Defense Authorization Act for fiscal year 1996 pertaining to alternative means of acquiring and improving military family housing and supporting facilities.

HOMEOWNERS ASSISTANCE FUND, DEFENSE

For use in the Homeowners Assistance Fund established by section 1013(d) of the Demonstration Cities and Metropolitan Development Act of 1966, as amended (42 U.S.C. 3374), $75,586,000, to remain available until expended.

BASE REALIGNMENT AND CLOSURE ACCOUNT, PART II

For deposit into the Department of Defense Base Closure Account 1990 established by section 2906(a)(1) of the Department of Defense Authorization Act, 1991 (Public Law 101–510), $964,843,000, to remain available until expended: *Provided*, That not more than [$224,800,000] *$325,800,000* of the funds appropriated herein shall be available solely for environmental restoration.

BASE REALIGNMENT AND CLOSURE ACCOUNT, PART III

For deposit into the Department of Defense Base Closure Account 1990 established by section 2906(a)(1) of the Department of Defense Authorization Act, 1991 (Public Law 101–510), $2,148,480,000, to remain available until expended: *Provided*, That not more than [$232,300,000] *$236,700,000* of the funds appropriated herein shall be available solely for environmental restoration.

BASE REALIGNMENT AND CLOSURE ACCOUNT, PART IV

For deposit into the Department of Defense Base Closure Account 1990 established by section 2906(a)(1) of the Department of Defense Authorization Act, 1991 (Public Law 101–510), $784,569,000, to remain available until expended: *Provided*, That such funds will be available for construction only to the extent detailed budget justification is transmitted to the Committees on Appropriations: *Provided further*, That such funds are available solely for the approved 1995 base realignments and closures.

GENERAL PROVISIONS

SEC. 101. None of the funds appropriated in Military Construction Appropriations Acts shall be expended for payments under a cost-plus-a-fixed-fee contract for work, where cost estimates exceed $25,000, to be performed within the United States, except Alaska, without the specific approval in writing of the Secretary of Defense setting forth the reasons therefor: *Provided*, That the foregoing shall not apply in the case of contracts for environmental restoration at an installation that is being closed or realigned where payments are made from a Base Realignment and Closure Account.

SEC. 102. Funds appropriated to the Department of Defense for construction shall be available for hire of passenger motor vehicles.

SEC. 103. Funds appropriated to the Department of Defense for construction may be used for advances to the Federal Highway Administration, Department of Transportation, for the construction of access roads as authorized by section 210 of title 23, United States Code, when projects authorized therein are certified as important to the national defense by the Secretary of Defense.

SEC. 104. None of the funds appropriated in this Act may be used to begin construction of new bases inside the continental United States for which specific appropriations have not been made.

SEC. 105. No part of the funds provided in Military Construction Appropriations Acts shall be used for purchase of land or land easements in excess of 100 per centum of the value as determined by the Army Corps of Engineers or the Naval Facilities Engineering Command, except (a) where there is a determination of value by a Federal court, or (b) purchases negotiated by the Attorney General or his designee, or (c) where the estimated value is less than $25,000, or (d) as otherwise determined by the Secretary of Defense to be in the public interest.

SEC. 106. None of the funds appropriated in Military Construction Appropriations Acts shall be used to (1) acquire land, (2) provide for site preparation, or (3) install utilities for any family housing, except housing for which funds have been made available in annual Military Construction Appropriations Acts.

SEC. 107. None of the funds appropriated in Military Construction Appropriations Acts for minor construction may be used to transfer or relocate any activity from one base or installation to another, without prior notification to the Committees on Appropriations.

SEC. 108. No part of the funds appropriated in Military Construction Appropriations Acts may be used for the procurement of steel for any construction project or activity for which American steel producers, fabricators, and manufacturers have been denied the opportunity to compete for such steel procurement.

SEC. 109. None of the funds available to the Department of Defense for military construction or family housing during the current fiscal year may be used to pay real property taxes in any foreign nation.

SEC. 110. None of the funds appropriated in Military Construction Appropriations Acts may be used to initiate a new installation overseas without prior notification to the Committees on Appropriations.

SEC. 111. None of the funds appropriated in Military Construction Appropriations Acts may be obligated for architect and engineer contracts estimated by the Government to exceed $500,000 for projects to be accomplished in Japan, in any NATO member country, or [in] *countries bordering* the Arabian Gulf, unless such contracts are awarded to United States firms or United States firms in joint venture with host nation firms.

SEC. 112. None of the funds appropriated in Military Construction Appropriations Acts for military construction in the United States territories and possessions in the Pacific and on Kwajalein Atoll, or in *countries bordering* the Arabian Gulf, may be used to award any contract estimated by the Government to exceed $1,000,000 to a foreign contractor: *Provided*, That this section shall not be applicable to contract awards for which the lowest responsive and responsible bid of a United States contractor exceeds the lowest responsive and responsible bid of a foreign contractor by greater than 20 per centum.

SEC. 113. The Secretary of Defense is to inform the appropriate Committees of Congress, including the Committees on Appropriations, of the plans and scope of any proposed military exercise involving United States personnel thirty days prior to its occurring, if amounts expended for construction, either temporary or permanent, are anticipated to exceed $100,000.

SEC. 114. Not more than 20 per centum of the appropriations in Military Construction Appropriations Acts which are limited for obligation during the current fiscal year shall be obligated during the last two months of the fiscal year.

(TRANSFER OF FUNDS)

SEC. 115. Funds appropriated to the Department of Defense for construction in prior years shall be available for construction authorized for each such military department by the authorizations enacted into law during the current session of Congress.

SEC. 116. For military construction or family housing projects that are being completed with funds otherwise expired or lapsed for obligation, expired or lapsed funds may be used to pay the cost of associated supervision, inspection, overhead, engineering and design on those projects and on subsequent claims, if any.

SEC. 117. Notwithstanding any other provision of law, any funds appropriated to a military department or defense agency for the construction of military projects may be obligated for a military construction project or contract, or for any portion of such a project or contract, at any time before the end of the fourth fiscal year after the fiscal year for which funds for such project were appropriated if the funds obligated for such project (1) are obligated from funds available for military construction projects, and (2) do not exceed the amount appropriated for such project, plus any amount by which the cost of such project is increased pursuant to law.

(TRANSFER OF FUNDS)

SEC. 118. During the five-year period after appropriations available to the Department of Defense for military construction and family housing operation and maintenance and construction have expired for obligation, upon a determination that such appropriations will not be necessary for the liquidation of obligations or for making authorized adjustments to such appropriations for obligations incurred during the period of availability of such appropriations, unobligated balances of such appropriations may be transferred into the appropriation ''Foreign Currency Fluctuations, Construction, Defense'' to be merged with and to be available for the same time period and for the same purposes as the appropriation to which transferred.

SEC. 119. The Secretary of Defense is to provide the Committees on Appropriations of the Senate and the House of Representatives with an annual report by February 15, containing details of the specific actions proposed to be taken by the Department of Defense during the current fiscal year to encourage other member nations of the North Atlantic Treaty Organization, Japan, Korea, and United States allies [in] *bordering* the Arabian Gulf to assume a greater share of the common defense burden of such nations and the United States.

(TRANSFER OF FUNDS)

SEC. 120. During the current fiscal year, in addition to any other transfer authority available to the Department of Defense, proceeds deposited to the Department of Defense Base Closure Account established by section 207(a)(1) of the Defense Authorization Amendments and Base Closure and Realignment Act (Public Law 100–526) pursuant to section 207(a)(2)(C) of such Act, may be transferred to the account established by section 2906(a)(1) of the Department of Defense Authorization Act, 1991, to be merged with, and to be available for the same purposes and the same time period as that account.

[SEC. 121. No funds appropriated pursuant to this Act may be expended by an entity unless the entity agrees that in expending the assistance 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'').

[SEC. 122. (a) In the case of any equipment or products that may be authorized to be purchased with financial assistance provided under this Act, it is the sense of the Congress that entities receiving such assistance should, in expending the assistance, purchase only American-made equipment and products.

[(b) In providing financial assistance under this Act, the Secretary of the Treasury shall provide to each recipient of the assistance a notice describing the statement made in subsection (a) by the Congress.

[(TRANSFER OF FUNDS)

[SEC. 123. During the current fiscal year, in addition to any other transfer authority available to the Department of Defense, amounts may be transferred among the Fund established by section 1013(d) of the Demonstration Cities and Metropolitan Development Act of 1966 (42 U.S.C. 3374); the account established by section 2906(a)(1) of the Department of Defense Authorization Act, 1991; and appropriations available to the Department of Defense for the Homeowners Assistance Program of the Department of Defense. Any amounts so transferred shall be merged with and be available for the same purposes and for the same time period as the fund, account, or appropriation to which transferred.

[SEC. 124. The Army shall use George Air Force Base as the interim airhead for the

National Training Center at Fort Irwin until Barstow-Daggett reaches Initial Operational Capability as the permanent airhead.

[SEC. 125. (a) In order to ensure the continued protection and enhancement of the open spaces of Fort Sheridan, the Secretary of the Army shall convey to the Lake County Forest Preserve District, Illinois (in this section referred to as the ''District''), all right, title, and interest of the United States to a parcel of surplus real property at Fort Sheridan consisting of approximately 290 acres located north of the southerly boundary line of the historic district at the post, including improvements thereon.

[(b) As consideration for the conveyance by the Secretary of the Army of the parcel of real property under subsection (a), the District shall provide maintenance and care to the remaining Fort Sheridan cemetery, pursuant to an agreement to be entered into between the District and the Secretary.

[(c) The Secretary of the Army is also authorized to convey the remaining surplus property at former Fort Sheridan to the Fort Sheridan Joint Planning Committee, or its successor, for an amount no less than the fair market value (as determined by the Secretary of the Army) of the property to be conveyed.

[(d) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the real property (including improvements thereon) to be conveyed under subsections (a) and (c) shall be determined by surveys satisfactory to the Secretary. The cost of such surveys shall be borne by the Lake County Forest Preserve District, and the Fort Sheridan Joint Planning Committee, respectively.

[(e) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyance under this section as the Secretary considers appropriate to protect the interests of the United States.]

SEC. 125. None of the funds appropriated in this Act may be transferred to or obligated from the Pentagon Reservation Facility Renovation (Phase I), unless the Secretary of Defense certifies that the total cost for the planning design, construction and installation of equipment for the renovation of the Pentagon Reservation will not exceed $1,218,000,000.

SEC. 126. In addition to amounts appropriated elsewhere in this Act, $228,098,000 is hereby appropriated, to remain available until September 30, 2000, to the following accounts in the amounts specified:

Military Construction, Army, 1996/2000, $20,000,000;

Military Construction, Navy, 1996/2000, $10,400,000;

Military Construction, Air Force, 1996/2000, $37,000,000;

Military Construction, Defense-Wide, 1996/2000, $10,000,000;

Military Construction, Army National Guard, 1996/2000, $63,236,000;

Military Construction, Army Reserve, 1996/2000, $35,282,000;

Military Construction, Air National Guard, 1996/2000, $34,550,000;

Military Construction, Air Force Reserve, 1996/2000, $3,150,000;

Family Housing, Navy and Marine Corps, 1996/2000, $8,480,000; and

Family Housing, Air Force, 1996/2000, $6,000,000.

This Act may be cited as the ''Military Construction Appropriations Act, 1996''.

PRIVILEGE OF THE FLOOR

Mr. BURNS. Mr. President, I ask unanimous consent that Warren Johnson be given floor privileges during consideration of this legislation.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. Mr. President, I ask unanimous consent that Debbie Allen, a congressional fellow in my office, be extended floor privileges during the pendency of this action.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BURNS. Mr. President, I am pleased to bring before the Senate the military construction appropriations bill and report for fiscal year 1996.

Mr. President, this bill was reported out of the full Appropriations Committee on Wednesday. The bill recommended by the full Committee on Appropriations is for $11.159 billion. This is $461 million over the budget request, $18 million under the House bill, and $2.424 billion over the level enacted last year. Compared to last year's enacted level, the budget proposed a $2 billion increase in the regular military construction program.

Also, I am pleased to report to the Senate that the bill is within the committee's 602(b) budget allocation for both budget authority and outlays.

Mr. President, it has not been easy putting this bill together. Earlier this year, the subcommittee received an allocation that provided for a $461 million increase to the budget request. However, $161 million of this amount provides for a transfer from the Defense appropriation to the military construction appropriation for the Pentagon renovation.

This account was put into the Defense bill in 1993 in the form of a revolving fund. By putting it back into the military construction appropriation we will bring more visibility to the program. This transfer means our allocation is really $180 million under the House.

The Committee on Appropriations in the House approved an appropriations bill that was $500 million over the budget request.

Mr. President, this bill has some points I want to mention. The bill fully funds the base closure and realignment accounts. This include $784 million for this year's round of base closures. This has been an extremely difficult year for many States with regard to the brac process. We made sure that there would be no impediments to moving forward with the decisions that the President has approved. Mr. President, this account makes up 35 percent of our appropriation.

However, I am extremely concerned with the growth of this program. The base closure program cannot replace a regular military construction program. Our military bases that will remain open will have investment requirements which must be met. But as the base closure program grows, it will continue to crowd out the regular military construction program.

In addition, the subcommittee is asking the General Accounting Office to help us evaluate the future requests for the base closure accounts. If the Department is unable to get the cost of base closures under control, it has a responsibility to reorient other priorities in the Defense budget so adequate funding is available to pay for the routine military construction requirements of the active services and the Guard and Reserve.

We supported the Secretary's initiative to provide more housing to our military members. This is part of the $4.2 billion included in this bill for family housing.

We did not, however, support the Air Force's request to build new senior and general officer quarters. We will not support building new homes for generals when there are families of enlisted people on waiting lists for homes.

We also addressed the shortfalls that continue to plague our Reserve component; $263 million was added for the Reserve component. In each case these funds are for quality of life or readiness.

Mr. President, the administration has available to it the same information the subcommittee has. The administration knows that the construction backlog of the Army Guard, the Air Guard, the Army Reserve, the Navy Reserve, and the Air Force Reserve is billions of dollars and that backlog is growing, even as the force levels are being reduced.

So against this construction requirement, the administration budgeted only $182 million for the entire Guard and Reserve component of the Department of Defense. We could not allow this to happen.

We have only reduced the administration request of $179 million for the NATO Security Investment Program by 10 percent. We believe this is a responsible reduction considering the requirements that may be put upon NATO in the near future.

Mr. President, before I close I want to thank the ranking minority member for his participation and his contributions to the subcommittee this year. I also want to thank Dick D'Amato of his staff as well and Warren Johnson and Jim Morhard on my staff. We would not have gotten here without their tireless work.

Mr. President, at this time, I yield the floor to my friend from Nevada, the distinguished minority member.

Mr. REID addressed the Chair.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. Mr. President, I fully support the recommendations in this bill that is now before the Senate. I compliment the chairman of the subcommittee, the distinguished Senator from Montana [Mr. BURNS], for his excellent work and that of his staff.

The chairman of the subcommittee and I have enjoyed an open and productive working relationship in bringing the recommendations in this bill to the Senate.

As the chairman mentioned, this bill emphasizes quality of life, particularly in family housing in barracks for single

soldiers. It funds the Secretary of Defense's initiative to get the private sector into the military housing market and help relieve some of the tremendous backlog of needs for both new and renovated housing, which averages over 30 years of age throughout the services. We have homes that people are living in that are over 50 years old in many installations throughout the United States.

My colleagues might wonder why this bill is the only subcommittee mark above the level of a fiscal year 1995 freeze. The reason is that the very large amount was needed to fund the base closure and realignment accounts, as the chairman has already indicated, almost $4 billion, or more than a third of the entire amount recommended in the bill. In spite of this, we met our 602(b) allocation.

Without the need to fund the downsizing of the military through the BRAC process, the bill would be almost $2 billion below the freeze level. Otherwise, Mr. President, the bill is extremely frugal. Overseas construction has been reduced somewhat, as has NATO funding, which this Member believes should be the beginning of a down path to have the European Community bear a more fair share of their burden in NATO.

I commend the chairman for taking the many requests from Senators to include projects in this bill. This is necessitated, in large part, because the Department of Defense has again, as it has in the past, refused to adequately fund the construction projects for the National Guard and Reserve, requiring the subcommittee to review many worthy projects suggested by Senators and the Guard and Reserves and to come up with a fair and equitable solution to the problem.

I add, Mr. President, in time of crisis, we rely heavily on the Guard and Reserve. During the gulf war crisis, we called upon the Guard and Reserve to bear more than their share of the burden, especially based on how we have funded them in the past. It simply would be unfair to not give them some consideration simply because they have been ignored by the Pentagon.

The administration requested only $182 million for the Guard and Reserve, compared to $574 million appropriated in fiscal year 1995. We are well below last year's level, recommending $452 million, which is a 20-percent reduction. The subcommittee has used strict criteria for evaluating these projects suggested by Members, and a strong effort was made to take all Members' interest into consideration.

While no Senator that I am aware of has been fully satisfied, I think the result is as fair and equitable as possible, given the significant budget constraints that we are working under.

Mr. President, I believe that this is a good product, and I hope that the Senate will support it.

I thank at this time the staff director, Jim Morhard and his assistant, Warren Johnson, for their work and cooperation with my staff, Dick D'Amato, a member of the Appropriations Committee assigned to me to work on this and other appropriations matters, and B.G. Wright also of the Appropriations Committee, Peter Arapis of my personal staff and a congressional fellow who has been working with me for the past 6 months, Debbie Allen.

Mrs. BOXER addressed the Chair.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Mr. President, I ask unanimous consent to speak as in morning business not to exceed 20 minutes.

Mr. REID. Mr. President, I am wondering if the Senator could end her remarks about 25 till, because we have a Senator offering an amendment and we have limited time.

Mrs. BOXER. Absolutely.

The PRESIDING OFFICER. The Senator is recognized until 9:35.

HEARINGS ON ALLEGATIONS OF MISCONDUCT

Mrs. BOXER. Mr. President, because the Senate polices itself, there has been much debate over the years about how the Senate should address allegations of misconduct. This debate has intensified in recent weeks because the Select Committee on Ethics has determined that allegations of wrongdoing made against a sitting Senator are supported by substantial, credible evidence.

With this determination, the case moved into a formal investigative phase. As of today, in what appears to be a break with well-established traditions, no public hearings into this case have been scheduled. I have written the Ethics Committee and informed them that if no public hearings were scheduled by the end of this week, I would seek a vote on the matter by the full Senate. Mr. President, I have the legislation prepared and will seek to offer it next week. It is very straightforward and it will require that the pending case be treated in the same fashion as all other cases. I trust the Republican leadership will allow me a vote on my amendment in this very important matter, because the Senate's reputation is at stake.

I will take some time today to explain why I believe that the Ethics Committee should follow its longstanding practice and schedule public hearings in this case.

When an allegation of misconduct is received by the Select Committee on Ethics, it conducts a preliminary inquiry, the first stage of its procedures. If, at the conclusion of the preliminary inquiry, the committee determines that there is reason to believe improper conduct may have occurred, the committee may conduct a more exhaustive review called an initial review.

To proceed beyond an initial review into the investigative phase, a rigorous test must be met. The committee must determine that there is ''substantial credible evidence which provides substantial cause for the committee to conclude that a violation'' within its jurisdiction has occurred. If the committee finds that substantial credible evidence of wrongdoing exists, the case now enters the investigative phase. So, Mr. President, there is a preliminary inquiry, there is the initial review, and then there is the investigative stage.

This three-tiered process for evaluating allegations of impropriety was established by this Senate in 1977. Since then, every case reaching the investigative phase has included public hearings. Let me repeat that, Mr. President. Since 1977, every single case reaching the investigative phase has included public hearings.

Mr. President, even before the formal procedures were established in 1977, when the Ethics Committee was created, the Senate followed the practice of holding public hearings in cases of alleged misconduct of its Members. For example, in 1954, extensive hearings were held by a special committee investigating misconduct by Joseph McCarthy. And as long as 65 years ago, in 1929, a special subcommittee of the Judiciary Committee held hearings to investigate alleged misconduct by Senator Hiram Bingham, and the committee made the complete records public.

In other words—and I think this is important for Senators to understand—even before the three-tiered procedure was established, investigations into alleged impropriety included extensive hearings and full public disclosure.

In 1978, shortly after the Ethics Committee was established, there was alleged financial misconduct by a Member of the Senate. After completing a preliminary inquiry, the committee voted to conduct an initial review, and then a full investigation. During that stage—the first in the history of the Senate—public hearings were held from April 30 to July 12.

Following these hearings, the committee recommended that the Senator be censured because his conduct tended to ''bring the Senate into dishonor and disrepute.'' In one day of debate on October 11, 1979, the Senate accepted the committee's recommendation.

The following year, the committee faced its most serious allegation of misconduct. In 1980, a Senator was indicted on nine criminal charges ranging from bribery to fraud, stemming from the Abscam sting operation. The Ethics Committee deferred its investigation until the criminal case was concluded. After the Senator was convicted, the committee authorized a formal investigation.

As has been its practice, the committee held public hearings into the charges once it reached the investigative phase. The committee, then chaired by Senator Malcolm Wallop, found the Senator's conduct ''ethically repugnant'' and recommended that the

Senator be expelled. Rather than face expulsion, the Senator resigned.

In 1989, a Senator was accused of financial misconduct related to a book deal and his ownership and use of a condominium and was investigated by the Ethics Committee. The committee followed the same procedure—a preliminary inquiry, initial review, and finally, a formal investigation.

In the investigative phase of that case, the Committee held public hearings on the allegations. One month after the hearings, the Ethics Committee submitted to the Senate a resolution recommending censure for ''reprehensible'' conduct ''in violation of statutes, rules, and Senate standards.'' And the Senate upheld that decision.

I think it is important to note that after that investigation, some Senators were critical of the length of time it took to fully investigate ethics complaints—nearly 2 years in that case. Several Senators suggested streamlining the operations of the committee by reducing the number of investigative stages. But the chairman of the committee, Senator HOWELL HEFLIN, and the vice chairman, Senator Warren Rudman, noted that the three-tiered procedure is designed for the protection of the accused, because its first two stages are conducted in private, while the last stage is conducted in public. The Senate historian has summarized the arguments of the chairman and vice chairman as follows, and I think this is important for Senators to hear:

> The multistage process was actually designed to protect the individual being investigated. Under the committee's rules, the two early portions of an inquiry were carried out in closed session, and only the third stage—the formal investigation and hearing—was conducted in public. In fact, on a number of occasions . . . the confidentiality of the procedure had protected Senators against whom unjust charges had been brought.

So here we have the historian of the Senate making the case that in the third stage of the investigation, it must and should go public.

It is clear that the Ethics Committee procedures were intended to include a public airing and disclosure of the cases, once the committee has determined that the allegations were supported by substantial credible evidence.

The most recent Ethics Committee complaint to reach the investigative stage involves a Senator accused of improper conduct related to the S&L industry. In conducting its preliminary inquiry, the committee conducted extensive public hearings over a two-month period. That Senator was disciplined by a new form of reprimand, where the full Senate did not adopt a resolution of censure, but it was required to assemble on the Senate floor to hear a strongly worded committee reprimand.

Mr. President, this is a simple matter of fact: Since the Ethics Committee adopted its current procedures in 1977, every case to reach the investigative stage has included public hearings.

And furthermore, it is an indisputable matter of historical fact that in investigating allegations of improper conduct, the Senate has a well-established practice and record of conducting hearings. This practice dates back to a time before the Ethics Committee was formed.

Now, why are public hearings important? Because they demonstrate to the people—out in the sunlight—that we take seriously our constitutionally mandated responsibility to discipline our own, to discipline our own for unethical conduct. Each time an allegation of misconduct surfaces, the bonds of trust between the Congress and the people are strained. But by facing these allegations head-on, by holding public hearings and supporting appropriate disciplinary actions, we begin to repair those bonds of trust. Covering up our problems and attempting to hide them from the people only makes matters worse. And that is not the way we should function as a democracy.

Mr. President, I have taken the Senate's time today to discuss this issue because it now appears that the Ethics Committee is on the verge of abandoning its well-established procedure of conducting public hearings, in a case currently before it—a case that has reached the investigative stage. In my view, such a significant departure from established practice demands the attention of the full Senate and of the American people.

For more than 2½ years, the Ethics Committee has been considering very serious allegations against the junior Senator from Oregon. On May 17 of this year, the committee completed its inquiry of the case and voted unanimously to proceed to the final investigative stage. In adopting its resolution for investigation, the committee found ''substantial credible evidence'' to support numerous allegations of sexual and official misconduct.

It is my view that the Ethics Committee should follow the normal practice of the Senate and hold public hearings on these allegations promptly. There is nothing about this case that warrants making an exception. I am very disappointed that a number of Senators have advocated the opposite, and have indicated their desire to keep this investigation behind closed doors.

Mr. President, opponents of public hearings in this case have raised three objections.

First, they say public hearings on this matter would bring the Senate into disrepute. I argue that the opposite is true. As former Chief Justice Brandeis said, ''Sunlight is said to be the best of disinfectants.'' By acknowledging problems and demonstrating a willingness to discipline our own, we strengthen the Senate and the bonds with the people. We win confidence from the people by discharging our responsibilities frankly and openly—no matter how controversial the issue. But we irrevocably lose the people's respect by sweeping our problems under the committee room rug. The Senate is not a private club; it is the people's Senate. We do not go in the back room, light up a cigar, and decide these cases.

Second, opponents of public hearings in this case say that the allegations are so explosive that hearings would degrade into a circus-like atmosphere. I understand these concerns. However, I have confidence that the committee can discharge its responsibilities with dignity. What is the message here? Is it that the more embarrassing the charges, the more a Senator will be protected behind closed doors? That would be a terrible message to send to the American people.

I ask another question: If all the other issues were dealt with in public, is it a signal that if the issue were sexual misconduct you get the safe haven of a private club? That would be a terrible message.

Third, some opponents of hearings in the open argue that these hearings would be unfair to those who make the complaints because they could be subjected to uncomfortable questions and difficult cross-examination. I am confident that the committee will treat all witnesses fairly. In fact, several of the complainants in this case traveled to Washington to ask the Senate to hold public hearings.

Moreover, the Ethics Committee can decide under current Senate rules to close any portion of a hearing if it decides it is necessary to protect a witness. That is an important point. Under the rules of the Senate, the Ethics Committee may close any part of a hearing to protect a witness.

If it is true that hearings in this case would be painful—and it probably is—I must ask, is it the responsibility of a Senator merely to avoid painful issues? The Anita Hill hearings were painful, and what came of it? A national debate about sexual harassment that led to increased public awareness and better laws. Embarrassing? So were the Watergate hearings. Painful? So were the Waco hearings, where this week a young girl went before a committee and millions of viewers and described in detail the most despicable sexual abuse. The description was so graphic, in fact, that the committee felt compelled to warn television viewers in advance.

Hurtful? Think of Vince Foster's widow, who 2 years later has to turn on the television and see that story before her again. Mr. President, personal discomfort is, unfortunately, part of our job.

I hope I have explained why holding public hearings in this case is also part of our job. There is no reason to make an exception in this case and break with well-established procedures. That is what this issue is about.

I also feel obligated to discuss what this issue is not about. It is not about any other Senator. It is not about partisan politics. It is not about personalities. Perhaps the most shocking thing

to me in this process has been the private and public threats to a Senator who simply wants to continue the tradition of public hearings. I will not be deterred. I believe most Senators will support public hearings.

Mr. President, I urge the Ethics Committee again today, on this Senate floor, to call a meeting of their committee, which last week they canceled, which this week they have not scheduled, to open this particular case to the public. It is, without doubt, the right thing to do.

However, if the committee refuses to do this, I will have no alternative, as I have said before, but to bring this issue to the Senate floor directly. My legislation is ready. It is straightforward. I will offer it at the earliest opportunity next week if we have no action.

In my view, a major procedural change overturning decades of well-established precedent must be debated by the full Senate. I think this is very, very serious. The charges are serious against the Senator, but equally important, is that the precedents of this U.S. Senate not be cast aside.

I yield the floor.

Mr. WELLSTONE. Mr. President, I ask unanimous consent that I be allowed to speak as in morning business.

The PRESIDING OFFICER. Is there objection?

Mr. REID. Reserving the right to object, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MILITARY CONSTRUCTION APPROPRIATIONS, 1996

The Senate continued with the consideration of the bill.

Mr. BURNS. Mr. President, I ask unanimous consent that the committee amendments be agreed to en bloc to H.R. 1817, provided that no point of order shall be considered as having been waived by reason of this agreement, and that the bill as thus amended be considered as original text for the purpose of further amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

So the committee amendments were agreed to.

Mr. BURNS. Mr. President, I also ask unanimous consent that Senator BINGAMAN be recognized for the purpose of offering an amendment, and that a time agreement has been reached, an hour equally divided on both sides, with Senator BINGAMAN in charge, and the managers in charge of the opposite side.

Mr. REID. Mr. President, I ask unanimous consent that the unanimous-consent request be amended to reflect that there be no second-degree amendment in order, except a perfecting amendment that the Senator has to offer, and the hour time agreement would apply to all—to the amendment and the perfecting amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. Mr. President, would the Senator agree, if a vote is ordered, to have a vote at the same time as the votes relating to the rescissions bill?

Mr. BINGAMAN. Mr. President, I advised the Republican manager earlier that I am glad to do that, except that I think I would like to reserve the right of each of the sponsors, Senators MCCAIN and Senator KERREY, to speak for a few moments about the bill.

If they have not had a chance to do that, I want to have that opportunity.

Mr. REID. That would be under the time that the Senator controls.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 1834

(Purpose: To reduce by $300,000,000 the amount appropriated by the bill)

Mr. BINGAMAN. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from New Mexico [Mr. BINGAMAN], for himself, Mr. MCCAIN, and Mr. KERREY, proposes an amendment numbered 1834.

The amendment is as follows:

On page 22, between lines 2 and 3, insert the following:

SEC. 127. Notwithstanding any other provision of this Act, the total amount appropriated by this Act for military construction and family housing is hereby reduced by $300,000,000.

Mr. BINGAMAN. Mr. President, I asked that the amendment be read because I think it is very straightforward. Members should not have any difficulty understanding what the amendment is. It is an amendment offered by myself, Senator MCCAIN, and Senator KERREY from Nebraska.

What it does is it proposes to strike $300 million from this bill and to bring the level of spending in this bill back to the level that the President requested. That request from the President, from the administration, was not an insubstantial request. It was almost $2 billion above last year's level. The budget request was for $10.698 billion for military construction and family housing, which was an increase of $1.963 billion over the 1995 appropriation.

The budget request included a major initiative on family housing, an increase of $605 million above the 1995 level. It also included $1.2 billion in additional funding to carry out the base closure and realignment that has been ordered by current and past base closure commissions.

So we are, in this amendment, not trying to interfere with a substantial increase in military construction funding over last year's level. The President felt that was appropriate. The administration felt it was appropriate. We are not, in this amendment, trying to attack that. What we are saying, though, is that we need to have some limit on the extent of the add-ons that we, in Congress, engage in, if, in fact, we do have a concern about deficit reduction—and we clearly need to have that concern.

The committee was able to find about $400 million to reduce in what the President requested; another $57 million in rescissions from prior-year appropriations. If the committee had stayed within the President's request, that would have given them an amount of $474 million to earmark for various items that are called to the attention of committee members of this body on both sides of the aisle.

Mr. President, $474 million did not appear to be enough for Member items. The committee added an additional $300 million to cover those items, and I believe this is a luxury that we cannot defend to the American people at a time when deficit reduction is paramount in the Nation's political agenda, and deserves to be paramount in the agenda of the Nation when our debt is ballooning to almost $5 trillion.

The committee will argue that the projects that they have added, the $747 million in all that they have added, meet the criteria which the Senator from Arizona, my cosponsor on this amendment, has been in the forefront of establishing. That is, all of these projects are in the Pentagon's 5-year plan and they have merely moved up the execution of the projects for this next fiscal year. They will argue that the National Guard has come to rely on these add-ons because the Pentagon always leaves out things which are necessary for the National Guard.

These arguments do have some merit, and I think they can be used to justify the most important $474 million of add-ons. But in my view, the arguments cannot justify the marginal $300 million that has been added to that. Unlike the cuts which we will make in future appropriations bills which come before the Senate in areas such as education and research and health, the projects which are ultimately cut if our amendment is approved will be in future defense requests, some next year, some as late as the year 2001. Essentially, these are projects which the administration said are meritorious, but we cannot afford them this year. What I am saying by this amendment, and what my cosponsors are saying, is we agree with that. We cannot afford the additional $300 million this year.

I say to my Democratic colleagues who will bemoan cuts in various domestic discretionary programs—and I will agree with them that some of those cuts are inappropriate—but how can we in the Congress justify adding funds for marginal projects in this bill while we are making those cuts in domestic discretionary programs? And I

would say to my Republican colleagues, many of whom, like the Senator from Arizona, feel the investment in defense is inadequate, is this the place where additional funding should be spent if we have additional funding to spend in defense?

I do not believe the American people want us to conduct business as usual. It is always striking to me that when the Defense authorization bill passes, and we generally make significant policy decisions in that Defense authorization bill, unfortunately, in our hometowns and in our home States the headlines in the local papers are about the military construction projects that are funded in the Defense bill. So I understand there is a local imperative that drives the funding of these military construction projects.

I do believe we need to at least hold the level of increase to the very substantial level that the administration has asked for and not add to it in this bill. The way we propose this legislation, it would be up to the Appropriations Committee to make a decision as to where the priority is and where it wants to spend that $474 billion of add-ons. I have no argument with them on that. That is the nature of our committee structure, and I think they can make that decision.

If we do not stop business as usual in this bill, then where are we going to? Mr. President, $474 million in add-ons is enough. I, for one, do not support going with an additional $300 million above and beyond that. I hope a majority of the Senate will agree, after all of the speeches have been made on deficit reduction, that the message sent by adding $774 million in add-ons is inappropriate, and the American people would not support it.

Let me conclude by just reading a short statement from the administration on this. The administration says in this statement of administration policy:

> The Administration is committed to balancing the Federal budget by the [fiscal year] 2005. The President's budget proposes to reduce discretionary spending for [fiscal year] 1996 by $5 billion in outlays below the FY 1995 level. The Administration does not support the level of funding assumed by the House or Senate Committee 602(b) allocations.
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> * * * * *
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> The Administration strongly objects to $648 million in funding for approximately 100 unrequested military and family housing construction projects. With the Nation facing serious budget constraints, such a spending increase is not affordable.

Mr. President, let me also point out there is an item in here that I think people just need to be aware of. That is, this subcommittee of Appropriations has been given the job of funding, as I understand it, the renovation of the Pentagon. There is $161 million in this bill for renovation of the Pentagon. I support that funding. Frankly, when I saw the figure, I was a little bit taken aback and thought maybe this is a bit excessive. I know that is a big building, but $161 million is a lot of renovation. Then I noticed in the bill, on page 20 of the bill, a provision which really did, I think, cause me to think we should focus on this. It says, ''None of the funds appropriated in this act may be transferred to or obligated from the Pentagon reservation facility renovation unless the Secretary certifies that the total cost for planning, design, construction, installation of equipment for the renovation of the Pentagon will not exceed $1.2 billion.''

Mr. President, I thought the $161 million was a little excessive. Now I understand the $161 million is next year's installment on renovation of the Pentagon. It is $1.2 billion which this committee is saying is the total that they are going to agree to provide.

So I make this point for my colleagues, just to make the point we are not being stingy with the military. This is not a case of the military being totally left unfunded. They are getting nearly a 20-percent increase from last year's funding in military construction. We are agreeing here to go up to $1.2 billion to renovate the Pentagon. In our amendment, we are not in any way interfering with the addition of $474 million of Member interest items. We are just saying, let us draw the line someplace, and that someplace ought to be at the level that the administration requested. That means we ought to strike $300 million of those add-ons as part of this bill.

So that is a brief explanation. My colleagues from Arizona and Nevada wish to speak on this. I, therefore, reserve the remainder of my time, and I yield the floor.

The PRESIDING OFFICER. Who yields time?

Mr. BURNS addressed the Chair.

The PRESIDING OFFICER. The Senator from Montana.

Mr. BURNS. Mr. President, I think the Senator from New Mexico raises a couple of good points. If you look to see what we have done in the past, we have been very negligent in providing housing, especially for our enlisted personnel in the military. When we changed the philosophy on how we were to maintain our military forces, when we went to an all-military Army, Navy, and Marine force, we made a covenant with those people that if they are volunteering and they make this a career, we are going to provide some kind of quality of life. I think this is the first time that we have made an investment this large in the infrastructure for the quality of life for our enlisted people.

I was shocked when visiting some of the bases that we actually have people who are living off base, who have to go to lease a house, or rent a house, or even purchase a house. This has caused them to qualify for food stamps. I do not think this is very good when we ask those people to stand in harm's way for this country and to represent us in some areas where maybe some of us would refuse to go.

I am very much aware that for the first time we have changed the thrust of military construction.

Then let us look at another end of it. In the base closing and the realignment, we are trying to move some of the facilities that we have closed into private hands, to dispose of that property. But due to some environmental laws, like third-party liability, those properties are not worth anything until we clean those properties up. And that is where the big expense is coming in with base realignment. We have chosen to close military facilities to save money. We are having to shift some funds over into BRAC in order to close those facilities and make them available to either private sales or to be used for some other part of Government operations.

Mr. BINGAMAN. Mr. President, could I ask the Senator from Montana if he would yield for a question?

Mr. BURNS. I am happy to yield.

Mr. BINGAMAN. I want to be sure there was understanding between us. Our amendment does not cut any of the funds that are being appropriated to carry out the BRAC recommendations, either the previous BRAC recommendations or these BRAC recommendations. They are strictly add-ons in other areas and not in BRAC.

Mr. BURNS. I would respond to the Senator and say this: Because we had to use up so much money in that, we had to have money for the Guard and Reserves. The President's request had very little for the support of our Guard and Reserves and facilities around the country outside of the normal activity of our military because so much of the original request is taken up by base closure and realignment.

Mr. BINGAMAN. Mr. President, let me ask one additional question of my colleague. He understands also that our amendment does not interfere with the appropriation of $474 million in add-ons which would totally satisfy the Guard money or Reserve money add-ons, as I understand it. What we are saying is that above and beyond, if the Appropriations Committee chose to give that a priority, there would be funding to do all the Guard and Reserves. It is just a question of whether or not we are going to add $300 million more to that.

So I want to be sure that was clear, Mr. President.

Mr. BURNS. I appreciate the concerns of the Senator from New Mexico, but the shift of trying to direct our dollars into quality of life caused some of that in some areas.

So with that, I really believe that there is as much fairness and thrust in this bill as we could possibly have and still complete the mission of military construction.

Mr. President, I yield the floor and reserve the remainder of my time.

Mr. McCAIN addressed the Chair.

The PRESIDING OFFICER. Who yields time?

Mr. BINGAMAN. Mr. President, I yield 10 minutes to the Senator from Arizona.

The PRESIDING OFFICER. The Senator from Arizona is recognized for 10 minutes.

Mr. MCCAIN. Mr. President, I congratulate Senator BURNS and Senator REID for a very fine piece of legislation. I would like to talk about some of the details of it. But the issue before us is the Bingaman amendment.

Mr. President, I support the Bingaman amendment. I want to just point out one simple fact. If you asked the military leadership in this country what their priorities are, ''If you had $300 million, what would you do with that money,'' I promise you, Mr. President, that military construction would be somewhere around seventh or eighth on their priority list. And the fact is that we add money for military construction because it helps us as Members of the U.S. Congress.

Mr. President, if I had $300 million in addition, I would take it and modernize the force, I would provide more steaming hours and flying hours, and I would try to reduce the backlog of depot maintenance, which in some cases is 3 or 4 years. There are myriad uses that I could find for this money before military construction, and the military leadership in this country will tell you the same thing. If they had requested $300 million in addition, it is nowhere to be found.

So, Mr. President, the point is that it is not that these are not good and worthwhile projects that the committee has earmarked for. In fact, they meet the criteria. And I want to congratulate Senator BURNS and Senator REID for adhering to the criteria that we have laid down in the authorizing committee and now has been adopted by the appropriating committee. It is not that they are not good projects. It is all a matter of priority as to where we spend the taxpayer dollars.

The Bingaman amendment, in my view, Mr. President, has nothing to do with the quality of the projects for which these moneys are being spent. It all has to do with the priorities of where we spend taxpayer dollars that are earmarked for defense.

This bill is $300 million more than that requested by the President of the United States and requested by the Pentagon.

Mr. President, the issue is very much more complicated than that. I want to say again that Senator BURNS, Senator REID, and the subcommittee have come up with a good bill. They made progress over the last year, and begin to limit add-ons of unrequested military construction projects.

Last year, the Congress added over $1 billion for specific unrequested military construction projects. This bill, although I believe it is too high in total, adds only about half of that amount.

I am particularly pleased that the committee apparently, as I mentioned, adhered to the stringent criteria adopted in last year's Defense authorization bill. And there are many laudable provisions in the bill, including approval of the new family housing initiative; increased emphasis on environmental restoration funding for the BRAC accounts; no funding for the requested Army museum; they deleted land transfer language which was contained in the House bill; authorization for the Services to use barracks construction funding for renovation, if that would be a less costly alternative; and a specific requirement that all projects must be specifically authorized, since the bill contains projects which are not in the Senate version of the authorization bill.

Finally, I am particularly pleased that the Appropriations Committee chose to give more visibility to the ongoing efforts to renovate the Pentagon complex.

There are two areas where I am very disappointed in the recommendations of the Appropriations Committee. First, the $300 million add-on—and, as I repeat, I have not heard from one of the military service chiefs that military construction is their highest priority. And it is about time, I say to my colleagues, that we listen to the military as to their priority rather than our own.

Mr. President, at the full committee markup, an amendment was offered to add another $250 million in unrequested projects to the military construction budget above the request and above the subcommittee's mark. I argued against the amendment at the time because I believed that these additional funds would be better used for higher priority requirements of our military service chiefs or to meet the must-pay bills for ongoing contingency operations. Secretary Perry requested $1 billion in order to pay for ongoing contingencies which will not be canceled in the upcoming year. We authorized $125 million, not the $1 billion. That is one area where these additional add-ons could have gone.

Ultimately, the Armed Services Committee chose to authorize half that amount, an additional $125 million of the total of $7 billion added to the budget request for military construction above the total amount requested in these accounts. While all of these additional projects also met the established criteria, I continue to believe unrequested military construction projects should not be funded while validated military requirements go unfunded.

I will work very hard during floor consideration and conference with the House National Security Committee to limit the total amount of add-ons to not more than the level recommended by the Senate Armed Services Committee. Therefore, I urge the appropriators to make those reductions in the bill today in the form of the Bingaman amendment.

Mr. President, the bill language directs the Department of Defense to include funding in 1997 budget requests for three specific projects:

A new national range control center at White Sands missile range in New Mexico; a child development and galley facility at Fallon Naval Air Station in Nevada; and a new construction project at Fort Lawton, WA.

Mr. President, we do not need to do those kinds of things. Let us let the Pentagon make the recommendations themselves.

Mr. President, during this first year using the evaluation criteria for Member add-ons which was adopted last year, I have discovered an oversight which I hope to correct for next year's budget review. I intend to add to the established criteria a requirement that requests for add-ons be screened for priority against the relevant service's unfunded military construction priorities.

For this year's bills, I have asked my staff to work with the military services to verify that each of the unrequested military construction projects added by Congress are the next highest priority projects for the services. I also believe it would be useful for the Department of Defense to do their part and temporarily withhold obligation of funds for unrequested military construction projects which are determined to be low priority. I am preparing a letter to the Secretary of Defense suggesting that he request congressional approval to transfer any funds appropriated for low-priority projects to higher priority military construction projects.

Mr. President, the good news is that the total amount of military construction add-ons this year will be significantly less than the $1 billion added last year. In just 1 year that is significant progress. The bad news is that when additional funds are available for defense, it is difficult to argue successfully that none of these additional funds should be spent for military construction projects. But even with the additional defense funding, must-pay bills and high-priority military requirements go unfunded. We still have a long way to go in the fight to eliminate unnecessary spending from the military construction bill.

I wish to congratulate Senator BURNS for a good bill and the fine work that he and his staff and Senator REID and his staff have done. We do not need the $300 million in addition.

If the Bingaman amendment fails, then, Mr. President, I will be compelled to vote against the bill.

I urge all my colleagues to vote for the Bingaman amendment.

Mr. President, how much time do I have remaining?

The PRESIDING OFFICER (Mr. COVERDELL). The Senator from Arizona has 1 minute 20 seconds.

Mr. MCCAIN. Mr. President, I yield back the remainder of my time to Senator BINGAMAN.

Mr. BURNS addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the Senator from Montana.

Mr. BURNS. I yield 7½ minutes to the distinguished Senator from South Carolina [Mr. THURMOND].

The PRESIDING OFFICER. The Chair recognizes the Senator from South Carolina.

Mr. THURMOND. Mr. President, I wish to compliment Senator BURNS and Senator REID for their leadership in bringing this bill to the floor. They have done a good job.

In large part this military construction appropriations bill mirrors the construction priorities and criteria for projects established by the Armed Services Committee. I am particularly pleased by the emphasis placed on projects that will enhance the quality of life of the men and women in our military and on projects which will enhance the readiness of our Armed Forces. The bill also fully funds the base closure account request and provides the necessary funds to support environmental compliance projects. Both are areas which have historically been used as sources of funds for other projects.

Mr. President, I believe this is a sound bill, and I urge my colleagues to support it.

Because I believe this is a good bill, I oppose the Bingaman-McCain amendment.

There should no longer be any doubt that the administration's proposed defense budget is underfunded. Although Secretary Perry increased funding for quality of life construction projects over the next 6 years by $2.7 billion, there are very serious shortfalls in the Department's military construction programs. Let me identify just a few of the most startling:

According to the Congressional Research Service the current backlog of deferred maintenance and repair for family housing alone totals over $2 billion; Air Force Housing units do not measure up to contemporary standards; 75 percent of the Army's family housing does not adequately meet Department of Defense Standards; 80 to 85 percent of the Army barracks do not meet current Department of Defense Standards; the Navy's current funding requirement for revitalization of family housing is $1.7 billion; and, at current funding levels it would take over 40 years to eliminate the space and revitalization backlog for Navy and Marine Corps housing.

Mr. President, in addition to these startling figures, there are requirements for new mission facilities that are not being addressed in the administration's budget request. There are both active and reserve units which have been assigned new missions or new equipment but have not been provided the facilities to accomplish their new missions or support that equipment. This military construction appropriations bill provides for some of those shortfalls.

Because there are always allegations that some of the projects in the bill may be wasteful, I had my staff review each project. They reported that to the best of their knowledge each project that is in this bill but not in the Armed Service Committee's bill meets the same rigorous criteria that Senator MCCAIN and Senator GLENN, the chairman and ranking member of the Readiness Subcommittee, impose on projects included in the Armed Services Committee's bill.

Mr. President, some of my colleagues may not appreciate the additional funding and construction projects included in this bill. However, I am confident that the men and women of our armed services and their families who will benefit from these projects will be most appreciative.

I ask my colleagues to support the bill and vote against the Bingaman-McCain amendment.

I thank the Chair.

The PRESIDING OFFICER. Who yields time?

Mr. BURNS. Mr. President, I yield 5 minutes to the distinguished Senator from Missouri [Mr. BOND].

The PRESIDING OFFICER. The Chair recognizes the Senator from Missouri.

Mr. BOND. I thank the Chair and I thank the managers of the bill for giving me this opportunity.

I rise as a Senator from Missouri and, as important, as cochairman of the National Guard Caucus to register strong objections to this amendment. I appreciate very much the thoughtful comments of the distinguished chairman of the Armed Services Committee. I think his report on the review done by his staff on these projects should allay any fears that any of our colleagues may have about the projects in this bill.

As has already been noted, the Senate this year was again forced by the administration to make sure that defense infrastructure would be adequately funded. Active force infrastructure has traditionally been adequately funded, or at least better funded, whereas the National Guard forces traditionally have been underfunded. Why has it been this way, many have asked? The answer which is whispered through the halls of this building is that the Department of Defense relies on Congressmen and Senators to take care of the Guard. It is no accident that most of the people in the Pentagon are active military, and they realize that if they take care of their needs, they hope those of us who live in the real world will take care of our citizen soldiers. We have done so before. We are trying to do so now and we will in the future, because most of us—I think a significant majority of this body—care about the welfare and the readiness of the National Guard and the Air National Guard even if there are some who do not.

Now, this year the administration proposal funded the Army Guard infrastructure to the tune of $18 million—$18 million for the entire Army Guard infrastructure for all 50 States and Puerto Rico; $18 million for the entire Army Guard as against $473 million for the Army, which in and of itself was shortchanged by some $38 million by the administration.

If the Senators respect our citizen soldiers and the vitally important missions that they provide in our States, as well as in support of our national defense mission, then they must rectify this shoddy treatment of those who protect us.

My colleague from Montana, the distinguished chairman of the subcommittee, and his ranking member, the Senator from Nevada, have done just that. They have done it with strict adherence to the rigorous set of standards for the necessary quality of life and readiness projects included in the mark of the bill that came out of the Appropriations Committee.

The Air National Guard received $85 million, approximately half of the funding required for much-needed projects.

Let me state that in my State of Missouri, for instance, we had sought money, and this bill provides money, to improve sewer systems in order to ensure that our disaster relief headquarters, located at an Air National Guard facility, can be utilized during flood disasters. Do the sponsors of the amendment want to deny the citizens of Missouri adequate protection?

I found with great interest, as I looked on page 45 of this bill, that the State of New Mexico has this same kind of project. It happens to be that the storm drainage system and other storm drainage system provisions, two different provisions for New Mexico, are included because they happen to be at active bases.

I do not believe that our needs for disaster relief protection and services are any less because they happen to be at an Air National Guard facility rather than an active base.

The distinguished chairman of this committee considered each of the programs added to this military construction bill for the practicality of it being executed in fiscal year 1996, assured it was the highest priority for the base commanders and the National Guard tags, site availability, its inclusion in the FYDP and its overall quality of life and readiness importance. These are critically important projects, and I am very pleased that the managers of the bill decided to include these measures in this appropriations measure.

If any of my colleagues are thinking about voting for this amendment, let me assure you, it is to turn your back on our National Guard personnel. Currently, this is the only place we have to maintain the infrastructure readiness and the quality of life necessary to make sure our National Guard can function in its civil and national defense mission. We are trying to get the administration to acknowledge the Guard's requirements, but let us not hamstring our Guard for the administration's shortsightedness.

I urge my colleagues to support the managers of the bill and to defeat this amendment.

I yield the floor, and I thank the Chair.

The PRESIDING OFFICER. The Senator's time has expired. Who yields time?

Mr. DOMENICI. Mr. President, I rise in opposition to the amendment to reduce funding in the military construction appropriation bill by $300 million.

The committee used stringent criteria for producing this bill. As I understand them, projects were selected if they met one of the following minimum criteria.

The project is included in the Defense Department's future year's defense plan; the project can be executed in fiscal year 1996; the project is authorized in fiscal year 1996; or the project is the highest priority for the base.

Mr. President, I think these criteria are reasonable and I believe the subcommittee has done an excellent job in producing this bill.

The 1996 budget resolution provided an additional $7 billion in budget authority and $2 billion in outlays above what the President requested.

These additional funds can only be used for defense activities.

Certainly some of these funds should be used to adequately fund military construction and family housing projects which are key to readiness and quality of life for military personnel—and this is exactly what the Appropriations Committee did.

I urge my fellow Senators to vote against this amendment.

Mr. REID addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the Senator from Nevada.

Mr. REID. Mr. President, I ask unanimous consent that the time at 10:20 be extended for 5 minutes; that the proponents of the bill have 5 minutes and those opposing the bill have 5 minutes and that will close debate. We will yield back the rest of that time.

I ask unanimous consent that the vote occur on or in relation to the Bingaman amendment No. 1834 immediately following the stacked votes relating to the rescissions bill, which will begin at approximately 11 a.m. this morning.

Mr. BINGAMAN. Reserving the right to object, I just want to be sure I will get the opportunity to sum up and make the case for my amendment last.

Mr. REID. That is appropriate.

Mr. BINGAMAN. I have no objection.

The PRESIDING OFFICER. Without objection, it is so ordered.

Who yields time?

Mr. REID addressed the Chair.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. Mr. President, I think the last two statements have told it all. I do not think anyone would consider the chairman of the Armed Services Committee, the senior Senator from South Carolina, a big spender. I do not know of anyone in the history of the U.S. Senate that has had more of a reputation for watching where the pennies go than the Senator from South Carolina, and he has stated that this amendment should be resoundingly defeated.

We also have heard from the chairman of the National Guard Caucus and, in effect, he has also said that the Pentagon tends to protect its own and they do not really consider their own the National Guard and the Reserve component of the military. They would rather use the money on their own and, therefore, traditionally what they do is nothing regarding the Guard and Reserve. We for many years have had to be the spokesperson for the Guard and Reserve. That is not the way it should be, but that is the way it is. The Guard and Reserve deserve more than what this administration and what the Pentagon has given them in this budget and budgets gone by.

Mr. President, this add-on, as we call it, is not for anything that is lavish. What we are saying is that we believe that family housing is important. Family housing is important. We have people living in homes with their families, homes over 50 years old, built during the Second World War and built to last during that war. The war is long since gone and people are still living in those homes.

As the chairman of the subcommittee has announced, there are facilities in the United States where people cannot live on base. They are living off base. Because it costs so much money, they have to draw food stamps, even though they are part of the U.S. military. That is wrong.

We also are concerned in this bill about single soldier barracks. We think they deserve more. Facilities were constructed very rapidly during the Second World War and were to last through the war, and now 50 years later, soldiers are living in the same places. They deserve more.

We have been very frugal as it relates to officers housing. There were numerous requests for housing for general officers that we did not honor. We went and looked at family housing and single soldier barracks.

These add-ons are not a budget buster. All Members should understand, we are not busting any budget. We are totally within our 602(b) allocation, but we felt our Guard and Reserve deserve more than what they were given by the Pentagon and by this administration.

The committee evaluates rather than the Pentagon. It is as simple as that. That is not the way it should be, but, Mr. President, that is the way it is. The budget requested by the Department of Defense has, once again, in past years neglected to address the military construction needs of the National Guard, both Army and Air.

I say to the senior Senator from Arizona, there are lots of other places these moneys could be spent, but this is a Military Construction Subcommittee budget and that is where we are obligated to spend the money, not on giving the Navy more days to practice their specialities in the water, doing all the things that the Senator from Arizona indicated should be done. We recognize there is a lot more need in the military, but in the Military Construction Subcommittee, we have put the money where it should best be spent. I have not heard anyone say these projects are not worthwhile. They are needed.

The administration requested only $182 million for the Guard and Reserve, compared—listen to this—to $574 million appropriated last year. This year's recommendation is 20 percent less than last year, $452 million.

Also included in this bill, as I have indicated and as has been spoken by the Senator from New Mexico, is a $161 million appropriation to begin renovation of the Pentagon. That, too, was put up earlier as part of the history of this country. It is badly in need of repair, and we are beginning that. That is also a burden on this budget.

This bill, I again indicate and emphasize, is a long-overlooked quality-of-life initiative, particularly in family housing and barracks. These initiatives make up nearly one-third of the total military construction markup.

We should be given some credit for that, Mr. President. These are not programs that are wasteful. The chairman of the full committee, the Armed Services Committee, has come here and said this is important. We must do a better job for the people that are defending our country. During times of crisis, the Guard and Reserve are called upon, and in the future, with the cutbacks we have had, they will be called upon even more. We must recognize that it is necessary to fund this bill as outlined.

The PRESIDING OFFICER. The Chair advises that the manager's time has expired.

Mr. BINGAMAN addressed the Chair.

The PRESIDING OFFICER. The Senator from New Mexico is recognized.

Mr. BINGAMAN. Mr. President, am I correct that there is an additional 5 minutes reserved for me?

The PRESIDING OFFICER. The Senator is correct.

Mr. BINGAMAN. Mr. President, let me make the obvious point here that this is not a question of whether people support the military, or the National Guard, or family housing, or money for base realignment and closure. The President, in the budget sent to this Congress, asked for an increase of just about 20 percent in military construction from last year for military construction and family housing both.

There is a request for $605 million—an additional $605 million—for family housing, above what we had last year. There is over $1.2 billion in additional funding to carry out base realignment and closure.

The amendment that I am offering in no way interferes with any of that

funding. The amendment that I am offering says that, in addition to what the President requested, the subcommittee can add $474 million of add-ons. But they should not be able to go above that. It should not be $774 million of add-ons. That is all I am saying. Let us keep the amount spent in this area within the confines of what the administration requested.

Mr. President, we have two standards in this Senate and in this Congress. It is one standard when it is military spending and a totally different standard when it is domestic spending. You are seeing a very good example of it in the arguments being made around here right now.

Deficit reduction was a big issue in this Senate last month. I remember lots of speeches last month, the month before that, and the month before that, about how we have to make tough decisions. The time has come, and business as usual cannot continue. The American people want some change; they do not want excessive spending in these areas. Well, that is what this amendment is about.

All this talk about the National Guard—all of the requests for the National Guard that are being funded could be funded in the $474 million of add-ons that we are not in any way interfering with. The family housing—the $605 million there—we are not interfering with that. The simple fact is, Mr. President, the additional $300 million that is in this bill, which I am now proposing we strike, is not a priority for the military; it is not a priority for the country.

The Senate needs to go on record about whether we are serious about deficit reduction. We are very good at giving speeches, going home and saying, boy, we are really doing the right thing, and we are making the tough decisions. This is not that tough a decision, Mr. President. This is $300 million that the military says is not a priority. There is no reason why we need to be going ahead and spending it. That is the simple issue.

I believe the taxpayers of this country would support our amendment to delete this $300 million and have it available for a higher priority—military use, or have it able for some domestic use, which would be a higher priority—or apply it to deficit reduction, which is what the amendment calls for. It essentially says let us not spend that $300 million which is not a priority.

So that is the amendment. I hope very much the Senate will support it. I think the people send us here to Congress to make tough decisions about what our priorities are. If deficit reduction is a priority, people ought to vote for this amendment.

I appreciate the chance to explain the amendment.

I yield back the remainder of my time.

Mr. BURNS. Mr. President, one-third of this BRAC is living conditions, and the rest of it is for readiness. We must never forget about that. By a previous order, this vote will come in the stack with the rescissions votes.

I move that this amendment be tabled, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. BYRD. Mr. President, reserving the right to object, how many votes are being stacked?

The PRESIDING OFFICER. The Chair advises the Senator from West Virginia that according to this agreement, there would be four.

Mr. BYRD. Would there be an explanation of the vote just prior to taking that vote?

Mr. BURNS. I say to my friend from West Virginia, that has not been established. But I have no problem with that. Do we need a minute on each side?

Mr. BYRD. Four minutes equally divided, how about that?

Mr. BURNS. I have no problem with that.

Mr. BYRD. I thank the Senator.

The PRESIDING OFFICER. Without objection, it is so ordered.

EMERGENCY SUPPLEMENTAL APPROPRIATIONS FOR ADDITIONAL DISASTER ASSISTANCE, FOR ANTI-TERRORISM INITIATIVES, FOR ASSISTANCE IN THE RECOVERY FROM THE TRAGEDY THAT OCCURRED AT OKLAHOMA CITY, AND RESCISSIONS ACT, 1995

The PRESIDING OFFICER. Under the previous order, the Senate will now resume consideration of H.R. 1944, which the clerk will report.

The legislative clerk read as follows:

A bill (H.R. 1944) making emergency supplemental appropriations for additional disaster assistance, for anti-terrorism initiatives, for assistance in the recovery from the tragedy that occurred at Oklahoma City, and making rescissions for the fiscal year ending September 30, 1995, and for other purposes.

The Senate resumed consideration of the bill.

Pending:

Wellstone/Moseley-Braun Amendment No. 1833, to strike certain rescissions, and to provide an offset.

The PRESIDING OFFICER. Who yields time?

Mr. HATFIELD addressed the Chair.

The PRESIDING OFFICER. The Senator from Oregon is recognized.

Mr. HATFIELD. Mr. President, first of all, I would like to take this occasion to thank Senators WELLSTONE and MOSELEY-BRAUN, the minority leader, the majority leader, the White House, and all the participants who have sought to resolve this issue and bring this to a vote on the rescissions package. I also thank Senator BYRD, as our ranking member of this subcommittee, for giving leadership in every instance of this committee's activity. And I especially want to thank Senator BYRD for his participation, as well.

Mr. President, the Wellstone amendment adds back $651 million into the rescissions package, or reduces rescissions by that figure; $332 million for 8 education and job training programs; and $319 million for the Low-Income Energy Assistance Program.

These add-backs are over and above the levels for these programs negotiated with the President of the United States, the White House, the House of Representatives and the Senate, as well, and this includes the Democratic leadership of both the House and Senate.

In the case of youth training, education technology, and the Eisenhower Professional Development Programs, the add-backs in the Wellstone amendment exceed the levels agreed to in the so-called Dole-Daschle compromise. That was back when the rescissions package was being acted upon by the Senate. And the Dole-Daschle compromise became our point of reference, our guidelines in the conference with the House of Representatives. That was the original rescissions package.

Let me emphasize again that in those areas, the Wellstone amendment exceeds those levels that this Senate passed. The provisions of H.R. 1944 are the product of extensive negotiations over several months.

To add back funding for these programs at this time jeopardizes the enactment of this bill. I say that because of the fact that if we change this bill, it goes back to the House of Representatives again for an action, and if the House of Representatives refuses to adopt any changes that we have made in this rescissions package at this time, they can demand a conference, and we would be back into that process of a conference. Notwithstanding that, we would be thrown back in the situation of negotiating again with the White House, who vetoed the first bill.

To add back funding for these programs at this particular time jeopardizes the enactment of this bill, which is an emergency supplement to assist in providing for disaster assistance, for antiterrorism initiatives, for assistance in the recovery of the tragedy that occurred in Oklahoma City, and for making rescissions.

Additionally, the Wellstone amendment jeopardizes funding for fiscal year 1996 for the very programs he seeks to protect. Without enactment of H.R. 1944, the Labor-HHS and Education subcommittee alone will be forced to absorb an additional $3 billion in budget authority and $1.3 billion in outlays within its already reduced allocations for 1996, because of the reduced budget resolution.

The committee already has a tough job ahead. Adoption of the Wellstone amendment would make that job even more difficult by putting off until another day on reducing the growth of Federal spending.

Mr. President, how many minutes did I use?

The PRESIDING OFFICER. The manager has 5 minutes and 40 seconds.

Mr. HATFIELD. I yield to the Senator from West Virginia.

Mr. BYRD. Mr. President, Senator HATFIELD is one of the finest chairmen that I have had the pleasure to work with and to observe during my 37—going on 37—years in the Senate. He has a bright intellect. He has an understanding manner. He is gracious always. He is a gentleman. He speaks with conviction. He is one of my real profiles in courage that I have seen during all these years. It is a pleasure to work with the Senator. I admire the Senator. I respect him, and hold for him the highest, very highest, personal esteem.

Mr. President, as Senators may recall, many months ago the Senate and House initiated an appropriations bill for urgently needed FEMA funds and that measure, H.R. 1158, contained rescissions which were more than sufficient to cover the FEMA supplemental request as well as additional, smaller supplemental items that were contained in that measure.

After House and Senate passage, a conference agreement on H.R. 1158 was reached and, after passing the House, was taken up by the Senate on May 25 and was adopted by a vote of 61–38. At the time, there were a number of Members on this side of the aisle who felt that the conference agreement should be defeated because it did not contain a number of the items that were included in the Senate bill, pursuant to the Dole-Daschle amendment.

Nevertheless, I urged the President to sign the conference agreement on H.R. 1158 because it contained the appropriations for FEMA disaster assistance of $6.7 billion. It also made a very sizable reduction in the deficit. We were told that by the end of May, or shortly thereafter, FEMA would no longer be able to obligate funds to finance relief efforts associated with the Northridge earthquake and with other declared disasters throughout the Nation resulting from floods and storms in 40 States.

Nevertheless, the President chose to veto H.R. 1158 and he set forth his reasons for doing so in correspondence to the Congress which accompanied his veto message.

Following that veto, the House and Senate leadership reached an agreement with the President on a package of changes to H.R. 1158. Those changes were incorporated into a new bill, H.R. 1944, which passed the House of Representatives some weeks ago. Senators may recall that during an attempt to pass H.R. 1944 prior to the Fourth of July recess, Senators WELLSTONE and MOSELEY-BRAUN exercised their right to insist that the bill not be passed under a unanimous-consent agreement and that they be allowed to offer amendments to the measure.

Negotiations with the leadership have been ongoing since the recess in order to find a way to accommodate Senators WELLSTONE and MOSELEY-BRAUN and to also ensure that the Senate finally pass this very important appropriation and rescissions bill and get it to the President for his signature so that its provisions can take effect. As a result of those negotiations, an amendment is pending which was proposed by Senators WELLSTONE and MOSELEY-BRAUN.

Mr. President, I fully understand the importance which Senators WELLSTONE and MOSELEY-BRAUN place on the program for which they are proposing addbacks. I also have no qualms with their proposed offsets for those addbacks—namely DOD administrative and travel expenses.

Mr. President, I compliment both the distinguished Senators. I admire them for their pluck, their courage and for their convictions. I wish that more Senators could demonstrate the same kind of courage and convictions and pluck. It takes courage. It takes courage to stand up in the face of criticism that was directed against them. I have no criticism of them.

I do have, as I say, a tremendous admiration for both Senators, fighting for what they believe in. Who can quarrel with that? After all, this is the Senate, the forum of the States, in which Senators can stand on their feet and speak as long as they wish to speak. I shall always defend their rights to do that. So I fully understand the importance of these programs. I share their views.

I will not, however, vote for the amendment because if either part of the amendment is adopted, that would cause the bill to go back to the House for further consideration. I do not know what the House would do at that point. I do know that further delay would be inevitable. Mr. President, it is time to end the months of delay that have occurred on this bill and send it to the President for his signature. He has indicated that he will sign it—he will sign it—in its unamended form.

I will reiterate the key provisions of the bill: It contains an appropriation of just over $6.5 billion for emergency disaster assistance for the victims of various disasters; under the Byrd amendment, the bill will reduce the deficit by approximately $9 billion; and the rescissions contained in the bill will result in a freeing-up of approximately $3.1 billion in outlays for fiscal year 1996 appropriation bills, which can be used for other purposes. This is so because the outlays which would have occurred in 1996 from the appropriations for which these funds are rescinded will no longer be required. This will help ease the pain for the various appropriation subcommittees with jurisdiction over important discretionary programs in achieving the deficit reduction targets for fiscal year 1996.

Mr. President, I once again congratulate the chairman of the committee, Senator HATFIELD, for the tireless effort he has put forth in helping to resolve the differences between the President, the House, and various Senators on these difficult matters. I know that a number of Senators are still displeased with this bill but, on balance, I believe that it deserves the support of the Senate for the reasons I have set forth.

The need to pass this rescission bill cannot be overstated. The Appropriations Committee has begun its work on the fiscal year 1996 bills. Failure to capture the outlay savings contained in this bill will make things even more difficult in the weeks ahead when the Senate takes up the fiscal year 1996 bills.

Several subcommittees are planning to mark up their bills next week. However, whether they are in compliance with their allocations is linked to action on this bill. In the case of the Interior bill, for example, it means a difference of over $100 million. So if we don't pass this bill, the Interior Subcommittee will have to go in and cut over $100 million in addition to the over $860 million already being cut below this year's level.

The PRESIDING OFFICER. The Chair advises that the Senators from Illinois and Minnesota have 30 minutes.

Mr. WELLSTONE. Mr. President, if I could get the attention of the Senator from West Virginia, I thank the Senator for his gracious remarks. It means a great deal to me personally and I am sure to Senator MOSELEY-BRAUN as well.

Mr. BYRD. I thank the Senator.

Mr. WELLSTONE. Mr. President, principle and people, not power and prerogatives, that is what this debate is about.

Two Fridays ago we came to the floor and we said, regarding these kinds of cuts in programs that have such a dramatic impact on people's lives in our States and around the country, this cannot be a Stealth Senate, we demanded the right to have debate, to introduce amendments, and to have those amendments voted on. Now that will happen. That is a victory.

There would have been more amendments, but in one area, where I could not understand why in the world the Senate was making cuts, a counseling program for elderly people so they do not get ripped off on some of the health care plans that are presented to them, that money has been restored through reprogramming—a victory.

But it is about more than power and prerogative, it is about principle and it is about people. We gave our word from the very beginning that we wanted the opportunity to have these amendments on the floor. It has taken 2 weeks of tough negotiations for that to happen. We wanted this to be done in an accountable way. And we live up to our word.

But there is more than power and prerogative here. Last night the majority leader—it is his prerogative—decided we would get started on this bill at 10:30 or 11 o'clock at night, to use up time. Why not have more of the debate during the day when people in the country can observe it and make up

their own mind? That is prerogative. That is power.

The majority leader has also made it clear to everyone in this Chamber that if his motion to table our amendments—there will be two separate votes—does not succeed, he will pull the bill. What is this all about? The majority leader says, and I want to make it clear: If you should succeed, Senator WELLSTONE and Senator MOSELEY-BRAUN, I will pull the bill. That is power and prerogative.

But let me please talk about people. The Low-Income Energy Assistant Program, the total cost was $1.3 billion—about the cost of one B–2 bomber. And Senator BYRD and Senator HATFIELD and Senators, when you voted this bill initially out of the Senate, you voted for that full expenditure. You have not contradicted your vote when you vote on low-energy assistance today. But in this deal, that we in the Senate had nothing to do with, we saw a 25-percent cut, $319 million.

Mr. President, I come from a cold-weather State. For most of the low-income energy assistance people it is not an income supplement, it is a survival supplement. Mr. President, 53 percent of them work at low wages; 32 percent are senior citizens; 41 percent are households with small children; 50 percent earn under $6,000 a year. And there are about 300,000 people in my State that depend on this, and many more would be eligible but the funding levels have been cut so dramatically over the years we cannot even help all the people that need some assistance.

I thought we are all our brothers' and sisters' keeper. But please remember it is not just heating assistance, it is cooling assistance. My God, 450 people in our country have died in the last week and a half, 2 weeks; elderly, most of them poor, no air-conditioning, no cooling assistance. And we are cutting this program. What does this say about our priorities? GAO report: ''Travel Process, re: Engineering. DOD Faces Challenges in Using Industry Practices to Reduce Costs.'' All about waste in Pentagon travel budget.

Washington Post series, ''Billions Go Astray, Often Without A Trace: Defense Department.''

In the LIHEAP amendment I just say, can we not transfer $319 million from all this waste and put it into the Low-Income Energy Assistance Program? Mr. President, my colleague from Illinois will talk with eloquence and power about job training programs for dislocated workers, about job training programs for veterans, about children's programs, education programs. I have not met one Minnesotan in one cafe who has said to me, ''Senator, when you do this deficit reduction, cut those job training programs for dislocated workers.'' Mr. President, all of my colleagues need to understand, when we talk about the Low-Income Energy Assistance Program, which will be the first vote, the House of Representatives has zeroed it out. They did it at 3 a.m. last week. They zeroed the program out. This vote today is all about whether we are going to continue it. That is the meaning of this vote.

There is power and prerogative, and some people here are saying, ''If I loose, I will pull the bill.'' But what about the people in the country who lose? Many Senators signed a letter saying there ought to be the $1.3 billion, that is not too much. Forget the power and prerogative, forget the deal, I say to my colleagues. If we restore this funding for the Low-Income Home Energy Assistance Program, it will go to the House of Representatives and it could be back here at 1 p.m. We all know that. And you cannot say to the people you represent: I am sorry, you go without heating assistance, you are going to be homeless, or you are going to be cold, or you are going to die because of summer heat, because we made a deal with the House and it will take us a few extra hours to pass this bill. My God, I do not see the values behind that kind of position.

I am sorry the White House was a part of this deal. I am sorry the deal was made late at night and then it came over here. And we made it clear we were not going to just let it sail through.

But I say to my colleagues, you do not represent the White House. It does not matter whether you are a Democrat or Republican, we took the position before in the Senate that there ought to be adequate funding. You represent the people back in your States. And people are counting on you.

So I say to my colleagues, this is not about power and prerogative. This is about people and principles. I appeal to every Democrat and every Republican, please, Senators, do not be generous with the suffering of other people.

Let me repeat that. These are not statistics, these are not charts, these are not deals, these are not abstractions. Whatever State you come from, hot weather or cold weather, whether you are a Democrat or Republican: Please do not be generous with the suffering of other people. Vote your principles. Vote for what you believe in. We should win this vote.

I yield the floor. Mr. President, how much time do I have?

The PRESIDING OFFICER. The Chair assumes you are dividing the time.

Mr. WELLSTONE. That is correct.

The PRESIDING OFFICER. In which case you would have 5 minutes 50 seconds.

Mr. WELLSTONE. I will reserve that time. I yield to my colleague.

The PRESIDING OFFICER. The Chair recognizes the Senator from Illinois.

Ms. MOSELEY-BRAUN. Thank you, Mr. President. Thank you, Senator WELLSTONE, for that passionate speech, and one which, I think, sets the tone for the debate on this amendment.

At the outset, I want to add my thanks to the Senator from West Virginia, Senator BYRD, for his kind and complimentary remarks. Frankly, I can think of no higher compliment than to be commended by a Senator who is known worldwide as the dean of the Senate and, indeed, the historian of the Senate. And I can think of no one who has a greater respect for the traditions of this institution and the importance of that tradition than he. So, to have him give such a kind compliment this morning is a singular honor, and I am very grateful to him for it.

I also thank the Senator from Oregon for his diligence in working with us on this matter, because it is something about which both Senator WELLSTONE and I, and I hope many other Senators, feel strongly.

Mr. President, I spoke to the issue of priorities last evening, and I will touch on that again. But I want to speak, really, more in a legislative context, about what it is that is going on here and what we have done and what we are attempting to do. There is an old expression that those who love the law and who love sausages should not watch either of them being made.

So it is with H.R. 1944. To read the title of this bill, it says, ''Making emergency supplemental appropriations for additional disaster assistance.'' Nobody can be against disaster assistance—for ''antiterrorism initiative''—something we all would applaud—for ''assistance in the recovery from the tragedy that occurred at Oklahoma City.'' Again, something for which I know there must be unanimous consent.

And here comes the poison pill: And ''making rescissions for the fiscal year ending September 30, 1995, and for other purposes.'' That is the rescissions portion of this legislation that gives rise to this amendment and the controversy that we have had over the last few weeks.

The rescissions portion of this legislation has several aspects to it that I think all Senators ought to a pay attention to. In the first instance, it is, as Senator WELLSTONE points out, a matter of priorities, a matter of principle, a matter having to do with the direction we take as we proceed on the glidepath toward a balanced budget.

In this Senate the members of the Budget Committee adopted a budget resolution which had, on the one hand, the good news that it began to put us on a glidepath toward a balanced budget and began to assert that we were going to begin to get our fiscal house in order.

Mr. President, as a supporter of the balanced budget amendment I could not have been more pleased that we had started in the direction of getting our fiscal house in order and beginning to achieve budget balance. However, Mr. President, this is why this amendment is so important. I was very concerned with the budget resolution, as I am with H.R. 1944, that the approach that we take toward a balanced budget

does not fall on one segment of Americans, particularly the most vulnerable Americans, to make more sacrifice, to give more than they can afford to give than any other group of Americans. That is essentially the issue of priorities that is raised in this Wellstone/Moseley-Braun amendment.

Some 62 percent of the cuts in this rescissions portion of this bill come from programs that serve low-income individuals. As we approach balanced budget, I think we have to, as we take the first step toward a balanced budget, ask ourselves a question: As a nation, are we going to call on low-income individuals to make more of a sacrifice than middle-income individuals, than middle-income communities, more than the wealthy?

Without talking about class warfare—this is not intended to be class warfare, Mr. President—the point is we have to take a look at the whole of what we do because a budget is not just about numbers. It is not an abstract exercise. A budget is about people and about priorities, and it makes some very profound statements about the direction in which we intend to have this country go.

Unfortunately, the cuts in this bill, as the first step to the budget exercise, suggest a set of priorities and a direction that I think is most unfortunate. In the first instance, Senator WELLSTONE talked about the cut in low-income heating assistance. That can have real dramatic and particular effect on hundreds of thousands of low-income individuals, particularly senior citizens, all over this country.

The second place that concerns me greatly has to do—and this is the second division of this amendment—with the cuts specifically in the area of education and job training. We are calling upon our children to make sacrifices and to make cuts that we are not calling upon our generals to make, Mr. President. And that, it seems to me, is poor public policy.

Specifically, the bill eliminates the education infrastructure program which is designed to help rebuild some of the dilapidated elementary and secondary schools around this country and the safe and drug-free schools and communities program. These cuts do not take into account that thousands of young people in many communities across this country cannot learn, cannot get to school because of the drug wars that rage in too many of our urban centers and our communities across this Nation overall.

This bill would cut the Education Technology Program—who would argue the point but that we need to make certain that our young people are equipped to go into the 21st century with the same access to education, technologies, and innovations of the information age as any other group of youngsters anywhere else in the world? We are relegating and, frankly, dooming our own youngsters to be in a second-class position when it comes to competing in this international economy if we do not provide them with the tools, with the capacity, and with the access to technologies that they will need to be able to access in the 21st century.

The Eisenhower Professional Development Program—another education cut. Who would argue with the notion that we ought to promote the training of teachers so that the people who train our young people will be able to give them a world-class education.

Those are where the education cuts come from, Mr. President, in this rescissions bill. And that is one of the reasons why we have argued that as a matter priority, we ought to send a signal that it is not acceptable to us that our youngsters take these kinds of cuts, that the initiatives that we have for education, which is our investment not only in the future but our investment in the present, in our human capital, in our human infrastructure, that these are not cuts that ought to be made in this legislation.

To go further, the second part of the cuts in this division of the amendment has to do with job training. If you want to talk about vulnerable populations, I would point out at the outset that one of the first cuts that this second part of the rescissions bill makes is against job training for homeless veterans. How we can say it is OK to cut job training for homeless veterans and not offset those cuts with money from the travel and administrative budget out of the Department of Defense is incomprehensible to me.

Homeless veterans programs get cut in this legislation as does displaced worker training. Displaced workers, people laid off from their jobs from the base closings, or from some event in the various downsizing going on, need assistance to make the transition so their families do not have to go through the trauma of being dependent on welfare and public assistance. Yet, we are going to cut displaced worker training in this legislation.

Mr. President, I know areas certainly in my State of Illinois in which there is 1 percent private sector employment—1 percent. It sounds almost incomprehensible that we could have that kind of economic meltdown in any part of our Nation. With 1 percent private sector employment, and in some instances as high as 89 percent unemployment among teenagers, how then do we say, well, we have to get this bill passed because we do not want it to go back to the House and then go ahead and cut some $272 million out of job training for teenagers who do not have any other option.

That is what is at stake, Mr. President, with this legislation. And I submit to my colleagues, as I did last night, and I spoke to this bill last night, that the real significance —the cuts are bad enough—but the real significance is the direction that this puts us. Our assent to this legislation as it is currently written suggests that it is OK for the budget debate to go forward allowing for these kinds of cuts in these kinds of sensitive areas in which, if anything, we ought to invest our energies as opposed to withdraw our support, and that is the priority debate that we ought to be able to engage at this time.

An interesting thing happened here, Mr. President. This is one of the reasons for the emergency nature of this legislation. The budget that I referenced that has been adopted presumed that this legislation is already passed. The budget presumes that this is already done and it is OK, and we are just going to go forward down the path of trying to achieve balance based on not only these cuts but cuts that are slated to happen in future.

I would just point my colleagues to what has already happened in the House of Representatives with regard to education, with regard to job training, with regard to investment in people, and say, if this is not a precursor of things to come, if this is not the ghost of Christmas present, then what is coming out of the House certainly is the ghost of Christmas yet to come. And it will not be a very nice Christmas at all. Indeed, if anything, I believe that it will cause great strains in the social fabric of our country. I believe that it will put us on the wrong path and exacerbate not only wealth disparity, but exacerbate our inability to provide for a strong America in the future.

That, it seems to me, is the issue. There is no question, Mr. President, that as we address the whole issue of how we get on the glidepath to a balanced budget but that everybody is going to have to make a sacrifice.

I served on the President's Commission on Entitlements and Tax Reform. There is just no question but that we are going to have to have some budget discipline, but that we all are going to have to tighten our belts a little bit, but that we are going to have to have cuts in some areas.

I ask you if it is at all appropriate to have the cuts in areas that provide job training for homeless veterans? I ask you if it is appropriate for us to have the cuts in areas that have to deal with technology training for students? I ask you if it is altogether appropriate to cut the funding for heating assistance for low-income individuals in winter?

The Senator from Minnesota referenced the heat wave that we had in Illinois recently. Quite frankly, we have had over 376 deaths come from the heat wave. Illinois does not have a heating program under LIHEAP, although, frankly, it could. The point I make, there have been 376 deaths from heat this summer, but anybody who knows anything about this United States knows that we have a saying in Chicago: ''If you don't like the weather in Chicago, wait a minute.''

So this next winter is likely to be as cold as it was hot last week. Are we going to sit back and say, well, it is OK

that it is just too bad that those 376 people died. Is that part of the brutal equation that we are buying into as part of our approach to budget discipline? I do not think so.

I think, as Senator WELLSTONE has eloquently said, we should not be too generous with the suffering of others. Yes, we should make cuts, but those cuts should be fairly spread out; that sacrifice should be shared, and it should not fall on any segment of Americans, particularly the most vulnerable communities and constituencies in our country, to give more than their fair share.

Unfortunately, H.R. 1944 calls on the most vulnerable to give the most; those who have the least have to give the most under this bill. I hope this is not the direction that we will take as we engage in this budget debate.

I call upon my colleagues to look closely at what is in this bill. I read the title but look at what actually goes on here. I am not going to get into the debate about what it does for the environment. It has some environmental language that is in my opinion, atrocious. I will not get into that because that was not the focus of these amendments and we have limited time this morning, limited time that I will add, by the way, is unfortunate also because this ought to be a debate in which every Member of the Senate engages.

I ask my colleagues to look at the legislation. Read the bill. It may sound phenomenal but read the bill. It is not too much to ask. And then take a look at exactly where the fine print takes you. The fine print, in my opinion, takes you on a path on which we do not need to go, that frankly is beneath this great body.

I hope my colleagues will support this amendment, allow us to go back and revisit the issue of priorities, allow us to go back and revisit the shared sacrifice and have rescissions legislation and then as we go forward a budget that accurately reflects a vision for America that will give us a stronger America going into the 21st century and not one that is weakened by a shortsighted approach such as this.

The division we are debating here today would restore $319 million for the Low-Income Home Energy Assistance Program [LIHEAP].

I strongly support the LIHEAP program. This program helps economically disadvantaged individuals pay their heating bills during the winter. It also helps these individuals pay their cooling bills during unbearable heat waves like the one which recently swept across the country and is being blamed for up to 376 heat-related deaths in Chicago alone.

Last year, the LIHEAP program assisted 5.6 million households—including 200,000 households in Illinois—with an average income of $8,257.

Of these households, 55 percent included at least one child under 18 while 43 percent included at least one senior citizen.

Although the LIHEAP program is designed to help the neediest members of our society, its funding has steadily declined from $2.1 billion in fiscal year 1985 to $1.3 billion in fiscal year 1995. As a result, 20,000 eligible households in Illinois were denied assistance last year due to a shortage of funds.

I am convinced that further cuts in the LIHEAP program will force even more of our Nation's elderly to have to choose between putting food on their tables and heating their homes.

These cuts will also force energy providers to have to choose between not getting paid for the energy they provide and cutting off their neediest customers.

I voted for the original Senate rescission bill which did not propose any cuts in the LIHEAP program.

I voted against the conference report on H.R. 1158 in no small part because of the $319 million cut it would make in the LIHEAP program.

I urge my colleagues to oppose this cut by supporting the division that Senator WELLSTONE and I have introduced.

I will yield the remainder of my time to the Senator from Minnesota.

The PRESIDING OFFICER. The time of the Senator from Illinois has expired.

Mr. KENNEDY. Mr. President, I strongly support the Wellstone amendment, which will restore funding for the Low-Income Home Energy Assistance Program.

Over 6 million people received aid with heating costs under the program last winter, including 143,000 households in Massachusetts. It also provided urgently needed relief in the previous winter, which was extremely harsh.

Three-quarters of the families receiving LIHEAP have incomes below $8,000. These families spend an extremely burdensome 18 percent of their income on energy costs, compared to the average middle-class family, which spends only 4 percent.

Researchers at Boston City Hospital have documented the heat-or-eat effect—higher utility bills during the coldest months of the year force low-income families to spend less of their money on food and more of it on heat. The result is increased malnutrition among children.

The study found that almost twice as many low-weight and under-nourished children were admitted to the Boston City Hospital emergency room immediately following the coldest month of the winter. No low-income family should have to choose between heating and eating.

But it is the low-income elderly who are at the greatest risk if LIHEAP is cut back, because they are the most vulnerable to hypothermia. In fact, older Americans accounted for more than half of all hypothermia deaths in 1991.

In addition, elderly households are much more likely than other families to live in homes built before 1940. These homes tend to be less energy efficient, and the elderly who live in them are at greater risk.

In addition, low-income elderly who have trouble paying their energy bills are often driven to rely on room heaters, fireplaces, ovens, and woodburning stoves in order to save money on central heating. Between 1986 and 1990, heating sources like these were the second leading cause of fire deaths among the elderly. In fact, the elderly were up to twelve times more likely to die in a heating-related fire than adults under 65.

LIHEAP is a program that makes a difference in all these cases. It makes a difference in human terms. It has been a lifeline to Edythe Aston, an 81-year-old elderly woman living in Melrose, MA. She received funding under the program to replace a dangerously defective furnace in her basement. Her furnace was in such disrepair that she said it could have either shut down altogether or exploded. The LIHEAP assistance she received not only allowed her to heat her house, it also gave her peace of mind that she was safe in her home.

Finally, LIHEAP also benefits communities through its job-creating impact on the local economy. As Robert Coard, president of Action for Boston Community Development, wrote in a Boston Globe article last month, LIHEAP ''employs large numbers of community people who may have trouble finding work in industries requiring sophisticated high-technology skills. Many are multilingual—a major asset for this program. The oil vendors who work with the program include many mom-and-pop businesses that depend on fuel assistance to survive. The dollars spent go right back into the economy.''

The winter of 1993–94 was an especially harsh one. For the entire month of January 1994, the average temperature in Boston was only 20 degrees, and the price of oil rose to meet the increased demand for heat.

LIHEAP should not be a partisan issue. If Senate Republicans are serious about helping and not hurting the elderly and low-income families, they will join us in restoring these funds. They will stop raiding the wallets and the furnaces of those who need help the most.

I urge my colleagues not to freeze out the Low-Income Home Energy Assistance Program, and to support the Wellstone amendment.

The PRESIDING OFFICER. The Senator from Minnesota has 5 minutes and 50 seconds.

Mr. WELLSTONE. Mr. President, parliamentary inquiry. Is there any other time on the opposing side?

The PRESIDING OFFICER. The only time remaining is the time of the Senator from Minnesota.

Mr. WELLSTONE. Mr. President, first of all, let me just say to my colleague from Illinois that it has been a

real honor to be in the Chamber of the Senate with her throughout this last couple weeks.

I say to my colleague from Illinois that I think she is quite right about process. This is just a glimpse of what is to come in terms of really a lack of standard of fairness when it comes to who is asked to tighten their belt. And perhaps it is also a glimpse of what is to come in terms of trying to have a stealth Congress, where you make these cuts at 3 a.m. in the House, you make deals, and come over to the Senate.

I say to the Senator I believe, since this is a glimpse of what is to come, that for us this is just the beginning. This is just the beginning. This will become, I believe, a very important, historic debate in the Senate. I know we are very determined to make sure that happens.

Mr. President, I wish to just summarize because I had a chance to speak earlier, and I wish to speak to one thing I have heard said several times that I really want Senators to think about before they vote. I am just going to take the Low-Income Energy Assistance Program because we are going to have two votes, two different amendments will be voted on.

Mr. President, many Senators, Democrats and Republicans alike, are on record supporting the LIHEAP program. This $319 million that we are trying to restore from the Pentagon travel administrative budget is money that we voted for in the Senate. Senators are for this. The House has now zeroed it out after this deal was made. They have zeroed it out.

This is a vote that could very well determine the future of this program. But to vote to restore this funding is consistent with the position I think of a majority of Senators in this Chamber. It has nothing to do with contradicting the prior vote.

Second, Mr. President, just because the majority leader says if I should fail in my attempt to table these amendments—let us start with the one on LIHEAP—I will pull the bill, I doubt it. We have disaster relief for Oklahoma and California. Senator MOSELEY-BRAUN and I have been very consistent about this. That is why we said we wanted the right to have these amendments. We want some democracy; we want some openness here, and that is why we made it clear once we were able to obtain that right we will go forward. I doubt the majority leader will pull this bill.

Third, I say to my colleagues, it is a difficult argument for you to make back home to the people you represent, and I know you care about, that somehow you had to vote for these cuts in the Low-Income Energy Assistance Program that you do not support because this bill would then have to go back to the House and it would take a few more hours. This bill could go back to the House, and it could be back here at 1 o'clock.

Forget the deals, forget inside Washington politics and think about the people who we represent even if those people do not have the big bucks, even if they are not the heavy hitters, even if they are not the big players.

This vote goes to the whole question of the heart and soul of the Senate. Mr. President, 450 people have died in the last 2 weeks. Cooling assistance is part of this program. My colleague from Pennsylvania is one of the champions of this program. He would be the first to say that. Why are we cutting this program?

Mr. President, I just say this one more time. Whether it is a cold weather State, where this is not an income supplement, this is a survival supplement, whether we are talking about heating assistance or cooling assistance, the total appropriations for this bill were less than one B–2 bomber. And we want to take just $319 million out of a Pentagon travel administrative budget that the GAO says is bloated and wasteful, with all sorts of articles: ''Billions Go Astray, Often Without a Trace,'' and just make sure we have a modicum of funding for low-income energy assistance.

That will be the first vote. I will say it one more time to my colleagues. Before you vote, please think deeply about this. I appeal to Senators: Do not be too generous with the suffering of other people. We can restore this $319 million and we can send this bill over to the House, and it will be back here at 1 p.m. Convenience between House and Senate is an inside process and deals have nothing to do with justice and fairness and what we stand for.

Mr. SPECTER addressed the Chair.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. SPECTER. Mr. President, I ask unanimous consent that I may be permitted to speak for 4 minutes.

Mr. WELLSTONE. Mr. President, reserving the right to object, if the Senator is going to speak against our position, then I would ask for more time on our side.

The PRESIDING OFFICER. Is there objection to the Senator's request?

Mr. WELLSTONE. I would object unless we could have a unanimous consent——

The PRESIDING OFFICER. Objection is heard.

Mr. SPECTER. Mr. President, I ask unanimous consent that I be permitted to speak for 4 minutes and if the Senator from Minnesota chooses 4 more minutes, it be up to his discretion.

The PRESIDING OFFICER. Is there objection?

Mr. REID. Objection.

The PRESIDING OFFICER. The Senator from Nevada objects.

Mr. WELLSTONE. Mr. President, I would not object at all.

The PRESIDING OFFICER. Objection is noted.

Mr. SPECTER. Mr. President, I ask unanimous consent that I may be permitted to speak up to 3 minutes.

The PRESIDING OFFICER. Is there objection?

Mr. WELLSTONE. Mr. President, I would object, but I would be pleased to have 3 minutes for the Senator from Pennsylvania and 3 minutes for the Senator from Minnesota and the Senator from Illinois.

The PRESIDING OFFICER. Is there objection?

Mr. REID. I object.

The PRESIDING OFFICER. Objection is noted.

Mr. WELLSTONE addressed the Chair.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. WELLSTONE. I would like the record to show that we were for all debate today. We wanted it during the daytime. This was not our decision.

Mr. REID. Regular order.

Mr. SPECTER. Mr. President, I ask unanimous consent that I be permitted to speak up to 2 minutes. This is my subcommittee's bill, and I have things to say.

The PRESIDING OFFICER. Is there objection?

Mr. WELLSTONE. I object unless we have 2 minutes to respond.

The PRESIDING OFFICER. Objection is heard.

Mr. SPECTER. Mr. President, I ask unanimous consent that there be 4 additional minutes equally divided.

Mr. HATFIELD. Mr. President, I will have to object to that.

The PRESIDING OFFICER. Objection is heard.

All time has expired.

Mr. HATFIELD. Mr. President, I move to table the first division of the Wellstone amendment and ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

VOTE ON MOTION TO TABLE DIVISION I OF AMENDMENT NO. 1833

The PRESIDING OFFICER. The question occurs on agreeing to the motion to lay on the table division I of amendment No. 1833 offered by the Senator from Minnesota [Mr. WELLSTONE]. The yeas and nays have been ordered. The clerk will call the roll.

The bill clerk called the roll.

Mr. LOTT. I announce that the Senator from Missouri [Mr. ASHCROFT] and the Senator from North Carolina [Mr. FAIRCLOTH] are necessarily absent.

Mr. FORD. I announce that the Senator from Hawaii [Mr. INOUYE] is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 57, nays 40, as follows:

[Rollcall Vote No. 319 Leg.]

YEAS—57

Bennett	Byrd	Craig
Bond	Chafee	D'Amato
Breaux	Coats	Daschle
Brown	Cochran	DeWine
Burns	Coverdell	Dole

Domenici	Jeffords	Packwood
Exon	Johnston	Pressler
Frist	Kassebaum	Reid
Gorton	Kempthorne	Roth
Graham	Kerrey	Santorum
Gramm	Kyl	Shelby
Grams	Lott	Simpson
Gregg	Lugar	Smith
Hatch	Mack	Specter
Hatfield	McCain	Stevens
Heflin	McConnell	Thomas
Helms	Murkowski	Thompson
Hutchison	Nickles	Thurmond
Inhofe	Nunn	Warner

NAYS—40

Abraham	Feingold	Mikulski
Akaka	Feinstein	Moseley-Braun
Baucus	Ford	Moynihan
Biden	Glenn	Murray
Bingaman	Grassley	Pell
Boxer	Harkin	Pryor
Bradley	Hollings	Robb
Bryan	Kennedy	Rockefeller
Bumpers	Kerry	Sarbanes
Campbell	Kohl	Simon
Cohen	Lautenberg	Snowe
Conrad	Leahy	Wellstone
Dodd	Levin	
Dorgan	Lieberman	

NOT VOTING—3

Ashcroft	Faircloth	Inouye

So the motion to lay on the table division I of amendment No. 1833 was agreed to.

Mr. DOLE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. HATFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HATFIELD. Mr. President, I ask unanimous consent that all remaining votes in the voting sequence be limited to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HATFIELD. Mr. President, I move to table the second division of the Wellstone amendment and ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

VOTE ON THE MOTION TO TABLE DIVISION II OF AMENDMENT NO. 1833

The PRESIDING OFFICER. The question occurs on the motion to table division II of amendment No. 1833, offered by the Senator from Minnesota [Mr. WELLSTONE].

The yeas and nays have been ordered.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. LOTT. I announce that the Senator from Missouri [Mr. ASHCROFT] and the Senator from North Carolina [Mr. FAIRCLOTH] are necessarily absent.

Mr. FORD. I announce that the Senator from Hawaii [Mr. INOUYE] is necessarily absent.

The result was announced—yeas 65, nays 32, as follows:

[Rollcall Vote No. 320 Leg.]

YEAS—65

Abraham	Frist	Mack
Bennett	Gorton	McCain
Biden	Graham	McConnell
Bond	Gramm	Mikulski
Breaux	Grams	Murkowski
Brown	Grassley	Nickles
Bryan	Gregg	Nunn
Burns	Hatch	Packwood
Byrd	Hatfield	Pressler
Chafee	Heflin	Reid
Coats	Helms	Roth
Cochran	Hutchison	Santorum
Coverdell	Inhofe	Shelby
Craig	Jeffords	Simpson
D'Amato	Johnston	Smith
Daschle	Kassebaum	Specter
DeWine	Kempthorne	Stevens
Dole	Kerrey	Thomas
Domenici	Kyl	Thompson
Dorgan	Lieberman	Thurmond
Exon	Lott	Warner
Ford	Lugar	

NAYS—32

Akaka	Feinstein	Moynihan
Baucus	Glenn	Murray
Bingaman	Harkin	Pell
Boxer	Hollings	Pryor
Bradley	Kennedy	Robb
Bumpers	Kerry	Rockefeller
Campbell	Kohl	Sarbanes
Cohen	Lautenberg	Simon
Conrad	Leahy	Snowe
Dodd	Levin	Wellstone
Feingold	Moseley-Braun	

NOT VOTING—3

Ashcroft	Faircloth	Inouye

So the motion to lay on the table division II of the amendment (No. 1833) was agreed to.

Mr. BRADLEY. Mr. President, I would like to clarify one important question regarding additional legislative language in this bill governing the Community Schools Program passed last year in the crime bill. I appreciate the assistance of the chairman in ensuring that $10 million of the $26.5 million originally appropriated will remain available to assist communities that have designed programs to use school buildings for constructive activities for young people to keep them safe and out of trouble during the afternoons, evenings and weekends.

Additional language was added to the House limiting the use of funds somewhat further than in the authorizing legislation. After this rescission becomes law, funds may be used only for entrepreneurship, academic, or tutorial programs, or for workforce preparation. Although this is a slightly narrower definition than in the original authorization, it follows closely my original intent in developing the program, which was not to encourage purely recreational activities.

The Department of Health and Human Services has done a wonderful job of getting this program underway. Despite a tight deadline, more than 700 applications were received by the May 5 deadline.

Almost all of these applications feature the components that are identified as permissible under the modified requirements in this legislation. However, some of the best applications put these activities in a broader context, including activities such as mentoring and conflict resolution, in keeping with the purpose of crime prevention. Other applications focus on academic and tutorial activities, but address topics outside the underlying school curriculum, which is in keeping with the intent of the legislation, since we did not want to duplicate or subsidize existing school activities.

All of these applications were prepared and the initial evaluation conducted under the original, slightly less restrictive, authorizing language. I would be greatly concerned if HHS were required to start from scratch, reopening the application and evaluation process, in order to meet the most restrictive interpretation of these new constraints.

Therefore, I would like to ask whether it is the chairman's understanding that, under this new language, more comprehensive programs that center around the activities described, but set those activities in the context of a broader program of mentoring or related methods, would be permissible?

Mr. HATFIELD. I thank the Senator from New Jersey for his inquiry. My response is that, he is correct in his reading of this language. The intent is to ensure that academic, tutorial, or work and entrepreneurship programs constitute the primary feature of any local initiative funded through the Community Schools Program. I appreciate that there may be other activities or methods, such as mentoring, that are necessary as part of a more comprehensive program for youth. Community organizations that have already developed applications under the original authorization language should not be required to rewrite their applications to eliminate all mention of such incidental activities.

Mr. BRADLEY. I thank the Senator. I believe this will provide needed clarity to the Department and to the 700 community applicants. This said, however, I would reiterate the intent of this restrictive language: in making these grants, the Department of Health and Human Services should not fund programs that are primarily recreational in nature, or whose primary feature is not academic, tutorial, or directed at developing the potential of young people as workers or entrepreneurs.

Mr. HATFIELD. This is my view also, and I believe it will help to make this program successful.

CENTER FOR ECOLOGY RESEARCH AND TRAINING

Mr. LEVIN. Mr. President, I am concerned about the rescission contained in H.R. 1944 for the EPA Center for Ecology Research and Training in Bay City, MI. The bill rescinds $83 million from this planned facility, leaving about $10 million for close-out costs only.

This facility is very important to my State and I would hope the Appropriations Committee would consider at a minimum funding for the docking and maintenance facility component of the project in the fiscal year 1996 VA, HUD, and independent agencies appropriations bill. A docking and maintenance

facility is needed for EPA's Lake Guardian research vessel, which provides important monitoring and research in the Great Lakes.

Mr. BOND. I thank the Senator from Michigan for his remarks. Let me assure him that I understand how important this project is to his State.

The bill rescinds funds for this project primarily because EPA is in the midst of a major reorganization of its research laboratories. EPA already has 39 laboratories, and there is great concern as to whether a new facility is needed or can be afforded at this time.

I understand the plans for the center include a super computer center, a training center, a docking and maintenance facility, and environmental research and analytical chemistry laboratories.

As part of the Agency's laboratory reorganization, EPA should study whether the docking and maintenance facility is critically important in Bay City, and if so, determine the associated construction and operating costs. This information should be provided to the Appropriations Committee as soon as possible so that it may be considered in the fiscal year 1996 appropriation bill for EPA.

The committee will give close consideration to the Senator from Michigan's recommendation for this project, as well as information from the EPA. While I cannot provide any guarantees for funding. I ensure my friend from Michigan that it will receive our serious and careful consideration.

Mr. LEVIN. I appreciate the assurances of the distinguished chairman of the Appropriations Subcommittee. I hope he will also work with me to ensure that EPA is able to fulfill its legal and moral obligations to acquire and remediate, if necessary, contaminated properties where acquisition by EPA has begun.

Mr. BOND. I will make every reasonable attempt, within available funds, to provide EPA with the ability to satisfy the Agency's obligation.

Mr. LEVIN. I thank the Senator from Missouri. His assurances and those expressed by Congressman LIVINGSTON regarding this project, improve the future prospects for the dock and maintenance facility, if not the entire project.

Mr. GORTON. Mr. President, today the Senate will vote to adopt, and send to the President for his signature, H.R. 1944, the revised fiscal year 1995 rescission bill. The legislation before the Senate today is an important first step toward a balanced budget. Once we get to that balanced budget—roughly 7 years from now—the Nation will be relieved of a terrific burden on its people and our economy. There's another form of relief in the rescission bill before us today, and its specifically targeted at natural resource based communities across our Nation that have been destroyed by misguided Federal policies.

The emergency salvage timber provision in this legislation, which has been the subject of many intense negotiations over the past few days, was included in the original rescission bill vetoed by the President, as a way to provide some short-term relief to timber communities in my State.

For 6 long years, rural timber communities in my State have been under siege from their Federal Government, and the implementation of environmental laws that have neglected to consider the impacts of these laws on people. Federal agencies have gone literally unchecked in their imposition of regulations, and restrictions on people and their property, and, the cumulative effects of these actions have resulted in the destruction of rural communities and their way of life.

Mr. President, I know the people who live and work in these communities—Forks, Morton, Aberdeen Port Angeles, Colville—and I am proud to call them my friends. I get angry when actions by the Federal Government result in the destruction of their way of life. Forks, Washington is no different than any other rural community across America. What is different about Forks is that the community has largely been shut down. And what is different about Forks is that the Federal Government has done little, if anything, to acknowledge the fact that this community has forever been changed.

Today timber communities must fight for every log that gets to their mill. Timber communities fight against clever—and not so clever—environmental attorneys that file lawsuits to block Federal timber sales. If success is measured in the number of sawmills shut down, the number of small business with closed doors, the number of workers collecting unemployment checks, and number of close-knit families that have unraveled, then environmental extremists have been hugely successful.

It is fundamental to our ideal of the American dream that an individual have the ability to choose his or her livelihood. As a father and a grandfather, I see endless opportunities for my children and grandchildren, to pursue a career or life's work that will bring them great happiness. I believe this to be a tenet of our American way of life that should not be undermined or compromised, and this Senator will fight to protect and enhance such opportunities, not compromise them.

But Federal agencies and Federal environmental laws have compromised—if not sold out—the dreams of people in timber towns across my State. It was not enough that an individual's life's work was casually disregarded by his Government, but the response from the Federal Government—and from urban area leaders—to their plight was to simply suggest that timber workers just find another job. The arrogance of this statement speaks for itself.

To add insult to injury, this administration put forward a plan—Option 9—that would pour money—hundreds of millions of dollars—into myriad bureaucracies, training programs, forms, and procedures that was supposed to ease the pain of a policy designed to essentially eliminate a vital part of our region's workforce and economy.

Mr. President, it is crystal clear to this Senator, and I hope to many of his colleagues, that the answer to this problem is not arrogant statements that look down upon the time honored way of life in our rural communities, or throwing money at the problem and hoping it will go away. The answer to this problem is simple, we must change the laws that have brought us to this point.

The legislation before us today is an emergency measure that will bring a degree of relief to people in timber communities in my State. It's a good starting point, but this Senator intends to address the underlying statutes that have brought us to this point in the first place.

The history of the emergency salvage timber provision dates back to what is commonly known as ''section 318'' of the fiscal year 1990 Interior appropriations bill. That provision was crafted by the chairman of the Appropriations Committee, Senator HATFIELD, together with other members of the Pacific Northwest congressional delegation, to address the timber supply shortage in our region. The provision included what is commonly known as ''sufficiency language''—language insulating timber sales from frivolous legal challeges filed under various environmental statutes. The sufficiency language included in Section 318 was ultimately challenged all the way to the Supreme Court, where the Court ruled in favor of the goals and principles put forward in the legislation.

The emergency salvage timber provision in the rescission bill before the Senate today includes sufficiency language that was carefully crafted to mirror the sufficiency language in section 318. Why? Section 318 has been tested by legal challenge, and it has survived. The sufficiency language in H.R. 1944 does not attempt to chart new territories on this front, but to follow the carefully crafted language that has been held up under close scrutiny.

In 1992, this Senator offered an amendment on the Senate floor to the fiscal year 1993 Interior appropriations bill that would have granted the authority to the Secretary to move forward with salvage timber sales. During the Senate debate on that amendment, I cautioned the Senate that to allow salvage timber to continue to build up on the floor of our Nation's forests would result in devastating wildfires in future years. The Senate rejected that warning, and my amendment was soundly defeated.

And again, just last year, during the House-Senate conference on the fiscal year 1995 Interior appropriations bill, I attempted to offer an amendment that would give the Secretary the authority to offer salvage sales to improve forest

health conditions in our Nation's forests. My amendment was soundly rejected by the Democratic-controlled Congress.

But this year, things are different. Today, after years of struggle and suffering, the voices of timber families in Washington State have finally been heard. Today, the Senate will finally pass legislation, and send it to the President that will result in real relief for people in my State. Real relief, Mr. President, not simply promises on paper to be waved around at press conferences.

EMERGENCY SALVAGE TIMBER PROVISION

The provision in H.R. 1944 is virtually identical to that which passed the House and Senate in the conference report to H.R. 1158. The conference report to H.R. 1158 was, of course, vetoed by the President. The legislation before the Senate today includes four key modifications to the timber language included in the conference report to H.R. 1158. Allow me to briefly explain these changes, and the rationale behind each.

First, in subsection (c)(1)(A) of H.R. 1944, the change worthy of notice was included at the request of the administration. This Senator did not believe that this change was necessary because of the way that the entire provision is drafted. The fundamental concept of the timber language is that the Secretary has the discretion to put forward the salvage timber sales of which he approves. Consequently, I was baffled by the administration's demand that in this subsection language be included to give direction to the Secretary ''to the extent the Secretary concerned, at his sole discretion, considers appropriate and feasible'' that timber salvage sales ''be consistent with any standards and guidelines from the management plans applicable to the National Forest or Bureau of Land Management District on which the salvage timber sale occurs.'' The administration demanded that some mention of ''standards and guidelines'' be included in this section. After a series of negotiations this is the compromise that the House and Senate worked out with the administration.

Subsection (c)(1)(A) gives the administration the broadest latitude to prepare the salvage timber sales that it deems appropriate. It already has the discretion to make the decision of whether or not to put forward a sale that is consistent the standards and guidelines of a particular forest unit or BLM district. Essentially this request by the administration and the language ultimately included at its request is nothing more than redundant.

Subsection (k) releases sales that were authorized under section 318 of the fiscal year 1990 Interior appropriations bill. Roughly 300 mbf of timber sales have been held up due to agency gridlock over the marbled murelett. The administration asked the House and Senate to include in (k)(2) its definition of ''occupancy.'' That change in subsection (k)(2) of the Emergency Salvage Timber provision would undermine the ability to move these sales forward. That suggestion was soundly rejected by the House and Senate authors of the provision.

The language of (k)(2) requires that if a threatened or endangered bird species is ''known to be nesting'' in the sale unit that the administration not harvest that unit, but come up with an equal amount of timber in exchange for preserving that unit. This was written to give the administration flexibility to protect that individual sale unit in which the bird resides.

I wish to clarify that it is the intention of the House and Senate authors of this provision that the administration must provide physical evidence that the bird is ''nesting'' in that unit before the administration may enact (k)(3) to avoid the harvest of that sale unit.

The administration also requested that the date in subsection (k) be changed from 30 days for the release of the sales, to 45 days. The House and Senate authors of the provision included this request in H.R. 1944.

The third change included at the request of the administration relates to subsection (l)—Effect on Plans, Policies, and Activities—of the Timber provision. The subsection addresses the effect that salvage timber sales have on other multiple use activities. The provision was revised to create a limited exception to language that prohibits modifying land plans and other administrative actions as a consequence of implementing the section. The change, as requested by the administration, allows for modifications under extremely limited circumstances when needed to meet the salvage program agreed to by the conferees, or to reflect the particular effect of the salvage sale program.

It is critical to note that this modification expressly prohibits the administration from using salvage timber sales as the basis for limiting other multiple use activities. If the administration does need to modify an existing plan or program, project decisions, such as salvage sales, or other activities, cannot be halted or delayed by the modification. This is a critical point. This provision, as included in the conference report to H.R. 1158, was requested by the U.S. Forest Service as a way in which to ensure that the Forest Service would not be subject to legal challenge for the ''cumulative effects'' of a salvage sales when combined with another multiple use activity.

Last, the fourth change requested by the administration is, perhaps, the most interesting. The administration requested that the expiration date of the timber language be changed from September 30, 1997 to December 31, 1996. The administration aggressively pursued this request, with the express knowledge that its own agency officials in the Forest Service specifically asked the House and Senate conferees on H.R. 1158 to extend the Senate passed date of September 30, 1996 to September 30, 1997. The Forest Service made this request of the conferees for budgetary and planning purposes. Despite this fact, the administration was undaunted, however, in their desire to change the date to December 31, 1996.

When asked why the administration needed the date to be changed to December 31, 1996, the response was this: the current administration cannot control the actions of future administrations.

This is certainly an interesting concept, and an idea that I totally reject. Why? We cannot predict what will happen between now and the next election. Will we continue to have a Republican controlled House and Senate? Will one body return back to Democratic control? This is the subject of elections, and should not be the subject of policy discussions. But this President, unlike almost any other in recent history, has made election politics a consideration in nearly every one of his policy deliberations.

Aside from these changes the principle of the timber language in this legislation remains the same. The timber language simply provides the President the ability to keep the multitude of promises that have been made and broken to the people who live and work in timber communities in the Pacific Northwest. It's just that simple.

Briefly, the three components of my amendment are: emergency salvage timber sales, Released timber sales, and option 9.

Emergency salvage timber sales: An emergency situation exists in our Nation's forests created by past wildfires, increased fuel load, or bug infested and diseased timber stands. Time and again, the administration has publicly committed to putting together an aggressive salvage timber program. My amendment gives the administration the ability to do just that.

The bill language directs the Forest Service and BLM expeditiously to prepare, offer and award salvage timber sale contracts for the thinning and salvaging of dead, dying, but infested, downed, and burnt timber on these Federal lands nationwide, and to perform the appropriate revegetation and tree planting operations in the areas in which the salvage operations have taken place.

The bill language deems the salvage timber sales to satisfy the requirements of applicable Federal environmental laws. It also provides for an expedited process for legal challenges to any such timber sale, and limits administrative review of the sales.

Released timber sales: Language has also been included to release a group of sales that have already been sold under the provisions of Section 318 of the fiscal year 1990 Interior and Related Agencies Appropriations Act. The harvest of these sales was assumed under the President's Pacific Northwest forest plan, but their release has been held up due to extended subsequent review by the U.S. Fish and Wildlife

Service. Release of these sales will remove tens of millions of dollars of liability from the government for contract cancellation. The only limitation on release of these sales is in the case of a nesting of an endangered bird species with a known nesting site in a sale unit. In this case, the Secretary must provide substitute volume for the sale unit.

Option 9: First, let me make clear that I do not agree with, or support, option 9. I do not believe it comes close to striking an appropriate balance between the needs of people and their environment. My amendment simply provides the Forest Service and Bureau of Land Management the authority to expedite timber sales allowed for under option 9. The administration promised the people in the region of option 9—Washington, Oregon and California—an annual harvest of 1.1 billion board-feet, and the time has come for it to keep its promise.

My amendment specifies that timber sales prepared under the provision satisfy the requirements of Federal environmental laws, provides for an expedited process for legal challenges, and limits administrative review of such sales. Let me make clear that my amendment does not independently validate option 9 and does not restrict future legal challenges to option 9.

Mr. President, although I believe that the negotiations that have gone on over the timber language were unnecessary given the broad latitude that the administration has in this legislation, it is a part of the legislative process. More important than these negotiations, and the last minute interest of this administration in the legislation, in the opinion of this Senator, are the people in timber communities. The people in timber communities across my State will have won their first victory when the President signs this bill. It's a victory they deserve and one we should give to them. I encourage my colleagues to support H.R. 1944.

SUBSECTION (i) OF SECTION 2001

Mr. HATFIELD. Mr. President, I want to take a moment to share with my colleagues my understanding of subsection (i) of section 2001 of H.R. 1944. This subsection contains references to several specific Federal statutes as well as general references to Federal laws, including treaties, compacts, and international agreements. It is my understanding that the reference to treaties is made in response to allegations that passage and implementation of section 2001 would result in violation of the North American Free-Trade Agreement or the General Agreement on Tariffs and Trade.

FOREST HEALTH

Mr. LIEBERMAN. Mr. President, I voted for the rescission bill that passed the Senate earlier today because I believe so strongly that we must bring our Federal budget under control, and hopefully balance it in the near future. The longer we delay this process the more difficult our choices become in cutting spending for truly important Federal programs. But I remain strongly opposed to the provision in this rescission bill to exempt Federal logging from all Federal environmental laws for 2 years under the justification of salvage harvests. Not only is this provision unrelated to spending cuts—and probably will be budget negative—it sets very inadvisable policy and precedent.

''Timber salvage'' in this provision is defined broadly to include virtually all Federal forests, potentially including areas set aside or managed scientifically for critical watersheds, endangered species, roadless areas, or special recreation uses. It defines salvage to include ''dead, dying, and associated trees''—which may include virtually all mature timber. And, it provides exemptions from citizens suits, appeals, and judicial review of agency actions. These actions do not appear warranted based on timber harvest data from public lands.

According to U.S. Forest Service data, since 1992 less than one-half of 1 percent of forest sales by volume have been delayed by citizen suits, and less than 3 percent by litigation. In the first 11 months of 1994 over 1 billion board feet of timber was harvested from the ''Option 9'' areas developed for salmon and spotted owl protection—very close to the 1.2 billion board feet promise made for the 12 month period of 1994. Further, U.S. Forest Service data shows that a substantial number of timber sales in this region have been offered but not taken due to lack of demand.

In a recent issue of Random Lengths, industry's weekly report on North American Forest Products Markets, the lead story states that:

> Consensus has developed that there is simply too much production chasing too few orders. Most buyers and sellers now agree that unless demand revives in a big way, and soon, the industry is headed for widespread shutdowns and curtailments.

Futures prices for softwood continue to be very low in relation to past years, further indicating low demand relative to supply.

Many experts believe that the timber industry faces a crisis of demand, not supply. Even if this were not the case, it is doubtful that exemptions from Federal environmental laws would help smaller mills facing log shortages. Mills that are most threatened by log shortages from public lands often cannot outbid larger mills at auction. Auctions tend to be won by deep pockets, with no guarantee that mills needing logs the most will get them.

During debate over original passage of this bill Senator MURRAY offered a moderating amendment, which I voted for, that would have expedited but not eliminated implementation of environmental laws on Federal forest lands. It failed by only one vote. The timber provision that finally passed contains a change over previous language to expand the role of the Secretary of Agriculture to require his signature in order to implement new sales. Although I do not think this is a sufficient fix to this legislation, I do think it is essential for the administration to faithfully execute this authority in order to prevent serious abuse of the legal exemptions in this provision.

This timber provision is an unrelated, inadvisable and unnecessary addition to the rescission bill that will only further confuse our efforts to bring thoughtful, balanced reform to Federal environmental protection, without sacrificing important safeguards.

Mr. BOND. Mr. President, over 2 months ago, the President first announced his determination to veto H.R. 1158, the rescission and supplemental appropriations bill agreed to by the joint House-Senate conference committee. In part, he decried the agreement on the basis of the rescission proposed for HUD. At the time, I said that rationale for the veto was groundless. It is ironic, and very significant, that this measure, H.R. 1944, which the President now finds acceptable, rescinds $137 million more from HUD than did the bill which he vetoed.

Some have questioned why HUD is being cut by nearly $6.5 billion, more than three-quarters of a total rescission of $8.4 billion for the subcommittee. The answer is simple: That cut is roughly proportionate to that Department's available budgetary resources. Although HUD received new appropriations for fiscal year 1995 of $25.7 billion, about 39 percent of the funding for our major agencies, it also carried into this fiscal year $35.2 billion in unobligated prior year balances. In other words, it more than doubled its total available budgetary resources with this massive influx of unspent, unobligated funding.

We must cut HUD, and we must begin now if there is to be any hope of surviving the very constrained freeze-minus future for discretionary spending reflected in the budget resolution. The Congressional Budget Office analysis of the cost of the President's original budget submission for subsidized housing demonstrated a 50-percent expenditure increase over the next 5 years. This is a crisis. Unless we act now to curb the spiraling growth in outlays, we will have to make truly draconian cuts in the forthcoming fiscal year, including widespread evictions of low-income families from subsidized housing and accelerated deterioration in public and assisted housing across the country.

The solution is simple: Turn-off the pipeline of new subsidized units. That is the fundamental focus of the rescission bill. We have also restored cuts proposed by the House in CDBG, modernization, and operating subsidies, and redirected available resources toward another urgent aspect of restoring budgetary sanity to this out of control Department: demolish the failed housing developments, and put the rest

on a sound footing to survive the competition and subsidy reductions coming down the pike.

Amid all the debate over the future of HUD, it's important to keep in mind that over 4.8 million families receive Federal housing assistance, and half of them are elderly and disabled. It's also important to note that such housing assistance is expensive. This year HUD will expend $26 billion for these programs, and costs are rising. In fact with the long-term contractual commitments previously made by HUD, the Government is currently obligated to pay over $187 billion over the life of these contracts, some stretching out 40 years.

Given the long-term nature of these obligations and commitments, halting the budgetary growth of the Department can only be accomplished with a focused, determined, multiyear effort. Unless we begin now, with this bill, we will lock ourselves into another multibillion-dollar increment of long-term budget obligations. And this is only a first step, one of many in which we will go beyond the limited fixes and cuts that can be accomplished in a rescission bill. We must enact major reform legislation later this year, but this is a good, and very necessary beginning.

The program reforms and initial reductions contained in the rescission bill are desperately needed to avoid a budgetary train wreck with the Department of Housing and Urban Development. Immediate enactment of this bill, and the enactment of further budgetary and legislative measures to address this crisis later this summer, provide us our best and perhaps only opportunity to avoid the displacement of thousands of low-income families, as well as further deterioration and loss of desperately needed affordable housing stock.

The President criticized a number of specific actions contained in the original conference agreement. Frankly, there are a number of recommendations in the revised measure before us which are even more troubling. But this bill is a compromise, not only between what was originally passed by the House more than 3 months ago and what was worked out in conference 2 months ago on H.R. 1158, but also with what the administration has subsequently demanded. I believe the agreement goes a long way toward minimizing adverse program impacts while increasing our contributions to deficit reduction. The bottom line, however, is that it provides almost $8.4 billion in deficit reduction while protecting funding for activities critical to our Nation's veterans, investments in science and technology, the environment, and to meet the housing needs of lower income families.

For example, the rescission agreed to for national service was cut in half to $105 million. While many of us are dubious of the whole premise of paying people to become volunteers, regardless of their financial resources, and we have heard of instances where excessive payments have been made, the conferees decided to hold this program closer to the funding level established for fiscal year 1994. I might add that the rescission is only a quarter of the original House-passed rescission of $416 million. The GAO is completing its report on the cost of this program which appears to confirm many of the concerns some of us have expressed. This report will serve as an important new factor in our consideration of funding for this program for fiscal year 1996.

In the case of housing for AIDS victims, the current rescission totals only $15 million, a small fraction of $186 million included in the House bill. Moreover, the rescission provides an increase in funding over the level requested by the President for this fiscal year.

The bill includes $6.6 billion requested by the President for the disaster relief fund. This will enable FEMA to respond to needs in California resulting from the Northridge earthquake and disasters in other States, and to meet emergency needs arising out of the terrorist bombing in Oklahoma City and flooding in the Midwest.

Mr. President, I would also note that the bill contains $5 million requested by the administration to enable FEMA to initiate flood mitigation activities authorized by the National Flood Insurance Reform Act of 1994. So this bill not only provides the resources to help flood victims recover from these disasters, but we are also taking steps to help avoid such flood damage in the future.

The bill also rescinds $81 million from the Department of Veterans Affairs, including $50 million from excess personnel costs and $31 million from excess project reserves. This rescission will not impact VA's ability to provide patient care in any way. The rescission to personnel costs does not affect staffing. Simply, VA's budget included $50 million more than they now estimate they need to pay salaries. Despite the assertion in the President's previous statement, no funding is being rescinded for medical equipment needs of VA hospitals and clinics.

In terms of the construction account, funds are rescinded from projects which are costing less than what was originally appropriated. Rescinding the funds ensures more careful management of the VA construction budget.

This measure rescinds a total of $1.3 billion from EPA. Of the total, $1.1 billion is rescinded from the drinking water State revolving fund. Because this program has not been authorized, EPA has been unable to obligate the funds. While I support the need for this program, until it is authorized no funds may be spent. The rescission bill leaves $225 million for the drinking water State revolving fund should authorizing legislation be enacted.

Within the Superfund Program, $100 million is rescinded. Because EPA fails to obligate on average $100 million in Superfund appropriations each year, this rescission is not expected to have a dramatic effect on program activities. On the other hand, it is intended to slow program spending pending enactment of major reform legislation which will likely change the scope and nature of cleanup activities previously planned.

This measure contains number of legislative provisions impacting EPA programs including the automobile inspection and maintenance program to ensure EPA is flexible in reviewing States' plans for I/M programs and considers assigning additional credits for effective decentralized programs.

Also included are two key EPA reforms: first, a moratorium on new Superfund site listings for the balance of this fiscal year, unless requested by the Governor or unless reauthorization legislation is enacted, and second, a prohibition on EPA from enforcing vehicular trip reduction programs.

Mr. President, this compromise bill is a good one. Rescissions for programs under the jurisdiction of the VA, HUD, and Independent Agencies Subcommittee total $8.4 billion. The contribution toward deficit reduction is $1.5 billion more than the level originally passed by the Senate, but is $900 million less than that passed by the House. It is a compromise, but one which fairly balances the differing priorities of the two Houses and still maintains funding for critical activities.

Mr. President, this bill must be enacted without further delay to assure timely delivery of assistance to disaster victims in 41 States, including my own, as well as the Federal response in Oklahoma City. Perhaps equally important, immediate enactment of this measure is absolutely critical to beginning the process of expenditure reduction to prevent widespread disruption and dislocations as we enact the legislation necessary to bring the Federal budget back into balance in 7 years. We must eliminate this spending before Federal agencies obligate even more of the funds we have identified for rescission, making the task of saving money in low priority programs even more difficult.

This is a responsible bill. It cuts funding and contributes to deficit reduction. It provides emergency funding which is urgently needed to assist victims of disasters. It makes long overdue reforms and corrections in programs which need fixing. And this bill needs to be enacted without further delay. I urge its adoption.

Mr. HATFIELD. Mr. President, I ask unanimous consent that a letter addressed to the Democratic leader, which is identical to the letter sent to the Republican leader, from Alice Rivlin indicating the administration's full support for the bill as it was passed by the House, be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

EXECUTIVE OFFICE OF THE PRESIDENT, OFFICE OF MANAGEMENT AND BUDGET,
Washington, DC, July 21, 1995.

Hon. THOMAS DASCHLE,
Minority Leader, U.S. Senate,
Washington, DC.

DEAR MR. LEADER: The purpose of this letter is to provide the Administration's views on H.R. 1944, the emergency supplemental and rescission bill. The Administration supports H.R. 1944, as it passed the House.

H.R. 1944 provides an important balance between deficit reduction and providing funds to meet emergency needs. This legislation provides essential funding for FEMA Disaster Relief, for the Federal response to the bombing in Oklahoma City, for increased anti-terrorism efforts, and for providing debt relief to Jordan in order to contribute to further progress toward a Middle East peace settlement. H.R. 1944 reduces Federal spending by $9 billion.

The Senate is urged to pass H.R. 1944, as it passed the House. With only ten weeks remaining in the fiscal year, it is essential that this legislation be presented to the President as soon as possible. Therefore, the Administration opposes any amendments to the bill.

Sincerely,

ALICE M. RIVLIN,
Director.

Mr. HATFIELD. Mr. President, I ask for the yeas and nays on final passage.

The PRESIDING OFFICER (Mr. KYL). Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. Under the previous order, the clerk will read the bill for the third time.

The bill (H.R. 1944) was ordered to a third reading, and was read for the third time.

The PRESIDING OFFICER. Under the previous order, the question occurs on the passage of H.R. 1944. On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. LOTT. I announce that the Senator from Missouri [Mr. ASHCROFT], and the Senator from North Carolina [Mr. FAIRCLOTH] are necessarily absent.

Mr. FORD. I announce that the Senator from Hawaii [Mr. INOUYE] is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber who desire to vote?

The result was announced—yeas 90, nays 7, as follows:

[Rollcall Vote No. 321 Leg.]

YEAS—90

Abraham	Cohen	Gramm
Akaka	Conrad	Grams
Baucus	Coverdell	Grassley
Bennett	Craig	Gregg
Biden	D'Amato	Harkin
Bingaman	Daschle	Hatch
Bond	DeWine	Hatfield
Boxer	Dodd	Heflin
Bradley	Dole	Helms
Breaux	Domenici	Hollings
Brown	Dorgan	Hutchison
Bryan	Exon	Inhofe
Bumpers	Feingold	Jeffords
Burns	Feinstein	Johnston
Byrd	Ford	Kassebaum
Campbell	Frist	Kempthorne
Chafee	Glenn	Kerrey
Coats	Gorton	Kerry
Cochran	Graham	Kohl
Kyl	Murkowski	Santorum
Lautenberg	Nickles	Shelby
Leahy	Nunn	Simpson
Lieberman	Packwood	Smith
Lott	Pell	Snowe
Lugar	Pressler	Specter
Mack	Pryor	Stevens
McCain	Reid	Thomas
McConnell	Robb	Thompson
Mikulski	Rockefeller	Thurmond
Moynihan	Roth	Warner

NAYS—7

Kennedy	Murray	Wellstone
Levin	Sarbanes	
Moseley-Braun	Simon	

NOT VOTING—3

Ashcroft	Faircloth	Inouye

So, the bill (H.R. 1944) was passed.

Mr. LEAHY. Mr. President, the Senate passed a rescission bill today that I wish was not needed. Unfortunately, too often disasters like the California earthquake and the Oklahoma City bombing occur that we cannot foresee or prevent. Those events are tragedies, and we must do what we can to assist the victims.

But there is another disaster that made this bill necessary—a disaster we could have stopped, one that will affect every American for years to come. That disaster is the Republican's budget resolution. There is not a Member of this Congress that doesn't want to balance the Federal budget, but there is a right way and a wrong way to do it. The budget resolution passed by Congress tries to right 30 years of overspending with 7 years of draconian cuts to Medicare, Medicaid, education, affordable housing, heating assistance, and just about every program hard-working American families depend upon.

This was not a bipartisan budget resolution. Republicans rejected President Clinton's more moderate approach. I voted against that resolution. Unfortunately, not enough Senators joined me to block this disastrous budget that has created the need for the cuts we are making today.

In April, I came to the Senate floor to vote against H.R. 1158, the earlier rescission bill that focussed its cuts on the poor, the hungry, and on our children. I said then that I hoped Republicans and Democrats could find a way to work together to develop a bipartisan bill that balanced those cuts more evenly. We have done that, and I believe the bill we have passed today is more equitable than the rescission bill that I voted against a few months ago.

The cuts to education programs, to AmeriCorps, and to programs fighting drug use in our schools and communities, have been reduced. To offset those cuts, administrative costs for the Federal Government were trimmed.

This is not a perfect bill. I am deeply concerned about many of the cuts included in the rescission package, most importantly the cut of $319 million to the Low-Income Home Energy Assistance Program [LIHEAP]. I fought to restore funding to LIHEAP in the original Senate rescission bill, and I have continued to oppose cuts to this important program as the House and Senate worked on a compromise.

This cut will hurt Vermonters who cannot afford to heat their homes during our long New England winters. I do not believe that most Americans would choose to let those people freeze so that the budget can be balanced in 7 years as opposed to 10, or so that wealthy Americans can get a bigger tax break next year. Certainly I would not.

I am also extremely disappointed with a timber provision, pushed through by special interests, that could be devastating to our Nation's forests. There is no justification for this timber legislation. It is a gift to special interest, powerful PAC money, and the champions of misinformation. The letter I will include for the RECORD makes this clear.

I commend Senator MURRAY for the work she has done to establish a sustainable forest-based economy in the State of Washington, while creating 3,500 new jobs in the lumber, wood manufacturing, and paper industries. I applaud her for having the courage to stand up to this backdoor attempt to weaken the laws protecting our forests without hearings, without committee mark-ups, without public participation, or open floor debate. I hope that this is not an indication of the way this Congress intends to address our environmental laws. The American people did not vote for that kind of change, and they will not stand for it any more than I will.

I voted for this rescission bill today—not because it is a good bill, but because it is a necessary bill. It is necessary to pay for the disasters in California, in Oklahoma, and for the disaster that the Republicans have created with their budget resolution.

REGARDING THE NATIONAL BANKRUPTCY REVIEW COMMISSION

Mr. GRASSLEY. I would like to congratulate my colleagues, Senator HATFIELD, the chairman of the Senate Finance Committee, and Senator BYRD, the ranking member of the committee, for the hard work they have put toward resolving the differences in this bill. I hope that the passage of this bill will help to put this country on her way back to a balanced budget. Included in the bill is the appropriation for funding for the National Bankruptcy Review Commission. This Commission was established pursuant to enactment of the Bankruptcy Reform Act of 1994 which both the House and Senate passed unanimously. I wish to ask my distinguished colleague from Alabama to clarify a few issues regarding that Commission, since he managed the authorizing legislation last session. First, is it not correct that pursuant to section 608 of the act, the 2-year period for submitting its report should be based on the date on which the first meeting is held.

Mr. HEFLIN. The Senator is correct. Although the language in the act envisions that the first meeting of the

Commission would take place within 210 days of enactment of the act. It is clear that first meeting as well as the actual 2-year duration of the Commission should be based on the date on which the first formal meeting, is held. This is the practical effect of the budgeting process, to which the Commission is bound.

Mr. GRASSLEY. We are all bound by the budgeting process and must adjust our actions accordingly. I have one other question for my colleague, regarding the Commission membership requirements. I understand that the membership provision of the Commission was intended to preclude from continued membership a person who had been appointed to that position due to his or her capacity as an officer or employee of a government. Would the Senator from Alabama explain to me who this provision is meant to preclude from membership on the Commission?

Mr. HEFLIN. I will be happy to help to clear up any questions which may have been raised regarding membership on the Commission. It is my understanding that this provision is intended to preclude from continued membership on the Commission those Commissioners who are appointed based solely on the capacity of the governmental office for which they hold. If that Commissioner should leave the governmental position during their term then they can no longer serve on the Commission.

MILITARY CONSTRUCTION APPROPRIATIONS, 1996

The PRESIDING OFFICER. The clerk will report the underlying pending business, H.R. 1817.

The legislative clerk read as follows:

A bill (H.R. 1817) making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 1996, and for other purposes.

The Senate continued with the consideration of the bill.

Mr. BURNS. Mr. President, as soon as we can get order, I will ask unanimous consent that the chairman of the full Appropriations Committee be recognized.

AMENDMENT NO. 1834

The PRESIDING OFFICER. The question occurs on amendment No. 1834 offered by the Senator from New Mexico. Under the previous order, there will be 4 minutes of debate equally divided prior to the vote on the motion to table the amendment.

Mr. HATFIELD. Mr. President, I would like to propound a unanimous-consent request.

The PRESIDING OFFICER. The Senator from Oregon.

APPOINTMENT OF CONFEREES—H.R. 1854

Mr. HATFIELD. Mr. President, I will propound a unanimous-consent agreement on the legislative appropriations bill that we passed last night.

I ask unanimous consent that the Senate insist on its amendments to H.R. 1854, request a conference with the House on the disagreeing votes of the two Houses thereon, and that the Chair appoint conferees.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Presiding Officer (Mr. KYL) appointed Mr. MACK, Mr. BENNETT, Mr. HATFIELD, Mrs. MURRAY, and Ms. MIKULSKI conferees on the part of the Senate.

The PRESIDING OFFICER. Who yields time?

Mr. PACKWOOD addressed the Chair.

Mr. BURNS. I yield to the Senator from Oregon for the purpose of an announcement.

ANNOUNCEMENT OF COMMITTEE MEETING

Mr. PACKWOOD. Mr. President, the Finance Committee has not yet had its hearing of Lawrence Summers to be Under Secretary of the Treasury. We will be convening the Finance Committee as soon as the last vote is over. I would appreciate it if Members can get there reasonably promptly. It is a controversial nomination. I hope it will not take a long time. We will be taking it up at about a quarter to 1, whenever we finish with the vote. I thank my friend from Montana.

MILITARY CONSTRUCTION APPROPRIATIONS, 1996

The Senate continued with the consideration of the bill.

Mr. BURNS. Mr. President, I think we have 4 minutes equally divided. I yield 1 minute to the Senator from Idaho, [Mr. KEMPTHORNE].

The PRESIDING OFFICER. The Senator is recognized.

Mr. KEMPTHORNE. Mr. President, I rise in opposition to the Bingaman amendment. During a hearing before the Armed Services Committee earlier this year, Defense Secretary Bill Perry testified that under the present budget, it will take over 50 years to renovate many of the family housing units currently in use by the armed services of America. We know we are falling behind in readiness. The military construction projects that will be canceled by the proposed amendments will help address these quality-of-life and readiness problems.

We have just gone through three difficult rounds of the base closure process. The bases and the facilities that have survived are the keepers. We need to make investments to maintain the infrastructure that literally serves as the foundation of our armed services. Therefore, Mr. President, I urge my colleagues to vote to table the Bingaman amendment.

Mr. REID. Mr. President, I yield 1 minute to the Senator from Kentucky.

Mr. FORD. Mr. President, I join my cochairman of the State National Guard Caucus, Senator BOND of Missouri, and our colleagues in opposing the Bingaman amendment. The military construction funds this amendment seeks to delete are not frivolous. They are necessary to the very backbone of our military.

In my State alone, these funds go to build barracks to move our soldiers out of the World War II clapboard barracks. Why is it not a Pentagon priority to replace these barracks and provide a better quality of life for our soldiers?

The citizens of this country are well aware of the military drawdown in this country, but they have not asked our young men and women to stop volunteering their services, whether it be full-time active duty or part time as a reservist or guardsman.

Mr. President, I have watched them leave our communities, and many of them do not come back. I watched the best surgeons in my State and scrub nurses go to the Persian Gulf, and they did their job. Let us not turn our back on these people now. Vote to table this amendment.

The PRESIDING OFFICER. The Senator from New Mexico has 2 minutes.

Mr. BINGAMAN. Mr. President, first, I ask unanimous consent that Senator FEINGOLD be added as a cosponsor on the amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BINGAMAN. I yield 1 minute to my colleague from Arizona, who is also a cosponsor.

Mr. MCCAIN. Mr. President, the fact is that these are nice projects. They are in the 5-year plan of the Pentagon, but they are not required at this time. There is simply additional spending that is not necessary. There are far higher priorities for us to be able to meet our national security challenges than adding money for military construction at this time. They are good projects. They are not needed at this time, and if we are going to spend $300 million additionally, I could find seven other areas that are much higher in priority than this one. If we are going to show some fiscal responsibility, we ought to start now.

Mr. BINGAMAN addressed the Chair.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. BINGAMAN. Mr. President, we are spending extra time voting on this amendment since we just voted to rescind $16.4 billion in domestic spending. I think that was a courageous vote; it was a hard choice.

What this amendment that we are now considering does is it says that we will allow $474 million of add-ons to military construction, but we will not allow an additional $300 million above that. This is not a question of funding the National Guard. There is plenty of money in this bill to fund the National Guard needs. This is not a question of family housing. There is plenty of money in this bill to fund the family housing needs of the military.

What we are saying is deficit reduction has to matter, even when you are

talking about defense dollars, as well as when you are talking about domestic dollars.

Mr. President, this is a reasonable amendment. It brings the bill into line with the President's request. It is fiscally responsible.

I urge my colleagues to vote against tabling the amendment.

VOTE ON AMENDMENT NO. 1834

The PRESIDING OFFICER. The question is on agreeing to the motion to table amendment No. 1834 offered by the Senator from New Mexico, [Mr. BINGAMAN].

The yeas and nays have been ordered.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. LOTT. I announce that the Senator from Missouri [Mr. ASHCROFT], and the Senator from North Carolina [Mr. FAIRCLOTH] are necessarily absent.

Mr. FORD. I announce that the Senator from Hawaii [Mr. INOUYE], the Senator from California [Mrs. FEINSTEIN], and the Senator from Georgia [Mr. NUNN] are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 77, nays 18, as follows:

[Rollcall Vote No. 322 Leg.]

YEAS—77

Abraham	Exon	Mack
Akaka	Ford	McConnell
Baucus	Frist	Mikulski
Bennett	Gorton	Murkowski
Biden	Gramm	Murray
Bond	Grassley	Nickles
Breaux	Gregg	Packwood
Bryan	Harkin	Pell
Bumpers	Hatch	Pressler
Burns	Hatfield	Pryor
Byrd	Heflin	Reid
Campbell	Helms	Robb
Chafee	Hollings	Rockefeller
Coats	Hutchison	Santorum
Cochran	Inhofe	Sarbanes
Cohen	Jeffords	Shelby
Conrad	Johnston	Simpson
Coverdell	Kassebaum	Smith
Craig	Kempthorne	Snowe
D'Amato	Kennedy	Specter
Daschle	Kerry	Stevens
DeWine	Lautenberg	Thomas
Dodd	Leahy	Thompson
Dole	Lieberman	Thurmond
Domenici	Lott	Warner
Dorgan	Lugar	

NAYS—18

Bingaman	Graham	McCain
Boxer	Grams	Moseley-Braun
Bradley	Kerrey	Moynihan
Brown	Kohl	Roth
Feingold	Kyl	Simon
Glenn	Levin	Wellstone

NOT VOTING—5

Ashcroft	Feinstein	Nunn
Faircloth	Inouye	

So the motion to lay on the table the amendment (No. 1834) was agreed to.

Mr. BURNS. Mr. President, I move to reconsider the vote.

Mr. DOMENICI. Mr. President, I move to table the motion.

The motion to lay on the table was agreed to.

Mr. DOLE. Mr. President, as we consider the fiscal year 1996 Milcon appropriations bill, I wish to commend Senator BURNS, the chairman of the Military Construction Appropriations Subcommittee, and Senator REID, the subcommittee's ranking member, for their hard work in preparing this bill for floor action. It is evidence of the able leadership of Chairman BURNS and Chairman HATFIELD that we can consider this bill so quickly. I would also like to commend Jim Morhard and Warren Johnson of the subcommittee staff for their efforts in crafting a comprehensive and responsible bill.

Mr. President, this is an important bill. It provides the Armed Forces with funds to construct facilities which are necessary in preparing them to protect the United States and our interests around the world. It also fully funds the requested amounts for BRAC II, BRAC III, and BRAC IV. In addition, the bill provides funds for the renovation and construction of barracks and family housing. The military's most important assets are the men and women who sacrifice every day to ensure the security of this great Nation. It is the least we can do to provide them and their families with quality housing.

I am pleased that the bill also provides funding for the Department of Defense's initiative to develop private sector solutions to the current military housing shortfalls. It is a viable option as we consider how to better meet the needs of our service men and women. I encourage the Department to work with Congress and with the Military Appropriations Subcommittee so that this program might move forward expeditiously.

Mr. President, I would also like to commend Chairman BURNS and Chairman HATFIELD for their efforts to meet the construction needs of the Reserve components. Last year, during consideration of the fiscal year 1995 military construction bill, I expressed my disappointment with the President's budget and its lack of funding for Guard and Reserve construction projects. At that time, I expressed my hope that this year's budget would more adequately address the needs of the Reserve component. The Department of Defense did include some Guard and Reserve projects in the fiscal year 1996 budget. Chairman BURNS went further to ensure that additional Guard and Reserve projects were funded. In my view, that is a crucial step. As the Active Force continues to draw down, the Guard and Reserves will be asked to take on more day-to-day missions. In my view, it is our responsibility to ensure that they have the necessary facilities to meet these growing demands.

I am aware that the committee has added projects that were not included in the President's request. The committee judged each of these projects by strict criteria in an effort to ensure that military construction dollars are used wisely. The projects that have been added directly impact the readiness and quality of life for our Armed Forces.

In closing, Mr. President, I again commend my colleagues for their hard work on this bill. I thank them for their assistance in moving this bill forward and urge my colleagues to support it.

AIR FORCE RESERVE AND MICHIGAN AIR NATIONAL GUARD MILITARY CONSTRUCTION PROJECTS

Mr. ABRAHAM. Mr. President, Senator LEVIN and I would like to engage the distinguished chairman and ranking member of the Senate Appropriations Subcommittee on Military Construction in a brief discussion regarding the impact of H.R. 1817 on this year and future year's military construction projects. The committee report accompanying H.R. 1817 recommends $6.4 million for airfield pavement additions at the Phelps-Collins Air National Guard Base in Alpena, MI. The requirement justification report for this project states this program will increase sortie generation and allow the military to conduct much more realistic training operations.

I also understand an air combat maneuvering instrumentation range for operations at the Alpena Combat Readiness Training Center was authorized by the 1995 Defense Authorization Act and is contained in the Air National Guard future year defense plan for initial installation starting 1997. If the Air National Guard were to support this future year plan and request an appropriation for the equipment housing construction, would you view this project as a reasonable step towards providing the needed improvements in operational effectiveness at the Phelps-Collins Air National Guard Base and the Alpena Combat Readiness Training Center?

Mr. BURNS. Yes I do. The committee allowance for the Phelps-Collins Airfield pavements additions project was done in order to reduce the potential for an aircraft mishap, increase sortie generation, improve the utilization of the base and the training center, and allow for the future expansion of this facility for full operational training, including an air combat maneuvering instrumentation range expansion.

Mr. LEVIN. Mr. President, I would like to follow up on my colleague's question in asking the ranking member whether he agrees that a modern Combat Readiness Training Center is warranted given the training deployments to Europe have been reduced with the closure of many overseas bases, and the fact that the Alpena facility is the only Air National Guard Combat Readiness Training Center that does not have an air combat maneuvering instrumentation system? I would think that the unencumbered supersonic training airspace available for this range would make it a uniquely valuable training resource.

Mr. REID. I am aware that both of my colleagues from Michigan and from elsewhere in the Great Lakes region are strongly supportive of expanded

training opportunities for their Air National Guard and Air Force Reserve units. The Air National Guard made a strong case for expanding the operations at Alpena given the projected force levels and expected military construction funding priorities. Because of that we funded the project the subcommittee chairman referred to. I believe the subcommittee would entertain such a budget submission by the Air National Guard and would follow a logical program for expanding operations at Alpena.

Mr. LEVIN. I thank the chairman and ranking member of the subcommittee for their support and I believe I speak for both myself and my colleague from Michigan when we say we look forward to working with them on this issue during the 1997 budget cycle. Mr. President, I wish to continue this discussion with the chairman on the issue of the fuel systems maintenance dock at the Selfridge Air National Guard Base in Mount Clemens, MI. The Air Force Reserve unit here has converted from an C–130 to a KC–135 mission, but is forced to tow its aircraft over 2 miles to perform critical fuel cell and corrosion control work. A project to provide a facility adequate to handle these repairs much nearer to the aircraft flight line will preclude major repair scheduling conflicts, sustain aircraft material condition, and improve flight safety. Would the submission by the Air Force Reserve for this project in the 1997 budget be reviewed favorably?

Mr. BURNS. I believe if current budget projections hold forth, such a project would be strongly supported. Considering this project is already in the 1997 future year defense plan, I invite the Air Force Reserve to submit this project for congressional review.

Mr. ABRAHAM. Mr. President, I thank the chairman and ranking member for their time today and this opportunity to discuss these vital military construction projects. I join my fellow Senator from Michigan in calling upon the Air National Guard and Air Force Reserve to submit these two vital projects for congressional approval. These two projects represent initiatives vital to the operating efficiency of the few remaining Michigan Air National Guard and Air Force Reserve units. Furthermore, it which will significantly improve the operating capabilities of not only these units, but any other aviation unit that wishes to utilize this unique facility. I therefore join with my colleague from Michigan in calling upon the Air National Guard and the Air Force Reserve to submit these two projects, in accordance with their future year defense plans, as part of their 1997 budget submission.

Mr. President, I yield the floor.

Mr. DOMENICI. Mr. President, the Senate is now considering H.R. 1817, the fiscal year 1996 military construction appropriations bill.

The bill provides a total of $11.2 billion in budget authority and $3.1 billion in new outlays for the military construction and family housing programs of the Department of Defense for fiscal year 1996.

When outlays from prior-year budget authority and other completed actions are taken into account, the bill totals $11.2 billion in budget authority and $9.6 billion in outlays for fiscal year 1996.

Mr. President, the bill provides for readiness and quality of life programs for our servicemen and women. The bill falls within the subcommittees 602(B) allocation.

I want to convey my thanks to the committee for the support given to several priority projects in New Mexico.

I commend the distinguished subcommittee chairman, the senator from Montana, for bringing this bill to the floor within the subcommittee's section 602(B) allocation.

I urge the passage of this bill.

Mr. GRAMM. Mr. President, I wish to point out to the chairman of the subcommittee that the recent approval of the 1995 base closure list by the President has changed the circumstances surrounding one of the projects in this legislation. The bill is based on recommendations the subcommittee received from the Defense Department, and as a result this bill has insufficient funding to complete the construction of the distribution facility at Red River Army Depot. Because the Defense Logistics Agency suspended work on the distribution facility pending a decision by the Base Closure Commission and just recently resumed work on the project, an adjustment to the funding level will be required. Less than 1 week ago, the Defense Department formally asked the building contractor for an estimate of any costs resulting from the temporary delay in construction, and an answer is expected within 1 month. Because we do not yet know how the total cost of the distribution facility will change, I ask the chairman and ranking member to work with me and the Defense Department in conference to be sure this vital Red River Army Depot project has sufficient funds to ensure its completion.

Mr. BURNS. Mr. President, I am aware of the situation at Red River Army Depot, and I want to assure my colleague that our subcommittee has no intent to impede the progress of this project. We will be happy to work with the distinguished Senator from Texas to ensure this project is fully funded so that it may be completed without further interruption or delay.

Mr. CHAFEE. I want to thank the chairman and ranking member of the Military Construction Subcommittee, Senators BURNS and REID, for their hard work in producing this appropriations bill for fiscal year 1996.

Included in the bill is $18 million for phase 2 of the Strategic Maritime Research Center at the Naval War College in Newport, RI. The Naval War College boasts a long and proud tradition of excellence in military education and state-of-the-art wargaming.

Unfortunately, though, the War College's library is badly undersized, and its wargaming facility is unsuited to today's technological demands. The Strategic Maritime Research Center will jointly house the college's wargaming department and library in one modern facility.

This facility will help continue to provide our military with the best-educated, best-prepared officers who will be able to meet the increasingly complex national security challenges our Nation faces. It will also help us continue an important diplomatic mission, as the Naval War College very often hosts military officers from abroad who participate in a number of wargaming and educational endeavors.

Again, I would like to thank Senators BURNS and REID in bringing this bill to the floor.

Mr. KOHL. Mr. President, as a member of the Appropriations Committee and the Military Construction Subcommittee, I voted to have the fiscal year 1996 military construction appropriations bill brought to the Senate floor.

The military construction bill is $2.4 billion more than what we spent last year on military construction and $461 million more than the administration's requested level of spending for military construction. If we truly intend to reduce the budget deficit, we cannot exempt the military construction account from cuts. Especially given that the Bingaman amendment to eliminate $300 million in add-ons failed, I will be voting against final passage of the fiscal year 1996 military construction appropriations bill.

Mr. BRADLEY. Mr. President, it is with regret that I must cast my vote against the fiscal year 1996 military construction appropriation bill. We simply cannot justify the level of spending contained in this legislation.

This bill funds many worthy projects. For example, I strongly support efforts to improve the quality of life for our service men and women. I support the infrastructure construction that is absolutely necessary to keep our military in fighting shape. I have long supported the military value of McGuire AFB in my own State of New Jersey. Indeed, I worked hard and successfully to keep McGuire open and performing its vital military missions. I will support the spending that McGuire needs to prosper.

But all of these worthy projects are embedded in a bill larded with pork. It is $461 million higher than the President's budget request, and over $2.4 billion above last year's funding total. It contains hundreds of millions of dollars in unauthorized spending. At a time of budget stringency, when we are asking all Americans to make sacrifices, I simply cannot support a 28-percent increase in spending for military construction.

AMENDMENT NO. 1835

Mr. SIMON. I have an amendment offered by Senator MOSELEY-BRAUN and

myself that I send to the desk for immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Illinois [Mr. SIMON] for himself and Ms. MOSELEY-BRAUN proposes an amendment numbered 1835.

Mr. SIMON. I ask unanimous consent that further reading of the amendment be dispensed.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

At the appropriate place, insert the following.

SEC. . FORT SHERIDAN.

(a) In order to ensure the continued protection and enhancement of the open spaces of Fort Sheridan, the Secretary of the Army shall convey to the Lake County Forest Preserve District, Illinois, (in this section referred to as ''the District''), all right, title, and interest of the United States to a parcel of surplus real property at Fort Sheridan consisting of approximately 290 acres located north of the southerly boundary line of the historic district at the post, including improvements thereon.

(b) As consideration for the conveyance by the Secretary of the Army of the parcel of real property under subsection (a), the District shall provide maintenance and care to the remaining Fort Sheridan cemetery, pursuant to an agreement to be entered into between the District and the Secretary. The Secretary of the Army shall be responsible to continue interments at the cemetery for the remainder of its use.

(c) The Secretary of the Army is also authorized to convey the remaining surplus property at Fort Sheridan to the negotiating agent, or its successor, for an amount no less than fair market value (as determined by the Secretary of the Army) of the property to be conveyed.

(d) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the real property (including improvements thereon) to be conveyed under subsections (a) and (c) shall be determined by surveys satisfactory to the Secretary. The cost of such surveys shall be borne by the Lake County Forest Preserve District, and the Fort Sheridan Joint Planning Committee, respectively.

(e) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyance under this section as the Secretary considers appropriate to protect the interest of the United States, except for consideration previously provided for in paragraph (c).

Mr. SIMON. Mr. President, this is an amendment I discussed with Senator BURNS. It solves a problem that has been festering in regard to an abandoned military base.

Everyone—Congressman PORTER from the House side—everyone has agreed to it. I understand there may be some problems. I yield to Senator BURNS.

Mr. BURNS. Mr. President, I thank the Senator from Illinois. We do have some problems on this side with it. We will work with the Senator and the Illinois delegation on this as we move through conference.

I am reluctant to accept the amendment at this present time.

AMENDMENT NO. 1835 WITHDRAWN

Mr. SIMON. With that assurance, I will withdraw my amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

So the amendment (No. 1835) was withdrawn.

Mr. BURNS. Mr. President, I know of no further amendments to this piece of legislation. I believe that we are ready to move to third reading.

The PRESIDING OFFICER. The question is on the engrossment of the committee amendments and third reading of the bill.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read a third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall the bill pass?

Mr. BURNS. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. LOTT. I announce that the Senator from Missouri [Mr. ASHCROFT], the Senator from North Carolina [Mr. FAIRCLOTH], and the Senator from Washington [Mr. GORTON] are necessarily absent.

I further announce that, if present and voting, the Senator from Washington [Mr. GORTON] would vote ''yea.''

Mr. FORD. I announce that the Senator from Hawaii [Mr. INOUYE], the Senator from Georgia [Mr. NUNN], and the Senator from Arkansas [Mr. PRYOR] are necessarily absent.

The PRESIDING OFFICER (Mr. GRAMS). Are there any other Senators in the Chamber who desire to vote?

The result was announced, yeas 84, nays 10, as follows:

[Rollcall Vote No. 323 Leg.]

YEAS—84

Abraham	Feinstein	Lugar
Akaka	Ford	Mack
Bennett	Frist	McConnell
Biden	Glenn	Mikulski
Bond	Graham	Moynihan
Boxer	Gramm	Murkowski
Breaux	Grams	Murray
Brown	Grassley	Nickles
Bryan	Gregg	Packwood
Bumpers	Harkin	Pell
Burns	Hatch	Pressler
Byrd	Hatfield	Reid
Campbell	Heflin	Robb
Chafee	Helms	Rockefeller
Coats	Hollings	Roth
Cochran	Hutchison	Santorum
Cohen	Inhofe	Sarbanes
Conrad	Jeffords	Shelby
Coverdell	Johnston	Simon
Craig	Kassebaum	Simpson
D'Amato	Kempthorne	Smith
Daschle	Kennedy	Snowe
DeWine	Kerry	Specter
Dodd	Lautenberg	Stevens
Dole	Leahy	Thomas
Domenici	Levin	Thompson
Dorgan	Lieberman	Thurmond
Exon	Lott	Warner

NAYS—10

Baucus	Kerrey	Moseley-Braun
Bingaman	Kohl	Wellstone
Bradley	Kyl	
Feingold	McCain	

NOT VOTING—6

Ashcroft	Gorton	Nunn
Faircloth	Inouye	Pryor

So, the bill (H.R. 1817), as amended, was passed.

Mr. BURNS. Mr. President, I move to reconsider the vote.

Mr. REID. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. BURNS. Mr. President, I move that the Senate insist on its amendments to the bill, H.R. 1817, and request a conference with the House on the disagreeing votes of the two Houses.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

Mr. BURNS. That concludes action on this bill, Mr. President. I wish to thank my colleague and ranking member on this committee. I thank our staffs, those who have worked so hard on this bill. I appreciate their help at every turn.

I yield the floor.

Mr. HATFIELD addressed the Chair.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. HATFIELD. Mr. President, I wish to take just a couple minutes to indicate my congratulations and my commendation to the Subcommittee on Military Construction. I would like to remind the Senate that this is the first action of the Appropriations Committee in the Chamber under the new majority rule. We came to the floor with very great efficiency considering that we were required to wait until the conference committee had completed work on the Budget Committee budget resolution.

We were only able to issue our 602(b) allocations at the first of the week. We have now completed two appropriations bills on the floor. We will report four more out next week.

I wish to also acknowledge the efficiency and smooth operation that has thus far characterized these two bills. In great part, it is because of the professional staff. I raise that first instead of the normal way of talking about the Members. I wish to make that a point because our staff has been so focused on professionalism on our committee and a nonpartisan approach. You can note very little disturbance or confusion in the readjustment of moving from the majority to the minority or the minority to the majority; our staffs have that continuity and expertise.

I refer specifically to Jim Morhard on our side and Dick D'Amato on the minority side. Not only are they experts and have the continuity of service, but they really provide us with stability and efficiency within this committee.

Needless to say, the leadership of the committee is in the hands of very capable people, Senator BURNS of Montana and Senator REID of Nevada. Both of them are veterans on that committee and both of them have provided leadership as they have been on that committee, Senator REID first as a part of the majority and now the minority, Senator BURNS in the minority and now the majority. If you see these two gentlemen work in their committee, you

would have no way to detect any difference of performance, any less dedication or any less efficiency.

So I wish to commend the leaders for providing that kind of virus that infects our staff and creates a harmonious committee. Senator BYRD, the ranking member of our committee, certainly has become again a part of that overall philosophy and that kind of performance of our committee, and I wish to take this time to thank Senator BYRD as well, the ranking member of the full committee.

Mr. BURNS. Mr. President, I ask unanimous consent that the Chair be authorized to appoint conferees on the part of the Senate.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LOTT addressed the Chair.

The PRESIDING OFFICER. The Senator from Mississippi.

UNANIMOUS-CONSENT AGREEMENT—S. 641

Mr. LOTT. Mr. President, I ask unanimous consent that the Senate, at 1:30 p.m., turn to the consideration of Calendar No. 47, S. 641, the Ryan White Care Act.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LOTT. It is the hope of the leadership that all of the opening statements would be concluded on this bill today and an amendment would be laid down for consideration when the Senate returns to this item next week.

With that announcement, there will be no further votes today. The first votes on Monday will occur beginning at 5 p.m.

MORNING BUSINESS

Mr. LOTT. Mr. President, I further ask unanimous consent that there now be a period for the transaction of morning business with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MCCONNELL addressed the Chair.

The PRESIDING OFFICER. The Senator from Kentucky.

ETHICS COMMITTEE PUBLIC HEARINGS

Mr. MCCONNELL. Mr. President, I wish to take just a moment to respond to the distinguished Senator from California [Mrs. BOXER], who has been working to achieve public hearings on the sexual misconduct case against Senator PACKWOOD.

Mr. President, on July 10, several Senators wrote to me and the vice chairman urging the committee to convene public hearings. Several days later, my friend from California wrote to us on her own to inform us if the Ethics Committee had not voted to hold public hearings within a week of her July 14 letter, she would seek a vote of the full Senate on the issue of public hearings in the Packwood case.

Today, the Senator said that if the committee has not met by the close of business today, she will bring her legislation to the floor at the first opportunity next week.

Mr. President, I think I speak for all committee chairmen and chairwomen as well as previous chairmen and chairwomen when I say our committee schedule and agenda must not be dictated by another Senator. As strongly as the Senator from California believes there should be hearings in the Packwood case, I strongly believe that the Ethics Committee's timetable must not be set by a single Senator.

One thing is certain. The Ethics Committee will not meet today and will not schedule a future meeting today. We will not respond to any attempts to threaten the committee. If we open the door to that, in the future there could well be numerous efforts to bring ethics matters to the full Senate, and that is a dangerous road to take, Mr. President.

The committee would like to complete work on the Packwood case but perhaps everyone needs a cooling-off period. As long as Senator BOXER's threat remains, the cooling-off period will continue.

The one issue Senator BOXER and I agree upon is that the case before the committee is a serious one. It is one which has commanded the attention of committee members for countless hours over the last 2½ years. The committee members have labored long and hard, and they know much more about this case than any other Member of the Senate.

There is much to say about the Packwood case. Now is not the time to say it. I can assure my colleagues and the Senator from California that at the appropriate time, I will speak fully about the case and about the committee's work. At that time, I hope my colleagues will have a better understanding of the significance and the dimension of the matter.

The Senator's efforts are ill-informed and badly timed. After all, the committee lost practically a year in a legal dispute over obtaining Senator PACKWOOD's diary as evidence in the case. If Senator BOXER takes us on another such frolic and detour, it will only further distract us and prevent us from concluding this important case, and it will interfere with the Senate's agenda and the work the American people sent us here to do.

So if we find ourselves on the floor in the coming days debating legislation regarding hearings in the Packwood case or any other subject related to Ethics Committee procedures, I will be prepared, and I am sure others will be prepared, to discuss and debate congressional action on misconduct cases in the past and other relevant issues.

I thank the Chair, and I yield the floor.

Mr. SPECTER addressed the Chair.

The PRESIDING OFFICER. The Senator from Pennsylvania.

RESCISSIONS

Mr. SPECTER. Mr. President, I had sought recognition prior to the votes on the amendments offered by the Senator from Illinois, Senator CAROL MOSELEY-BRAUN, and the Senator from Minnesota, Senator PAUL WELLSTONE, prior to those votes. But since all time had expired and there was a tight timetable because other Senators wished to catch planes, there was not an opportunity to speak, and I would like to make a few brief comments at this time.

I opposed those amendments not because I would not have preferred to have seen the additional funding in those important accounts, but because those issues had been resolved in a very extensive negotiation session with the House of Representatives and further proceedings with the White House.

When Senator MOSELEY-BRAUN made the statement, yes, we have to make cuts, that they have to be made fairly, I certainly agree with her totally. The measure which came out of the subcommittee which I chair, the Subcommittee on Labor, Health and Human Services and Education, was a vigorous, incisive, strenuous effort to make those cuts as fairly as we could and to establish priorities.

When the amendment offered by Senator WELLSTONE and Senator MOSELEY-BRAUN included veterans job training, displaced workers job training, education infrastructure, safe and drug free schools, education technology, Eisenhower professional development, job training partnership youth job training and the job training partnership adult job training, I would have wanted very much to have included those additional sums. My voting record is plain on that subject.

In fact, when the House of Representatives sent over a rescissions package of $5.9 billion, as a result of action taken by the Senate subcommittee which I chair and then the full Senate in extended proceedings, that $5.9 billion in cuts was reduced by some $3 billion so that we did restore a tremendous amount of money.

When it comes to the question of LIHEAP, low-income heat and energy assistance, as Senator WELLSTONE noted—I was on the floor at the time—he referred to the Senator from Pennsylvania as a champion of LIHEAP, which I thank him for and I think the record of the last 15 years will support.

When the House of Representatives had sent over $5.9 billion in cuts and had zeroed out $1.319 billion, I made a fight of it. I started that fight and won it by reinserting $1 billion of those funds and seeing to it that we added an additional $300 million to the President's emergency fund. That means

that we brought the amount practically to the full $1.319 billion. I would have to say that was a total victory.

So when Senator WELLSTONE and Senator MOSELEY-BRAUN seek an amendment to add $319 million, I would like to see that extra funding. I have said on the Senate floor that when it comes to the poor and the elderly, that it is a matter of heating or eating. Those funds are really very, very important. But we are going to have further negotiations with the House of Representatives, and the House has already indicated that they want to eliminate all funding for LIHEAP in the future.

It was not easy for me to vote to table the amendment adding $319 million for LIHEAP funding, but I did so because we had already crafted a hard-fought-out compromise which had, in effect, restored $1.3 billion, leaving only $19 million short. I am going to have to go back and deal with the House Subcommittee on Labor, Health and Human Services and Education and try to work the matter out. So I am hardly in a position to support Senator WELLSTONE and Senator MOSELEY-BRAUN.

We are looking at a very, very difficult budget, Mr. President, as we all know. I am convinced that we need to balance the budget. We have a 7-year glidepath to get that done. These votes are not easy to explain, and it is not difficult for other Senators, after seeing the work done, to come in and say, ''I'd like to add some more money here.'' We all would. But it is simply not realistic to do.

The final budget, the final figure was worked out. After we looked at the House figure of $5.9 billion in cuts, we reduced it very substantially in the subcommittee. The cuts were reduced further by an amendment which was sponsored by the leadership, the Dole-Daschle amendment, which the Senator from Minnesota voted for. Then the measure was vetoed and came back, and then it was approved after difficult negotiations with the White House. So that the net effect was, looking at the first cut of $5.9 billion, we reinstated $3 billion of those funds.

On this date of the record, I think that it was just too much to come back and say let us add in more money for these projects and these programs, important as they may be.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. DORGAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DORGAN. Mr. President, is the Senate in morning business?

The PRESIDING OFFICER. Yes, the Senate stands in morning business. There is an order pending to go to the bill.

Mr. DORGAN. I ask unanimous consent to be allowed to speak for 20 minutes as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

U.S. TRADE DEFICIT

Mr. DORGAN. Mr. President, this week we received some additional news about our trade deficit in the United States. This news, for almost everyone who reads about our trade deficit, provokes one giant yawn, a turn of the page, and we hear nothing about it.

In contrast, we have, since the first part of this year, been very worried about the Federal budget deficit. We have had hour after hour and day after day of debate about what to do with the budget deficit. That is an enormously serious problem for this country. We must deal with it.

In fact, an hour or so ago, we passed a rescissions bill, cutting some $16 billion in Federal spending as a first step. It is not nearly enough, but it is a pretty good first step before we get to the reconciliation bill to address the Federal budget deficit.

It is interesting that there is almost a conspiracy of silence in this country about the trade deficit. I wonder why? The trade deficit must be and will be some day repaid with a lower standard of living in the United States. That is a fact.

What is causing all of these problems with respect to trade? What does it result in for the American family? The circumstances, it seems to me, are these: We have in this country now record corporate profits. They have never been higher. The largest corporations in this country are making the highest profits they have ever made in history.

Wall Street is having a big old party—and God bless them, I think that is just wonderful. There are record highs on Wall Street. But while corporate profits reach new heights, and while the Wall Street crowd celebrates record highs, the question is, What about the family that sits down for dinner at home tonight and has to assess the family's economic circumstances?

The answer for the family is not record profits, and not new highs. The answer for 60 percent of the American families, when they sit down for dinner and talk about their circumstances, is that they are working harder and making less money. Mr. President, 60 percent of the American families now have less income than they had 20 years ago, when adjusted for inflation.

The other interesting thing is, in addition to the information produced about the trade deficit each month, there is another piece of information that is produced about wages. It gets almost no attention. Nearly every month, wages are falling. In other words, corporate profits are going up, stock prices are going up, investors are doing well. Wealth holders are celebrating, and folks out there working for a living are working for less wages. Why is that the case, and how does it relate to our trade deficit?

They are all part of the same circle. Corporate profits are at a record high. I think that is fine in some respects, except that if it comes at the expense of workers' incomes, there is a disconnection about what is important in this country. We now have what is called a global economy. What that means is American corporations and international corporations, for that matter, are told that it is just fine to go find a place to produce where you can produce dirt cheap, and hire folks for $1 a day or a dime an hour, and sell that production back to Pittsburgh or Fargo or Denver or San Diego.

What we have are good manufacturing jobs moving out of this country at a wholesale pace, and those manufacturing jobs are now in Indonesia, in Malaysia, in China, and yes, even on the Maquiladora border of Mexico, where two or three new plants every day are approved for manufacturing products, many of which used to be manufactured in this country.

Corporations find, in some parts of the world, you can hire a 12-year-old to work 12 hours a day for 12 cents an hour and produce a product that is shipped back to this country. It means we have lost good jobs in this country that used to produce good income. That is the disconnection.

It seems to me that we ought to measure success in our economic system in this country by how an economy produces a better standard of living for all Americans—all Americans, not just corporate America, all Americans—especially those who work for a living.

We have folks who sit on the front porch and smoke pipes and watch the grass grow. They hold bonds or stocks, they get dividends or interest, and God bless them. Some of them earn millions every year doing that. Some of them earn millions and pay almost nothing in taxes. But the question is, What is the fortune of the person who does not have stocks or bonds, but who works every day? What about someone who works every day, makes a wage, and then finds that every month, their wages are eroding because profits are up but wages are down?

We need to change that kind of economic system. The sum total of everything we do in this Chamber ought to be to try to restore economic health to this country, sufficient so that every American family—every American family—finds its standard of living improving.

Mr. President, 50 years after the Second World War, during the first 25 years, virtually all American families found better circumstances, better opportunities, higher wages. The second 25 years, what have we seen? Trade deficits, with American corporations moving overseas, leaving this country, taking their jobs to other parts of the

world, where they can produce cheap and sell here. What has that meant? It has meant a choking trade deficit for America, and lower wages for American workers. We ought not put up with it.

We fought for 50 years on the question of what is a livable wage. We have minimum wages in this country. We have worker safety standards. We have laws against child labor. You cannot hire 12-year-olds and pay 12 cents an hour and work them 12 hours a day. Those are successes in this country, that we have prohibited those kinds of things. Yet, all too often, we are choking on a trade deficit caused by producers who produce in circumstances where they could not produce in this country, and then ship their product here.

What it is doing is drying up economic opportunities for American citizens, and it ought to stop. We ought to say to every one of those countries, China especially—we have a $30 billion trade deficit with China—it is unthinkable we allow that to continue. We have a $65 billion trade deficit with Japan. We cannot get American products into Japan in any significant quantity, but we are a sponge for Japanese products. We buy all this material from China and when they want to buy wheat, they are off price shopping in Canada someplace.

The fact is, this country ought to start standing up for its own economic interests and start doing it soon. This trade policy is completely out of whack. It is hurting American families.

I am not suggesting isolationism or building walls around our country. But I am saying that America ought to stop getting kicked around with unfair trade practices. If our market is open to other countries' products, then their markets ought to be open to ours. If we will not allow the employment of 12-year-old kids at 12 cents an hour, we ought not to allow products from countries that do, to come to the American marketplace to undercut American jobs.

It is that simple. I have been on the floor almost weekly since the first of this year, and yearly in my time in Congress, to talk about this. One day, one way, we will change these policies and start standing up for the economic interests of this country—not just corporate profits, but also wages for American families.

THE LINE-ITEM VETO

Mr. DORGAN. Mr. President, let me turn to another subject. I talked about the fiscal policy, the budget deficit, when I began. It is a serious problem. I have voted for many ways to try to address the budget deficit.

I headed a task force in the House on Government waste. I have worked on a waste task force here in the Senate. I have cast dozens of votes to cut spending. I just voted for a rescissions bill to try to cut Federal spending.

I did not cast a vote for the proposal that eventually went down by one vote here in the U.S. Senate on a constitutional amendment to balance the budget. I did vote for a constitutional amendment to balance the budget. We had two of them. One was the right one and one of them was the wrong one. The one that was the main proposal would have taken $1.3 trillion in Social Security trust funds over many, many years and used it to balance the budget. I happen to think that is thievery. I happen to think that is taking things under dishonest pretenses, because it is taking money that comes from a paycheck and is promised to go into a Social Security trust fund to be saved for the future. Then they say, ''I know we say that, but we want to use that money instead to balance the budget.'' That is dishonest budgeting, and I would not vote for that.

But one element of dealing with the Federal budget deficit is an issue called the line-item veto. It, by itself, will not solve the deficit problem, but it will help with respect to those spending proposals that have never been the subject of hearings are stuck in bills that come through here. So I support a line-item veto and I have, for a dozen or 15 votes over the years, voted for a line-item veto.

One of the things I think is interesting about the line-item veto issue is this. The House of Representatives passed a line-item veto in February. We in the Senate passed a line-item veto in March. It is now the end of July and we have no line-item veto. Why? Because there has been no conference committee appointed to resolve the differences between the House and the Senate versions.

Why has there not been a conference appointed? The Contract With America included the line-item veto as one of their major elements. I supported it. I have always supported it. I think it makes sense.

But it is interesting to me that the Speaker of the House of Representatives has recently said that he does not think they are going to get around to the line-item veto this year. He wanted to talk about a line-item veto, he wanted to push a line-item veto, so he had a vote on a line-item veto in February. But he did not want a line-item veto to pass because he did not want a Democratic President to have a line-item veto.

I supported line-item vetoes when a Republican was in the White House because I do not think it matters who is President. A Republican President should have had a line-item veto when the Congress was Democratic and a Democratic President ought to have a line-item veto when the Congress is controlled by Republicans.

The other day I held up a little report from a newspaper that said, ''Gingrich Gets $200 Million in New Pork,'' just as an example. The question is, are the people who talked about a line-item veto more interested in producing pork or are they more interested in producing a line-item veto? I think the evidence is starting to suggest the former.

It is very simple for us to move on the line-item veto. If the Speaker of the House is unable, at this point, to understand how one gets to a conference, I have some step-by-step instructions.

First, think of the names of some U.S. House Members. Probably some of your friends.

Second, pick a few. That is not rocket science. Think of some names of your friends; pick a few.

Third, send the list to the House floor for action.

Let us have a conference and bring a line-item veto back to the floor of the House and the Senate and get it voted on, get it to the President, so before these appropriations bills come down to the President this year and before the reconciliation bill is sent to the President this year, this President has a line-item veto. If we are serious about the Federal deficit, let us deal with the issue called the line-item veto.

It is one thing to talk about it. It is another thing to do something about it. I see that the Speaker has indicated that maybe he will not be able to get to the line-item veto this year. The chairman of the House Appropriations Committee said yesterday it looks like they are not real anxious to move on that. It seems to me it is now time for us to ask the question: If you are serious about a line-item veto, this is the time to bring a line-item veto to conference, to the Senate and the House, and make it law, give it to this President, and let us use that to seriously reduce the Federal deficit.

Both Republicans and Democrats have a stake in fiscal policy that advances the economic interests of this country. That means reducing the Federal deficit and no longer including projects that have not previously been authorized in appropriations bills.

I support a line-item veto because it is the tool that is best equipped to stop that sort of practice, to save money, and reduce the Federal budget deficit.

I do hope in the coming days that we will discover that those who were so interested in the line-item veto early in this year continue to retain an interest in giving this President the line-item veto this year, the sooner the better.

Mr. President, how much time remains?

The PRESIDING OFFICER. About 4 minutes remains.

MEDICARE

Mr. DORGAN. Mr. President, we are nearing, now, the 30th anniversary of Medicare, in another week or so. Recently we have been discussing on the floor of the Senate, at great length, a range of Government policies that have been failures, and there are plenty. We have done a lot wrong and we need to

change that and address that. It is funny that we do not discuss success much. Success is not very sexy, not very interesting. Nobody writes about it.

There is an old saying that bad news travels halfway around the world before good news gets its shoes on. That is the way life is. You are not going to turn on a television program today and hear somebody say: Do you know what that Government did? That Government did this: In the last 20 years, this country, the United States of America, uses twice as much energy as it used 20 years ago and it has cleaner air. Do you know what that Government did? That Government put in place regulations that said polluters cannot keep polluting. We are going to require the air in America to be cleaned up. And 20 years later we have cleaner air and less smog. Things are not perfect yet, but 25 years ago people were talking about where we were headed and it was doom and gloom, an awful scenario, with degraded air and degraded water, a desperate situation. We have cleaner rivers, cleaner streams, less acid rain, and cleaner air, 20 years later.

That is a success. Nobody is going to celebrate much success, but we have done a lot of the right things. One of the things that we have done that is an enormous success in this country, in my judgment, is create a Medicare system for America's elderly. We have decided that if you get old, if you reach that age of retirement, we will give you some assurance that you are not going to suffer for lack of health care when you are sick.

This health care system has worked for the elderly in this country in a remarkable way, in a wonderful way. The fact is, a lot of people did not like it. A substantial part of one party voted against it when it was initiated. Some would say they are against everything for the first time. Then later on they support it when they find it works.

But now we are in a situation where some say, ''Let us threaten the underpinnings of Medicare because we do not like it, we never did like it, and we would like to privatize it.'' The fact is, the Medicare system works. We have folks here who bring priorities to the floor of the Senate, who say, we do not have enough money for Medicare. We want to take Medicare apart and dismantle it. We are going to threaten the very existence of Medicare. And we also, by the way, want to give a tax cut, the bulk of which goes to the richest Americans.

I brought charts to the floor to talk about the tax cut that has been proposed over in the House. We do not have numbers over in the Senate yet, but in the House it says if you are earning $30,000 or less, your tax cut is $112 a year. But if you have $200,000 or more in income, you get $11,000 a year in tax cuts. That is quite a deal, I suppose. If you are somebody who makes over a couple of hundred thousand dollars a year, especially if you are somebody who does not get your money from wages—if you get your money from interest and dividends—you are really doing well out of that plan.

But my point is, we say, at this point in our life as a country, that we have an enormous Federal budget deficit and the way to address that is to give a big tax cut to the wealthiest Americans and then turn around, after we have given the tax cut to the wealthiest Americans, and say, by the way, we do not have enough money for Medicare. We do not have enough money for what I think is an enormous, successful program in this country?

It does not make any sense to me. We have to be smart enough, it seems to me, to distinguish between what works and what does not, and keep what works and strengthen and improve it, and get rid of what does not. And we ought to take a look. We have been delaying clean air and clean water regulations and safe food regulations. Let us keep those that work. And let us keep the Medicare system, and, yes, let us improve it.

But let us not cut out the foundation from a program as important as the Medicare Program has been to this country. Let us especially not do that so we can give a big tax cut to the wealthiest Americans.

I live in North Dakota, in the northern Great Plains, the Old West. And we know about the wagon trains, because they crossed North Dakota not so long ago. Wagon trains did not move unless all the wagons moved. They did not make progress by leaving some behind.

The point with respect to the economic issues I have mentioned, including Medicare, is that at a time when corporations have record profits, the highest in history, the stock market is reaching record highs, and we see lower wages for American families. And then we hear the suggestion that the rich need a tax cut and that we ought to undercut the pinnings of Medicare. It just does not make any sense.

We ought to try to get all of these wagons moving along. We ought to try to get the standard of living for the average American family increasing—not decreasing. We have to support the things that work. Yes. Let us celebrate a little bit of success. And that is what I hope this debate will be about in the coming days and months. There is no debate about whether we should have regulatory reform. We have silly, foolish regulations that in my judgment hinder the work of small businesses and others. Let us get rid of them. But let us not roll back important regulations with respect to safe food and clean air and clean water.

Let us celebrate the success of programs that work and decide that these programs are going to strengthen—not undercut. That is what I hope this debate will be about between Democrats and Republicans. There ought not be such a great divide between the two parties in this Chamber. We want the same things. We have different approaches for getting there perhaps. But let us have a healthy, aggressive, robust debate and decide to celebrate things that work and change those that do not. Let us decide that we want a country whose economic system provides opportunity for all, which lifts all Americans, so that when they roll up their sleeves and want to improve their lives, they are able to do so.

Mr. President, I yield the floor.

THE LOBBYING DISCLOSURE AND GIFT BAN BILL

Mr. WELLSTONE. Mr. President, I just want to provide a very brief analysis to people in our country about a very important reform bill that is going to be coming to the floor on Monday, the lobbying disclosure and gift ban legislation, S. 101.

Mr. President, we will start the debate, and actually each section of lobbying disclosure and gift ban will be taken up separately. There is no question in my mind, Mr. President, that people in our country yearn for a political process that they believe in, and there is no question in my mind that people in our country—in Minnesota, Idaho, Massachusetts, all across the Nation—really want to see an open, honest, accountable political process. There are several critical ingredients to this, and two are certainly lobbying disclosure—Senator LEVIN has been an extremely capable legislator in taking the lead in this area, with Senator COHEN—and also the gift ban. Senator FEINGOLD, Senator LEVIN, Senator LAUTENBERG, and myself have all been very active.

The reason I come to the floor is that there is a development people ought to know about—an attempted substitute bill. This will be a McConnell-Dole initiative. Mr. President, I think people need to know about this initiative because I think it represents not a step forward but a huge leap backward.

Mr. President, this substitute bill is full of enough loopholes for many huge trucks to drive through. To give but just a few examples, lobbyists would be able to take you or me out to dinner one night, as long as it is anything under $100; the next time, maybe we could be taken to a Bullets game; the next time, we could go to an Orioles game; the next time, we would just be given a gift. It goes on and on and on, and there is no aggregation limit.

Actually, it is not per day but per occasion. Lobbyists, three times a day, breakfast, lunch, and dinner, but take us out as long as it is under $100 or give us some other gift, as many times as this lobbyist wanted to. It never would be counted and never would be disclosed. This is not comprehensive, sweeping gift ban legislation.

Second, to give but another example, the whole issue of charitable travel. I think it is important that Senators and Representatives, when they care about a charity, travel to an event. We should be there to support it. But to

have lobbyists pay for Members to be there with our spouses and with our families—and, by the way, playing golf and tennis at the same time—is inappropriate.

We ought to be letting go of this. I do not understand why Senators, regardless of their party, do not understand that if we want people to believe in the political process, and we do not want to see bashing of public service, we all believe in public service, we ought to let go of this.

This Dole-McConnell initiative, again, has a huge loophole. Likewise, Senators can set up legal defense funds and lobbyists can make contributions to those defense funds. That was prohibited in the original bill that we passed. Likewise, Senators can ask lobbyists to make contributions to different foundations. That was prohibited. Likewise, Senators can set up contributions and have lobbyists contribute money.

Mr. President, this is not reform. This is not a step forward. This is a step backward. This is an attempt to make an end run around reform. I just want people in the country to know about it. I do not understand what happened between last year and this year.

Last year, before the November election, the Senate voted 95–4 for the gift ban legislation, virtually identical to S. 101. Mr. President, 85 of those who voted for the measure have returned to the Senate. Three new Senators voted for a similar gift ban in the House. Now we see this effort to essentially eviscerate—if that is the right word—reform through this, through this measure to be introduced as a substitute by Senator MCCONNELL and Senator DOLE which, quite frankly, is unconscionable. It passes no credibility test.

Mr. President, last October 5, the majority leader said, ''I support gift ban provisions. No lobbyist lunches, no entertainment, no travel, no contributions to legal defense funds, no fruit baskets, no nothing.''

What has happened? Mr. President, I just come to the floor because I want people in the country to know about this. The debate starts Monday. I think, given this substitute that I gather is going to be laid out sometime on the floor—no question but it will—there is going to be, I think, really a historic, very intense debate, because 99.9999 percent of the people want comprehensive gift ban reform. That is what I think many are determined to make happen.

I yield the floor.

Mrs. KASSEBAUM. Mr. President, in response to the Senator from Minnesota, I say I am sure there will be a thorough debate once the facts of the legislation are down and before the Senate. I think we all share some similar goals.

RYAN WHITE CARE REAUTHORIZATION ACT

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to the consideration of S. 641, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 641) to reauthorize the Ryan White CARE Act of 1990, and for other purposes.

The Senate proceeded to consider the bill.

Mrs. KASSEBAUM addressed the Chair.

The PRESIDING OFFICER. The Senator from Kansas.

Mrs. KASSEBAUM. Mr. President, I rise today to offer to the Senate for its consideration S. 641, the Ryan White CARE Reauthorization Act. This bipartisan legislation, which cleared the Labor and Human Resources Committee on a voice vote, is cosponsored by the ranking member of the Labor and Human and Resources Committee, Senator KENNEDY, and 63 other colleagues. The act reauthorizes critical health care programs which provide services for individuals living with HIV and AIDS. Accordingly, I urge the Senate to move expeditiously to pass this reauthorization legislation.

Mr. President, if I will just describe what this legislation is all about. The Ryan White CARE Act plays a critical role in improving the quality and availability of medical and support services for individuals living with HIV disease and AIDS. As the HIV epidemic continues, the need for this important legislation remains.

Title I provides emergency relief grants to eligible metropolitan areas [EMA's] disproportionately affected by the HIV epidemic. Just over one-half of the title I funds are distributed by formula; the remaining amount is distributed competitively.

Title II provides grants to States and territories to improve the quality, availability, and organization of health care and support services for individuals with HIV disease and their families.

Sometimes I think we do not think, when we are doing legislation such as this, about the stress that the families are under with such a tragic disease. This is why this initially came about, Mr. President, and this is why I think it does fill an enormously important niche.

The funds are used: to provide medical support services; to continue insurance payments; to provide home care services; and to purchase medications necessary for the care of these individuals. Funding for title II is distributed by formula.

Title III(b) supports early intervention services on an out-patient basis—including counseling, testing, referrals, and clinical, diagnostic, and other therapeutic services. This funding is distributed by competitive grants.

Finally, title IV provides grants for health care services and the coordination of access to research for children and families.

This legislation also includes many important changes to take into account the changing face of the HIV epidemic. When the CARE Act was first authorized in 1990, the epidemic was primarily a coastal urban area problem. Now it reaches the smallest and most rural areas of this country. In addition, minorities, women, and children are increasingly affected.

Chief among these improvements are changes in the funding formulas which are based on General Accounting Office [GAO] recommendations. The purpose of these changes is to assure a more equitable allocation of funding. These formula changes would better allocate funding based on where people currently live with this illness, rather than where people with AIDS lived in highest proportion in the past. In addition, the funds are better targeted based on differences in health care delivery costs in different areas of our country.

Based on a request from Senator BROWN and myself, the GAO has identified large disparities and inequities in the current distribution of CARE Act funding. This is due to: a caseload measure which is cumulative, the absence of any measure of differences in services costs, and the counting of EMA cases by both the titles I and II formulas.

To correct these problems, the new equity formulas will include an estimate of living cases of AIDS and a cost-of-service component. The AIDS case estimate is calculated by applying a different weight to each year of cases reported to the Centers for Disease Control and Prevention over the most recent 10 year period. The cost index uses the average Medicare hospital wage index for the 3 year period immediately preceding the grant award.

In addition, the new title II formula includes an adjustment to offset the double-counting of individuals by states, when such States also include title I cities.

Mr. President, with any formula change, there is always the concern about the potential for disruption of services to individuals now receiving them.

There is also a concern that someone will be getting more or someone will be getting less than they had before.

To address this concern, the bill maintains hold-harmless floors designed to assure that no entity receives less than 92.5 percent of its 1995 allocation over the next 5 years.

This reauthorization legislation also establishes a single appropriation for title I and title II. The appropriation is divided between the two titles based on the ratio of fiscal year 1995 appropriations for each title. Sixty-four percent is designated for title I in fiscal year 1996. This is a significant change which should help unify the interests of grantees in assuring funding for all individuals living with AIDS—regardless of whether these persons live in title I cities or in States.

Because the face of the AIDS epidemic is changing so rapidly, the Secretary is authorized to develop and implement a method to adjust the ratio of funding for title I and title II. This method should account for new title I cities and other relevant factors. If the Secretary does not implement such a method, separate appropriations for titles I and II are authorized, beginning in fiscal year 1997.

In an effort to target resources to the areas in greatest need of assistance, the bill also limits the addition of new title I cities to the program. The current designation criteria for title I cities was developed to target emergency areas. Five years after the initial enactment of the Ryan White CARE Act, the epidemic persists. However, the needs of potential title I cities are not the same as the original cities.

This is so because title II funding has been used to develop infrastructure in many of these metropolitan areas. This decreases the relative need for new cities to receive emergency title I funding.

The growth of new title I cities would be slowed beginning in fiscal year 1998. At that time, current provisions which establish eligibility for areas with a cumulative AIDS caseload in excess of 2,000 will be replaced with provisions offering eligibility only when over 2,000 cases emerge within a five-year period.

I believe this change will truly allow us to target these limited resources to areas where the real emergencies exist. As I talked with public health experts about this proposal, they indicated a rapid growth of AIDS cases over a five year period would truly stretch the limits of their existing public health infrastructure.

Mr. President, the legislation makes a number of other important modifications:

First, it moves the Special Projects of National Significance program to a new title V, funded by a 3 percent set-aside from each of the other four titles. In addition, it adds Native American communities to the current list of entities eligible for projects of national significance.

Second, it creates a statewide coordination and planning process to improve coordination of services, including services in title I cities and title II states.

Third, it extends the administrative expense caps for title I and II to subcontractors.

Fourth, it authorizes guidelines for a minimum state drug formulary.

Fifth, it modifies representation on the title I planning councils to reflect more accurately the demographics of the HIV epidemic in the eligible area.

Sixth, for the title I supplemental grants, a priority is established for eligible areas with the greatest prevalence of co-morbid conditions, such as tuberculosis, which indicate a more severe need.

I believe that the changes proposed by this legislation will assure the continued effectiveness of the Ryan White CARE Act by maintaining its successful components and by strengthening its ability to meet emerging challenges. Putting together this legislation has involved the time and commitment of a wide variety of individuals and organizations. I want to acknowledge all of their efforts.

Mr. President, I would also like to say that this is a controversial bill. It has been ever since it was approved and became law in 1990. I think this is so largely because of the fear of AIDS, the concern about HIV, where it may strike next, and as I mentioned earlier, the changing face of this tragic disease, particularly when it strikes children. I think we wonder how can this be.

We have in the past had infected blood transmitted by blood transfusions. We are beginning to try to gain control over that so that the frequency of that does not occur. But it becomes a ripple effect that goes down through families.

It is a tragic disease, and it is one for which I think we all want to be able to help provide some support for a population that is viewed with great uncertainty and great concern, and as I said, great fear. That is why we always have a hard time with this legislation, Mr. President. We have a hard time making the case, even though there are 63 cosponsors, that this is an important piece of legislation; it will help a large number of people.

I am particularly appreciative of the constructive and cooperative approach which the ranking member of the Labor and Human Resources Committee, Senator KENNEDY, has lent to the development of this legislation. I also wish to thank the other 63 cosponsors of this bill for assisting me in bringing this important legislation to the floor. I am not without an understanding of those who oppose this legislation and their concerns. These are about our limited resource dollars, our limited support of those in need in the health care area, and the question of why we are targeting this money to this particular arena.

I hope that the Senate can act promptly and approve this measure.

I yield the floor, Mr. President.

Mr. KENNEDY. Mr. President, let me say at the outset how much I think all of us on this side of the aisle appreciate the leadership of Senator KASSEBAUM and her colleagues, our colleagues on the Labor and Human Resources Committee and in the Senate, in support of this legislation, the Ryan White CARE Reauthorization Act of 1995.

The fact is, Mr. President, at times of human suffering or great national tragedies or epidemics, it has always been the leadership of the Federal Government that has helped our fellow citizens deal with difficulties. It is in that very important tradition that this legislation was created and I urge the Senate to accept it today. This is critically important legislation. I am pleased that it is the first Labor Committee initiative to reach the full Senate.

For 15 years, America has been struggling with the devastating effects of AIDS. More than a million citizens are infected with the AIDS virus. AIDS itself has now become the leading killer of all young Americans ages 25 to 44. AIDS is killing brothers and sisters, children and parents, friends and loved ones—all in the prime of their lives.

From the 10,000 children orphaned by AIDS in New York City alone, to the 18-year-old gay man with HIV living in the Ozarks of Oklahoma, this epidemic knows no geographic boundaries and has no mercy.

Nearly 500,000 Americans have been diagnosed with AIDS. Over half have already died—and yet the epidemic marches on unabated.

The epidemic is a decade-and-a-half old—almost 40 percent of the AIDS cases in the country have been diagnosed in the last 2 years. One more American gets the bad news every 6 minutes. And each day, we lose another 100 fellow citizens to AIDS.

As the crisis continues year after year, it has become more and more difficult for anyone to claim that AIDS is someone else's problem. In a very real way, we are all living with AIDS. There are few of us, even here in the Senate, who do not know someone who is either infected with AIDS or directly touched by AIDS.

The epidemic has cost this Nation immeasurable talent and energy in young and promising lives struck down long before their time. And our response to this plague—and the challenges it presents—will surely document in the pages of history what we stood for as a society.

Five years ago, in the name of Ryan White and all the other Americans who had lost their battle against AIDS, Congress passed and President Bush signed into law the Comprehensive AIDS Resources Emergency Act. In dedicating this bill to the memory of Ryan White, the Senate Labor and Human Resources Committee stated in its report:

> Beginning at the age of 13, Ryan White valiantly fought not only the AIDS virus, but also fear and discrimination based on ignorance. With dignity, patience and unwavering good cheer, Ryan White introduced America and the world to a face of AIDS that caring human beings could not turn their back upon. First through his courageous fight to go to school with his peers, then through his tireless efforts to educate others about the realities of his illness, young Ryan White changed our world. By dedicating this legislation to Ryan, the Labor Committee affirms its commitment to providing care and compassion and understanding to people living with AIDS everywhere. Ryan would have expected no less.

America can take satisfaction that—in these difficult times—sometimes we get it right. In the case of the CARE Act—I think we have.

AIDS has imposed demands on our health care system that were totally unanticipated a decade ago. In 1980, no Federal, State, or local public health

agency could possibly have foreseen the introduction of a novel and lethal infectious disease into 20th century society. Yet without warning, communities across this country were faced with an ever-expanding epidemic—creating the need for essential health and support services for hundreds of thousands of Americans who previously had little contact with the health care system.

In preparing to respond, the committee heard horror stories of people with AIDS waiting 10 or 12 days in overflowing emergency rooms—only to die before they were seen. I visited these hospitals and I talked with these families. We held hearings across the Nation. We took testimony in an old school house in a southern rural town, where we heard from a person with AIDS who traveled for many hours to reach an urban clinic—for fear that if anyone in his home town knew his HIV status, he would be banished, or killed. The human tragedy brought about by AIDS was staggering, even unfathomable—and cried out for national relief.

In 1990, advocates, organizations, and frontline service providers gave us the sound advice that the development and operation of community-based AIDS care networks could help shore up the Nation's overburdened health care delivery system, while improving the quality of life and efficiency of services for individuals and families with AIDS.

These principles were affirmed in recommendations made by two successive commissions on AIDS—one appointed by President Reagan and chaired by Adm. James Watkins, the other created by Congress and chaired by Dr. June Osborn.

In a report to President Bush, the National Commission on AIDS stated:

> Federal disaster relief is urgently needed to help states and localities provide the HIV treatment, care, and support services now in short supply. The Commission strongly supports the efforts in Congress to address this need. The resources simply must be provided now or we will pay dearly later.

With broad bipartisan support, and 95 votes in the U.S. Senate, we passed the landmark Ryan White CARE Act. We joined together in the interest of the Nation. We put people before politics. We took constructive action that has made a world of difference.

The CARE Act contains a series of carefully crafted components that together form the strategy that has reduced inpatient hospitalization and emergency room visits—and allowed more than 300,000 Americans with HIV disease this year to live longer, healthier, and more productive lives.

Let me for a minute mention the various aspects of the program that form the CARE Act.

Title I provides emergency relief for cities hardest hit by AIDS.

Basically, we establish a threshold of 2,000 cases. Once the cities reach that threshold in terms of diagnosed AIDS cases, they will be eligible for help and assistance. That is why a continued expansion of the program is necessary, as more and more cities are reaching that 2,000 level.

As more and more reach that 2,000 level and become eligible, we will need additional resources to meet this growing need.

Title II provides funding for all 50 States to organize and operate care consortia, to offer home care services and lifesaving therapeutics, and to assist in the continuation of private insurance coverage for those who would otherwise be bankrupted.

We have a funding stream targeted to the areas hardest hit by HIV. We also have grants that go to all 50 States to permit the States to develop programs to meet their growing need. As Senator KASSEBAUM pointed out, we are seeing an increasing incidence in many of the rural areas of this country.

The basic thrust of these programs is to develop humane and compassionate ways to provide essential services to individuals and families with HIV. This approach is also cost-effective and reduces pressure on the health care systems in these seriously impacted communities.

Title III provides funding for community health centers and family planning clinics to offer primary care and early intervention services to men, women, and children with HIV in underserved urban and rural communities which face an increasing demand for care.

Title IV links cutting-edge pediatric AIDS research with family center health and support services to meet the unique needs of children, youth, and families with HIV.

One of the great human tragedies is the number of babies born HIV positive, infants born into this world with HIV. We are providing help and assistance to those children as well.

There has been some enormously significant and important research that has been done that has offered great hope and opportunity with early intervention of freeing these infants from transmission by providing their mothers with AZT during pregnancy and delivery.

There has been important progress made. It is the kind of research that is also being done out of NIH in a coordinated way. We want to be able to be responsive to the needs of children, youth and families that have been affected and infected. This is enormously important.

I had the opportunity to visit a center at Boston City Hospital. It was really one of the most moving and tragic visits I have ever made. But the people who are working with these infants, the volunteers that go in there and give care and attention to these babies is one of the most inspiring examples of selflessness. We want to try and at least maintain, as title IV does, cutting edge pediatric research with family centers in our country.

Title V provides funds for national demonstration projects targeted to HIV populations with special needs, including minorities, the homeless, and Native Americans.

Together these titles function to put in place a strong national response with a proven track record of success. In a very real way, the CARE Act has saved both money and lives.

In Boston, the CARE Act has led to dramatically increased access to essential services. This year, because of Ryan White, 15,000 individuals are receiving primary care, 8,000 are receiving dental care, and 9,000 are receiving mental health services. An additional 700 are receiving case management services and nutrition supplements.

This assistance is reducing hospitalizations, and is making an extraordinary difference in people's lives.

In Newark, pediatric admissions at Children's Hospital decreased by 33 percent and the length of stay has decreased by half because of the coordinated family-based care offered through the act.

I think primarily San Francisco, which experimented with a variety of ways of providing community based care, has been a model from which other cities have drawn and made a very important difference. San Francisco has increased the quality of life of people living with HIV and also has diminished, in a very significant way, the financial cost of treatment.

In Denver, emergency room visits have been reduced by 90 percent and hospitalizations by 60 percent as a result of a home care program for the uninsured paid for by the CARE Act.

In Florida, Minnesota, and Wisconsin; the State saved more than $1 million—or nearly $10,000 for each person with AIDS—by using CARE dollars to help individuals continue their private health insurance coverage.

While much has changed since 1990, the brutality of the epidemic remains the same. When the Act first took effect, only 16 cities qualified for ''emergency relief''. In the past five years, that number has more than tripled—and by next year it will have quadrupled.

This crisis is not limited to major urban centers. Caseloads are now growing in small towns and rural communities, along the coasts and in America's heartland. From Weymouth to Wichita, no community will avoid the epidemic's reach.

We are literally fighting for the lives of hundreds of thousands of our fellow citizens. These realities challenge us to move forward together in the best interest of all people living with HIV. And that is what Senator KASSEBAUM and I have attempted to do.

The compromise in this legislation acknowledges that the HIV epidemic has expanded its reach. But we have not forgotten its roots. While new faces and new places are affected, the epidemic rages on in the areas of the country hit hardest and longest.

The pain and suffering of individuals and families with HIV is real, widespread, and growing. All community-

based organizations, cities, and States need additional support from the Federal Government to meet the needs of those they serve.

The revised formulas in this legislation will make these desperately needed resources available based on the number of people living with HIV disease—and the cost of providing these essential services.

The new formula will increase the medical care and support services available to individuals with HIV in many cities, including Boston, Los Angeles, Philadelphia, and Seattle, and in many States.

Equally important, the compromise will ensure the ongoing stability of the existing AIDS care system in areas of the country with the greatest incidence of AIDS. The HIV epidemic in New York, San Francisco, Miami, and Newark is far from over—and in many ways, the worst is yet to come.

This legislation represents a compromise, and like most compromises, it is not perfect and it will not please everyone. But on balance, it is a good bill—and its enactment will benefit all people living with HIV everywhere in the Nation.

We have sought common ground. We have listened to those on the frontlines. And we have attempted to support their efforts, not tie their hands.

Congress must now once again put aside political, geographic, and institutional differences to face this important challenge squarely and successfully. The structure of the CARE Act—affirmed in this reauthorization—and its well-documented effectiveness provide a sound and solid foundation on which to build that unity.

Hundreds of health, social service, labor, and religious organizations helped to shape the reauthorization's provisions. The reauthorization has been praised by Governors, mayors, county executives, and local and State AIDS directors and health officers. It has required all levels of government to join together in providing services and resources. And success stories of this coordination are now plentiful.

Community-based AIDS service organizations and people living with HIV have had critically important roles in the development and implementation of humane and cost-effective service delivery networks responsive to local needs.

Although the resources fall far short of meeting the growing need, the Act is working. It has provided life-saving care and support for hundreds of thousands of individuals and families affected by HIV and AIDS. Through its unique structure, it has quickly and efficiently directed assistance to those who need it most.

The Ryan White CARE Reauthorization Act, however, is about more than Federal funds and health care services. It is also about the caring American tradition of reaching out to people who are suffering and in need of help. Ryan White would be proud of what has happened in his name. His example, and the hard work of so many others, are bringing help and hope to our American family with AIDS.

The CARE Act has been a model of bipartisan cooperation and effective Federal leadership. Today that tradition continues. Sixty-three Senators join Chairman KASSEBAUM and me in presenting this bill to the Senate. It has been unanimously reported by both the Labor and Human Resources Committee in the Senate and the Commerce Committee in the House.

We must do more and do it better to provide care and support for those trapped in the epidemic's path. And with this legislation, we will.

Mr. President, again, I thank our chairperson, Senator KASSEBAUM, for her leadership and for working through a number of recommendations and changes. There have been changes in the way the funding will be distributed, and any time you engage in that, there will always be some winners and some losers.

It is a compromise which I support. It took a good deal of time to work this through, but I commend her for her diligence and for her ability to bring us all together on to some common ground.

Finally, I think those individuals who are looking to this legislation for some hope ought to find it as we go forward. It has broad bipartisan support. We expect that, as the majority leader has indicated, we will pass this in the very near future —certainly in the period of time before the August recess. If you take the progress being made in this area, the progress being made in the Office of AIDS research at the NIH, and the progress we have made with the Americans With Disabilities Act in the not too recent past, I think what Americans can take some satisfaction in is that we are trying to deal with this issue as a public health issue. We are trying to deal with it in a humane fashion. We are putting aside, during this debate, ideology and rhetoric in dealing with the facts at hand. We should follow scientific, and medical judgements and reflect caring and compassionate leadership, which we are about when we are at our best.

So this is really a hopeful piece of legislation. It will make a difference to tens of thousands of our fellow citizens. It is an area of important need. It is building on solid records of achievement and accomplishment. It reflects a number of the recommendations that have been made by Republicans and Democrats alike. It is a reflection of many of our colleagues' good recommendations and suggestions. We are very grateful to all of those that have been a part of this legislation. I am very hopeful that the Senate will pass it in the very near future.

I yield the floor.

Ms. MIKULSKI. Mr. President, I rise today in strong support of the Ryan White Comprehensive AIDS Resources Emergency [CARE] Act reauthorization. This act that honors the memory of a teenager who touched the lives of all Americans by bringing to the public's consciousness the need to respond to people living with AIDS. I am proud to be a cosponsor of this legislation and I urge my colleagues to join me in keeping the ''care'' in the Ryan White CARE Act.

My home State of Maryland, and Baltimore in particular, has benefited greatly from the services funded under the Ryan White CARE Act. Many Marylanders with AIDS would have gone without care or received substandard care if this law was not in existence. The CARE Act has provided primary care services and specialized HIV/AIDS care specifically for children, adolescents, women, men, and families through cost-effective community-based, family-centered comprehensive systems. In Maryland alone, the number of reported AIDS cases has increased every year since 1990 when the Ryan White CARE Act was first passed. In 1990, the number was 923, in 1992 it was 1,242, in 1993 it was 2,483, and last year it was 2,810.

As we have seen in Maryland, the AIDS epidemic is far from over. The greatest spread of the disease in Maryland has been in the Baltimore metropolitan area. In Baltimore City alone in 1993. there was a 64.4 percent increase in the AIDS caseload. The number of AIDS cases in Baltimore has multiplied more than 21 times since 1985. Sixty-one percent of AIDS cases in Maryland are in Baltimore.

The Federal Government has always responded to national tragedies and epidemics with targeted assistance—AIDS is no different. We must make sure that the Ryan White CARE Act continues to provide community-based care as well as new care and prevention programs. I believe this Act as reauthorized accomplishes this goal.

We cannot ignore the human element of this disease and the individuals whose lives have been affected by it. We cannot forget their personal plights and how this law has affected their lives. We have an opportunity today to do the right thing by reauthorizing this Act. We need to ensure that those affected by HIV and AIDS receive help in coping with the ravages of this dreaded disease.

AIDS is a disease that does not discriminate among children and adults, rich or poor, Democrats and Republicans. It affects everyone. Now is the time to come together in a bipartisan way to show Americans living with AIDS and their families that their elected officials—their Congress—is standing firmly behind them in their time of need. Let's keep the ''care'' in the Ryan White CARE Act.

Mrs. KASSEBAUM. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Ms. MOSELEY-BRAUN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. MOSELEY-BRAUN. Mr. President, I rise in strong support for quick action to approve the funding for the Ryan White CARE Act. The Ryan White CARE Act is an example of Government at its best. It is an initiative that has worked well in spite of the unfortunate and tragic growth in the number of AIDS and HIV. This has been a difficult disease for the country to deal with and an even greater challenge for the individuals and families of individuals stricken with the disease.

When Ryan White was first enacted, about 128,000 Americans were diagnosed with HIV. Now, unfortunately, there are more than 480,000 diagnosed cases.

Unfortunately, Mr. President, and probably predictably so, AIDS is one of those things that none of us like to talk about. It is a subject that brings fear in the hearts of anyone who even raises the question. But it is, I think, vitally important that we talk about it, and it is vitally important that we engage in debate about priorities and how we go about responding to what is truly an American emergency.

AIDS is just such an emergency. HIV is just such an emergency. Ryan White has been there to respond in a comprehensive and sensible way to that emergency. It is cost effective. It is working. It is responsive. And again, it represents the best of America.

Let me say at the outset that Ryan White funding plays a critical role in ensuring that people with HIV and AIDS receive not just health services but case management, home services, housing services, transportation, and it is a comprehensive approach to dealing with the entire individual and the entire community.

The funding goes to State and local governments to deal with HIV-infected populations within that community, as well as to provide support for community initiatives designed to try to provide the kinds of supports that will be responsive to the particular health needs of that community.

One of the things that needs to be talked about during the health care debate is the fact that here in America no one goes without health services.

If you think about it, everyone gets services in one form or another. If somebody falls out in the middle of the street or someone gets sick, somewhere, somehow or another, they will get served. The question becomes, how does it get paid for?

Unfortunately, our health care system is broken—we have the finest health care in the world, but in many ways it is a broken one. The fact is, the way the system works now, uncompensated care costs get shifted back and forth, and so in many instances, people who go to the hospital and pay private pay for health coverage, for health services, wind up paying $100 for aspirin, and that is just an apocryphal example. But the reason aspirin costs $100 is because of uncompensated care provided to people in other points in the system. Hospitals have provided the care. They have to recover that cost in some way and very often those costs get shifted to people who have private insurance and the like.

What Ryan White does, then, if you look at it in the scheme of things, Ryan White says here is a particular population with particular health needs and a community need to have these health needs met. We are going to provide funding to State and local governments, to health care institutions, to research institutions and the like, to try to address this specific problem so these costs will not be shifted and these costs will not be spread and we can be responsive in a comprehensive way.

So Ryan White-funded health care services help not only keep people healthy, and of course I know some of my colleagues have spoken to the human dynamic that is involved with Ryan White, but it also helps to provide a way of providing health care services in a way that does not call for this unaccountable kind of cost shifting that we might see in our health care system overall in the absence of Ryan White.

Mr. President, my State, Illinois, received in Federal funding for AIDS programs a total in 1994 of about $60 million. This is a lot of money. But certainly the fact is that the population is large and is growing and Ryan White has been responsive to a number of different institutions in the State of Illinois to provide for health care services: Emergency funds for care services, funds to the State health departments for support and care services, funds to community-based clinics and migrant health clinics to provide outpatient early intervention and primary medical services, funds to support pediatric, adolescent, and family programs.

All of these are vitally important, particularly given the fact that the AIDS population and HIV population is growing with regard to pediatrics, with regards to the children—that population is expanding. I think we have every obligation to see to it that we respond to the health needs of the community and the health needs of the individuals who are suffering with this dread disease in a way that is efficient. Certainly, Ryan White is that cost-effective, that efficient approach to health care funding for AIDS and HIV.

Finally, I would like to make a special appeal to my colleagues to look at this program and not allow us to get into a tradeoff between diseases, if you will. The fact is, we have a universal interest in seeing to it that the health care of America is something that we respond to as a society, not just because it is good for the individuals but because it is good for our society as a whole.

I do not think it can ever be argued that one disease versus another disease should be competitive. Indeed, if anything, we have, I think, an obligation to provide people with quality health care and access to health care and the availability of funding for that health care in a system of health care that is responsive to our total population needs.

I understand this legislation has broad-based bipartisan support and so this is not a partisan issue. This is certainly not an issue that should be controversial in any way. I hope there will not be any controversy.

I certainly want to applaud Senators KASSEBAUM and KENNEDY for working through the issues surrounding this legislation. Senator KASSEBAUM has been a leader in the health area for a long time and I applaud her for her efforts in this regard and applaud her for this legislation, and I urge its quick passage by the U.S. Senate.

I yield the floor.

The PRESIDING OFFICER. The Senator from Hawaii.

Mr. AKAKA. Mr. President, I am pleased that the Senate is now considering S. 641, the Ryan White Comprehensive AIDS Resources Emergency, CARE, Reauthorization Act of 1995. In 1990, Congress enacted the Ryan White CARE Act, named in honor of the young hemophiliac who devoted enormous energy educating Americans about the need for a compassionate response to people living with AIDS.

The Ryan White CARE Act is the cornerstone of Federal funding for AIDS-specific care and has played a critical role in improving the quality and availability of medical and support services for individuals with HIV and AIDS. Since its enactment, the CARE Act has provided life-sustaining services to over 300,000 people with HIV/AIDS, including primary health care, prescription drugs, home health care and hospice care, dental care, drug abuse treatment, counseling, case management, and assistance with housing and transportation.

I commend the sponsors of this legislation, Senators NANCY KASSEBAUM and EDWARD KENNEDY, for their leadership on this issue of national importance. S. 641 would amend the CARE Act and extend authorization of the grant programs, which expire on September 30, 1995. As AIDS is the leading cause of death of young adults, we cannot let reauthorization of the CARE Act be delayed any longer nor diluted through negative amendments. I am a cosponsor of this legislation and believe that it will strengthen the CARE Act and enhance our ability to be responsive to the evolving nature of this epidemic. The measure, which enjoys bipartisan support, was favorably reported out of the Senate Labor and Human Resources Committee by a unanimous vote on March 29, 1995.

The sponsors of this legislation recognize that the changing demographics of the AIDS epidemic require a more

equitable distribution of funding in order to balance the needs of people across this country living with HIV and AIDS. Accordingly, S. 641 builds on the program's strengths and makes significant improvements by modifying the funding formulas to reflect the changing nature of the AIDS epidemic. The legislation before us would assure a more equitable allocation of funding as it restructures formulas based on an estimation of the number of individuals currently living with AIDS and the costs of providing services

I urge my colleagues to support, without amendment, S. 641, the Ryan White Care Reauthorization Act of 1995.

I yield the floor.

The PRESIDING OFFICER. The Senator from Kansas.

Mrs. KASSEBAUM. Mr. President, I thank the Senator from Hawaii and prior to the Senator from Hawaii speaking, the Senator from Illinois, Senator MOSELEY-BRAUN, for their cosponsorship and assistance with this legislation as we have been putting it together and as it is now ready to be considered by the full Senate.

I just wish to thank the Senator from Hawaii for his support.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LEAHY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEAHY. Mr. President, I am proud to be a cosponsor of the Ryan White CARE Act.

Today, AIDS is the leading cause of death among Americans between the ages of 25 to 44 years. Truly, a staggering statistic.

Since the beginning of the epidemic in 1981 through June of 1994, the number of reported AIDS cases in Vermont is 213. Eighty-two of these cases were reported in the previous year alone. This represents an increase of 242 percent over the reported total in 1991–92.

AIDS knows no gender, sexual orientation, age, or region of the country. AIDS is something that affects all of us.

Since its enactment in 1990, the Ryan White CARE has done so much to help provide health care and services to the growing number of people with HIV/AIDS. I hope that we can work toward a speedy passage.

Mr. President, I ask unanimous consent to be able to proceed as if in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUPPORT FOR CONGRESSIONAL LEADERSHIP AGAINST LANDMINES

Mr. LEAHY. Mr. President, on June 16 I introduced S. 940, the Landmine Use Moratorium Act. My bill, which calls for a 1-year moratorium on the use of antipersonnel landmines, aims to exert U.S. leadership to address a problem that has become a global humanitarian catastrophe, the maiming and killing of hundreds of thousands of innocent civilians by landmines.

Landmines are tiny explosives that are concealed beneath the surface of the ground. There are 100 million of them in over 60 countries, each one waiting to explode from the pressure of a footstep. Millions more are manufactured and used each year. The Russians are scattering them by air in Chechnya. They are being used by both sides in Bosnia, where 2 million mines threaten U.N. peacekeepers and humanitarian workers there, as well as civilians.

In Angola there are 70,000 amputees, and another 10 million unexploded mines threatening the entire population. Mines continue to sow terror in dozens of countries in Asia, Africa, Latin America, and the former Soviet Union.

Again, my bill calls for a 1-year moratorium on the use of antipersonnel mines. Not because the United States uses landmines against civilian populations the way they are routinely used elsewhere, but because without U.S. leadership nothing significant will be done to stop it.

Like the landmine export moratorium that passed the Senate 100 to 0—2 years ago—and like the nuclear testing moratorium, my bill aims to spark international cooperation to stop this carnage. Time and time again we have seen how U.S. leadership spurred other countries to act.

The Landmine Use Moratorium Act has 45 cosponsors—37 Democrats and 8 Republicans. They are liberals and conservatives. They understand that whatever military utility these indiscriminate, inhumane weapons have is far outweighed by the immense harm to innocent people they are causing around the world.

Every 22 minutes of every day of every year, someone, usually a defenseless civilian, often a child, is horribly mutilated or killed by a landmine. It is time to stop this. My bill takes a first step.

Mr. President, in recent weeks, newspapers around the country have published editorials and articles about the landmine scourge and the need for leadership by Congress.

I ask unanimous consent that several newspaper articles about the Landmine Use Moratorium Act from Maine, Oregon, Pennsylvania, and elsewhere, as well as several defense publications, be printed in the RECORD.

I also ask unanimous consent that Senator GORTON be added as a cosponsor to S. 940.

The PRESIDING OFFICER. Without objection, it is so ordered.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From Defense News, July 10–16, 1995]

LAND-MINE BAN WOES

In 1994, about 100,000 land mines were removed from former war zones at a cost of $70 million. At the same time, another 2 million mines were deployed elsewhere.

These and other sobering, frustrating statistics came out of a three-day international conference in Geneva last week on mine-clearing.

The daunting prospect of new mines being sown at a rate 20 times faster than they can be removed is matched by the apparently futile attempts to ban the sale and manufacture of these inexpensive weapons.

There is some momentum to enact an international ban, with 25 nations adopting moratoriums on mine exports and three—Mexico, Sweden and Belgium—calling for comprehensive bans on their sale and manufacture. But in Geneva, it was concluded that banning land mines must be a long-term goal.

Despite the clear evidence that these weapons often can serve as everlasting and deadly vestiges of wars long resolved, some countries demand the right to keep them in their inventories.

The nations that want to have land mines in their inventories typically are not the same 64 countries where collectively 100 million land mines kill or maim 500 persons each week. If they were, perhaps a comprehensive ban would not be so elusive.

BURY MINE VIOLENCE

While international support is growing for a comprehensive ban on the sale and manufacture of antipersonnel mines, Western leaders must speak with one voice in demanding stronger curbs on these weapons that kill about 70 people each day.

Following the U.S. lead, 18 countries have declared moratoriums on the export of antipersonnel land mines and a U.N. conference beginning in September in Vienna will examine how and where antipersonnel land mines may be used.

Despite these and other promising signs, a worldwide ban on these mines that kill or maim 26,000 people each year remains an unlikely outcome of the U.N. meeting.

Even the European Parliament, which is hoping to influence the U.N. decision by soon adopting its own resolution calling for an antipersonnel mine ban, may have trouble achieving consensus.

While Belgium, for instance, banned all production, sale and export of antipersonnel mines last month, officials from other countries, such as Finland, insist that antipersonnel mines are a vital asset in national defense.

Because of these widely divergent views, a strong European Parliament resolution renouncing antipersonnel mines may be an elusive goal.

Even the United States, which had been a leader in the drive to rid the world of antipersonnel land mines, is falling off the pace. Despite a landmark speech by U.S. President Bill Clinton to the U.N. General Assembly in September in which he stressed the elimination of antipersonnel land mines, the government would allow the sale of certain high-tech antipersonnel land mines if the congressionally imposed export ban that ends in 1996 is not extended.

The U.S. military wants to keep high-tech antipersonnel mines that are self-deactivating. And a multilateral mine control regime being touted by U.S. officials concentrates on eliminating long-lived antipersonnel mines that do not self-destruct or self-deactivate.

While the newer high-tech mines offer great improvements over many of their predecessors, they nonetheless are dangerous

weapons that should be included in a global ban.

Antitank mines, however, are vital weapons in the modern battlefield and do not cause the civilian casualties that antipersonnel mines do.

As Sen. Patrick Leahy and Rep. Lane Evans said in a letter to Mr. Clinton after his September speech, ''* * * land mines undoubtedly have some military use, that must be weighed against their advantage as a force multiplier for potential enemies in countries like Somalia or Iraq, where our troops increasingly are being sent.''

But soldiers are not the most frequent victims of these mines. Civilians, often children, are.

More mines are being scattered each day in places like Chechnya and the former Yugoslavia. The global landscape already is littered with 85 million to 100 million unexploded antipersonnel mines.

Western leaders must act now to ensure more of these mines are not sown and that programs are put in place to verify compliance to the ban.

[From Navy Times, July 24, 1995]

SANITY MAY TAKE ROOT IN LAND MINE DEBATE

(By George C. Wilson)

Far too many of us still see the hurt and disbelief in the eyes of someone who has just been hit by a land mine. The eyes that still bore into my mind are those of a little Vietnamese girl who set off a mine while washing clothes on the bank of the Perfume River in Hue in 1990—a full 15 years after the war was supposed to be over for her and everyone else.

The girl lay in a hospital bed in Hue with bandages over most of her body. Her mother was attending her because of the shortage of nurses. The mother looked up from her bedside chair and asked me through a translator why the ''booms'' were still going off. Her daughter just stared at me in searing silence.

I had no answer then, but have something hopeful to say now. The U.S. Senate, perhaps this week but certainly this summer, will confront the scourge that maims or kills somebody in the world every 22 minutes. As many as half of the victims are children like the one I saw in Hue.

Soldiers know how to detect and disarm mines. Children don't. Sowing mines is like poisoning village wells: The soldiers on both sides realize the danger, drink from their canteens and move on. Not so with the villagers.

Sen. Patrick J. Leahy, D-Vt., and more than 40 Senate co-sponsors have drafted legislation that would declare a one-year moratorium on sowing mines on battlefields, starting three years from now. Claymore mines, which infantrymen spread around their positions at night and use in ambushes, would be excluded from the experimental, one-year ban. So would anti-tank mines. Also, international borders, like the demilitarized zone between North and South Korea, could still be sown with mines.

The Leahy proposal is but a short step toward the goal of inspiring an international agreement to ban land mines the way the nations managed to ban the use of poison gas and dum-dum bullets. But it is a symbolic step. It will at least force the Congress, the military and the public to confront this uncontrolled sowing of poison seeds.

In the Senate, Leahy plans to tack the moratorium legislation onto another bill on the floor, perhaps the defense authorization bill.

In the House, Rep. Lane Evans, D-Ill., a Marine grunt from 1969 to 1971, is pushing a similar measure but has not decided when to push for a vote. The hawkier House—which seems determined to give the military almost anything it wants—almost certainly will reject the amendment until the Joint Chiefs of Staff say they favor it.

This hasn't happened despite expert testimony that it would do the U.S. military more good than harm if land mines were banned. No less a soldier than Gen. Alfred Gray Jr., former Marine Corps commandant, has said:

''We kill more Americans with our mines than we do anybody else. We never killed many enemy with mines . . . What the hell is the use of sowing all this [airborne scatterable mines] if you're going to move through it next week or next month . . . I'm not aware of any operational advantage from broad deployment of mines.''

Leahy warns that ''vast areas of many countries have become deathtraps'' because 62 countries have sown between 80 million and 110 million land mines on their land. ''Every day 70 people are maimed or killed by land mines. Most of them are not combatants. They are civilians going about their daily lives.''

Yet mines are so cheap—costing as little as $2—that small armies all over the world are turning to them as the poor man's equalizer. American forces increasingly are being sent to these developing areas and would be safer if land mines were banned.

''The $2 or $3 anti-personnel mine hidden under a layer of sand or dust can blow the leg off the best-trained, best-equipped American soldier,'' Leahy notes.

At the United Nations last year, President Clinton called on the world to stop using land mines. He could weigh in heavily on the side of the one-year moratorium and push the chiefs in that direction. But don't count on it. He seems determined during his reelection drive not to offend the military and its conservative champions.

Belgium and Norway this year forbade the production, export or use of land mines. Leahy and Evans hope the upcoming debate will create a climate for a similar stand by the United States. Lest you conclude the land mine moratorium is being pushed by peacenik lawmakers, note that among the senators supporting it are decorated war veterans Daniel K. Inouye, D-Hawaii, J. Robert Kerrey, D-Neb., John F. Kerry, D-Mass., and Charles S. Robb, D-Va.

The case for the Leahy-Evans moratorium is overwhelming. Even so, Congress probably will lose its nerve and refuse to enact the moratorium this year. But I think I could tell that little girl in Hue, if she lived through her maiming, that reason is beginning to assert itself. Man is beginning to see the folly of fouling his own nest with mines. There is at least a dim light at the end of the tunnel.

[From the Washington Post, July 9, 1995]

KILLERS IN THE EARTH

(By Anne Goldfeld and Holly Myers)

Sen. Patrick Leahy of Vermont and Rep. Lane Evans of Illinois have just introduced a bill to establish a year-long moratorium on the use of land mines. This legislation is a critical step toward the goal of an eventual international ban on the production, stockpiling, trade and use of these weapons. Passage of this amendment is a humanitarian imperative as, day by day, the public health and environmental crises of land mines spin out of control.

At as little as $3 apiece, land mines have become the cheapest choice weapon in the civil war conflicts that plague our planet. In the former Yugoslavia alone, as many as 5 million land mines have been dug into the earth since the outbreak of fighting. In Rwanda, tens of thousands of mines newly laid in the last year will target the poorest in society—the children and women who must collect firewood or fetch water for survival. As elsewhere, women and children make up 30 percent of land mine victims, and because of their small size, children rarely survive a blast. Tragically, children too frequently perceive land mines to be brightly colored toys.

Land mines are an epidemic more deadly than the Ebola virus, killing or maiming at least 26,000 people a year, 90 percent of whom are noncombatant civilians. However, unlike Ebola, this scourge has spread to nearly every continent on the globe: 10 million land mines in Afghanistan (where the technique of scattering mines from the air was perfected), 10 million mines in Angola, 130,000 mines in Nicaragua, 4 million mines in Iraqi Kurdistan.

Mines were laid in the recent Peru-Ecuador border dispute, and new mines are being laid with a ferocity in current hot spots such as Chechnya and Bosnia. The cost of clearing a single mine ranges between $300 and $1,000 and requires a brave man or woman to work on hands and knees, meticulously removing one mine at a time.

In Cambodia, a country of 8 million people, there are an estimated 8 million land mines. Twenty percent of the land in the country's fertile northwest provinces is now not cultivable because of mines. Approximately one out of every 200 people is an amputee, the highest percentage in the world; in the United States the comparable ratio of amputees to the general population is one out of 22,000. At the current rate of clearance, Cambodia will not be free of mines for 300 years.

According to the U.S. State Department, there are an estimated 100 million land mines in the earth today and at least another 100 million stockpiled in arsenals. Like Ebola between outbreaks, they remain hidden and await their victims patiently for decades. With each passing day, they turn once-fertile fields into abandoned wastelands and destroy lives, limbs and futures.

There is no possible military objective or argument that can justify the human toll and the pollution of the earth exacted by the continued use of land mines.

Land mines, ''weapons of mass destruction in slow motion,'' have claimed more victims than nuclear, chemical and biological weapons together. The indiscriminate chemical and biological weapons systems are now banned, and land mines must also be banned. President Clinton, at the 50th anniversary of the United Nations, proposed that the elimination of land mines be a common goal of member nations. Let's put this theoretical position into action. Active support of the Leahy-Evans bill represents a crucial start.

[From the Boston Globe, May 23, 1995]

FIELDS THAT KEEP KILLING

Numbers can be cold abstractions. An account of five minutes in the life of one child at Auschwitz can convey the evil of the Nazi genocide more unforgettably than any quantitative summary of Hitler's mass murder. To understand a contemporary massacre of the innocents that continues day after day, one must feel the horror hidden in the figures on antipersonnel land mines.

One hundred million is the number of mines waiting to kill, maim or blind a child going to school, a farmer tilling the soil or a refugee returning home. Twenty-six thousand is the number of people who were killed or maimed in the past year by land mines. Seventy is the figure for those who are blown apart each day. Sixty-two is the number of countries where land mines, weapons of mass destruction that kill in slow motion, have

been sown in the soil. Three dollars is the cost for a land mine, the cheapest terror weapon of all.

The ethical imperative to eliminate land mines is clear. Mines do not discriminate between civilians and combatants. They go on murdering and mutilating innocent victims indefinitely. There are still areas of the Netherlands and Denmark that are off-limits because of unexploded mines from World War II. In countries such as Afghanistan, Cambodia, Angola or Iraq, the diffusion of mines has created permanent killing fields. And Russian planes are currently strewing mines in Chechnya.

To help end the commerce in land mines, Sen. Patrick Leahy of Vermont is planning to introduce a bill to ban U.S. use of antipersonnel land mines except ''in marked and guarded minefields along internationally recognized national borders.'' To discourage the proliferation of mines, the United States would end all transfers of military equipment to ''any country which the President determines sells, exports or transfers antipersonnel land mines.'' The bill would also authorize $20 million to clear and disarm existing land mines.

Leahy's bill is necessary because the Pentagon has prevailed on President Clinton to keep using mines that self-destruct after a few months or years. That would be a license to prolong mass murder. Leahy has proposed a wise and humane measure that deserves support.

[From New York Newsday, June 28, 1995]

NEWLYWEDS, KILLED IN BLAST

(By Michele Salcedo)

They were newlyweds, celebrating their nine-day-old marriage with a dream honeymoon at a Red Sea resort in Egypt.

But on Monday the lives of U.S. Army Maj. Brian Horvath, a cardiologist who grew up in Sayville, L.I., and his bride. Maj. Patricia Kopp-Horvath, ended together when the off-road vehicle in which they were touring the Sinai desert hit a landmine.

An Army spokesman at the Pentagon, Lt. Col. William Harkey, declined to confirm the Horvathe death until a positive identification could be made in six to 10 days.

But Capt. Dominick Yarrane, commander of the Suffolk County Police Community Response Unit, where Horvath's mother, Arlene, works as an aide, said an Army official from Fort Hamilton notified the Horvath family of the tragedy Monday evening.

The newlyweds had rented an off-road vehicle, and hired a driver and guide for a tour of the desert territory fought over by Israel and Egypt between 1948 and 1967.

Horvath and wife, their driver and guide had driven 30 miles north of the Red Sea resort of Shaphi al-Sheik, according to Michael Sternberg, the chief representative in Israel of the multinational force in the Sinai, where they struck the mine. The driver and guide survived the blast, but their condition was unclear.

A source at the U.S. Embassy in Cairo said that the area where the explosion occurred—just north of the Sinai's southern tip—was well-traveled and visited frequently by tourists. It was not in any way restricted, the source said.

The Egyptian Ministry of the Interior said the area had been mined during 40 years of recurring hostilities, but that efforts had been made to clear it of mines when Israel returned the area to Egypt. American officials in Egypt considered the incident an accident, the U.S. Embassy source said.

The Horvaths announced their engagement in April and were married June 17 in Stillwater, Minn., near Patricia Kopp's hometown. They were stationed at Landstuhi Regional Army Medical Center in Germany, where Brian Horvath practiced and Patricia Kopp-Harvath worked as a certified registered nurse-anesthetist.

[From the Statesman Journal, July 17, 1995]

CONGRESS MUST BAN MINE SALES

Judging by the way our lawmakers vote and our citizens act, Oregon is one of the most pro-peace states in the nation.

It will disappoint Oregonians, then, to learn that the United States is the leading arms exporter in the world, with 72.6 percent of the market. It's also disappointing that while a hundred million unexploded land mines spread around the world kill or maim 26,000 innocent people each year, only 57 percent of Americans want a moratorium on their export.

The U.S. Senate is expected to take up this summer both a moratorium on land mines and a ''Code of Conduct,'' pushed by Sen. Mark Hatfield, to restrict the sale of conventional arms to dictators and countries that fail to meet certain humanitarian criteria.

Of all the measures, elimination of land mines should be the easiest to obtain. The United States imposed a one-year moratorium in 1992 and has extended it every year, President Clinton wants to do the same this year and then move toward elimination—but with a catch. His administration wants countries to use self-destructing land mines as an interim step. Many see this as a self-serving promotion of American-made self-destruction mines.

Except for specific purposes and specific times—along borders in a war—antipersonnel mines have no honest military purpose. Nevertheless, they've been sown like wheat across the countryside in many countries. Innocent children and civilians become their victims.

Oregonians should be the first to urge Congress to vote the toughest sort of ban on land mines, including the self-destruct models.

Oregonians have supported Hatfield's ''Code of Conduct'' bill in the past and must maintain that support, in hopes that Congress eventually will get the message. His code may be the only way to stop this country from selling arms to nations that may eventually use them against us—Iraq and Somalia are good examples. Besides, we subsidize the sales with U.S. tax dollars and loan guarantees.

Wars fought with conventional weapons have claimed the lives of 40 million people since World War II. How do U.S. taxpayers feel about their contribution to this slaughter?

[From the Scranton Times, July 10, 1995]

LAND MINES PLAGUE WORLD

SPECTER SHOULD LEAD GOP SENATORS IN EFFORT TO PROTECT CIVILIANS

Senate Democrats are pressing a bill that would make the United States the leader in a global effort to sharply restrict the distribution and use of land mines.

According to the State Department, 26,000 civilians around the world are killed or maimed each year by land mines left over from wars. Official estimates of the number of such devices buried on innumerable former battlefields range as high as 100 million.

No Republicans have signed on as sponsors to the Senate bill, which would extend a moratorium on the use of U.S.-produced anti-personnel land mines, expect in certain marked areas where they help to protect borders.

Such a moratorium would give the U.S. the moral weight needed to lead to a global moratorium on anti-personnel mines, an international conference on which is scheduled to convene in September.

Civilian populations suffer during wars but should be relieved of such burdens when hostilities cease. The United States should be a leader in protecting, rather than contributing to the endangerment of civilians.

Sen. Arlen Specter is considered a swing vote on this issue. He should lead his GOP colleagues in helping to stop the carnage caused by land mines.

[From the Bangor Daily News, July 10, 1995]

LAND-MINE MORATORIUM

In 1992, Congress took an intelligent half-step of approving a one-year moratorium on the export of land mines, and subsequently passed an extension. It now has the opportunity to expand the moratorium, saving thousands of lives in the process.

Sen. Patrick Leahy of Vermont has proposed a further measure that calls on the president to support international negotiations to eliminate anti-personnel land mines, imposes a one-year moratorium on the use of U.S. land mines except in certain marked areas along international borders and encourages other countries to adopt the moratorium. Passage of the bill could have far-ranging implications. After the '92 moratorium was passed, two dozen other countries enacted similar measures.

By rough count, there are 1 million land mines currently sown into the earth, awaiting either the costly process of removal (Kuwait has spent $800 million doing this since the end of the Gulf War) or the costlier detonation by an unwilling passerby. Land mines do not know when a war has ended or whether a victim is a soldier or civilian. Their placement in fields once used for planting has the doubly vicious result of causing widespread injury among civilians while discouraging other refugees from returning to their farm lands.

Land mines are designed to maim instead of kill. They cause disabling injuries, inflict pain and terror among those unfortunate enough in the minelaced regions of Cambodia, Afghanistan, Angola, and a dozen other places. Approximately 26,000 people are killed or injured by land mines each year. Once used as a defensive weapon, militaries have found these cheap devices ideal for offensive purposes, as well. Their drain on scarce medical resources means that others suffering from disease or malnutrition will die from want of treatment.

President Bill Clinton has endorsed the idea of eventual elimination of antipersonnel land mines, but unfortunately also wants to allow a U.S. firm to export a higher-tech version of the weapon, known as a self-destructing land mine. In theory, these land mines either blow up or become inactive after a given time. But allowing one type of land mine opens a loophole for several types, and makes enforcement of a ban on the rest nearly impossible.

As the world's largest arms exporter, the United States has the special problem of facing potentially hostile countries supplied with U.S.-produced weapons. The land-mine moratorium is an important step toward reducing that eventuality and increasing world safety. Maine's senators should support the Leahy bill.

[From the Patriot-News, July 19, 1995]

EASE THE THREAT FROM LAND MINES

The numbers are staggering, so enormous that no one can say with precision just how many unexploded land mines litter the planet.

In a speech to the United Nations last September, President Clinton cited the figure 85

million. More recently, the State Department has put the number at 100 million, or one for every 50 people in the world.

What is known is that on average about 500 people are killed or maimed each week—26,000 every year—by land mines. Huge swaths of ground have been rendered uninhabitable by the sowing of mine fields, from Kuwait to Angola. One of every 236 people in Cambodia is an amputee as a result of mine blasts. Around the world, wherever land mines lie in wait for the unsuspecting or careless, prominent among their victims are children.

But there is an effort under way to do something about this madness. A one-year moratorium on the sale, export and transfer of land Mines was adopted by the United States in 1992, followed the next year by unanimous Senate passage of a three-year extension. The moratorium effort has since been joined by 25 other countries.

Late next week, the Senate is expected to vote on The 1995 Land Mine Use Moratorium Act, which:

Urges the president to pursue an international agreement for the eventual elimination of anti-personnel land mines.

Imposes a one-year moratorium on U.S. use of land mines, except in certain marked areas along international borders.

Encourages additional countries to join the moratorium.

The legislation is sponsored by Sen. Patrick Leahy, D-Vt., with 44 co-sponsors representing both parties. Absent from the sponsors list for this wise legislation, which has the active support of the U.S. Conference of Catholic Bishops and more than 200 other human rights organizations are the names of Pennsylvania's senators, Arlen Specter and Rick Santorum.

We urge our two Republican senators to join the effort to end this indiscriminate means of warfare, just as the nations of the world have previously agreed to end the use of biological and chemical weapons. America's leadership and example is no less essential to making this a safer and more peaceful world than it was in winning the Cold War.

[From the Rutland Daily Herald, July 6, 1995]

BAN LAND MINES

The world is slowly waking to the indiscriminate carnage that results from the use of a cheap, easily dispersed and deadly weapon—the land mine.

The question is whether the United States will exercise the leadership required to move the international community toward a total ban of a weapon that kills and maims 26,000 people a year.

There are about 100 million land mines already in place on killing fields around the globe. They create terror on the cheap. They cost between $3 and $20 to make, and 80 percent of those killed are children. Long after the battlefields are quiet in Cambodia, Angola, Lebanon and Vietnam, the killing goes on.

Land mines are the weapons of cowards. The Soviet Union spread them by the millions in Afghanistan; some were specifically designed to entice children into picking them up. Now Russia is spreading them in Chechnya.

Sen. Patrick Leahy has played a leading role in prodding the Clinton administration and the international community to bring this hideous technology under control. Legislation introduced by Leahy two years ago led to a moratorium by the United States on the manufacture and sale of land mines and prompted 25 other nations to follow suit. Leahy also introduced a resolution before the U.N. General Assembly on behalf of the United States calling for the ''eventual elimination'' of land mines.

Now the Clinton administration is backtracking.

Leahy has introduced a bill that would prohibit the United States from using land mines, except in certain specifically designated border areas, and to impose sanctions on nations who use them. He hopes the United States will lead by example, as it did on the manufacturing moratorium, so other nations also disavow use of land mines.

The U.S. military, however, is wary of establishing a precedent. Even though land mines are primarily an instrument of terror aimed at innocent civilians, the Army does not like to have its options limited. Certainly, land mines are not the most important weapon in the U.S. arsenal, but the military does not want Congress to get in the habit of indulging its humanitarian impulses by limiting the weapons the Army can use.

Thus, Clinton has found a way to equivocate.

Though the United States introduced the U.N. resolution favoring the elimination of land mines, Clinton now favors the export and use of self-destructing land mines that would detonate by themselves over time.

Here Clinton indulges in fantasy. Does he really believe the dozens of nations with tens of millions of land mines in their possession will decide they would rather buy more expensive self-destructing mines and use them instead? In this way, Clinton undermines the international effort to eliminate the use of this weapon.

Just four years ago there were only two organizations raising the alarm about land mines. One was the Vietnam Veterans of America Foundation whose land mine campaign is led by Jody Williams of Brattleboro. She had seen what land mines do in Nicaragua and El Salvador.

Now there are 350 organizations in 20 countries pushing to eliminate the use of land mines. Pope John Paul II, former President Jimmy Carter, Nobel laureate Desmond Tutu of South Africa, and U.N. Secretary General Boutros Boutros-Ghali all support a ban. And yet Clinton backs away.

Leahy's bill would put the U.S. once again at the vanguard of the effort to eliminate what Leahy has called ''weapons of mass destruction in slow motion.''

Leahy's bill has 44 co-sponsors, including Sen. James Jeffords, but he has still not been assured the bill will come to a vote. It ought to come to a vote, and despite Clinton's equivocation, Congress ought to send the message that the United States will lead the way in containing the violence war causes among the world's innocent bystanders.

Mr. LEAHY. Mr. President, in my ongoing effort to see a worldwide ban on the use of antipersonnel landmines, it is interesting to note that since starting this effort 25 countries have taken at least the initial step by halting all or most of their exports of antipersonnel mines. That was due in large part to the action we took here 2 years ago, by passing my amendment to stop U.S. exports of these weapons. Our action captured the attention of the world, and that is why it is important that we continue to show leadership to bring an end to the landmine scourge.

I remind my colleagues that today in over 60 countries there are 100 million antipersonnel landmines that wait silently to explode. These are 100 million not in warehouses but concealed in the ground. In many countries they are clearing the landmines an arm and a leg and a life at a time.

Today when wars end, soldiers leave and tanks and artillery and guns are withdrawn, in so many countries the killing continues, sometimes for months, sometimes long past when people can remember what caused the fighting in the first place. It continues because of the landmines left behind.

We are about to make a major decision in Bosnia. The distinguished Senator from Kansas and I spent most of an afternoon with the President of the United States, with the Secretary of State, Secretary of Defense, our Ambassador to the United Nations, and General Shalikashvili discussing what alternatives are available to us.

It was a very good discussion, I think a very important discussion. I commend the President for having it. I could not help think throughout no matter who is in Bosnia, whether us, for whatever reason, our allies, whether now or when the fighting stops, they are going to find a very, very grim surprise; that is, hundreds of thousands, perhaps over a million landmines that are now in the former Yugoslavia, and they will keep on killing long after this dreadful fighting stops.

THE INTERNET

Mr. LEAHY. Mr. President, there has been a lot said about Internet, and about proposals to regulate indecent or obscene content in the Internet. There has been a lot of articles about so-called cyberporn and things of that nature.

I have had some interest in the way the legislation is proceeding. I believe I was probably the first Senator to actively hold town meetings on the Internet. I have it in my own home, as many do now, and use it continuously, when I am here in my office in Washington, in my office in Vermont, in my home in Vermont, and in the residence here.

REPORT OF INTERACTIVE WORKING GROUP ON PARENTAL EMPOWERMENT, CHILD PROTECTION AND FREE SPEECH IN INTERACTIVE MEDIA

In light of concerns and legislative proposals to regulate indecent and obscene content on the Internet, I have asked the Attorney General of the United States as well as a coalition of private and public interest groups known as the Interactive Working Group to look at this issue and provide recommendations on addressing the problem of children's access to objectionable online material, but to do so in a constitutional and effective manner.

I have not yet heard back from the Attorney General and look forward to receiving the report of the Department of Justice as promptly as their study can be concluded.

I come to the Senate today to speak about the report from the Interactive Working Group that will be released Monday. This group includes online service providers, content providers,

and public interest organizations dedicated to the interactive communications media. I would recommend the report to my colleagues.

In its report, the Interactive Working Group describes some of the technology available, not in the future but today, to help parents supervise their children's activities on the Internet and protect them from objectionable online material. In fact, available blocking technology can make pornographic Usenet news groups or World Wide Web sites off limits to children.

I mention this because we seem to be carried away with the idea that somehow we will set up a Federal standard that will treat everybody exactly the same, whether adult or child, in setting up gateways on the Internet—without accepting the fact that maybe parents have a certain responsibility to raise their children. The responsibility parents have is greater than the Senate or the House of Representatives has, and as a parent, I would readily take on that responsibility rather than to have the Congress tell me what to do.

There are other commercially available products that limit children's access to chat rooms, where they might be solicited. They limit children's ability to receive pornographic pictures through electronic mail.

Other products allow parents to monitor their children's usage of the Internet. You can find out exactly where they have been and what they might have been reading. This is significantly different from other settings where parents may have no idea what magazines or books their children read—but you can find out on the Internet.

Yet some would close down the Internet to prevent the possibility of an infraction. What I am saying is that parents ought to take some responsibility themselves.

Software entrepreneurs and the vibrant forces of the free market are providing tools that can empower parents' to restrict their children's access to offensive material. Parents can restrict access to whatever they considered objectionable: whether it is beer advertising, or fantastic card games that some parents believe promotes interest in the occult. Interested organizations, like the Christian Coalition or Mothers Against Drunk Driving, could provide parents that use blocking technology with lists of sites these groups consider inappropriate for children.

This is not a case where we in Congress, playing big brother or big sister, need to determine what parents should tell their children to watch or read.

If you set up Government regulations, the kind of heavy-handed regulations that we seem intent upon passing, then you will stifle this new industry. If you have overly restrictive bans on the Internet, they will prove not only unconstitutional, but they are going to hamper the growth of this new communications medium, one that has grown faster than anything else I have seen in my lifetime. The Internet has been growing at an exponential rate and new uses for it are devised daily.

Anyone with a computer and a modem can send something out on the Internet, but unlike a broadcaster, potential listeners must seek out this information and download it. This indecency that we worry about does not come easily into a home. You have to go out and look for it.

We are at the dawn of a new era in communication. Interactive communications—ranging from online computer services, CD–ROM's, and home shopping networks—are growing at an astonishing rate, bringing great opportunities for business, culture, and education. Of all these new interactive communications, the Internet has become the new location for our Nation's discourse.

The Internet does not function like a broadcast or a newspaper where a station manager or editor chooses which images or stories to send out in public. The Internet is like a combination of a great library and town square, where people can make available vast amounts of information or take part in free and open discussions on any topic. It has provided great opportunities for our disabled citizens and has enabled our children the ability to discuss issues with some of society's greatest minds. With this technology, I conduct electronic town meetings with Vermonters, post information about legislative activities, and hear back from Vermonters about what they think.

Unfortunately, like any free and open society, the Internet and online computer services have attracted their share of criminals. I recently introduced with Senators KYL and GRASSLEY the National Information Infrastructure Protection Act to increase protection for our Nation's important computer systems and confidential information from damage or prying by malicious insiders and computer hackers.

In addition, the Internet is not immune from pornographers. Pornography exists in every communications media, including films, books, magazines, and dial-a-porn telephone services. The press has recently hyped the discovery that online pornography exists on the Internet. But we should be careful not to overstate the extent of the problem.

In our universal condemnation of pornography and desire to protect our children from exposure to online pornography, we should not rush in with well-meaning but misguided legislation. Any response we choose must be tempered by first amendment concerns. Heavy-handed attempts to protect children could unduly chill speech on the Internet and infringe upon the first amendment.

What are we doing as a legislative body if we discourage the project Gutenberg from placing online the works of Charles Dickens, Geoffrey Chaucer, or D.H. Lawrence for fear of prosecution because someone, somewhere on the Internet, might find the works indecent? Would the Internet still be the great electronic library and the setting for open discussion it now promises? These questions and issues will be the subject of an important Judiciary Committee hearing Monday afternoon.

Any legislative approach must take into consideration online users' privacy and free speech interests. If we grant too much power to online providers to screen for indecent material, public discourse and online content in cyberspace will be controlled by the providers and not the users of this fantastic resource. At the same time, we should carefully consider the Interactive Working Group's recommendation that online providers be encouraged to implement reasonable forms of filtering technology. Our laws should encourage and not discourage online providers from creating a safe environment for children.

Even worse than discouraging online providers from implementing blocking technologies, is discouraging them from allowing children onto their services altogether. If online providers are liable for any exposure of indecent material to children, people under the age of 18 will be shut out of this technology or relegated by the Government to sanitized kids-only services that contain only a tiny fraction of the entire Internet. That would be the equivalent of limiting today's students to the childhood section of the library or locking them out completely. This is not how this country should face the increasingly competitive global marketplace of the 21st century.

I do not want somebody to tell me what I can say if I am talking to my neighbor on the Internet, or if I am sending messages back and forth to friends. Frankly, Mr. President, sometimes my friends and I will disagree pretty loudly on the Internet and we will be very frank in our discussion of other's ideas and what not. At what point do we have somebody come on and say you cannot talk like that to each other, someone I have known for 30 years?

With our children, I again say that there are times when the responsibility should be that of parents. Parents know their children better than any Government official, and are in the best position to know the sort of online material to which their children may be exposed.

Finally, the Interactive Working Group's report shows how we can use existing Federal laws to stop online stalkers and child pornographers. Our criminal laws already prohibit the sale or distribution over computer networks of obscene material (18 U.S.C. Secs. 1465, 1466, 2252 and 2423(a)). We already impose criminal liability for transmitting any threatening message over computer networks (18 U.S.C. Sec. 875(c)). We already proscribe the solicitation of minors over computers for any sexual activity (18 U.S.C. Sec.

2452), and illegal luring of minors into sexual activity through computer conversations (18 U.S.C. Sec. 2423(b)). We need to make sure our law enforcement has the training and resources to track down computer criminals, and not create new laws which restrict free speech and are repetitive of existing crimes.

This paper is important because it shows how we can address the problem of online pornography by empowering parents, and not the Government, to screen children's computer activities. This is the best way to police the Internet without unduly restricting free speech or squelching the growth of this fantastic new communications medium.

Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. INHOFE). The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. LEAHY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

RYAN WHITE CARE REAUTHORIZATION ACT

The Senate continued with the consideration of the bill.

PRIVILEGE OF THE FLOOR

Mr. LEAHY. Mr. President, I ask unanimous consent that Seth Kilbourn, a congressional fellow, be granted privilege of the floor during the debate of the Ryan White CARE Act.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HELMS addressed the Chair.

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. HELMS. Mr. President, what is the pending business?

The PRESIDING OFFICER. The pending business is the consideration of S. 641.

Mr. HELMS. That is the so-called Ryan White bill.

The PRESIDING OFFICER. That is correct.

Mr. HELMS. Mr. President, I shall not speak long, because there is not much time allocated this afternoon to this measure. I am sure that the distinguished majority leader was looking for something to take up for 2 or 3 hours, and I am not going to keep you here very long on this Friday afternoon.

However, I have been listening in my office to the comments of Senators who advocate this legislation. I respect them, but I disagree with them. At a later time, I will go into some detail to explain to all Senators what they will be voting for; indeed, some 62 or 63 Senators are identified as cosponsors of this so-called Ryan White bill. I have talked with 2 or 3 Senators at lunch, and at other times, about the details of the bill. They do not have the foggiest notion what the bill is all about. It just sounds good to be for the Ryan White bill.

Let the RECORD show that I am sorry for people who have AIDS. However, I am not unmindful of how the majority of people get AIDS. I said so in an interview with a woman reporter for the New York Times who called me several weeks ago.

What she really called me about, Mr. President, was clear at the time; she repeatedly brought up Senator DOLE, the majority leader of the U.S. Senate and candidate for President. She was going to write one of those speculative stories, you see, suggesting that Senator DOLE was holding up the so-called Ryan White bill.

The fact is, nobody was holding up the Ryan White bill. Nobody is holding it up right now. I emphasized that, yes, I did put a ''notify'' hold in the Cloakroom on the Ryan White bill, meaning that I wanted to be notified when the bill was called up so that I could offer amendments to give Senators—including the 60-odd Senators who are cosponsors of the bill, without knowing what they are cosponsoring—give them a chance to vote on a number of questions which are of interest to the vast majority of the American people.

Since the distorted story was published about 80 percent of the thousands of calls and letters I received from around the country have been favorable.

I told the lady from the New York Times that her speculation was preposterous, that BOB DOLE was not holding up the Ryan White bill, that JESSE HELMS was not holding up the Ryan White bill, that, in fact, nobody was holding it up.

I asked, ''When has Senator DOLE, the majority leader, had a time to call up this bill?'' And, by the way, I said, the existing bill does not expire until September 30, so what is the big rush?

No, it is the homosexual lobby in this country. My hometown paper engaged in an editorial about the weak forces of the homosexual lobby. Well, Mr. President, the homosexual lobby is one of the most potent lobbying outfits in the country.

They talk about little Ryan White—an attractive little boy, an innocent little boy. He died of AIDS, and now his name is being exploited, as if the homosexuals had nothing to do with the tainted blood that killed Ryan White. Where does the New York Times think that the tainted blood came from in the beginning? That is what Senators need to consider before they rush pell-mell into voting for this bill.

There will be at least five or six amendments to consider and to vote on before the Senate gets to final passage on this amendment.

What the homosexual lobbyists in this country are demanding are special advantages over everybody else. The Clinton administration is making a mockery of fair play in kowtowing to the homosexual demands at every turn, which prompts me to wonder, for example, how many Senators—or how many people in the news media, for that matter—know about the seminars being conducted these days throughout the Federal Government bureaucracy, seminars that are mandatory. Federal employees are penalized if they do not attend them. What are these seminars all about? They are designed to ''teach'' Federal employees that homosexuality is just another lifestyle.

I have not seen a word about it in the New York Times or the Washington Post, nor have I seen it on CBS, ABC, CNN, or any of the rest of them. You see, it's not politically correct to talk about this.

Federal employees do not have a choice about whether to attend these seminars. They go to them—or else. We had one case last year—and I had to intervene—where a dedicated Federal official stationed in Atlanta was booted out of his job because he made a statement saying that we ought to look for the higher things in life instead of concentrating on homosexuality, and teaching the false doctrine that homosexuality is just another lifestyle.

This homosexual lobby has gone to incredible extremes to exploit Ryan White's name to acquire an unjustified amount of Federal funding for AIDS.

By the way, Mr. President, there has never been another disease for which there has been a special Federal fund for one specifying money not devoted to AIDS research. This money is distributed with substantial amounts going to homosexual organizations such as the Gay Men's Health Crisis in New York, and the Whitman Walker Clinic, right here in Washington, DC.

But just try, Mr. President, to obtain some information out of the Department of Health and Human Services. They stonewall. They do not want anybody to get the facts on how this AIDS money is distributed.

But, later on, the Senate is going into all of this, and in great detail when consideration of this bill begins. There will be no home-free basis. We are going to lay it out for everybody to see.

And if Senators then want to vote for it, fine.

That is all I am going to say today, Mr. President. But I want it to be made a matter of record that this is not a bill that the American people know anything about, nor is it one that many Senators know about. If the Lord gives me strength, the Senators at least will know about it before this reauthorization of the so-called Ryan White is approved by the Senate.

I thank the Chair and I yield the floor.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. DOLE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

Mr. DOLE. Mr. President, I ask unanimous consent that there be a period for the transaction of routine morning business, with Senators permitted to speak for up to 5 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

HEARING ON THE GOOD OLD BOYS ROUNDUP

Mr. LEAHY. Mr. President, as an American citizen, public official, and former prosecutor, I am appalled at the news accounts I have seen of State, local, and Federal law enforcement officers getting together to wallow in racism. There is no room for racism in law enforcement. Law enforcement officers, in particular, have to be held to the highest standards of conduct. People have to know that they will be treated fairly by those who act on behalf of the Government and wield its power.

As we proceed with the Judiciary Committee hearing, I expect that we will hear a chorus of condemnation. I expect that we will hear each agency join in that refrain, explain that it is investigating the situation and that it will be taking appropriate action based on the facts. We should all act based on the facts. I look forward to the prompt completion of ongoing investigations and to our following up, when the facts are known.

It is tragic that racism is still a fact of life. It is most disconcerting if racism taints law enforcement actions. That is wholly unacceptable. I note that the reports of the activities at the recent Good Old Boys Roundup in Tennessee do not go that far, however—I have yet to hear any allegation that the official duties of the State, local, and Federal law enforcement agents who chose to attend the gathering were affected. That should be our first concern.

Next, we should be concerned whether Federal law enforcement resources were devoted to organizing or supporting these gatherings. The American people need to know that their tax dollars are not being diverted to such activities.

Further, we have to be concerned that our culture, and the culture in which these various law enforcement officers live and work, still abide these gatherings and displays.

As we consider whether additional steps, policies, regulations, or laws are needed to root out the evils of racism, we must be mindful that we not create political litmus tests or become thought police. We need to be sensitive to the limits of law and preserve some place for private lives and private thoughts.

We must also be careful to avoid being exploited by those with ulterior motives who oppose valid law enforcement. Our actions and those of the executive branch must be based on facts, not third-had news accounts.

Finally, we must not allow this shameful incident to taint the vast majority of fine and dedicated men and women who risk so much to protect us and the rule of law every day.

COMPREHENSIVE REGULATORY REFORM

Mr. ROTH. Mr. President, why did S. 343 fail last night? As Casey Stengel would say, we did not have enough votes. And we did not have the votes we needed because no matter what changes were made to S. 343, it continued to be mischaracterized. From the beginning of its journey through the Judiciary Committee, S. 343 was demonized. Likewise, the bill reported from the Governmental Affairs Committee, S. 291, was beatified.

Scores of improvements were made to S. 343 since it was reported by the Judiciary Committee. None of the few who understands the legislation would disagree. Moreover, yesterday proponents agreed to make significant additional changes requested by the bill's critics. But just as it went throughout the long floor debate, the opponents would not accept some improvements unless we agreed to all of their demands. Yes, opponents blocked our attempts to improve the bill because they preferred to preserve talking points against the bill. This is masterful politics, but this is also what disgusts the American people about Congress.

In addition, it appears that proponents managed to create the impression that negotiations were ongoing that promised fruitful results. If such negotiations took place, like Senator JOHNSTON, I can say that I was completely unaware.

In contrast to S. 343, S. 291 and its successors have led charmed lives. The Glenn substitute, which the Senate rejected, was offered as the text that was unanimously reported by the Governmental Affairs Committee. But such a claim is highly misleading. Let me tell you why.

This legislation is rather complicated. The competing versions are each over 75 pages in length. Yet the real heart of reform can be crystallized in a few concepts and in language that takes just a few pages. In fact, judicial review—perhaps the most significant and most controversial part of these bills—is provided in just one sentence. Yes, just one sentence.

Suppose that sentence were stricken. Could you say that the bill was just about the same? The length of the bill would not be changed; over 99 percent of the words would be the same. But the impact of the legislation would be entirely different. This exemplifies what happened to S. 291 as it was transformed into the Glenn substitute.

There are, as I said, just a few concepts one needs to grasp to understand regulatory reform.

First. The agency should undertake a cost-benefit analysis.

Second. The agency should apply the cost-benefit analysis.

Third. If the agency does not comply with the first or second item, there is judicial review.

Fourth. The agency must review existing rules under the above procedures.

Fifth. There must be some way to ensure the agency reviews existing rules.

Proponents and opponents appear to agree only on the first item, that agencies should perform cost-benefit analyses. That is because that is the status quo. That is what Executive Order 12866 requires today.

But the Glenn substitute did not require that an agency actually use the cost-benefit test. While the Glenn substitute used language similar to S. 291 to require that a cost-benefit analysis be performed for major rules, the Glenn substitute has no enforcement provision to make clear that the cost-benefit analysis should matter—that it should affect the rule. The Glenn substitute excoriated the sentence on judicial review in S. 291 that made clear that the court was to focus on the cost-benefit analysis in determining whether the rule was arbitrary and capricious. That provision in S. 291 was taken from a 1982 regulatory reform bill, S. 1080, which was approved by a 94–0 vote in the Senate before it died in the House. In contrast, the Glenn substitute only required that the cost-benefit analysis be inserted in the RECORD with thousands of other documents and comments. This is essentially what happens under the current Executive order.

The Glenn substitute had another fatal defect—it did not provide for an effective review of existing rules. Effective regulatory reform cannot be prospective only; it must look back to reform old rules already on the books. Since 1981, repeated presidential attempts to require the review of rules by Executive order have only met with repeated failures.

But the Glenn substitute does not cure the problem. Like the Executive orders, the Glenn substitute makes the review of rules an essentially voluntary undertaking. There are no firm requirements for action—no set rules to be reviewed, no binding standards, no meaningful deadlines. The Glenn substitute merely asks each agency to issue every 5 years a schedule of rules that, ''in the sole discretion'' of the agency, merit review.

The Glenn substitute seriously weakened the lookback provision in S. 291. While not perfect, S. 291 did have firm requirements. S. 291 prescribed the category of rules that the agencies were to review. If the agency failed to review any of those rules, they terminated automatically. The Glenn substitute had no such firm requirements.

What a review of these elements shows is clear: the Glenn substitute was an elaborate re-write of the status quo. Reform—without change. For those few who understand what was

happening on the Senate floor, it could not be clearer.

The real losers last night were the American people. We, on the Senate floor, know that the discretion of regulators needs to be curtailed. We know that reform can be achieved in a way that fosters our health, safety, and environmental goals. S. 343 is, in fact, such a bill. But unfortunately, that was not quite clear enough last night.

WAS CONGRESS IRRESPONSIBLE? LOOK AT THE ARITHMETIC

Mr. HELMS. Mr. President, as of the close of business yesterday, Thursday, July 20, the Federal debt stood at $4,935,796,845,291.29. On a per capita basis, every man, woman, and child in America owes $18,736.37 as his or her share of that debt. Well before the end of the year, the Federal debt will pass the $5 trillion mark.

REGULATORY REFORM

Mr. GLENN. Mr. President, throughout the continuing debate on regulatory reform a number of things have become very clear:

First, the vast majority of Members of the Senate want regulatory reform—the speeches, the floor debates, the combined totals of the votes for reform of one kind or another show that Democrats and Republicans alike want regulatory reform.

Second, despite bipartisan refusal to accept the majority leader's bill, there is bipartisan support for tough regulatory reform legislation as shown by the 48-to 52-vote to substitute the Glenn-Chafee bill—a bill based on the bipartisan work of the Governmental Affairs Committee—for the Dole-Johnston bill.

Third, despite the majority leader's disappointment in his failure to gain acceptance for his proposal, there continues to be wide support for continuing to negotiate cooperatively to come up with a workable reform bill. We have made good faith efforts throughout this debate: we have come to the table on three different occasions with the proponents of the Dole-Johnston substitute; we have written lists of issues and have provided legislative language to address our concerns. The latest round of these efforts to provide our responses to some of their proposals was yesterday—just an hour before the third cloture vote. These lists were not new inventions of new problems, but a consistent, continuing set of concerns. Our list of concerns has narrowed as negotiations have progressed. We have not, as some Members have alleged, invented new problems merely to delay or confuse the debate.

Fourth and finally, in the heat of this debate, in what seems to be a part of the desperation of a few to make the best of a bad situation, some unfortunate and misleading statements have been made about our bill. I am very disappointed, and in fact surprised, by the statements of Senator ROTH. We worked together in the Governmental Affairs Committee to make his regulatory reform bill, S. 291, into a strong bipartisan bill that could be and indeed was supported by every member of the Committee—8 Republicans and 7 Democrats. Just when the Wall Street Journal was unfairly and inaccurately characterizing the Roth bill as ''a do-nothing bill'' as it did on April 27, 1995, Senator ROTH and I were working together and agreeing that we had a tough but fair bill that could gain the support of the Committee and should be the bill that could and should pass the full Senate.

Last week he made charges against the Glenn-Chafee bill with regard to risk assessment provisions, saying that we took the National Academy of Sciences ''minority views'' by preferring ''default assumptions to relevant data.'' As I pointed out on the floor, that was not correct. Our bill says to use default assumptions when relevant data are lacking. And our bill requires agencies to put out guidelines in refining default assumptions and replacing those assumptions with real data. Clearly, our bill does not give a preference to assumptions over data.

Yesterday, and this is the reason I return to the floor today to set the record straight, he said the Glenn-Chafee bill is ''toothless''—yes, just the word the Wall Street Journal used to attack him a few months ago, that it is completely different from the Roth-Glenn bill that came out of the Governmental Affairs Committee, and that it has a completely different thrust.

It is also ironic that my colleague from Delaware now so clearly defends the S. 291 review process, stating on July 17 on the floor, ''Although the original Glenn bill was similar to the Roth bill, the current Glenn substitute seriously differs from the Roth bill * * * Senator Glenn has seriously weakened the review of rules * * * The revised Glenn substitute lacks any firm requirement about the number of rules to be reviewed.'' However, in his ''Dear Colleague'' letter on July 11 he states, ''S. 291—and S. 1001—has substantial administrative difficulties. They require every major rule to be reviewed in a 10-year period, with a possible 5-year extension, or be subject to termination. * * * It would be very burdensome to review all existing major rules—unduly burdensome when nobody is complaining about many of them.'' He calls us weak for not sticking to the Roth bill, and then calls the Roth bill ''unduly burdensome.''

I can understand loyalty, but I am surprised at the degree to which my colleague has turned away from his earlier, commendable reform efforts. He has now put himself in the strange position of attacking many of the same provisions he so enthusiastically supported just a few short months ago.

Yesterday, I insisted that the Glenn-Chafee bill is based on the Roth-Glenn bill, S. 291, and that the Glenn-Chafee bill is largely identical with S. 291. In fact, the Glenn-Chafee bill differs from S. 291 in only three major ways to match S. 1001 and a few lesser ways in order to match amendments to the Dole-Johnston bill. Senator Roth, on the other hand, said ''what we voted for in Committee was entirely different from what we voted for on the floor in the Glenn substitute.'' For the record, I would like to provide a comparison of the two bills, and as the RECORD will show, most of the sections are identical. To reiterate, we made three changes, and we made additional changes to match amendments to the Dole-Johnston bill.

First, the Glenn-Chafee substitute, which was voted for by 48 Senators, is a slight modification of S. 1001, which I introduced with Senator Chafee. S. 1001 differs from S. 291 on only three major points:

It does not sunset rules that fail to be reviewed. Rather it establishes an action-enforcing mechanism that uses the rulemaking process.

It does not include any narrative definitions for ''major'' rule—such as ''adverse effects on wages''.

It incorporates technical changes to risk assessment to track more closely the approach of the National Academy of Sciences and to cover specific programs and agencies, not just agencies.

Second, in the weeks since introduction of S. 1001, negotiations and debate have resulted in common agreement on improvements, both to the Dole-Johnston and the Glenn-Chafee proposals. Accordingly, the final version of Glenn-Chafee, which again was supported by a bipartisan vote of 48 Senators, contains some additional changes. Most of these are also found in the Dole-Johnston bill, which Senator Roth now supports. So I find it difficult to understand how the Senator from Delaware can criticize these changes.

Mr. President, I ask unanimous consent that a comparison of the two bills be printed in the RECORD.

There being no objection, the comparison was ordered to be printed in the RECORD; as follows:

SECTION BY SECTION COMPARISON OF GLENN-CHAFEE AND ROTH-GLENN

Section 1. Title.

Section 2. Definitions—identical.

Section 3(a). Analysis of Agency Rules.

Subchapter II. Cost-Benefit Analysis.

Section 621. Definitions—identical but for changes made in Dole/Johnston.

Section 622. Rulemaking cost-benefit analysis—identical except for changes made in the Dole/Johnston bill; the time limit for determining a major rule after publication of a proposed rule; and the effective date for initial and final cost-benefit analysis (does not cover rules in the pipeline).

Sec. 623. Judicial Review—identical but for clarification in 623(e).

Sec. 624. Deadlines for Rulemaking—identical.

Sec. 625. Agency Regulatory Review. As already noted, S. 1001 modified the S. 291 review process so as to not sunset rules that fail to be reviewed. Rather it establishes an action-enforcing mechanism that uses the rulemaking process. Also struck provision

that allows the President to select rules for review and to track changes made in the Dole/Johnston bill.

Sec. 626. Public Participation and Accountability—identical.

Sec. 627. Conflict of Interest Relating to Cost-Benefit Analyses and Risk Assessments. Added the Pryor-Feingold floor amendment also accepted as an amendment to the Dole-Johnston bill.

Subchapter III. Risk Assessment

Sec. 631. Risk Assessment Definitions—same as the Dole-Johnston bill, except modification of ''screening analysis.''

Sec. 632. Risk Assessment Applicability. Changed applicability of risk assessment requirements from all agencies to agencies concerned with environment, health, or safety.

Sec. 633. Risk Assessment Savings Provision—struck (2).

Sec. 634. Principles for Risk Assessments. Incorporates technical changes to risk assessment, reducing prescriptive language. Also combined ''principles for risk assessments'' (Roth section 635) and ''principles for risk characterizations'' (Roth section 636).

Sec. 635. Peer Review—Identical except for changes made in the Dole-Johnston bill.

Sec. 636. Risk Assessment Guidelines, Plan for Assessing New Information, and Report—identical.

Sec. 637. Research and Training in Risk Assessment—identical.

Sec. 638. Risk Assessment Interagency Coordination—identical.

Sec. 639. Plan for Review of Risk Assessments—identical.

Sec. 640. Risk Assessment Judicial Review—identical.

Sec. 640a. Risk Assessment Deadlines for Rulemaking—identical.

Subchapter IV. Executive Oversight.

Sec. 641. Executive Oversight Definition—identical.

Sec. 642. Executive Oversight Procedures—identical.

Sec. 643. Promulgation and Adoption of Executive Oversight Procedures—identical.

Sec. 644. Delegation of Authority for Executive Oversight—identical.

Sec. 645. Public Disclosure of Information with Regard to Executive Oversight—identical.

Sec. 646. Judicial Review of Executive Oversight—identical.

Sec. 3(b) Regulatory Flexibility—identical.

Sec. 611. Judicial Review of Regulatory Flexibility Act Decisions—identical.

Sec. 3(c) Presidential Authority—identical.

Sec. 4. Congressional Review.

Sec. 801. Congressional Review of Agency Rulemaking—identical.

Sec. 5. Studies and Reports—identical.

Sec. 6. Risk-Based Priorities—Identical but for agreed upon changes made on the floor with Senator Roth and others to the Dole-Johnston bill.

Sec. 7. Regulatory Accounting—identical.

Sec. 8. Effective Date—Added at the end ''and shall apply to any agency rule for which a general notice of proposed rulemaking is published on or after such date.''

THE THAI-CAMBODIAN TIMBER TRADE

Mr. THOMAS. Mr. President, this last Monday I chaired a hearing of the full Foreign Relations Committee to consider ambassadorial nominations for four countries within the jurisdiction of my Subcommittee on East Asian and Pacific Affairs: Cambodia, Indonesia, Malaysia, and Thailand. I was impressed by all of them, and am sure they—as well as the Ambassador-designate to APEC—will be confirmed by the full Senate soon. In speaking privately with all the nominees, however, there was one issue I brought up with both the Ambassador-designate to Thailand and the Ambassador-designate to Cambodia that they were unable to address to my satisfaction and which I believe should be brought to the attention of my colleagues: the links between the Thai military and the Khmer Rouge and their involvement in the illegal timber trade across the Thai-Cambodia border.

Cambodia shares a lengthy and relatively uninhabited border with Thailand. The entire region is heavily forested; formerly, 76 percent of Cambodia's 176,520 square kilometers of land area was covered by forest. That amount, however, has declined dramatically over the last 15 years due to the increased commercial harvesting of timber. According to some sources, tree cover has been reduced by almost half since 1989. The loss has been especially dramatic in western Cambodia, where a handful of foreign firms are responsible for a majority of the deforestation.

These companies purchase concessions from the Cambodian Government, and theoretically make payments to the government based on the amount of cubic meters of timber felled. The timber is then exported over the Thai border, either by boat or overland on dirt roads built expressly for that purpose by the companies, where they are collected at places called rest areas before being sent further on into Thailand. According to both Thai and Cambodian regulations, the logger/exporter must secure a certificate of origin from the Cambodian Government, a permit from the Thai embassy in Cambodia, and permission from the Thai Interior Ministry to import the logs into Thailand.

There is one more party, however, that plays a major role in the logging: the Khmer Rouge [KR]. Led by the infamous Pol Pot, the KR controlled the government of Cambodia from 1975 to 1979. During that time, it was directly responsible for the genocide of more than one million Cambodians in the ''Killing Fields.'' Since the 1991 U.N. peace agreement established a democratic government in Cambodia, the KR has been relegated to the role of a rebel guerilla force. Although the government has made some inroads in combatting the KR, including implementing a somewhat successful amnesty program, the KR remains a strong force in the western khet of Batdambang, Pursat, Banteay Meanchey and Siem Reap. Despite the campaign being mounted against them, though, they still receive a steady flow of food, military supplies, and currency sufficient to pay their 10,000 to 20,000 man militia; and therein lies the connection to the timber trade and the Thai military.

Over the past several years, the press has consistently reported that the Thai military has been providing assistance and support to the Khmer Rouge. The links between the two are longstanding. Beginning in 1979, Thailand acted as a funnel for Chinese-supplied arms being transshipped to the KR—apparently in return for an end to Chinese support for rebel Thai Communists in northern Thailand. Since then, the evidence suggests that the Thai have regularly supplied the KR with logistical support and materiel. In return for this support, Thai business interests and certain government sectors have benefitted from access to timber and gem resources within that part of Cambodia along the Thai border controlled by the KR. Their interest is sizable; in 1993, the U.S. Embassy in Thailand estimated that Thai logging companies had some $40 million invested in timber concessions in KR-held areas.

It is from the sale of these resources that the KR acquires funds sufficient to continue its reign of terror in Cambodia. The process is actually quite simple. Foreign companies interested in harvesting timber in western Cambodia purchase official lumber concessions from the government in Phnom Penh. Having dealt with the de jure government, however, the companies must then deal with the de facto government in western Cambodia: the KR. The companies pay the KR for the right of safe passage into KR-held territory, to fell the timber, and to transport it out to Thailand safely. The present going rate of payment to the KR per cubic meter is between 875 and 1,000 baht, or between $35 and $40. It is estimated that the weekly income to the KR from timber carried across just two of the many border points is around $270,000, with total monthly income to the KR estimated at between $10 and $20 million.

Once felled and placed on the back of trucks, the logs are driven across the Thai border. That crossing, however, is not without its costs. The Thai military—the Marines, actually—controls a 4-mile wide strip along the Thai side of the border, and in order to negotiate it the logging trucks must pass through guarded checkpoints where, it appears, payments in the form of tolls or bribes are made to Thai concerns.

The Thai have consistently, albeit often disingenuously, denied any ties to the KR or to the timber trade. Each round of denials, however, is soon followed by press reports and concrete evidence to the contrary. For example, in 1994 Thailand officially closed its border with Cambodia partly as a result of the murder of more than 20 Thai timber workers by the KR and partly as a result of international criticism. In a press statement made shortly thereafter, Maj. Gen. Niphon Parayanit, the Thai commander in the region, stated flatly that the border was closed, that the military had severed all links with the KR, and that ''there [was] no large-scale cross-border

trade going on.'' The official denials have continued to this day, including one of the more recent by Prime Minister Chuan noted in the May 26 edition of the Bangkok Post.

Despite these denials though, and despite a Cambodian ban on logging, credible eyewitness reports from members of the London-based group Global Witness fully confirm, in my opinion, that the trucks are still rolling across the Thai border. If—as the Thai military alleges—it is not involved in the timber trade either directly or by turning a blind eye to the shipments, I can think of no other explanation than that the military personnel in the border zone are completely incompetent. One of the more heavily travelled timber roads in the border zone, one that according to my information is in daily use even as I speak, is within sight of one of the Thai Marine camps. Nor can the central Thai Government claim ignorance; Global Witness recently brought to light a current timber import permit signed by the Thai Interior Minister.

Mr. President, continued Thai support for the KR—in this or any manner—concerns me greatly for several reasons. First and foremost, the financial support the trade affords to the KR continues to allow it to survive thereby seriously endangering the growth and continued vitality of the nascent Cambodian democracy. That system is having enough trouble getting off the ground and running smoothly without having to deal with the KR insurgency. Secondly, Thailand's actions run counter to its obligations under the 1991 Peace Accord and serve to undermine it. Finally, the clandestine nature of the timber extraction has removed it from the control of the Cambodian central government. It is subsequently free to continue without regard to any regulations aimed at limiting the amount of timber taken, preventing serious ecological damage, ensuring sustained growth, or protecting the lives and livelihoods of the local populace.

I have made my concerns about this issue clear to both of our Ambassadors-designate and to the State Department. I hope that this statement will make my concerns equally clear to the Thai Government. If a significant effort not made as promised by the Thai Government to fully investigate and then stem the cross-border trade and their dealings with the KR, then I would find myself placed in the position of calling on our government to abide by that provision of Public Law 103–306 requiring that the President shall ''terminate assistance to any country or organization that he determines is cooperating, tactically or strategically, with the Khmer Rouge in their military operations.''

In closing, Mr. President, let me note that I greatly value the close relationship between us and the government and people of Thailand. However warm or important that relationship, though, we cannot allow it to obscure or interfere with what is our equally important dedication to the principles of democracy taking root in Cambodia. I, and I hope my colleagues, will be watching developments closely.

MESSAGE FROM THE PRESIDENT

A message from the President of the United States was communicated to the Senate by Mr. Thomas, one of his secretaries.

EXECUTIVE MESSAGE REFERRED

As in executive session the Presiding officer laid before the Senate a message from the President of the United States submitting a nomination which was referred to the Committee on the Judiciary.

(The nomination received today is printed at the end of the Senate proceedings.)

MESSAGES FROM THE HOUSE

At 2:15 p.m., a message from the House of Representatives, delivered by Mr. Hays, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 2058. An act establishing United States policy toward China.

MEASURES REFERRED

The following bill was read the first and second times by unanimous consent and referred as indicated:

H.R. 2058. An act establishing United States policy toward China; to the Committee on Foreign Relations.

MEASURES PLACED ON THE CALENDAR

The following bills were read the first and second times by unanimous consent and placed on the calendar:

S. 1060. A bill to provide for the disclosure of lobbying activities to influence the Federal Government, and for other purposes; and

S. 1061. A bill to provide for congressional gift reform.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of committees were submitted:

By Mr. PACKWOOD, from the Committee on Finance:

John Joseph Callahan, of Massachusetts, to be an Assistant Secretary of Health and Human Services.

Lawrence H. Summers, of Massachusetts, to be Deputy Secretary of the Treasury.

Howard Monroe Schloss, of Louisiana, to be an Assistant Secretary of the Treasury.

(The above nominations were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. MURKOWSKI (for himself and Mr. STEVENS):

S. 1054. A bill to provide for the protection of Southeast Alaska jobs and communities, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. HOLLINGS:

S. 1055. A bill to amend title 49, United States Code, to eliminate the requirement for preemployment alcohol testing in the mass transit, railroad, motor carrier, and aviation industries, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. CRAIG (for himself, Mr. SIMPSON, Mr. KEMPTHORNE, Mr. COVERDELL, Mr. GREGG, Mr. NICKLES, Mr. LOTT, Mr. KYL, Mr. GRAMS, and Mr. FAIRCLOTH):

S. 1056. A bill to prohibit certain exempt organizations from receiving Federal funding; to the Committee on Governmental Affairs.

By Mr. COHEN (for himself, Mr. D'AMATO, Mr. BOND, Mr. FAIRCLOTH, and Mr. MACK):

S. 1057. A bill to amend section 1956 of title 18, United States Code to include equity skimming as a predicate offense, to amend section 1516 of title 18, United States Code to curtail delays in the performance of audits, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. WELLSTONE (for himself, Mr. SPECTER, Mr. HATFIELD, Mr. JEFFORDS, Mr. HARKIN, Mr. MOYNIHAN, and Mr. KENNEDY):

S. 1058. A bill to provide a comprehensive program of support for victims of torture; to the Committee on the Judiciary.

By Mr. CRAIG:

S. 1059. A bill to amend section 1864 of title 18, United States Code, relating to tree spiking, to add avoidance costs as a punishable result; to the Committee on the Judiciary.

By Mr. LEVIN (for himself, Mr. COHEN, Mr. GLENN, Mr. WELLSTONE, Mr. LAUTENBERG, Mr. FEINGOLD, and Mr. BAUCUS):

S. 1060. A bill to provide for the disclosure of lobbying activities to influence the Federal Government, and for other purposes.

By Mr. ROTH:

S. 1061. A bill to permit State and local governments to transfer-by sale or lease-Federal-aid facilities to the private sector without repayment of Federal grants, provided the facility continues to be used for its original purpose, and for other purposes; to the Committee on Governmental Affairs.

By Mr. JEFFORDS (for himself and Mr. NUNN):

S. 1062. A bill to amend the Employee Retirement Income Security Act of 1974 to increase the purchasing power of individuals and employers, to protect employees whose health benefits are provided through multiple employer welfare arrangements, to provide increased security of health care benefits, and for other purposes; to the Committee on Labor and Human Resources.

By Mr. ROTH:

S. 1063. A bill to permit State and local governments to transfer—by sale or lease—Federal-aid facilities to the private sector without repayment of Federal grants, provided the facility continues to be used for its original purpose, and for other purposes; to the Committee on Governmental Affairs.

By Mr. HELMS (for himself, Mr. PELL, Mr. DOLE, Mr. DASCHLE, Mr. MACK,

Mr. LIEBERMAN, Mrs. FEINSTEIN, Mr. MCCONNELL, Mr. LEAHY, and Mr. LAUTENBERG):

S. 1064. A bill entitled ''The Middle East Peace Facilitation Act of 1995''; to the Committee on Foreign Relations.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. MURKOWSKI (for himself and Mr. STEVENS):

S. 1054. A bill to provide for the protection of Southeast Alaska jobs and communities, and for other purposes; to the Committee on Energy and Natural Resources.

THE SOUTHEAST ALASKA JOBS AND COMMUNITIES PROTECTION ACT

Mr. MURKOWSKI. Mr. President, I rise today to reluctantly reinitiate a debate concerning the management of the Tongass National Forest. I thought and hoped that Congress had resolved this issue with the passage of the Tongass Timber Reform Act of 1990 (TTRA). I want to emphasize my reluctance and unhappiness with the need to initiate corrective legislative action because the Tongass Timber Reform Act of 1990 was hailed by all concerned as a dramatic resolution to a longstanding debate on how to manage the Tongass. The congressional deliberations leading up to passage involved, as Senator JOHNSTON, my colleague from Louisiana, put it ''extraordinary cooperation'' among all of the parties involved.

When we passed the Tongass Timber Reform Act in 1990, I believe that Congress agreed with the Bush administration that—as long as the demand for timber existed—the industry should be provided sufficient volume from the remaining 1.7 million acre commercial forest land base to maintain the same amount of direct timber employment from operations on the Tongass National Forest that it enjoyed in 1990. I believe that all parties agreed that maintaining this level of employment was part of the compromise underlying the bill.

Well, the Congress withdrew 1.1 million acres of land; and the Bush administration unilaterally modified the long term timber sale contracts on the Tongass, and required buffer strips on all major anadramous streams. But the jobs portion of the compromise has been largely ignored by the current administration. Since 1990, direct timber employment on the Tongass National Forest has been reduced by more than 42 percent. As I see it, there are two principal reasons for this decline: First, the Forest Service has failed to seek to meet market demand as required by TTRA section 101; and second, a variety of environmental groups have administratively appealed or litigated most proposed timber sales. Today 13 of 23 currently proposed sales are held up because of legal action taken by the environmentalists. These enjoined sales now make it impossible for the Forest Service to ameliorate the impacts of the sales it has withdrawn from the pipeline.

What is happening in southeast Alaska is unfortunately not unique. Through a combination of Clinton administration initiatives and environmental group litigation we are seeing all forms of economic activity—timber, grazing, mining, and oil and gas exploration—driven off our public lands throughout the country. We are engaged in a policy of exporting both our jobs and some of our environmental problems to other nations. They will meet our material needs through production processes far less sophisticated and environmentally sensitive than our own. I represent the largest national forest in our system. I cannot believe that this forest cannot be managed to sustain a forest industry. I can no longer stand by as that industry is destroyed.

Let me first turn to Forest Service malfeasance and nonfeasance, for it is with the Agency's performance that I am most unhappy. There are four reasons why the Forest Service has been unable or unwilling to meet market demand: First, the Forest Service in Alaska has reinterpreted the definition of ''viable population of a species'' such that it is managing habitat to require that all species exist on all areas of the Tongass, not just the portion of the Tongass to which a particular species is indigenous; second, in accordance with its new hypersensitivity to species protection, the Forest Service in the spring of 1994 canceled the Alaska Pulp Corporation [APC] long term contract, withdrew 600,000 acres, and related timber sales, from the 1.7 million acre commercial forest land base remaining after the 1990 act, and moved Ketchikan Pulp Company [KPC] into the APC contract areas so that habitat conservation areas [HCAs] and goshawk reservation areas could be established on a portion of KPC's then existing sales; third, the Forest Service has subordinated Section 101 of TTRA to species protection concerns, interpreting this part of the compromise as nonbinding; and fourth, the environmental groups lawsuits have eliminated the Agency's ability to offset the effects of the first three developments.

My most immediate concern with the situation that the Forest Service has created is that it is rapidly getting worse. That is why I, along with other members of the Alaska Delegation, have come to the conclusion that we must act today. Let me describe the situation that exists.

The log shortage commenced with the Forest Service action in setting aside habitat conservation areas and goshawk reservation areas in the spring of 1994, continues to cause job reductions, and now threatens new job reductions. KPC has approximately 120 mmbf of timber on hand, needs approximately 220 mmbf to get through the winter until April or May of 1996, and can only achieve this additional volume if timber which is currently enjoined is made available by the Forest Service during this timber harvest season. Meanwhile, the Ketchikan sawmill is closed, the Wrangell sawmill is closed, and the Annette sawmill is operating on one shift only.

The timber sales program for the independent and small business timber industry, SBA, currently has 63.6 million board feet of timber under contract as of July 1, 1995. Only 5.92 million board feet of newly advertised SBA and independent timber sales have been made available in 1995 from all three supervisory areas of the Tongass. This should result in one independent SBA production facility closing by September 30, 1995, with a further reduction of regional, independent sawmill operations in the first quarter of 1996.

The Forest Service's response to this situation is to continue to assure the Alaska Delegation to rely on the Agency to rectify the crisis as they complete the Tongass Land Management Plan [TLMP] revision process. At first, this sounded attractive. But then we looked into how the Forest Service is conducting the plan revision process. The Agency is making a bad situation worse. Consequently, the TLMP revision will not and cannot resolve this crisis for the following reasons.

The TLMP revision process is designed solely to modify the 1991 draft plan alternatives. The 1991 alternatives were the first revision designed to implement the 1990 Act. The Forest Service is modifying this draft to consider such matters as population viability, cave issues, and ecosystem management. All of these priorities will likely reduce timber volumes from the 1991 alternatives; and from what has been offered to date.

Second, the current Forest Service approach to implementing the 1990 act and providing timber volume is to reduce market demand to the capacity of only those mills which remain open. Each time a mill closes, volume has been reduced accordingly. This ensures the continued closure of the Ketchikan and Wrangell sawmills, and precludes building a replacement medium density fiberboard facility for the closed pulpmill in Sitka. In my view, all of this is contrary to Congress' intent in the 1990 TTRA compromise.

Third, on June 30, 1995, Regional Forester Janik made public the 10-year timber sale projection shown on this chart. This was the final straw that broke the camel's back. This schedule shows an annual average volume of 278 million board feet. As this 10-year period mirrors the 10-year planning horizon for TLMP, we can only assume that the Forest Service has already made up its mind to drop the ASQ to 2.5 billion from the current 4.5 billion board feet, essentially reducing volume availability by almost half. This is both unacceptable, and unconscionable given the Agency's arguments that we rely on the TLMP revision process to fix the timber supply crisis.

Fourth, the TLMP scientists have been given an extremely short schedule which provides them insufficient time to collect and analyze data. This converts the TLMP science into off-hand impressions, which will be extremely conservative because of insufficient data. The October 24–26, 1994 meeting notes of the Forest Service's so-called goshawk committee, which have already been the subject of press reports, highlight this problem.

The Senate Energy and Natural Resources Committee conducted two oversight hearings on the management of the Tongass National Forest. The hearings were held in Washington, DC, on May 18; and in Wrangell, AK on June 1. In all, the committee heard from 55 witnesses, with an additional 100 or so statements for the record. The Clinton administration was well represented at each hearing.

The Alaska Delegation has also been involved in a prolonged discussion with the administration—including an exchange of detailed correspondence with Secretary Glickman—in an attempt to fashion an administrative solution to the timber supply crisis on the Tongass National Forest.

Regrettably, that does not now seem possible. The administration appears to be fixed on a path that can only increase job losses in the region. The administration seems to be wedded to a Tongass land management plan revision process that cannot solve the problem. So, where does this leave us?

In short, if we continue on our current path, we will most certainly not provide for sufficient volume to maintain jobs at the 1990 level. The compromise I envisioned in enacting the 1990 Tongass Timber Reform Act will not be realized.

The Southeast Alaska Jobs and Communities Protection Act which I am introducing today addresses these problems by restoring the 1990 compromise, and by providing the Forest Service with the ability which it says it lacks to reconcile the provisions of the 1990 Tongass Timber Reform Act and the more general public land and environmental statutes. The organizing principle behind my proposal is the protection of jobs—the number of jobs that existed in 1990, and that we sought to protect with the 1990 act. The mechanism to accomplish this goal is very simple. Whenever the Forest Service feels it has to reduce the timber base on the Tongass in a fashion that will reduce jobs, the Agency must revisit the land set-asides in the 1990 act and replace the loss of timber base with enough lands to maintain the jobs.

By focusing on jobs, and providing the Forest Service with flexibility that it says it does not now have, the Southeast Alaska Jobs and Communities Protection Act avoids tying the Agency's hands, or setting a mandated harvest level. Indeed, provisions in the bill requiring additional primary processing and encouraging value added manufacturing ensure that we get the maximum employment potential out of each stick of timber.

Mr. President, I will not review each provision of the bill. Rather, I will submit a section-by-section summary for the record. Suffice it to say that the bill incorporates suggestions from all sides included in the 155 or more pieces of testimony received at our oversight hearings.

In the same spirit as the 1990 act and today's proposal were drafted, I now invite all interested parties to offer in their constructive suggestions. I will schedule hearings on the measure, and hope to work closely with the administration and Senator JOHNSTON in the same kind of extraordinary cooperation that was the hallmark of the 1990 effort.

This cooperation is necessary because the status quo has become untenable. Even so, we have heard from some that: First, there is no timber supply problem on the Tongass; second, even if there is, they are not at fault; third, we need many more hearings before we do anything; and fourth, we need to sit back and allow the Forest Service to make the 1990 act work.

The general pattern of these arguments is not unfamiliar to me. Change a few words, and you could be summarizing the timber industry's arguments prior to 1990 in defending the status quo embodied in the 1980 act. In the late 1980's the Forest Service was slow to acknowledge that there was a problem, and then grudgingly worked with the Congress toward a solution. They are in a similar posture today. Also, as was the case in the late 1980's, middle ground interests like the Southeast Conference went beyond the posturing and the rhetoric to help isolate the problems and identify solutions. That is also the approach that the Southeast Conference took at our oversight hearings. Many of their suggestions are included in today's proposal.

By contrast, polemical broadsides and ad hominem attacks are neither helpful in solving this problem, nor an effective smokescreen to distract people who are losing their jobs. It is true that today both sides in the Tongass debate are in court challenging the implementation of the 1990 compromise. They both have lawyers, plenty of them. Forest conflicts usually increase the number of lawyers, even as they decrease the amount of timber. If lawyers were as useful as 2x4's maybe we wouldn't have such a problem today.

But it is time for everyone concerned to get beyond denial. The current situation will be improved neither by the TLMP revision, nor by more lawsuits. We will act because we have no choice. Unless we do, we will: First, lose the opportunity to reopen the Wrangell and Ketchikan sawmills; second, forego by default the possibility of establishing a medium density fiberboard mill in Sitka; third, discourage entrepreneurs who are presently considering the construction of a sawmill and kiln-dry facilities in Sitka; and fourth, suffer additional production curtailments at the Ketchikan pulp mill, and the closure of additional sawmills.

We are eager to receive—and are already receiving from thoughtful people—suggestions on how to proceed. Our objective is simply this: restore the compromise, and the jobs inherent in it, in the 1990 TTRA.

Mr. President, I ask unanimous consent that additional material be printed in the RECORD.

There being no objection, the material was ordered printed in the RECORD, as follows:

SUMMARY OF THE PROVISIONS OF THE SOUTHEAST ALASKA JOBS AND COMMUNITIES PROTECTION ACT OF 1995

Section 1. The objective of this section is to make the changes necessary in the Tongass Land management Planning (TLMP) process so that sufficient volume can be made available from the Tongass National Forest to provide approximately 2400 direct timber jobs, which is the number of such jobs which existed when the bill passed in 1990.

All Tongass lands are to be considered in the TLMP process except those designated as Wilderness under Sections 503 and 703 of the Alaska National Interest Lands Conservation Act (ANILCA)(702(a)(1)).

For the Secretary to reduce the volume of timber available for harvesting from that needed to protect jobs at the 1990 level, the Secretary will have to do two things: (a) provide a jobs impact statement showing that the reduction of the jobs from the 1990 level and the adverse impacts on timber dependent communities is outweighed by the environmental gains to be achieved by the reductions; and (b) provide equivalent substitute timber volume. (709(a)(1) and 709(a)(2))

Timber cannot be withdrawn to maintain plant or animal diversity unless the Secretary makes a written determination that such action is necessary to prevent the species from becoming threatened or endangered. Even then, a jobs impact versus an environmental benefit review must be obtained and substitute timber must be provided. In addition, the State of Alaska must be consulted about controlling predators which prey upon the species of concern, and all nonsubsistence uses of the species must be terminated. (709(a)(3))

The Secretary is directed to manage second growth timber stands to maximize future timber production, and to make second growth timber suitable for deer habitat and for other species. (709(a)(4))

Subsection (b) of Subsection 1 states that the timber substitution process required under subsection (a) will be done without the need for a National Environmental Policy Act of 1969 (NEPA) review. (709(b))

Subsection (c) makes it clear that a revised TLMP plan, meeting the requirements of this section, shall be found to be consistent with other laws pertaining to the National Forests. This Act takes precedence over less specific legislation.

Section 2. The objective of this section is to require the Forest Service to meet market demand with a supply of mid-market timber.

Subsection (a) requires that the Secretary meet market demand with a supply of mid-market timber on an annual and planning cycle basis. (705(a))

Subsection (b) requires the Secretary to monitor the timber supply and demand from the Tongass National Forest, and provide a report to the public on January 1 of each year, providing that information and explaining how the Secretary intends to reconcile market demand with other requirements of law. (705(b))

Subsection (c) requires that the Secretary's determination required by subsection (b) is utilized in setting timber sale volume and offering levels for the Tongass. The explanation shall be contained in the President's budget for that fiscal year. (705(c))

Subsection (d) prohibits the reduction of timber volumes available for harvest, unless the Secretary determines that the timber job reductions and resulting adverse impacts upon timber dependent communities are outweighed by the environmental benefits to be achieved. Where such a reduction occurs, equivalent volume of lands economically suitable for timber production must be substituted. (705(d))

Subsection (e) describes how such substitution is to take place. (705(e))

Subsection (f) requires regulations be promulgated to implement the provisions of Section 2, within 60-days of enactment of the section. (705(f))

Subsection (g) provides that a court shall not find that a sale or offering of timber on the Tongass National Forest which complies with this section is inconsistent with other laws providing for forest management. This Act takes precedence over less specific legislation.

Section 3. Section 3 amends Section 102 of the Tongass Timber Reform Act to make Section 6(k) of the National Forest Management Act (NFMA) consistent with the provisions of this Act. Moreover, Section 6(k) cannot be used to delete volume from the Tongass unless substitute timber is provided.

Section 4. The objective of Section 4 is to require the Secretary to provide an annual volume of 80 million board feet of timber to small business concerns and to better tailor timber sales to the needs of small businesses.

Section 5. Section 5 provides a direct cause of action to persons and communities adversely affected by the Secretary's actions under this Act. Sixty days notice to the Secretary is required as a predicate to filing such a suit. This provision is necessary as a counterweight to the environmental organization's ability to stop or enjoin timber sales under the National Environmental Policy Act of 1969.

Section 6. This section requires the Secretary to request annual appropriations sufficient to provide at least a three-year supply of unharvested timber and requires the Secretary to provide reports to the public concerning that timber.

Section 7. The objective of Section 7 is to allow a purchaser of Tongass National Forest timber to lay out timber sales pursuant to the Record of Decision signed by the Contracting Officer following completion of a NEPA analysis for that sale. The Forest Service has the authority to modify or approve such a layout.

Section 8. Section 8 repeals Section 301(c)(2) of the Tongass Timber Reform Act, which requires proportionality for timber offerings made pursuant to the long term contracts. Now that there is only one pulp mill left, and Classes 5, 6 and 7 timber are being considered together, this provision is unnecessary. The technical aspects of implementing such a provision have been enjoined on several occasions. The new Forest Service method for determining proportionality in response to such lawsuits is a process that costs $200,000 and an entire operating season to implement. In short, the section is repealed because the environmental benefits are far outweighed by the costs associated with the provision.

Section 9. The objective of Section 9 is to direct the Secretary to reschedule the timber sales and offerings which were deferred because of the June 1994 habitat conservation areas (HCAs) and goshawk reservation area withdrawals by the Forest Service.

Section 10. Section 10 amends Section 1326(b) of ANILCA to add a definition of the term ''withdrawal'' as used in that section. Section 1326(a) precludes a withdrawal of more than 5,000 acres of public land in the aggregate unless such a withdrawal is made by the President and concurred by Congress. The new definition of ''withdrawal'' includes temporary reservations or deferrals. This is to avoid situations as those that occurred with the HCAs and goshawk reservation areas in June 1994 when one-third of the commercial forest land was withdrawn and remains withdrawn because the Agency contends that it does not constitute a land withdrawal, as that term is currently defined in ANILCA.

Section 11. This section prohibits the export of all sawlogs, pulp logs, utility logs and chips (based on a 90% test). It also permits the State of Alaska to decide whether or not to allow the export of timber from timber sales on state lands.

Section 12. Section 12 directs the Secretary of Agriculture to study the prospects for encouraging value added manufacturing utilizing Tongass National Forest timber resources.

Section 13. Section 13 defines terms used in the bill.

By Mr. HOLLINGS:

S. 1055. A bill to amend title 49, United States Code, to eliminate the requirement for preemployment alcohol testing in the mass transit, railroad, motor carrier, and aviation industries, and for other purposes; to the Committee on Commerce, Science, and Transportation.

THE OMNIBUS TRANSPORTATION EMPLOYEE TESTING ACT AMENDMENTS OF 1995

Mr. HOLLINGS. Mr. President, today I am introducing legislation that would clarify the Department of Transportation's authority with respect to preemployment alcohol testing of our transportation workers. The bill seeks to make the program originally instituted through the Omnibus Transportation Employee Testing Act of 1991 more effective by eliminating the requirement for preemployment alcohol testing, and making the test permissive instead. Mothers Against Drunk Driving [MADD], which was very involved in the original bill, recently said that the mandatory pre-employment testing of all applicants ''regardless of their other qualifications may be unduly burdensome. It does not seem to make much sense to require that an applicant be tested who did not have the qualifications for the job and who was not going to be offered a position.'' I agree with MADD, and so does Secretary Peña, who has asked that I sponsor this clarifying legislation. The legislation, if enacted, could save the affected industries about $30 million. It is an effort to streamline the Department's regulations and make them more reasonable, while not changing in any way our commitment to eliminating the use and abuse of alcohol and drugs.

From 1987 until 1991, I fought to require drug and alcohol testing of our transportation system employees. The Commerce Committee reported numerous bills in an effort to improve safety after the tragic rail accident at Chase, MD, in which 16 people were killed. The Omnibus Transportation Employee Testing Act was considered and passed by this body 13 times before we were able to make it the law of the land as part of Public Law 102–143, the Department of Transportation and Related Agencies Appropriations Act, 1992.

The act mandated drug and alcohol testing of safety-sensitive employees in the aviation, rail, truck, and bus sectors. The act was designed to prevent needless and senseless accidents caused by those individuals who are irresponsibly using and abusing drugs and alcohol while operating our transportation system. I had heard too much testimony, read too many articles, and seen too many reports of accidents where our citizens were put at risk, and injured or killed, because of the foolish actions of some. I said when the bill was passed that the vast majority of transportation sector workers are highly dedicated professionals that do not use drugs or abuse alcohol. Yet, the Act was made necessary to protect workers and travelers from the senseless actions of but a few of their coworkers.

The bill today continues our commitment to the traveling public, in a responsible and reasonable manner.

By Mr. CRAIG (for himself, Mr. SIMPSON, Mr. KEMPTHORNE, Mr. COVERDELL, Mr. GREGG, Mr. NICKLES, Mr. LOTT, Mr. KYL, Mr. GRAMS, and Mr. FAIRCLOTH):

S. 1056. A bill to prohibit certain exempt organizations from receiving Federal funding; to the Committee on Governmental Affairs.

THE FEDERAL ADVOCACY REFORM ACT OF 1995

Mr. CRAIG. Mr. President, I am proud to join today with my friend, the senior Senator from Wyoming, ALAN SIMPSON, and several other colleagues, in introducing the Federal Advocacy Reform Act of 1995. In reality, this bill is a Taxpayers' declaration of independence from the special interests.

This is not an issue of left-versus-right: It's about principles that apply across the board:

Public money should be spent on the public interest, and not on the political agendas of special interests. The Federal Government should not give special interests money to pay for lobbying for more money, or for political advocacy. Our effort is about ensuring Government integrity and responsible stewardship of taxpayer dollars. Taxpayers should not be compelled to fund special interest lobbying that is against their interests.

Many groups who claim to speak for grass roots members or large groups of Americans actually use Federal dollars inappropriately to amplify the voices of a few.

Next week, the Senate is supposed to take up gift and lobbying reform bills. People are correctly focused on lobbyists' gifts to legislators; but we also

need to worry about the Government's gifts to lobbyists. Senator SIMPSON and I plan to pursue an amendment like today's bill at that time, next week, when the Senate considers lobbying reform. Mr. President, our bill is real lobbying reform. It will protect the taxpayers' pocketbooks from the abuse that has gone on too long for the benefit of narrow, special interests.

Today, in the House of Representatives, the Appropriations Committee was scheduled to consider an amendment on this same general topic, written by Congressmen ERNIE ISTOOK, DAVE MCINTOSH, and BOB EHRLICH. Although our specific approaches may differ, our goals are the same. I commend their work and look forward to watching both bodies progress in our consideration of this issue.

By Mr. COHEN (for himself, Mr. D'AMATO. Mr. BOND, Mr. FAIRCLOTH, and Mr. MACK):

S. 1057. A bill to amend section 1956 of title 18, United States Code to include equity skimming as a predicate offense, to amend section 1516 of title 18, United States Code to curtail delays in the performance of audits, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

EQUITY SKIMMING LEGISLATION

Mr. COHEN. Mr. President, I reintroduce legislation to help the Department of Housing and Urban Development deal with the fraudulent practice of equity skimming.

As the chairman of the Governmental Affairs Subcommittee on Oversight, I have investigated a disturbing number of instances of fraud.

Over the past 2 years, I have been looking at the Department of Housing and Urban Development's [HUD] subsidy and mortgage insurance programs. This investigation has focused on an outrageous practice know as equity skimming.

Equity skimming is the term used to describe a particular type of housing fraud. It occurs when an owner of a HUD-insured project takes money intended to be used to pay the mortgage and provide maintenance and upkeep of the project and diverts it for his or her own use. This diversion of funds often causes the owner to default on their mortgage, forcing HUD—which guaranteed the loans—to pay the private lender the balance of the mortgage. At this point, HUD assumes the mortgage and the owner is required to make mortgage payments to HUD. Regrettably, however, the owner often continues to divert funds for personal use rather than meet mortgage and other expenses. As a result, these projects often fall into disrepair, forcing the tenants to endure intolerable living conditions.

The term ''equity skimming'' is somewhat of a misnomer in that the actual equity that the owner invests in the project is relatively small compared to the amount skimmed by the owner.

The HUD IG estimates that equity skimming has cost taxpayers approximately $6 billion to date. HUD has approximately 20,000 total projects in its insured mortgage portfolio, totaling over $40 billion. HUD holds another $10 billion in mortgages already in default. An additional $10 billion worth of HUD-insured mortgages are estimated to be at risk of default and in fiscal year 1993 alone HUD paid $965 million in multifamily housing mortgage insurance claims to private lenders. HUD's IG believes that a significant amount of the defaults are a result of equity skimming.

The tragedy of this fraud goes beyond the waste of taxpayer dollars. As a result of equity skimming, tenants have been forced to live in horrible conditions because needed repairs go unattended to. At the same time, the owners of these projects live the high life while HUD is stuck with the cost of insuring the mortgage and rehabilitating the deteriorated project.

Let me give a couple of examples of how this shoddy practice has worked.

In upstate New York, partners in a nursing home claimed to be broke and failed to make payments on a $5.1 million HUD-insured mortgage. While they were defaulting on the mortgage and sticking the taxpayers with the bill, the partners used various guises to divert some $500,000 to personal use and paid themselves another $1.7 million in fees for unverified services. While these partners were lining their own pockets, nursing home residents were going without appropriate care.

Another case of equity skimming involved a company in Texas, which managed approximately 86 HUD insured and/or subsidized multifamily projects. Results of a HUD IG audit revealed that $19.6 million of the expenses were either ineligible or questionable because of insufficient support or evidence; The management company inadequately documented $1.2 million in maintenance expenses and lacked documentation for some $5.6 million in contracting expenses. The management company also diverted $500,000 in project funds. The projects deteriorated at the expense of HUD, the taxpayers and the tenants who lived in seriously substandard housing. Due to the management company's lack of cooperation with HUD's auditors, HUD was unable to identify all the diversions and unsupported expenses.

In yet another case of equity skimming, the owner of four projects in Tennessee, diverted some $4.7 million for personal benefit after defaulting on the HUD-insured mortgages. The owner also diverted almost $800,000 to his wife rather than pay the mortgage. The owner also used another $1 million to pay another loan and diverted $1.2 million to his other companies.

Because of improper diversion of project funds, the condition of a housing project in Kansas deteriorated leaving the tenants, who were receiving Federal rent subsidies, living in deplorable conditions. Apartments were roach infested, ceilings were falling down, and doors and windows provided neither security nor protection from the weather. The cost to rehabilitate the project came to an estimated $1.4 million on a property worth $1.8 million.

Two other cases of equity skimming in Minnesota cost the Government almost $600,000. In one case, two partners collected rent and Government subsidies while failing to make full mortgage payments on their federally insured mortgages. The total cost to the taxpayers in this case was about $425,000. In the other case, two owners of five subsidized buildings collected more than $173,000 in rent while neglecting to make mortgage payments.

HUD is taking positive steps to crack down on the owners engaged in equity skimming. HUD is working to prevent the diversions from happening in the first place but, if this fails, HUD intends to step up its efforts to recover the diverted moneys. My legislation will give HUD some much needed tools to help curb the problem of equity skimming.

My legislation has three parts. The first part would allow equity skimming to fall under provisions of the Federal money laundering statute. Under current law, when the Federal Government sues project owners who steal or misappropriate money from federally insured housing projects, owners are able to protect their ill-gotten gains by transferring these assets to other individuals or parties during the lengthy litigation process. Making equity skimming a violation of the Federal money laundering statute will allow the Government to seize the assets.

The second part would make HUD insured mortgage programs subject to the statute which makes it unlawful to obstruct Federal auditors. Unfortunately, there is currently some question as to whether this existing statute applies to owners who receive HUD-insured mortgages because the owners receive no direct Federal payment. Because the mortgages are insured and no money goes directly to the owner from the Government, owners are able to use the ambiguity in the law to stonewall Federal auditors. My bill would make clear that owners of housing projects financed with government-insured mortgages are subject to the audit obstruction statute. Perpetrators of equity skimming would no longer be able to hide their books from Federal auditors.

The third provision in the bill requires HUD to provide in its agreements with borrowers that HUD could recover from project owners any funds lost by HUD as a result of equity skimming. Under this new provision, if an owner is convicted of equity skimming, the owner will be responsible for HUD's entire loss. Currently, HUD is unable to recover any funds it used to pay off the balance of the defaulted mortgage even if the borrowers are found guilty of equity skimming.

Mr. President, this legislation should go far in slamming the door on fraudulent owners and managers who take advantage of both taxpayers and tenants to line their own pockets.

I ask unanimous consent that a letter from the inspector general at HUD, Susan Gaffney, in support of this legislation, and the text of the bill be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 1057

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

SECTION 1. FINDINGS.

The Congress finds that—

(1) the Federal Government makes available mortgage insurance and other assistance to encourage investors and lending institutions to provide housing to low-income individuals and families;

(2) in general, this current system functions well;

(3) some unscrupulous owners of federally assisted housing, however, have diverted Federal housing subsidies and other funds to personal and other improper uses, while failing to make payments on their insured mortgages or maintain the assisted housing;

(4) this practice of diverting funds, known as equity skimming, has cost the Nation's taxpayers an estimated $6,000,000,000; and

(5) current law is inadequate to deter or prevent the practice of equity skimming.

SEC. 2. INCLUSION OF EQUITY SKIMMING AS A LAUNDERING OFFENSE.

Seciton 1956(c)(7)(D) of title 18, United States Code, is amended by inserting ''sanction 254 of the National Housing Act (relating to equity skimming),'' before ''or any felony violation of the Foreign Corrupt Practices Act''.

SEC. 3. OBSTRUCTION OF FEDERAL AUDIT.

Section 1516(a) of title 18, United States Code, is amended by inserting ''or relating to any property that is security for a mortgage that is insured, guaranteed, acquired, or held by the Secretary of Housing and Urban Development pursuant to any provision of law described in section 254(a) of the National Housing Act,'' after ''under a contract or subcontract,''.

SEC. 4. EFFECT OF EQUITY SKIMMING ON MORTGAGE INSURANCE.

Seciton 254 of the National Housing Act (12 U.S.C. 1715z–19) is amended—

(1) by striking ''Whoever'' and inserting the following:

''(a) IN GENERAL.—Whoever''; and

(2) by adding at the end the following new subsection:

''(b) EFFECT OF VIOLATION.—Each contract for insurance under any provision of law described in subsection (a) shall provide that if an owner, agent, manager, or other person who is otherwise in custody, control, or possession of any property described in subsection (a) is convicted of a violation of that subsection, the Secretary may recover from such owner, agent, manager, or other person an amount equal to the sum of—

''(1) any benefit of insurance conferred on the mortgagee by the Secretary with respect to such property; and

''(2) any loss incurred by the Secretary in connection with such property; if the Secretary determines that the violation contributed to such conferred benefit or incurred loss. Any recovery under this subsection shall be in addition to any fine, imprisonment, or other penalty imposed under subsection (a).''.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT,
Washington, DC, February 16, 1995.

Hon. WILLIAM S. COHEN,
Chairman, Subcommittee on Oversight of Government Management, Committee on Governmental Affairs, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: I am writing you to express my appreciation and support of your efforts to address equity skimming in HUD multifamily projects by promoting legislation for more effective enforcement authority.

As part of Operation Safe Home, HUD has initiated an aggressive proactive effort to pursue affirmative litigation against owners of multifamily housing projects whose owners misuse project operating funds. The goal of Operation Safe Home is to stop major abuses in HUD programs that result in unacceptable living conditions for the millions of needy people who look to HUD for help. As you know, equity skimming has done much to undermine HUD's ability to provide quality affordable housing and has significantly impacted the cost of doing so.

A primary objective of the Equity Skimming aspect of Operation Safe Home is to create an enforcement program that provides an effective deterrent and recovery mechanism for the misuse of income and assets at projects having HUD insured or Secretary-held mortgages.

One of our goals is to initiate changes to statutes, HUD regulations, and contracts with HUD program participants that will facilitate the application of enforcement actions. Your efforts to change statutes to make equity skimming a money laundering offense, hold owners personally liable for related losses incurred by the Federal Government, and to deter the obstruction of Federal audits, are significant. Such statutes will enable us to better ensure compliance with the requirements for the operation of assisted multifamily housing in a decent and safe manner for all of those who rely upon HUD for housing.

If I can be of any further support or assistance to your efforts for addressing these important enforcement issues, please let me know.

Sincerely,

SUSAN GAFFNEY,
Inspector General.

By Mr. WELLSTONE (for himself, Mr. SPECTER, Mr. HATFIELD, Mr. JEFFORDS, Mr. HARKIN, Mr. MOYNIHAN, and Mr. KENNEDY):

S. 1058. A bill to provide a comprehensive program of support for victims of torture; to the Committee on the Judiciary.

THE COMPREHENSIVE TORTURE VICTIMS RELIEF ACT OF 1995

● Mr. WELLSTONE. Mr. President, I introduce the Comprehensive Torture Victims Relief Act of 1995. I am joined today by Senators SPECTOR, HATFIELD, JEFFORDS, HARKIN, MOYNIHAN, and KENNEDY, as original cosponsors of this measure. This bipartisan legislation outlines a comprehensive strategy for providing critical assistance to refugees, asylees, and parolees who are torture survivors in the United States and abroad. It is an important blueprint for an overall approach to the serious problem of torture. This legislation provides a focus and a framework for a newly reenergized debate about where torture survivors, and our response to the practice of torture by other countries, fit within our foreign policy priorities.

The bill authorizes funds for torture rehabilitation programs, both here and abroad. It also increases the U.S. contribution to the U.N. Voluntary Fund for Torture Victims. It is similar to legislation introduced toward the end of last year by myself, and Senator Durenburger and HARKIN. The bill is being supported by over 65 organizations concerned with human rights issues. This legislation is also similar to H.R. 1416, introduced earlier this year in the other body by Representative CHRISTOPHER SMITH of New Jersey and cosponsored by a bipartisan group of ideologically diverse Representatives ranging from Representative HYDE to Representative FRANK, and including Representatives LANTOS, WOLF, ROHRABACHER, YATES, PELOSI, SABO, MCKINNEY, and VENTO. With such bipartisan support, I hope that Congress will move quickly to enact this important legislation.

While the huge cuts in foreign aid programs that have been proposed in Congress will make even a modest expansion of torture treatment assistance doubly difficult, I want to do everything I can to see the key provisions of this bill enacted into law. I hope that enactment of this legislation will be a watershed in the movement to garner broader public and private support, both here and abroad, for much-needed torture rehabilitation programs.

Specifically, the Comprehensive Torture Victims Relief Act would authorize funds for domestic refugee assistance centers as well as bilateral assistance to torture treatment centers worldwide. It would also change our immigration laws to give a priority to torture survivors; provide for specialized training for U.S. consular personnel who deal with torture survivors; and commission a comprehensive study by the National Institutes of Health on the numbers and geographical distribution of refugees and asylees who are torture survivors now in the United States. That study should help refine our goals and then help us to target those people in need of rehabilitation assistance.

Finally, the bill would allow an increase in the U.S. contribution to the U.N. Voluntary Fund for Torture Victims, which funds and supports rehabilitation programs worldwide. In 1994, this fund contributed over $3.7 million to 106 projects in 60 countries. I believe that continuing to expand the U.S. contribution to the fund is necessary as a show of genuine U.S. commitment to human rights, and I will continue to push until these programs receive the funding they need and deserve.

This bill would not cause an increase in the Federal budget deficit because spending would be reallocated from among funds already provided for in

Federal law. For example, as a demonstration of our commitment, the United States could reallocate funds to these rehabilitation programs from military assistance to foreign governments which torture their own people, or condone it within their borders. Reducing military aid to countries which practice torture or ignore its existence has a certain symmetry, and would be another way of signifying our opposition to torture.

Mr. President, the practice of torture is one of the most serious human rights issues of our time. Governmental torture, and torture being condoned by officials of governments, occurs in at least 70 countries today. We have seen this most horribly demonstrated recently in Bosnia, where torture, rape, and other atrocities have become commonplace. We can and must do more to stop torture, and to treat its victims. Treating torture victims must be a much more central focus of our efforts as we work to promote human rights worldwide.

Without active programs of healing and recovery, torture survivors often suffer continued physical pain, depression and anxiety, intense and incessant nightmares, guilt and self-loathing. They often report an inability to concentrate or remember. The severity of the trauma makes it difficult to hold down a job, study for a new profession, or acquire other skills needed for successful adjustment into society.

Providing treatment for torture survivors is one of the best ways we can show our concern for human rights around the world. The United States and the international community have been increasingly aware of the need to prevent human rights abuses and to punish the perpetrators when abuses take place. But too often we have failed to address the needs of the victims. We pay little if any attention to the treatment of victims after their rights have been violated.

The commitment to protect human rights is one shared by many around the world. In 1984, the United Nation approved the United Nations' Convention Against Torture and Other Forms of Cruel, Inhuman, or Degrading Treatment or Punishment. The U.S. Senate ratified it in April 1994. Although Congress has taken some steps to implement parts of the convention, we have not yet taken action to provide sufficient rehabilitation services in the spirit of the language of article 14 of the convention.

Certainly, there exists a great need for the rehabilitation programs supported by this legislation. The generally accepted estimate of the number of torture survivors, including refugees, asylees, and parolees in the United States, hovers around 200,000—although some experts in the field believe it may be closer to 400,000. In my State of Minnesota alone, there are estimated to be over 8,000 survivors of torture. The Federal Government's response to this problem so far has been minimal.

In Minnesota, we began to think about the problem of torture, and act on it, over 10 years ago. The Center for Victims of Torture in Minneapolis is the only fully-staffed torture treatment facility in the country and one of a select few worldwide. They just celebrated their 10th anniversary. The center offers outpatient services which can include medical treatment, psychotherapy and help gaining economic and legal stability. Its advocacy work also helps to inform people about the problem of torture and the lingering effects it has on victims, and ways to combat torture worldwide. The center has treated or provided services to hundreds of people over the last 10 years.

Some of the often shrill public rhetoric these days seems to argue that we, as a nation, can no longer afford to remain engaged with the world, or to assist the poor, the elderly, the feeble, refugees, those seeking asylum—those most in need of aid who are right here in our midst. The Center for Victims of Torture stands as a repudiation of that idea. Its mission is to rescue and rehabilitate people who have been crushed by torture, and it has been accomplishing that mission admirably over the last 10 years. It is a light of hope in the lives of those who have for so long seen only darkness, a darkness brought on by the brutal hand of the torturer.

I would like to thank the distinguished human rights leaders who helped craft this bill, including those at the Center for Victims of Torture in Minneapolis and others in the human rights community here in Washington and in Minnesota. Without their energy and skills as advocates for tough U.S. laws which promote respect for internationally recognized human rights worldwide, the cause of human rights here in the United States would be seriously diminished. I salute them today. We must commit ourselves to aiding torture survivors and to building a world in which torture is relegated to the dark past. My hope is that we can help bring about a world in which the need for torture treatment programs becomes obsolete. I urge my colleagues to cosponsor this bill, and I urge its timely passage.

I ask unanimous consent that a partial list of organizations supporting the Comprehensive Torture Victims Relief Act be printed in the RECORD along with a copy of the bill.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 1058

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Comprehensive Torture Victims Relief Act''.

SEC. 2. FINDINGS.

The Congress makes the following findings:

(1) The American people abhor torture by repressive governments and other parties. The existence of torture creates a climate of fear and international insecurity that affects all people.

(2) Torture is the strategic use of pain to destroy both individuals and society. The effects of torture are long term. Those effects can last a lifetime for the survivors and affect future generations.

(3) By eliminating leadership of their opposition and frightening the general public, repressive governments use torture as a weapon against democracy.

(4) Torture victims remain under physical and psychological threats, especially in communities where the perpetrators are not brought to justice. In many nations, even those who treat torture victims are threatened with reprisals, including torture, for carrying out their ethical duties to provide care. Both the survivors of torture and their treatment providers deserve, and often require, protection from further repression.

(5) A significant number of refugees and asylees entering the United States have been victims of governmental torture. Those claiming asylum deserve prompt consideration of their applications for political asylum to minimize their insecurity and sense of danger. Many torture survivors now live in the United States. They should be provided with the rehabilitation services which would enable them to become productive members of our communities.

(6) The development of a treatment movement for torture survivors has created new opportunities for action by the United States and other nations to oppose state-sponsored and other acts of torture.

(7) There is a need for a comprehensive strategy to protect and support torture victims and their treatment providers together with overall efforts to eliminate torture.

(8) By acting to heal the survivors of torture and protect their families, the United States can help to heal the effects of torture and prevent its use around the world.

(9) The United States has ratified the Convention Against Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment, but has not implemented all provisions of the convention.

SEC. 3. DEFINITIONS.

As used in this Act:

(1) IN GENERAL.—Except as otherwise provided, the terms used in this Act have the meaning given such terms in section 101(a) of the Immigration and Nationality Act.

(2) TORTURE.—The term ''torture'' has the meaning given such term in section 2340(1) of title 18, United States Code, and includes the use of rape and other forms of sexual violence by a person acting under the color of law upon another person under his custody or physical control.

SEC. 4. PROHIBITION ON INVOLUNTARY RETURN OF PERSONS FEARING SUBJECTION TO TORTURE.

(a) PROHIBITION.—The United States shall not expel, extradite, or return involuntarily an individual to a country if there is substantial evidence of circumstances that would lead a reasonable person to believe that the individual would fear subjection to torture.

(b) DEFINITION.—For purposes of this section, the term ''to return involuntarily'', in the case of an individual in any locale, means the following:

(1) To return the individual without the individual's consent, whether or not the return is induced by physical force.

(2) To take an action by which it is reasonably foreseeable that the individual will be returned, whether or not the return is induced by physical force.

SEC. 5. IMMIGRATION PROCEDURES FOR TORTURE VICTIMS.

(a) IN GENERAL.—Any alien—

(1) who presents a credible claim of having been subjected to torture in the alien's country of nationality, or, in the case of an alien having no nationality, the country in which the alien last habitually resided, and

(2) who applies for—

(A) refugee status under section 207 of the Immigration and Nationality Act,

(B) asylum under section 208 of that Act, or

(C) withholding of deportation under section 243(h) of that Act,

shall be processed in accordance with this section.

(b) CONSIDERATION OF THE EFFECTS OF TORTURE.—In considering applications for refugee status, asylum, or withholding of deportation made by aliens described in subsection (a), the appropriate officials shall take into account—

(1) the manner in which the effects of torture can affect the applicant's responses in the application and in the interview process or other immigration proceedings, as the case may be;

(2) the difficulties torture victims often have in recounting their suffering under torture; and

(3) the fear victims have of returning to their country of nationality where, even if torture is no longer practiced or the incidence of torture is reduced, their torturers may have gone unpunished and may remain in positions of authority.

(c) EXPEDITED PROCESSING OF REFUGEE ADMISSIONS.—For purposes of section 207(c) of the Immigration and Nationality Act, a refugee who presents a credible claim of having been subjected to torture shall be considered to be a refugee of special humanitarian concern to the United States and shall be accorded priority in selection from the waiting list of such refugees based on compelling humanitarian concerns.

(d) EXPEDITED PROCESSING FOR ASYLUM AND WITHHOLDING OF DEPORTATION.—Upon the request of the alien, the alien's counsel, or a health care professional treating the alien, an asylum officer or special inquiry officer may expedite the scheduling of an asylum interview or an exclusion or deportation proceeding for an alien described in subsection (a), if such officer determines that an undue delay in making a determination regarding asylum or withholding of deportation with respect to the alien would aggravate the physical or psychological effects of torture upon the alien.

(e) PAROLE IN LIEU OF DETENTION.—The finding, upon inspection at a port of entry of the United States, that an alien described in subsection (a) suffers from the effects of torture, such as depressive and anxiety disorders, shall be a strong presumptive basis for a grant of parole, under section 212(d)(5) of the Immigration and Nationality Act, in lieu of detention.

(f) SENSE OF CONGRESS.—It is the sense of Congress that the Attorney General shall allocate resources sufficient to maintain in the Resource Information Center of the Immigration and Naturalization Service information relating to the use of torture in foreign countries.

SEC. 6. SPECIALIZED TRAINING FOR CONSULAR, IMMIGRATION, AND ASYLUM PERSONNEL.

(a) IN GENERAL.—The Attorney General shall provide training for immigration inspectors and examiners, immigration officers, asylum officers, special inquiry officers, and all other relevant officials of the Department of Justice, and the Secretary of State shall provide training for consular officers, with respect to—

(1) the identification of the evidence of torture;

(2) the identification of the surrounding circumstances in which torture is practiced;

(3) the long-term effects of torture upon the person;

(4) the identification of the physical, cognitive, and emotional effects of torture, including depressive and anxiety disorders, and the manner in which these effects can affect the interview or hearing process; and

(5) the manner of interviewing victims of torture so as not to retraumatize them, eliciting the necessary information to document the torture experience, and understanding the difficulties victims often have in recounting their torture experience.

(b) GENDER-RELATED CONSIDERATIONS.—In conducting training under subsection (a)(4) or subsection (a)(5), gender specific training shall be provided on the subject of interacting with women and men who are victims of torture by rape or any other form of sexual violence.

SEC. 7. STUDY AND REPORT ON TORTURE VICTIMS IN THE UNITED STATES.

(a) STUDY.—The National Institutes of Health shall conduct a study with respect to refugees and asylees admitted to the United States since October 1, 1987, who were tortured abroad, for the purpose of identifying—

(1) the estimated number and geographic distribution of such persons;

(2) the needs of such persons for recovery services; and

(3) the availability of such services.

(b) REPORT.—Not later than December 31, 1997, the National Institutes of Health shall submit a report to the Judiciary Committees of the House of Representatives and the Senate setting forth the findings of the study conducted under subsection (a), together with any recommendation for increasing the services available to persons described in subsection (a), including any recommendation for legislation, if necessary.

SEC. 8. DOMESTIC TREATMENT CENTERS.

(a) AMENDMENT OF THE IMMIGRATION AND NATIONALITY ACT.—Section 412 of the Immigration and Nationality Act (8 U.S.C. 1522) is amended by adding at the end the following new subsection:

''(g) ASSISTANCE FOR TREATMENT OF TORTURE VICTIMS.—(1) The Secretary may provide grants to programs in the United States to cover the cost of the following services:

''(A) Services for the rehabilitation of victims of torture, including treatment of the physical and psychological effects of torture.

''(B) Social services for victims of torture.

''(C) Research and training for health care providers outside of treatment centers or programs for the purpose of enabling such providers to provide the services described in subparagraph (A).

''(2) For purposes of this subsection, the term 'torture' has the meaning given to such term in section 3 of the Comprehensive Torture Victims Relief Act.''.

(b) FUNDING.—Of the amounts authorized to be appropriated for the Department of Health and Human Services for fiscal year 1996, there is authorized to be appropriated such sums as may be necessary to carry out section 412(g) of that Act (relating to assistance for domestic centers and programs for the treatment of victims of torture), as added by subsection (a). Amounts appropriated pursuant to this subsection shall remain available until expended.

(c) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on October 1, 1995.

SEC. 9. FOREIGN TREATMENT CENTERS.

(a) AMENDMENTS OF THE FOREIGN ASSISTANCE ACT OF 1961.—Part I of the Foreign Assistance Act of 1961 is amended by adding at the end of chapter 1 the following new section:

''SEC. 129. ASSISTANCE FOR VICTIMS OF TORTURE.—(a) The President is authorized to provide assistance for the rehabilitation of victims of torture.

''(b) Such assistance shall be provided in the form of grants to treatment centers and programs in foreign countries which are carrying out projects or activities specifically designed to treat victims of torture for the physical and psychological effect of the torture.

''(c) Such assistance shall be available—

''(1) for direct services to victims of torture; and

''(2) to provide research and training to health care providers outside of treatment centers or programs for the purpose of enabling such providers to provide the services described in paragraph (1).

''(d) For purposes of this section, the term 'torture' has the meaning given such term in section 3 of the Comprehensive Torture Victims Relief Act.''.

(b) FUNDING.—Of the total amount authorized to be appropriated in fiscal years 1996 and 1997 pursuant to chapter 1 of part I and chapter 4 of part II of the Foreign Assistance Act of 1961 and pursuant to section 31 of the Arms Export Control Act, there is authorized to be appropriated such sums as may be necessary to carry out section 129 of the Foreign Assistance Act, as added by subsection (a). Amounts appropriated pursuant to this subsection shall remain available until expended.

(c) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on October 1, 1995.

SEC. 10. MULTILATERAL ASSISTANCE.

(a) FUNDING.—Of the amounts authorized to be appropriated in fiscal years 1996 and 1997 pursuant to chapter 1 of part I and chapter 4 of part II of the Foreign Assistance Act of 1961 and pursuant to section 31 of the Arms Export Control Act, there are authorized to be appropriated to the United Nations Voluntary Fund for Victims of Torture (in this section referred to as the ''Fund'') the following amounts for the following fiscal years:

(1) For fiscal year 1996, $4,000,000.

(2) For fiscal year 1997, $5,000,000.

(b) AVAILABILITY OF FUNDS.—Amounts appropriated pursuant to subsection (a) shall remain available until expended.

(c) SENSE OF CONGRESS.—It is the sense of the Congress that the President, acting through the United States Permanent Representative to the United Nations, should—

(1) request the Fund—

(A) to find new ways to support and protect treatment centers and programs that are carrying out rehabilitative services for victims of torture; and

(B) to encourage the development of new such centers and programs;

(2) use the voice and vote of the United States to support the work of the Special Rapporteur on Torture and the Committee Against Torture established under the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; and

(3) use the voice and vote of the United States to establish a country rapporteur or similar procedural mechanism to investigate human rights violations in a country if either the Special Rapporteur or the Committee Against Torture indicates that a systematic practice of torture is prevalent in that country.

PARTIAL LIST OF ORGANIZATIONS SUPPORTING THE COMPREHENSIVE TORTURE VICTIMS RELIEF ACT

Advocates for Survivors of Trauma and Torture.

American-Arab Anti-Discrimination Committee.

American Association for the Advancement of Science.
American Friends Service Committee.
American Immigration Lawyers Association.
American Psychological Association.
Amnesty International U.S.A.
Amigos de los Sobrevivientes.
Bread for the World.
Catholic Foreign Mission Society of America, Maryknoll Fathers and Brothers.
Center for Development of International Law.
Center for Human Rights Legal Action.
Center for International Policy.
Center for the Victims of Torture.
Church World Service Immigration and Refugee Program.
Coalition ''Missing'' (U.S. Citizens Murdered, Tortured, Assaulted or Missing in Guatemala)
Columbian Fathers Justice and Peace Office.
Commission on International Human Rights, International Peace Research Association.
Conference of the Major Superiors of Men.
Doctors of the World, U.S.A.
Episcopal Migration Ministries.
Ethiopian Community Development Council, Inc.
Francois-Xavier Bagnoud Center for Health and Human Rights, Harvard School of Public Health.
Friends Committee on National Legislation.
Fund for New Priorities in America.
General Board of Church and Society, The United Methodist Church.
Guatemala Human Rights Commission—U.S.A.
Human Rights Advocates, San Francisco.
Human Rights Clinic, Montefiore Medical Center.
Human Rights Watch.
Immigration Refugee Service of America.
Indian Law Resource Center.
Institute for Policy Studies.
Institute for the Study of Psycho-Political Trauma.
International Educational Development, Inc.
International Human Rights Law Group.
International Labor Rights Fund.
International Rescue Committee.
Kentucky Interreligious Task Force on Central America.
Lutheran Immigration and Refugee Service.
Lutheran Office for Government Affairs, Evangelical Lutheran Church in America.
MADRE, Inc., New York, NY.
Marjorie Kovler Center, Chicago.
Mennonite Central Committee.
Minority Rights Group, Washington, D.C.
National Spiritual Assembly of the Baha' is of the U.S.
Network, A National Catholic Social Justice Lobby
Office for Church and Society, The United Church of Christ (U.S.A.)
Physicians for Human Rights
Physicians for Social Responsibility
Program for Torture Victims, Venice, CA
Robert F. Kennedy Memorial Center for Human Rights
Southeast Asia Resource Action Center
Survivors International, San Francisco
Unitarian Universalist Association
United Church Board for World Ministries, The United Church of Christ (U.S.A.)
United Nations Association of San Francisco
United States Catholic Conference
United States Committee for Refugees
Veterans for Peace
Washington Office on Africa
Washington Office on Latin America
World Federalist Association
Xanthos, Inc., Almeda, California.●

By Mr. CRAIG:

S. 1059. A bill to amend section 1864 of title 18, United States Code, relating to tree spiking, to add avoidance costs as a punishable result; to the Committee on the Judiciary.

TREE SPIKING LEGISLATION

Mr. CRAIG. Mr. President, I regret that I must come to the floor today to introduce this legislation. But some extreme preservation groups apparently know no bounds in their zealotry to stop timber harvest on national forests. They leave me no choice but to put a stop to their insane acts.

A preservation group in Idaho has just announced that they have spiked trees scheduled to be cut in an active timber sale. This is the last, desperate act of radicals who did not get their way with the Forest Service or in court. To gain their objectives, they are willing to jeopardize the lives of men and women working in the woods and in the sawmill. The possibility of a head rig exploding as it hits a spike bothers them not at all.

There should be no controversy over this timber sale. The U.S. Congress specifically guaranteed that this particular Cove-Mallard area of the Nez Perce National Forest was to be used for multiple-use purposes. On that basis, the Forest Service completed their forest plan and the appropriate NEPA documents for timber harvest. The radicals did not like that, so they appealed the NEPA decision. Their appeal was denied.

The radicals did not like being denied so they filed suit claiming violations of NEPA and the National Forest Management Act. The court disagreed. It found that the Forest Service had properly applied all the environmental laws in awarding the timber sale contracts in Cove-Mallard. So, logging began in Cove-Mallard.

Most of all, the radicals do not like logging, so they have taken this last, desperate act to force their wishes on all the rest of us. They have spiked trees in the Cove-Mallard timber sale.

And they brag about it. They brag that they have used ceramic spikes which cannot be found by metal detectors. They brag they have spiked the trees far up the stem of the tree so as to hide them and assure they cannot be disposed of easily when found.

This tree-spiking incident just proves that some preservation groups will not take no for an answer—even when that ''no'' comes from the Congress and from the courts. They feel their mission is beyond the law.

Well, it is not. My legislation will exact a heavy price from those who break the law. It will amend Public Law 100–690 to add strong penalties for the disruption, expense, and damage of tree spiking.

I hope my colleagues will join me in condemning this outrageous act. I ask their support to move this legislation very quickly as a signal that Congress will simply not tolerate this kind of blackmail.

By Mr. JEFFORDS (for himself and Mr. NUNN):

S. 1062. A bill to amend the Employee Retirement Income Security Act of 1974 to increase the purchasing power of individuals and employers, to protect employees whose health benefits are provided through multiple employer welfare arrangements, to provide increased security of health care benefits, and for other purposes; to the Committee on Labor and Human Resources.

THE EMPLOYER GROUP PURCHASING REFORM ACT OF 1995

Mr. JEFFORDS. Mr. President, I introduce the Employer Group Purchasing Reform Act of 1995 for myself and my Democratic colleague Senator NUNN. Our bill amends the Employee Retirement Income Security Act of 1974 (ERISA) in three significant ways. First, we provide increased protection for approximately 46 million employees in self-funded employee benefit health plans. Second, we increase the purchasing power and affordability of health insurance for small employers by putting into place the States ability to crack down on the fraudulent and abusive practices used by unscrupulous multiple employer welfare arrangement (MEWA) operators that have left thousands of small businesses and their employees without health insurance. We then make the way for voluntary health plan purchasing coalitions to flourish.

This bill complements S. 1028, the Health Insurance Reform Act of 1995, which is the bi-partisan bill that Senators KASSEBAUM and KENNEDY introduced last week, of which I am proud to be an original co-sponsor. As I said last week, the foundation for incremental health reform is a well-functioning private market. The Kassebaum-Kennedy bill makes great strides in addressing many of the problems in the insured market and also begins to level the playing field in both the insured and self-insured markets by applying the same national rules to both segments of the marketplace.

This Health Insurance Reform Act deals with one of the central concerns for all Americans, knowing their health insurance will be portable from job to job. Generally, portability means all people who have insurance today will be able to purchase affordable insurance tomorrow, even if they get sick, or change or lose their jobs. In order for this to occur, we have to convert the rules in today's insurance market, which reward excluding people, into rules where health plans must take all comers. The Health Insurance Reform Act takes a giant step toward this goal.

S. 1028 provides much needed improvements at the national level, but at the same time allows States the flexibility they need to move ahead

with their own reform efforts. Unfortunately, unless we make greater strides in leveling the playing field between the ERISA self-funded market and the insured market, the current trend of more and more businesses moving from the insured State regulated market to the self-insured federally regulated market, as documented in a soon to be released GAO report, will continue.

You may ask what is self-insured or self-funded anyway, and why should I be concerned about this trend? Well, self-funding is merely a pay-as-you-go financing mechanism used by employers and unions to fund health benefits for employees. The term is used synonymously for any ERISA health plan—but—in actuality ERISA health plans can be either insured or self-funded. The irony is that the term self-funded is never used in ERISA and therefore has never been defined. This lack of clarity about how much risk an ERISA plan must assume to be self-funded has caused havoc in the insured marketplace regulated by the States. This fragmentation has caused prices in the insured marketplace to continue to rise because of the risk segmentation. In addition, it is the insured market that gets assessed for providing subsidies for State high risk pools.

Employers choose to self-fund for basically two reasons. First, it provides greater flexibility and uniformity in benefit plan design and second, if you have a healthy workforce it costs less to provide your employees health benefits. Unfortunately, when some employers who self-fund experience an employee with a catastrophic illness they contain their costs by lowering life-time limits of health coverage. Our bill would prohibit this practice.

Many employees who are in self-funded ERISA plans are not aware of this fact because many of the large insurance companies, like Cigna, administer the claims and the employees' insurance card will usually say Cigna on the front. If a problem occurs with the plan most people will file a complaint with a State insurance department only to find out there is nothing the State can do because the plan is under ERISA and lacks many of the protections afforded people with insured plans.

When ERISA was passed, over 20 years ago, the many years of thought and architecture that went into the pension provisions that gave employees real security regarding their retirement were not duplicated in the health arena. As a matter of fact, the broadly drafted language of the preemption clause actually took protection away from employees who were not in an insured health plan.

A major reason the drafters did not take the same precision in the health benefit area was the certainty that this was not necessary because national health reform was just right around the corner. Well, here we are in 1995 still talking about health reform. As a matter of fact the talk has moved from the national front of last year toward looking to the States to move forward with reform. But the States are only able to reform the insured market. It is up to Congress to address the problems ERISA preemption has caused in the private market. If we do not figure out a way to level the regulatory playing field in the market we are never going to have a solid foundation for market based health reform.

The Employer Group Purchasing Reform Act levels the playing field in some significant ways. First, we define self-funding to make it clear that employers must assume substantial financial responsibility if they are to be afforded preemption from State insurance laws. Second, it emulates the portability protection individuals have when a group health plan disbands. Americans who purchase health insurance have the protection of State guarantee funds in the event a health insurer goes belly-up. Individuals who are in self-funded plans will now be assured a 3 month conversion policy in the event their employer goes out of business. Employees will no longer face a double whammy of losing a job and also their health insurance. Rather than have the Federal Government regulate and determine the appropriate solvency requirements for self-funded plans this bill has the market set the standards. Our bill will require self-funded plans to purchase involuntary plan termination insurance in the event of bankruptcy.

As I mentioned when the Kassebaum-Kennedy bill was introduced last week, I was most grateful for the inclusion of the health plan purchasing coalition section of S. 1028. I believe that the key to making health insurance more affordable for individuals and small employers is properly designed voluntary group purchasing arrangements. The health plan purchasing coalitions in our bill are very similar to those in S. 1028 except that we allow the coalition more flexibility in the design of the benefits offered through the multiple health plans in the coalition.

Employer group purchasing is not a new concept. Many employers have been pooling funds and contracting with entrepreneurs to offer health benefits to their employees at reduced rates, for many years, through something defined as MEWA's under ERISA. A MEWA is an arrangement where two or more employers group together to purchase health benefits. This definition, added to ERISA by the 1982 Erlenborn amendment, is very broad and encompassed all types of insurance-like arrangements that involve more than one employer, regardless of their corporate structure, insurance status, or status as an employee welfare benefit plan. Categorizing the various types of MEWA's is difficult primarily because different people use different terms to refer to the same entity.

While a number of MEWA's fill an important gap in our present health benefits system, some MEWA administrators have taken advantage of the confusion as to who bears the responsibility for regulatory oversight, the Feds or the States. They have been able to create and run ''Ponzi'' schemes designed to take premium payments with no intention of covering any major health claims. It has taken the States over 10 years to finally get the Federal courts to interpret that self-funded MEWA's were intended to be regulated by the States. Unfortunately, not all courts are in agreement.

My esteemed cosponsor of this legislation, Senator NUNN, led the effort to uncover the corruption in the operation of fraudulent MEWA's when he chaired the Senate Permanent Subcommittee on Investigations. He was instrumental in drafting the section of the bill that addresses MEWA reform. Simply put, we make it clear once and for all that the States are responsible for regulating all MEWA's. Therefore, the numbers of States that have moved forward in this area will no longer have to be involved in costly litigation, using precious State resources, to prove they are the regulators. Hopefully, we have now paved the way for other States to do the same. The Employer Group Purchasing Reform Act gives clear authority for State's to shut down fraudulent MEWA's and clear authority to certify the well designed and defined health plan purchasing coalitions which do not assume risk and are membership driven.

At this time, I'd like to take this opportunity to congratulate my colleague in the House, Congressman FAWELL, for leading efforts in the House to address the MEWA problems. Although we have taken different approaches to resolving this problem, I look forward to working with him and the cosponsors of his bill in finding the best way for small businesses to group together and finally get the same purchasing power in the market that has previously only been afforded to the large employers.

I won't take the time now to go over the rest of this bill but would ask unanimous consent to include a section-by-section analysis of he bill in the RECORD.

I am very excited about the bipartisan approach taken by both the Health Insurance Reform Act and the Employer Group Purchasing Reform Act. I am looking forward to working with my colleagues on the Labor Committee to make improvements in these bills and then take the best of these bills and report a bipartisan bill out of committee that we all can be proud to bring to the floor of the Senate this year.

There being no objection, the section-by-section analysis was ordered to be printed in the RECORD, as follows:

SECTION-BY-SECTION ANALYSIS OF EMPLOYER GROUP PURCHASING REFORM ACT OF 1995

TITLE I—EMPLOYEE GROUP HEALTH PLAN SECURITY

Section 101. Employee Benefit Group Health Plan Non-Discrimination Requirements. Prohibits discrimination practices;

limits waiting periods based on preexisting conditions; requires credit for qualifying previous coverage; prohibits lifetime limits.

Non-discrimination. Prohibits health plans (fully-insured or self-insured) from denying coverage based on health status, medical condition, claims experience, medical history, anticipated medical needs, or disability. Plans may, however, offer discounts to members who participate in programs of health promotion or disease prevention.

Preexisting Conditions. Limits preexisting condition waiting periods to 12 months from enrollment, and then only if the condition was diagnosed or treated in the 6 month period prior to enrollment. Health plans may not impose a preexisting condition limitation to newborns or pregnancies.

Credit for Qualifying Previous Coverage. If a new health plan participant was still enrolled in qualifying coverage under another health plan within 30 days of enrollment in the health plan, the health plan must reduce its preexisting condition period by one month for each month the participant was enrolled in the previous qualifying coverage.

Lifetime limits. A health plan may not impose catastrophic or lifetime limits on any provision of its coverage.

Section 102. Disclosure Requirements. Enhances the plan notification, disclosure and termination requirements for ERISA health plan (fully insured or self-insured). Provides increased security of health benefits for employees enrolled in employer-sponsored plans.

Insurer Notification. Requires insurers to disclose, prior to selling a policy to an employer, information relating to rate changes, renewability, preexisting condition provisions, benefits.

Self-Funded Health Plans. Requires self-funded plans to inform participants that the Plan is governed by federal law, and is not subject to state laws relating to licensure, benefits, and solvency. Plans also must inform participants of the individual participant's liability for services should the plan deny benefits of become insolvent. Plans must inform participants of material changes in the terms of the plan.

SECTION 103. PROOF OF PLAN INVOLUNTARY TERMINATION POLICY.

Notification to participants. Requires plans sponsors to notify each participant of the termination of a health plan (fully insured or self-insured) as least 90 days prior to the termination. Employers may not modify benefits or contributions levels in the 90-day period before termination.

Termination Policy Required. Requires self-funded health plans to purchase an involuntary termination policy, which must provide participants 90 days of coverage beyond the plan's termination date. This gives participants 3 months of protection in case of insolvency of a self-funded plan. An exception exists for single-employer plans with a AAA bond credit rating, and for multiemployer plans that meet the requirements of §302 of the Labor Management Relations Act.

TITLE II—MULTIPLE EMPLOYER WELFARE ARRANGEMENT REFORM

Section 201. Definitions. The objective of this session is to prevent fraudulent and mismanaged MEWAs from leaving small businesses and their employees bankrupt and without health coverage.

Status of MEWA Plans. Clarifies the status of plans maintained by MEWAs by providing that even if a MEWA is not treated as a benefit plan for ERISA purposes, each employer participating in a MEWA will be treated as maintaining (through the MEWA) a benefit plan, and the employer's employees will be treated as the plan's participants.

MEWA Definition. Amends the definition of MEWA to include certain employee leasing arrangements.

MEWA Registration. Requires MEWAs to register annually with the Department of Labor.

Common Control. Clarifies the definition of common control for single employer arrangements.

Section 202. Modification of Preemption Rules for Multiple Employer Welfare Arrangements. Provides that state insurance laws apply to any MEWA which is an employee group health plan.

Section 203. Application of Criminal Penalties. Outlines felony criminal penalties for false representation of the MEWA product to any employer, employee, sponsor, State, or the Department of Labor.

TITLE III—HEALTH PLAN PURCHASING COALITIONS

Section 301. Health Plan Purchasing Coalitions. Establishes ''health plan purchasing coalitions'' to provide small employers and individuals meaningful power to negotiate prices in the health care market.

Definition. Purchasing coalitions may be formed by individuals or employers, but not by insurers, agents, or brokers.

Certification. Provides for state certification and Federal registration of purchasing coalitions.

Domicile. A purchasing coalition is considered domiciled in the State in which the most of its members are located.

Board of Directors. Provides that each purchasing coalition be governed by a board of directors; imposes certain requirements on board composition.

Membership. Permits purchasing coalitions to establish membership criteria.

Marketing Area. Permits states to establish rules regarding the geographic area served by a purchasing coalition.

Duties and Responsibilities. Delineates the following duties of a purchasing coalition: (1) enter into agreements with insured health plans; (2) enter into agreements with members; (3) participate in state established risk adjustment or reinsurance programs; (4) prepare and distribute materials to permit members to compare plans; (5) market within the service area; (6) act as ombudsman for all enrollees; and (7) perform certain other functions as approved by the board of directors.

Prohibited Activities. Prohibits the purchasing coalition from performing certain other activities, including licensing health plans and assuming financial risk.

Relationship to Plan Sponsors. Provides that members of the purchasing coalition (employers or plans) will be treated as maintaining a benefit plan on behalf of plan participants. The purchasing coalition may act as plan administrator for employer members.

Preemption of State Laws. Preempts state fictitious group laws, certain state rating requirement laws, and certain state mandated benefit laws.

Section 302. Cooperation Between Federal and State Authorities. Clarifies the roles of the Federal Government and the States with regard to MEWAs and Health Plan Purchasing Coalitions.

State Enforcement. Permits the States to apply to the Secretary for partial or complete authority to enforce provisions in the Act relating to MEWAs and purchasing coalitions.

Assistance to States. Permits the Secretary to provide assistance to the States by: (1) establishing communications between the Pension and Welfare Benefits Administration and State agencies to share information on specific cases; (2) providing technical assistance relating to regulation of MEWAs; (3) assisting States in getting advisory opinions; and (4) distributing advisory opinions to State insurance commissioners.

Mr. NUNN. Mr. President, I today join my colleague Senator JEFFORDS, the distinguished junior Senator from Vermont, in introducing legislation designed to address certain problems in the area of employer-sponsored health plans. Although the regulation of health insurance companies has been a matter historically left to the States, the provision of health benefits to employees through employer-sponsored health plans was subjected to Federal regulation under the Employee Retirement Income Security Act of 1974 [ERISA]. Unfortunately, this concurrent system of State regulation of health insurers and Federal regulation of employer-sponsored health plans has led to a great deal of ambiguity when it comes to attempts to provide legislative protection to the participants in employer health plans, particularly those in self-funded plans. This ambiguity has left many participants in these plans without certain basic insurance safeguards and has, in some instances, left employers and employees alike at the mercy of unscrupulous promoters of fraudulent insurance schemes.

The legislation Senator JEFFORDS and I are introducing today, the Employer Group Purchasing Reform Act of 1995, attempts to resolve some of these problems by amending ERISA to: (1) enhance plan notification, disclosure, and termination requirements for all ERISA health plans; (2) clarify the authority of States to regulate certain multiple employer health plan arrangements known as MEWA's; and (3) encourage the purchase of fully-insured health insurance products through the formation of employer health plan purchasing coalitions.

I am pleased to note that this legislation draws in part upon work done by the Senate Permanent Subcommittee on Investigations from 1990 to 1992. In hearings which I had the privilege of chairing in 1990, and in a subsequent report, the Subcommittee revealed how the promoters of fraudulent insurance plans have been able to use the MEWA provisions of ERISA as a shield with which to repel the legitimate efforts of State insurance regulators to protect consumers. As a result, unsuspecting employers and employees have been bilked of millions of dollars and hundreds of thousands of working men and women have been left with worthless insurance policies, unpaid medical bills and, in some instances, an inability to obtain future health care coverage.

The idea behind MEWA's is a laudable one. Small employers who otherwise might not be able to afford health insurance coverage for their employees group together in an arrangement which allows them to leverage their purchasing power in order to obtain

coverage at reasonable rates. Unfortunately, the laudable idea has been subverted by greed. Preying upon the legitimate desires of small businessmen, the promoters of fraudulent MEWA schemes have lured employers into enrolling their employees in what appear to be attractive health benefits plans at low premium rates. In reality, however, many of these plans are actuarially unsound, maintain little or no reserves, and are constantly subjected to exorbitant fees, commissions, and in some cases, outright looting.

Much to the chagrin of Congress and the States, these promoters have been able to use the provisions of the ERISA statute to further their schemes. In the first instance, they know that ERISA effectively prohibits States from applying their insurance laws to employee benefit plans, including those plans which offer health insurance. At the same time, they also know that ERISA provides little, if any, substantive Federal regulation of these plans. For example, ERISA contains no standards as to minimum reserve levels, contribution levels, or the establishment of a guaranty fund, all of which are standard features of State insurance regulations. By claiming status as an employee benefit plan, the promoters of fraudulent MEWAs are thus able to evade the regulatory requirements of State law without having imposed upon them any comparable requirements under Federal law.

In 1992, I introduced legislation to correct this situation. That legislation, the Multiple Employer Welfare Arrangement Reform Act of 1992, sought to make clear that MEWAs may be subjected to State insurance regulation regardless of their status as an employee benefit plan under ERISA. Although my legislation was not enacted in 1992, I am pleased to join with Senator JEFFORDS today to once again attempt to resolve this issue.

The legislation which we are introducing today will clarify the authority of the States to regulate MEWAs. Quite frankly, it is inconceivable to me that Congress could ever have intended that a product that walks like insurance, talks like insurance, and acts like insurance could somehow, by invoking the name of ERISA, avoid the safety and soundness protections of State insurance law.

The legislation also, for the first time, provides substantive regulatory requirements for all ERISA health benefit plans in the areas of plan disclosure, notification, and termination. One of the major problems the permanent subcommittee found in investigating MEWA fraud was that employers and employees alike really had little understanding of the nature of the plans in which they had enrolled. In particular, they often had no idea that most of these plans were self-funded and that there was no guarantee that claims would be paid. This legislation will finally ensure that employees are provided with that basic information.

Finally, our legislation attempts to encourage the laudable idea which attracted employers to MEWAs in the first instance. By providing for the creation of health plan purchasing coalitions, our legislation recognizes the difficulty many small employers have in obtaining affordable health care coverage for their employees. This legislation thus seeks to encourage employers to group together in order to leverage their purchasing power by providing a limited preemption of certain State insurance laws for such groups. At the same time, we want to make sure that these coalitions are not subverted by the same types of unscrupulous promoters who peddle fraudulent MEWA plans. The legislation therefore makes it clear that health plan purchasing coalitions may not assume any financial risk with respect to any health plan and may not provide anything other than fully-insured health plans to their members.

I believe that these provisions will go a long way toward providing the millions of Americans who receive their health benefits through their place of employment with certain basic protections that will ensure that the health benefits they are promised will be there when they need them. I am pleased to join with Senator JEFFORDS in this effort, and I look forward to working with him and my other colleagues in the Senate in addressing this important issue.

By Mr. ROTH:

S. 1063. A bill to permit State and local governments to transfer—by sale or lease—Federal-aid facilities to the private sector without repayment of Federal grants, provided the facility continues to be used for its original purpose, and for other purposes; to the Committee on Governmental Affairs.

THE FEDERAL AID FACILITY PRIVATIZATION ACT

Mr. ROTH. Mr. President, one of the great challenges facing governments throughout this country, at all levels, is how to find the funds to maintain our basic public works infrastructure. Another challenge is find ways to bring sound business practices to the management of these assets. I believe that privatization is an important tool that, in many instances, can help government meet both of these challenges.

Privatization of governmental facilities is not always the answer, but it is something we ought to look at more seriously than we have in the past. And where it makes sense, the Federal Government should do what it can, not only to undertake it itself, but also to encourage it in State and local governments.

Unfortunately, there are well-intended Federal policies that may serve unnecessarily to discourage useful privatization of certain State and local government facilities. I am referring to what are called Federal-aid facilities. These are public works facilities belonging to State and local governments that have been constructed with the assistance of Federal funds. Examples include waste water treatment facilities, airports, parking structures, turnpikes, and public utilities.

State and local governments that privatize such facilities are required to make a payment to the Federal Government, based on the amount of Federal aid that went into the facility. They are also restricted in how they can use the proceeds of the privatization. These limitations have served to discourage such privatizations.

These Federal-aid facilities can be quite costly to operate and maintain, but funds for those purposes are increasingly limited. State and local authorities will find decreasing assistance in that regard from the Federal Government, given our severe budget constraints. But private investment and operation holds out the promise of filling that financial void, and of bringing new efficiencies to these enterprises. I believe we would be wise to seek creative ways of inducing nongovernmental funds to supplement these Federal, State and local investments.

Therefore, I think it is important that we remove any unnecessary or outmoded barriers to the creation of public-private partnerships in the operation of these facilities. Legislation has been introduced in the House by Congressmen MCINTOSH and HORN, H.R. 1907, to eliminate these barriers.

Today, I am introducing that legislation—the Federal-Aid Facility Privatization Act of 1995—in the Senate. It is my intention to hold hearings in the Governmental Affairs Committee on this bill and the issues it raises.

And it does raise important issues and questions that need thorough exploration, before we go further with the legislation. Just as it is important to allow privatization where useful, it is also important to do so carefully and thoughtfully. Where Federal funds have been invested, we have a responsibility to ensure that this investment continues to serve the long-term public interest.

I believe that this legislation is a very helpful starting point for examining the best way to use privatization as a tool to further the enhancement of public assets. I appreciate the effort that has been put into it by our colleagues in the House, and I look forward to working with them on this important reform.

By Mr. HELMS (for himself, Mr. PELL, Mr. DOLE, Mr. DASCHLE, Mr. MACK, Mr. LIEBERMAN, Mrs. FEINSTEIN, Mr. MCCONNELL, Mr. LEAHY, and Mr. LAUTENBERG):

S. 1064. A bill entitled The Middle East Peace Facilitation Act of 1995; to the Committee on Foreign Relations.

THE MIDDLE EAST PEACE FACILITATION ACT OF 1995

Mr. HELMS. Mr. President, for myself and Senator PELL, I offer today the Middle East Peace Facilitation Act of 1995, which is cosponsored by the Senate's leaders, Mr. DOLE and Mr.

DASCHLE, along with Senators MACK, LIEBERMAN, FEINSTEIN, MCCONNELL, LEAHY, and LAUTENBERG.

It is for me a difficult undertaking to participate in any proposal that permits assistance to go to the Palestine Liberation Organization. I can never forget the deaths of hundreds of innocent men, women, and children at the hands of PLO terrorists, and their memory weighs heavily on me.

We have Biblical instructions to ''guide our feet into the way of peace,'' and I have undertaken to follow that dictum. I believe that this legislation demonstrates our commitment to peace—and to the terms of that peace as well.

Mr. President, I have never tried to tell Israel what to do. It was the choice of the sovereign, democratically elected government of Israel to negotiate peace with the PLO. That would not have been my decision. The United States cannot dictate the terms of Middle East peace. It can, however, dictate the terms of our assistance to the parties to the peace.

In retrospect, previous versions of this legislation have lacked needed strength. My aim in crafting this bill, along with my colleagues, was to tighten and strengthen the standards under which the President may waive existing restrictions on assistance to the Palestinians.

Within the realm of possibility, I believe we have succeeded in that aim, and now provide for a cutoff of assistance should the PLO not meet the strict requirements of this law. The Middle East Peace Facilitation Act of 1995 contains a cutoff of assistance to the PLO, if, after 6 months, certain vital conditions are not met.

Mr. President, this legislation requires that the PLO, among many other things: Eschew and condemn violence, and bar those who commit such acts from participating in Palestinian institutions; keep to commitments, and annul those portions of the Palestine National Covenant which call for the destruction of the State of Israel; observe international norms of human rights and democracy; disarm gun-toting thugs throughout territories controlled by the PLO and fight alongside Israel to arrest, prosecute and imprison terrorists and would-be terrorists.

If, 6 months from the date of enactment of this act, the President cannot certify that the PLO has met these most stringent and specific conditions, no money will be provided pursuant to the exercise of this act. Period.

Mr. President, it is never easy to agree on how to proceed on an emotional issue such as the Israeli-Arab peace process. I walked the beautiful hills of Judea and Samaria and it breaks my heart to see Israel relinquish its rights in those territories. It is doing so in return for what it believes will be a lasting peace. We in the United States must do everything in our power to ensure that it is a real peace. I hope this legislation contributes to that effort.

This is not a perfect work, but it is the product of many hours of labor and, yes, with some reluctant compromise. I thank Senator PELL and his staff for their cooperation in this effort.

Mr. PELL. Mr. President, I am pleased to join the distinguished chairman of the Foreign Relations Committee, Senator HELMS in introducing the Middle East Peace Facilitation Act of 1995.

This legislation is the follow-on to legislation that Senator HELMS and I authored last year, which provides the President with the authority to waive certain legislative restrictions against the Palestine Liberation Organization.

In September 1993, when Yasir Arafat shook Israeli Prime Minister Yitzhak Rabin's hand on the White House lawn under President Clinton's approving gaze, the PLO and Israel began a historic process toward peaceful coexistence. In order for the United States to facilitate that process, the administration requested Congress to provide the President with a certain amount of flexibility to deal with the PLO. The Congress agreed, in the form of the Middle East Peace Facilitation Act of 1994, to provide the President with waiver authority to enable the provision of U.S. assistance to the Palestinians and the opening of a PLO office in the United States. That authority was provided subject to the President's certification that the PLO was abiding by its commitments with Israel and with the United States—in other words, that the PLO was behaving responsibly and was true to its word with regard to Israel.

As many of my colleagues know, the authorities under the Middle East Peace Facilitation Act of 1994 expired at the beginning of this month, and the Congress enacted a short-term extension to gain additional time to pass new legislation. I am pleased to be joining Senator HELMS and my other colleagues in introducing that new legislation today.

The Middle East Peace Facilitation Act of 1995 is a bipartisan effort, and the product of many hours of negotiations between Republican and Democratic Senate offices, as well as representatives of the administration. The legislation, in my view, represents a good consensus view on how to continue U.S. support of the Israel-PLO peace accords. I cannot say that I am 100 percent supportive of every word in the legislation, but I am convinced that it is a reasonable approach to a difficult and complex issue. I wish in particular to express my appreciation to Chairman HELMS and his staff for their flexibility and their good faith efforts in the negotiation of the text of the bill.

Mr. President, the Middle East peace process has always enjoyed bipartisan support, and it serves vital U.S. interests in the region. I hope that the Senate will join us in supporting and enacting this critical legislation.

Mr. MACK. Mr. President, I have decided to join my colleagues in support of the Middle East Peace Facilitation Act. I do so with some mixed feelings.

With Senator LIEBERMAN, I was an author of the concept of PLO compliance and of the legislation that makes that concept the law of the United States. The concept of PLO compliance is at the heart of the entire peace process. We often say that the peace process strikes a delicate balance between strict demands on the PLO and understanding the difficulties they face in making peace with Israel. Frankly, there are times when it is difficult to accept that balance. What difficulties can there be to renouncing terror, and to abandoning vows to destroy Israel?

Here I would like to draw attention to what this legislation contains, because there must be no mistake: The Congress is disturbed by the PLO's record since its decision to make peace with Israel. I would like, here, to thank my colleagues, Senators HELMS and PELL, who worked extremely hard together to draft this legislation.

This legislation moves us closer to a cut-off of aid, which is the inescapable result of the PLO's failure to fulfill its promises. This legislation is very critical of the PLO. It incorporates all the promises of the Gaza-Jericho Agreement dealing with prevention of terrorism, abstention and prevention of incitement and hostile propaganda, the operation of armed forces other than the Palestinian Authority, weapons offenses, extradition of criminal suspects and other law enforcement and rule-of-law issues.

This legislation also addresses the issue of accountability. The President must certify that aid is being used for the purposes Congress intends. This is a standard that cannot be evaded. We will be watching the PLO closely. We are helping the Palestinian Authority financially because it helps Israel and it helps ordinary Palestinians who desperately need health care, education, and other assistance. We are not providing aid to be wasted or siphoned away by Palestinian Authority officials, or to help them, in any way, evade their commitments.

This legislation also lets the administration know that its approach to PLO compliance needs improvement, and expressly requires congressional notification of the President's determinations regarding compliance. Here I would note that to the extent that the State Department accepts and minimizes PLO violations, the Department permits the PLO to imagine that its commitments may be obviated. We do not believe that this is the administration's intent. However, we are equally sure that it is the inevitable outcome of the failure of U.S. policy to clearly address PLO compliance.

The current situation cannot go on indefinitely. The Palestinian Authority

must make a choice. Either it recognizes that its commitments to Israel form the basis of a permanent peace, or it continues the charade of compliance until the peace process is irreparably damaged. The sooner the Palestinian Authority realizes that these commitments are inescapable and will not be overlooked by the international community, the sooner the peace process will become simply peace.

Mr. LIEBERMAN. Mr. President, I am pleased to be an original cosponsor of the Middle East Peace Facilitation Act [MEPFA] of 1995 joining the majority and minority leaders, Senators DOLE and DASCHLE, the chairman and ranking member of the Foreign Relations Committee, Senators HELMS and PELL, my coauthor of the 1989 PLO Commitments Compliance Act, Senator MACK, and Senator FEINSTEIN. This act supports continued progress in the important process of achieving a stable, lasting peace for Israel and the Middle East. This act alone will not bring peace to this troubled region, but without it the task becomes exceedingly difficult if not impossible. America's support for the peace process has been long, steady and essential. The Middle East Peace Facilitation Act of 1995 enables the United States to continue the important role we have played and must continue to pay.

Much of the road to a secure peace remains ahead of us. Yet we must not forget how much progress has already been made. Prime Minister Rabin and Chairman Arafat have taken considerable risks—both personal and for their people—to reach the point we are at today. The United States, and most especially President Clinton and Secretary Christopher, has remained by the side of the negotiators every step of the way—facilitating the process, prodding where necessary, and, always, supporting the negotiating parties. It is critical that the provisions which MEPFA allows—waiver of certain restrictions and authorities—remain in force if we are all to remain on the path to peace.

I continue to believe that PLO compliance with its commitments remains an essential element in the quest for peace. There is little doubt that the Palestinian Authority has not yet fulfilled all the commitments Chairman Arafat made in the declaration of principles signed at Oslo and other agreements reached between Israel and the PLO.

The Middle East Peace Facilitation Act of 1995 maintains conditions and reporting requirements critical to ensure that the PLO commitments are carried out. This act strengthens the requirements which the Palestinian Authority must meet in order for United States aid and waiver authorities to continue. It takes into account many of the criticisms which have, correctly, been made of existing legislation. The act makes far clearer the linkage between United States assistance and the firm obligation of the Palestinian Authority to comply with all the commitments it has freely made. There should be no confusion that the United States—and the cosponsors of this bill—is intent on seeing this process through to a real peace brought about by both sides negotiating in good faith and fulfilling their obligations.

The Middle East Peace Facilitation Act has been a vital component of the Middle East peace process, and has served as an effective and powerful tool in monitoring and compelling PLO compliance with its commitment to peace and fighting terror and extremism. This bill strengthens MEPFA. The peace process and this bill deserve our full support.

ADDITIONAL COSPONSORS

S. 327

At the request of Mr. HATCH, the name of the Senator from Indiana [Mr. COATS] was added as a cosponsor of S. 327, a bill to amend the Internal Revenue Code of 1986 to provide clarification for the deductibility of expenses incurred by a taxpayer in connection with the business use of the home.

S. 641

At the request of Mrs. KASSEBAUM, the name of the Senator from Colorado [Mr. BROWN] was added as a cosponsor of S. 641, a bill to reauthorize the Ryan White CARE Act of 1990, and for other purposes.

S. 724

At the request of Mr. KOHL, the name of the Senator from Kansas [Mrs. KASSEBAUM] was added as a cosponsor of S. 724, a bill to authorize the Administrator of the Office of Juvenile Justice and Delinquency Prevention Programs to make grants to States and units of local government to assist in providing secure facilities for violent and chronic juvenile offenders, and for other purposes.

S. 837

At the request of Mr. WARNER, the names of the Senator from West Virginia [Mr. ROCKEFELLER], the Senator from Alabama [Mr. SHELBY], the Senator from Arkansas [Mr. BUMPERS], the Senator from Kansas [Mr. DOLE], the Senator from Massachusetts [Mr. KENNEDY], the Senator from Indiana [Mr. LUGAR], the Senator from Idaho [Mr. CRAIG], the Senator from Kansas [Mrs. KASSEBAUM], and the Senator from Rhode Island [Mr. PELL] were added as cosponsors of S. 837, a bill to require the Secretary of the Treasury to mint coins in commemoration of the 250th anniversary of the birth of James Madison.

S. 890

At the request of Mr. KOHL, the name of the Senator from Florida [Mr. GRAHAM] was added as a cosponsor of S. 890, a bill to amend title 18, United States Code, with respect to gun free schools, and for other purposes.

S. 907

At the request of Mr. MURKOWSKI, the names of the Senator from South Dakota [Mr. PRESSLER] and the Senator from Wyoming [Mr. SIMPSON] were added as cosponsors of S. 907, a bill to amend the National Forest Ski Area Permit Act of 1986 to clarify the authorities and duties of the Secretary of Agriculture in issuing ski area permits on National Forest System lands and to withdraw lands within ski area permit boundaries from the operation of the mining and mineral leasing laws.

S. 940

At the request of Mr. GORTON, his name was added as a cosponsor of S. 940, a bill to support proposals to implement the United States goal of eventually eliminating antipersonnel landmines; to impose a moratorium on use of antipersonnel landmines except in limited circumstances; to provide for sanctions against foreign governments that export antipersonnel landmines, and for other purposes.

969

At the request of Mr. BRADLEY, the names of the Senator from Ohio [Mr. DEWINE] and the Senator from Nevada [Mr. REID] were added as cosponsors of S. 969, a bill to require that health plans provide coverage for a minimum hospital stay for a mother and child following the birth of a child, and for other purposes.

SENATE RESOLUTION 146

At the request of Mr. JOHNSTON, the name of the Senator from Washington [Mr. GORTON] was added as a cosponsor of Senate Resolution 146, a resolution designating the week beginning November 19, 1995, and the week beginning on November 24, 1996, as ''National Family Week,'' and for other purposes.

AMENDMENTS SUBMITTED

THE MILITARY CONSTRUCTION APPROPRIATIONS ACT, 1996

BINGAMAN (AND OTHERS) AMENDMENT NO. 1834

Mr. BINGAMAN (for himself, Mr. MCCAIN, Mr. KERREY, and Mr. FEINGOLD) proposed an amendment to the bill (H.R. 1817) making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 1996, and for other purposes; as follows:

On page 22, between lines 2 and 3, insert the following:

SEC. 127. Notwithstanding any other provision of this Act, the total amount appropriated by this Act for military construction and family housing is hereby reduced by $300,000,000.

SIMON (AND MOSELEY-BRAUN) AMENDMENT NO. 1835

Mr. SIMON (for himself and Ms. MOSELEY-BRAUN) proposed an amendment to the bill H.R. 1817, supra; as follows:

At the appropriate place, insert the following:

SEC. . FORT SHERIDAN.

(a) In order to ensure the continued protection and enhancement of the open spaces of Fort Sheridan, the Secretary of the Army shall convey to the Lake County Forest Preserve District, Illinois, (in this section referred to as ''the District''), all right, title, and interest of the United States to a parcel of surplus real property at Fort Sheridan consisting of approximately 290 acres located north of the southerly boundary line of the historic district at the post, including improvements thereon.

(b) As consideration for the conveyance by the Secretary of the Army of the parcel of real property under subsection (a), the District shall provide maintenance and care to the remaining Fort Sheridan Cemetary, pursuant to an agreement to be entered into between the District and the Secretary. The Secretary of the Army shall be responsible to continue interments at the cemetery for the remainder of its use.

(c) The Secretary of the Army is also authorized to convey the remaining surplus property at Fort Sheridan to the negotiating agent, or its successor, for an amount no less than fair market value (as determined by the Secretary of the Army) of the property to be conveyed.

(d) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the real property (including improvements thereon) to be conveyed under subsections (a) and (c) shall be determined by surveys satisfactory to the Secretary. The cost of such surveys shall be borne by the Lake County Forest Preserve District, and the Fort Sheridan Joint Planning Committee, respectively.

(e) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyance under this section as the Secretary considers appropriate to protect the interest of the United States, except for consideration previously provided for in paragraph (c).

NOTICE OF HEARING

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. MURKOWSKI. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the full Committee on Energy and Natural Resources to consider the nomination of John Garamendi to be the Deputy Secretary of the Interior.

The hearing will take place Thursday, July 27, 1995, at 9:30 a.m. in room SD–366 of the Dirksen Senate Office Building in Washington, DC.

For further information, please call Camille Heninger at (202) 224–5070.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON FINANCE

Mrs. KASSEBAUM. Mr. President, I ask unanimous consent that the Committee on Finance be permitted to meet on Friday, July 21, 1995, beginning at 9:30 a.m. in room SD–215, to conduct a hearing on foreign tax issues.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mrs. KASSEBAUM. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Friday, July 21, 1995, at 11 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mrs. KASSEBAUM. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on Friday, July 21, 1995, at 10 a.m. to hold a hearing on Federal Law Enforcement and the Good Ol' Boys Roundup.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL STATEMENTS

LARGE ANECHOIC CHAMBER, PATUXENT RIVER, MD

• Mr. REID. Mr. President, the committee has been particularly interested in the proposed large anechoic chamber at Patuxent River, MD, a project for which $30 million has been appropriated to date. The Committee has received a letter from the Chief of Naval Operations, Adm. Mike Boorda, strongly endorsing this project, which I will ask to have printed in the RECORD today. This is a major national level project and asset, of great value in the use of modeling and simulation to provide more timely and cost effective RDT&E of naval aircraft. The Committee expects the Department of the Navy to begin expending the money already appropriated in the next few months, and fully expects that future appropriations will fully fund the facility. I note that some $60 million was authorized for the project. While the committee has not added to the $30 million already appropriated, it is impressed with the importance of the project and encourages the Navy to provide a design for the chamber that will maximize its long-term utility and efficiency.

I ask that the letter from Admiral Boorda be printed in the RECORD.

The letter follows:

CHIEF OF NAVAL OPERATIONS,
July 19, 1995.

Hon. STROM THURMOND,
Chairman, Committee on Armed Services, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN, I am writing to inform you of our commitment to proceed with the construction of the Large Anechoic Chamber at Naval Air Warfare Center, Patuxent River, Maryland. We thank you for your support of our aviation programs and of this future national asset.

The proposed Large Anechoic Chamber (MILCON project P–389) is of special interest due to its unique capabilities and its multi-year appropriations. The chamber is a key component for the increased use of modeling and simulation to provide more timely and cost effective RDT&E of naval aircraft. It will be completely integrated with the existing Air Combat Environment Test and Evaluation Facility. Congress authorized $60.9 million in FY93 for this project. We are proceeding with a plan to construct a complete and useable, shielded Anechoic Chamber which meets the stated intent of Congress.

The Navy's commitment to fund supporting materials for the chamber (estimated $9 million of OM&N) results in an alternative that will construct a complete and capable facility within existing funds. This approach will result in beginning the project this year and provide the core capability along with the flexibility to later complete the project as initially envisioned.

An additional appropriations of about $20 million will be necessary to construct the chamber as initially envisioned and to maximize its long term utility and efficiency. Design efforts will be scoped to the available funds; if additional appropriations could be made in advance of the design process, a savings in both design and construction would be course, be realized.

We are moving ahead with this project and look forward to its contribution to future state of the art aircraft development.

Sincerely & Very Respectfully,

J.M. BOORDA,
Admiral, U.S. Navy.

STATEMENT FOR THE RECORD FROM SENATOR SARBANES

I want to thank the distinguished Chairman and the ranking member for their help in including language in the report to accompany the Fiscal 1996 Military Construction Appropriations Bill supporting the construction of a large aneochic chamber at the Naval Air Warfare Center, Patuxent River, Maryland.

This project—the Nation's first Integrated Test Facility for aircraft—is a top priority of the U.S. Navy. It will allow the Navy to perform flight tests, simulations and threat assessments in an integrated, secure environment, and provide more timely and cost effective research, development, testing and evaluation of naval aircraft.

I ask that a copy of the letter from the Chief of Naval Operations for the Navy, Admiral J.M. Boorda, highlighting the importance of this future national asset, be included in the RECORD, immediately following my statement.

Congress authorized $60.9 million for this project in Fiscal 1993, and the committee has provided $30 million over the past three years (1993, 1994 and 1995) for the completion of this facility at Patuxent River. The base already has a small anechoic chamber and associated laboratories that would cost approximately $300 million to replicate. The need to complement these unique facilities with a large chamber was recognized as early as 1988 by the Inspector General at the Defense Department.

I fully expect the Navy to submit a budget request to complete this important project in Fiscal 1997 and I hope the Committee will approve the necessary funding.

Thank you, Mr. Chairman.

APPRECIATION TO THE AMERICAN BAR ASSOCIATION

• Mr. JOHNSTON. Mr. President, despite the collapse of efforts to enact comprehensive and meaningful regulatory reform, there is credit and thanks that are due to many public-spirited organizations and individuals who gave selflessly of their time and talent to make S. 343 a good, strong, credible bill. Perhaps no single professional organization did more to help the U.S. Senate in this regard than the American Bar Association and the incoming chair of the ABA Administrative Law Committee, Mr. Philip J.

Harter. Administrative law is nowhere as simple as many would make it out to be. In the debate on S. 343, there were many unfortunate misstatements and misrepresentations regarding the most basic tenets of administrative law. Few persons were more willing to volunteer their time as a truth squad on such topics than Phil Harter. He gave days and perhaps weeks of pro bono time to educate my staff on the intricacies of the topics covered by the bill. He helped many other Senate staff as well. Many of the improvements that I was able to suggest to S. 343 came about as a result of discussions with Mr. Harter and other input from members of the ABA Administrative Law Committee. The ABA continued to help Senators during the floor debate with a series of letters that provided staff and members with neutral, professional peer review of the relevant legal issues. When complex issues were under discussion, we could generally count on Phil Harter and the ABA's able Washington representative, Gary Sellers, to appear in the lobby for consultations with whomever was willing to avail themselves of their expertise. S. 343 was a better bill for their tireless efforts. We owe Phil Harter and the ABA a great debt of thanks. My only regret is that their efforts did not result in a permanent improvement in our Nation's administrative law.●

REMEMBERING GEORGE VUKELICH

● Mr. FEINGOLD. Mr. President, George Andrew Vukelich was born in South Milwaukee.

A radio personality, a journalist, a writer, an environmentalist, a political activist, George was an institution in Wisconsin. He would bristle at this thought, but it is undeniably true.

I knew George long before he knew me, having listened to him on the radio for years.

As Papa Hambone and Bill Patrick, George was a well known radio personality in Madison. After studying broadcasting in Toronto under Lorne Greene, he began his radio career in the early 1950's. Over the years, his radio shows ranged from storytelling to jazz to political commentary, and were as much a part of life in Madison as the lakes.

George was a dedicated environmentalist who loved the outdoors, and for anyone who listened to his radio shows or read his articles or books, that love was contagious.

A gifted writer, George was honored by the Wisconsin Academy of Sciences, Arts and Letters, the Women's International League for Peace and Freedom, the Council of Wisconsin Writers, the Milwaukee Press Club, and Trout Unlimited, among others.

A journalist of fierce commitment and passionate belief, George's columns would skewer the powerful and champion the powerless with wit and ardor. And, along with his wife Helen, George lived his beliefs, a character trait notably present in their children.

George loved baseball and fishing. He loved politics and the written word. Most of all, he loved Helen and his family.

George Vukelich died this past July 4. That his death fell on our Nation's birthday, the anniversary of the signing of the Declaration of Independence, is fitting, for I can think of no one who better reflected the joyous spirit and burning ideals that day represents.

Thousands have lost a good friend, and the north country has lost a talented and fervent advocate. As one friend wrote of George's passing: For one night at least, we will know why the loons cry.

Papa Hambone used to end his program with: ''For good food, for good wine, and most of all, for good friends, thank God.

His thousands of friends will add: And for George Vukelich, thank God.●

TRIBUTE TO THE HONORABLE ALBERT J. STIFTEL

● Mr. BIDEN. Mr. President, on June 22, the superior court of my home State held a special session—special not only in the technical sense, but in spirit, in its purpose and its meaning. The court met, with all of its current judges and many of its distinguished alumni present, in appreciation of the services of Albert J. Stiftel.

I am proud today, Mr. President, on behalf of many other of his fellow citizens, to offer another expression of appreciation for Albert Stiftel, who served on the Superior Court of the State of Delaware from 1958 to 1990, including 24 years as presiding judge. The quality and character of Judge Stiftel's service merit not only our attention and appreciation, but also, if we are up to the challenge, our best attempt at emulation.

My colleagues have indulged me before—indeed, some have joined me, in praising the tradition of excellence that has made Delaware's judiciary a standard for the Nation. It is a tradition of excellence not only in the administration and dispensation of justice, but in principled as well as practical bipartisanship, in fun as well as functional collegiality, and in that often neglected cornerstone of democratic society, civility.

Mr. President, Albert Stiftel embodies that tradition.

Albert, as he is by choice most widely known, is pure Delaware: born and raised in Wilmington—raised, in fact, in the house where he still lives—a graduate of Wilmington High School and of the University of Delaware.

He entered law school at the University of Virginia in 1939, an undertaking interrupted when he was called to duty as a second lieutenant in the U.S. Army. As his lifelong friend and longtime colleague on the Delaware bench, retired State Supreme Court Justice William Duffy, remarked, ''Albert was born in Wilmington but, like many of his generation, he grew up in the South Pacific, including a place called Guadalcanal.'' After his military service, Major Stiftel returned to the University of Virginia Law School, graduating in 1947.

Young Albert Stiftel's years of private practice were driven by a public spirit. Before becoming a judge, he was an attorney for the Legal Aid Society, attorney for the Delaware State House of Representatives, and a Deputy Attorney General. And he was also a teacher, a role he wears naturally and with grace.

In 1958, my distinguished predecessor in this body, then-Gov. J. Caleb Boggs, a Republican, appointed Albert to the superior court. In 1966, he was appointed as the court's presiding judge by Democratic Gov. Charles Terry, and he was subsequently reappointed by a Republican Governor, our former colleague in the other Chamber, Pete du Pont.

During his long tenure, Judge Stiftel confronted the challenge of times, both for the community and for the court, that he himself has described as ''change and more change.'' Through it all, his leadership won ever-deepening respect.

In acknowledging his debt to his predecessor, the current presiding judge of superior court, Henry du Pont Ridgely, thanked Judge Stiftel for an example that taught ''the importance of comradeship and demonstrated the work ethic you expect from others, of being even-handed and setting high standards, under-promising, over-delivering, and sharing the credit.'' Lessons we would all do well to learn.

But despite the universal relevance of his example, Judge Stiftel's impact on the court, and on all who have known him, has been distinctly personal. Another longtime Delaware judicial colleague, now-Vice Chancellor Bernard Balick, put it this way: ''All of us are unique, but Albert is more unique than most.''

Albert Stiftel's defining qualities, as a judge and as a person, are humility, kindness, and compassion. In and beyond superior court, he has been truly the best of teachers and the best of friends—welcoming, helpful, encouraging to all. I am told that the superior court's ''Judge Stiftel Award'' is reserved for that employee who does the most to brighten the lives of his or her colleagues. It is aptly named.

As Justice Duffy put it, ''Other judges may have served longer, but I doubt it, or have more entries in Lexis, perhaps, and a few may have been better administrators—but none has been held in higher personal esteem than Albert Stiftel.''

Mr. President, I left one quality off the list of Judge Stiftel's defining characteristics, and it will be a glaring omission to anyone who knows him. And in fact, the reason I left it out is that I wanted to call individual attention to it. ''It'' is His Honor's sense of

humor. Let there be no doubt that Judge Stiftel's commitment to fairness is passionate and sure, but its expression has often been punctuated by a one-liner.

Vice Chancellor Balick told this story at the June 22 special session: ''There was the time when Albert was presiding in a criminal trial, and the defendant was on the witness stand, exercising his right to lie in his own defense. Albert was fooling with the microphone, as he always does. He turned the volume up, which caused a loud screech. That startled the defendant, at which Albert said, 'Relax, it's just the lie detector'.''

Whether conveyed in wit or wisdom—and usually it is with both—Judge Stiftel's regard for his colleagues and for the court on which he served has been unwavering and inspiring. As Resident Judge Vincent Bifferato said, ''He taught me to love this court as he does.'' And Judge William Quillen said of Judge Stiftel, ''He has been a cheerleader, not only for the court but for each member of the court * * * he has made each of us better than we otherwise would have been.''

At the special court session, Judge Quillen presented a portrait of Judge Stiftel, which will hang in what was known as courtroom No. 1 when Albert was first appointed to the bench. The portrait was commissioned not by the court, not by the State, not by the Bar Association, but personally by the judges, past and present, of the superior court. This public tribute is all the more official coming as it does out of the sincere affection, respect, and gratitude of Judge Stiftel's colleagues.

That affection, respect, and gratitude are felt throughout and beyond Delaware's legal community, Mr. President, and it is my privilege to give voice to them today. We in Delaware honor Judge Albert Stiftel for the achievements and contributions of his public leadership and for his countless acts of personal kindness and courtesy. He leaves good will and good humor, as well as high standards, in his refreshing wake.

It is most appropriate that in the portrait that will now be a permanent physical presence, as its subject is a permanent spiritual presence, in Delaware's Superior Court, Albert Stiftel is doing what he has inspired so many others to do—he is smiling.●

MAUREEN WOODS

● Mr. SIMON. Mr. President, it gives me great pleasure to rise today and pay tribute to Ms. Maureen Woods. In October of 1994, Ms. Woods became the first African-American woman to be appointed Assistant Air Traffic Division Manager of the Federal Aviation Administration. This important position is a most fitting recognition of Ms. Woods' distinguished career.

Maureen Woods began her service with the FAA in 1974. She rose steadily through the ranks, demonstrating her exceptional ability at a variety of posts throughout the Midwest. She has earned several honors in her FAA tenure, including five commendations for performance and three awards for exceptional service.

As the Assistant Air Traffic Division Manager, Ms. Woods oversees 4,300 employees and manages the 4 Air Traffic Control Centers, 8 Automated Flight Service Stations, and 68 air traffic control towers in the 8-State Great Lakes Region. With both the Chicago and Cleveland Air Traffic Control Centers, the Great Lakes Region is the busiest in the world.

In addition to her service in the FAA, Ms. Woods has also been prominent in her community. She is the coordinator for the Young Women's Ministry of the Pentecostal Assemblies of the World, as well as a youth and motivational speaker for her local church. Ms. Woods serves as a positive role model for her community and her profession.

Mr. President, I want to add my voice to those of Ms. Woods' family and many friends in congratulations on this most recent accolade. Her effectiveness as a public servant and her selfless community involvement are qualities we all should seek to emulate.●

MEASURE DIVIDED AND PLACED ON THE CALENDAR—S. 101

Mr. DOLE. Mr. President, I ask unanimous consent that S. 101 be divided and renumbered with texts I now send to the desk, that they be placed on the calendar and all other provisions of the existing consent agreement governing the consideration of S. 101 apply to these two bills.

The PRESIDING OFFICER. Without objection, it is so ordered.

BI-STATE DEVELOPMENT AGENCY

Mr. DOLE. Mr. President, I ask unanimous consent the Senate proceed to the immediate consideration of calendar 131, Senate Joint Resolution 27.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

A joint resolution (S.J. Res. 27) to grant the consent of the Congress to certain additional powers conferred upon the Bi-State Development Agency by the States of Missouri and Illinois.

Mr. DOLE. Mr. President, I ask unanimous consent the joint resolution be considered and passed, the preamble be agreed to, the motion to reconsider be laid upon the table, that any statements relating to the resolution appear at the appropriate place in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The joint resolution (S.J. Res. 27) was considered, ordered to be engrossed for a third reading, was read the third time, and passed.

The preamble was agreed to.

The joint resolution, with its preamble, reads as follows:

S.J. RES. 27

Whereas the Congress in consenting to the compact between Missouri and Illinois creating the Bi-State Development Agency and the Bi-State Metropolitan District provided that no power shall be exercised by the Bi-State Agency under the provisions of article III of such compact until such power has been conferred upon the Bi-State Agency by the legislatures of the States of the compact and approved by an Act of Congress; and

Whereas such States have now enacted certain legislation in order to confer certain additional powers on such Bi-State Development Agency: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That—

(a) The consent of the Congress is hereby given to the additional powers conferred on the Bi-State Development Agency by Senate Bill 114, Laws of Missouri 1993 and Public Act 88–611 (Senate Bill 1670), Laws of Illinois 1994.

(b) The powers conferred by the Acts consented to in subsection (a) shall take effect on January 1, 1995.

SEC. 2. The provisions of the Act of August 31, 1950 (64 Stat. 568) shall apply to the additional powers approved under this joint resolution to the same extent as if such additional powers were conferred under the provisions of the compact consented to in such Act.

SEC. 3. The right to alter, amend, or repeal this joint resolution is expressly reserved.

SEC. 4. The right is hereby reserved to the Congress to require the disclosure and furnishings of such information or data by the Bi-State Development Agency as is deemed appropriate by the Congress.

ORDERS FOR MONDAY, JULY 24, 1995

Mr. DOLE. Mr. President, I ask unanimous consent when the Senate completes its business today it stand in recess until the hour of 9 a.m. on Monday, July 24, 1995; that following the prayer, the Journal of proceedings be deemed approved to date, time for the two leaders be reserved for their use later in the day, and the Senate then immediately begin consideration of S. 101, the gift ban/lobbying bill, under the terms of the consent order of June 9.

The PRESIDING OFFICER. Without objection, it is so ordered.

SCHEDULE

Mr. DOLE. I would just say for the information of all Senators, under the previous order the Senate will begin consideration of the gift ban/lobbying bill on Monday morning. We hope to be able to reach an agreement on both of these measures that will allow us to complete action on the resolution on Monday. Rollcall votes, if they are to occur, will not occur before 5 p.m. on Monday, so there will be no rollcall votes before 5 p.m.

I cannot say with certainty, but I would be fairly certain there will be rollcall votes after 5 p.m., either on final passage or on amendments.

BOSNIA

Mr. DOLE. Mr. President, 2 days ago, President Clinton called me to ask that

I delay the vote on the Dole-Lieberman legislation until after the London meeting, which ended just a short while ago.

I agreed to the President's request. Unfortunately, the London meeting was a disappointment—another dazzling display of ducking the problem. Instead of clarity and decisiveness, once again we have ambiguity and a lowest common denominator approach.

Instead of dumping the dual key it has been modified. Instead of responding to the fall of Zepa and Srebrenica, these two eastern enclaves have been written off. Most egregiously, the London meeting reaffirmed the current failed U.N. operation.

In the wake of the fall of Zepa, it is hard for me to imagine that anyone still believes that the U.N. mission is viable in Bosnia—that what we are witnessing is anything but a colossal, collective catastrophe.

Yesterday, the Bosnian Presidency building was shelled while the European envoy, Carl Bildt, was meeting with the Bosnian President. If attacks on Sarajevo continue, what will be the West's response? Another meeting. According to Secretary Christopher, the focus of U.N. efforts will be to open access to the city for humanitarian aid. Yes; the Bosnian people need food. They also need protection.

The London meeting reportedly produced a decision to defend Gorazde through a substantial response—after a serious warning is given to the Serbs. Gorazde is already under attack. How much further do the Bosnian Serbs have to go before the warning is triggered?

The Serbs are becoming more aggressive and more defiant by the hour. The London meeting made it clear there would be no immediate or decisive response except more meetings.

In effect, what the Clinton administration and European leaders are doing is trying to manage the conflict—to limit the war's consequences without providing a solution. Or, as the Bosnian Prime Minister said, without dealing with the real problem—which is Belgrade-sponsored aggression.

Western leaders in London also called for a cease-fire and more negotiations. It has been 1 year since the Bosnian Government signed the so-called contact group's plan. Why should the Serbs sign now after yet another display of fecklessness?

It is crystal clear that the London meeting did not produce a solution. It did not result in a policy.

I believe that the Senate will not be fooled by administration spin doctors who will no doubt announce great results from the London meeting.

I believe that there is a substantial majority in favor of the Dole-Lieberman legislation and that the disappointing outcome of the London meeting will only serve to strengthen that support.

Once again, I want to emphasize that the Dole-Lieberman legislation lifts the U.S. arms embargo after UNPROFOR withdraws. It seems to me that this point is being deliberately ignored and intentionally obfuscated by those allied and administration officials who claim that the Dole-Lieberman legislation if passed will be responsible for a U.N. pull-out. This does not take effect until they are out, so we will not be responsible for a pull-out.

No doubt this is a political tactic designed to find excuses for what is the inevitable end of the U.N. mission in Bosnia. It may not be today, may not be tomorrow, but this will end as a consequence of its own failed policy. If only administration and allied officials would spend as much time designing a new policy as they do designing new excuses for their inability to develop an effective and principled policy. The bottom line is that passage of the Dole-Lieberman bill may be an excuse for U.N. withdrawal, but it will not be a cause.

The dire administration predictions of humanitarian disaster have come true—but not because of lifting the arms embargo, but because of a lack of American leadership and a willingness to go along with failure in the name of consensus. Despite the paternalistic assertions made by administration officials that they have the best interests of the Bosnians at heart, the present approach is not humanitarian, it is inhumane. First, the Bosnians were corralled into giant refugee camps, then disarmed, and then left unprotected.

With respect to the assertion that this legislation would give the Bosnian President the right to send 25,000 U.S. troops to Bosnia I would make three points: First, the commitment to send 25,000 U.S. troops to Bosnia for either a withdrawal or to police a settlement is a commitment that was made by President Clinton—and not pursuant to any request by the Bosnian Government or the result of any congressional action. Second, the days of colonialism are over. The Bosnian Government is a sovereign government and has the right to tell the British, French, Dutch, and other forces if and when it wants them to leave. Third, President Clinton has yet to make his case to the Congress that 25,000 troops are needed for such a withdrawal. Let us not forget that the Dutch troops in Srebrenica negotiated their departure with the Serbs—they were not rescued by U.S. marines.

Let me also indicate, as I was told by the foreign minister just a few days ago, he said there were about only 30 U.N. personnel in Serbian-held territory. Somebody said that figure is much higher, maybe 500, maybe 600; but, again, it would not take 25,000 American troops to rescue 30 or 500 or 1,000 U.N. personnel.

We have been assured by the Moslems that they would in no way interfere with the withdrawal.

Finally, I would like to say that a belated NATO response to the brutal Serb onslaught in the Eastern enclaves is not a substitute for a policy. The U.N. operation is a failure. That is a fact. And no amount of reshuffling will change that fact.

Neither Bandaids, nor reconstructive surgery will save the U.N. operation in Bosnia. Lifting the arms embargo and letting the Bosnians defend themselves is the only policy option which has any hope of saving them—and saving United States credibility.

I might point out, the New York Times—which has been struggling with this issue editorially, as many have on the floor, today, and maybe that will be referred to by my colleague from Connecticut—said rather flatly, it is time to lift the embargo. It is time to lift the arms embargo. If we do not want to Americanize what is happening there, and we want to give this independent nation a right to defend itself, then the course is clear. Lift the arms embargo after withdrawing the U.N. forces, and then we believe we can supply the Muslims with weapons. They can be trained in safe places with no hazard, by anybody in the United States or any United States force who might be involved in any weapons or training or whatever.

We believe this is not the best solution. There are not any good solutions. It gives an independent nation a right to defend itself and gives the people in that nation a right to defend themselves. In my view, sooner or later, it will happen.

Maybe not this week. Maybe not next week. Maybe not next month. But winter is coming very soon in that part of the world, and I believe before that happens, U.N. forces will be withdrawn or on the way out. Then, perhaps, the Bosnians will have an opportunity to do what they wanted to do for some time.

I do not mean to dismiss the humanitarian aid that has been provided. It has been helpful in some cases, but unintentionally, the U.N. protection forces have become a barrier, which unintentionally has been a help to the Serb aggressors, and not to the poor people who are trapped in the enclaves.

So far, one has fallen. Another is about to fall. Clearly, everyone is in danger.

ORDER FOR RECESS

Mr. DOLE. Mr. President, I just say, if there is no further business to come before the Senate, I ask unanimous consent that the Senate stand in recess under the previous order following the remarks of the distinguished Senator from Connecticut, Senator LIEBERMAN, and the distinguished Senator from South Dakota, Senator PRESSLER.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Connecticut.

THE CRISIS IN BOSNIA

Mr. LIEBERMAN. Mr. President, I thank the Chair and the majority leader for yielding the floor and for his statement on the latest developments from London with regard to the crisis in Bosnia.

Mr. President, I share the sense of disappointment that the Senate majority leader has expressed about the developments in London today. The statement from the London conference is a threat, not a policy, and a limited threat at that, extending, as it does, to only one of the four remaining safe areas, so designated by the United Nations.

Why the conferees would feel that it was critical enough to issue this threat with regard to Gorazde but not with regard to Tuzla, Sarajevo and Bihac, I do not know. Why the conferees did not speak clearly and in a united fashion about opening up the supply road for humanitarian aid to Sarajevo along the Mount Igman Road, I do not know. And why is there not clarity, at least, yet on the question of the dual-key arrangement which has done nothing but frustrate the rare occasions when there seemed to be some will to respond to Serbian aggression by subjecting the desire of military commanders to the control of political authorities from the United Nations? There is some suggestion that there is still a dual-key approach for implementing this threat that was issued today about what would happen to the Serbs if they attacked Gorazde.

There is some indication, though not clarity, that perhaps the military commanders on the ground, the U.N. military commanders, will be the ones to have the final say and a decision will not be bounced up for a veto from the U.N. politicians at the top. But that is not clear to me, and therefore is also grounds for disappointment in the communique from the London conference. So I would call the communique from the London conference a threat, not a policy; and a limited threat at that.

If, in fact, the threat is carried out, as so many threats against the Serbs before in this war have not been carried out—if this threat is carried out, if the Serbs take aggressive action, attack Gorazde, then at least it will be the beginning of an implementation of half of the policy that many of us—I am honored to say including the distinguished Senate majority leader and myself and many others from both parties in this Chamber—have been advocating, appealing for, crying out for, for now 3 years, which is the lift and strike policy.

The communique does at last suggest that if the Serbs cross this line, which is a narrow line—it is not a broadly drawn line, it is a line of protection only around Gorazde—then they will finally be subjected to the substantial and decisive NATO air power which we have possessed throughout this conflict and refused to use. Even though going back 2 or 3 years, at hearings of the Armed Services Committee on which I am honored to serve, asking the Chief of Staff of the Air Force whether he felt that these raids could be carried out from the air with minimal risk to American personnel and maximal probability of success—he said yes.

So, from this communique from London, implementing, if the threat is carried through, at least the beginning of one-half of the lift and strike policy, I take some small hope and find some small reason for the Bosnian people, who are understandably cynical and unbelieving, to think that perhaps the international community will finally lift a finger, a hand, to protect them from aggression.

But, this threat, even if carried through by the allied powers, does nothing to lessen the moral and strategic imperative to lift the arms embargo imposed on the nations of the former Yugoslavia. It is illegal because it denies the people of Bosnia the right they are given under international law, under the charter of the United Nations, to defend themselves, a basic right that we have as individuals and that nations have under the United Nations Charter. This right has been taken away from them, not by any great act of international law, but by a political act, by a decision of the U.N. Security Council in 1991.

Looking back at it, a naive, in some sense a cynical decision, or motivated by cynical behavior; an embargo, requested by the Government of Yugoslavia in Belgrade, now the Serbian Government, understanding that when Yugoslavia broke apart, as it surely would, and Serbia began its aggression, as it clearly intended to, against its neighbors, then the effect of the embargo would leave everyone in that region but the Serbs without the arms with which to fight because the Serbs in Serbia, by an accident of history and of hate, ended up controlling the warmaking capacity of the former Yugoslavia.

Immoral—Mr. President, I ask unanimous consent for 2 more minutes.

I say the embargo was immoral because we have watched not only aggression and the frustration of the people to have the means with which to fight back, the victims, but we have watched genocidal acts. We have watched people singled out because of their religion, in this case Moslem; torn from their homes, herded into concentration camps, women raped systematically as an act of war—unheard of. Men—again, it is happening—between the ages of 18 and 55, herded off allegedly for investigations to determine whether they were criminals or terrorists, but tortured and then, and we saw this 3 years ago: Concentration camps, emaciated figures, Moslems tortured, unfed, slaughtered.

So I say, Mr. President, to my colleagues here in the Senate that the moral and strategic imperative to lift the arms embargo remains undiminished by this limited threat and not a policy that was issued from London today.

I hope and strongly believe that when we take up the proposal which Senator DOLE and I, and many others of both parties, introduced on Tuesday to lift the arms embargo, that the result will be a resounding nonpolitical, nonpartisan, overwhelming majority in favor of lifting the embargo, giving the people of Bosnia the weapons with which to defend themselves, and creating finally the basis of a genuine policy that can impose upon the Serbs some pain for their aggression that will give them finally, and for the first time in this conflict, a reason to come to the peace table to negotiate a just end to this conflict.

I thank the Chair. I yield the floor.

Mr. PRESSLER addressed the Chair.

The PRESIDING OFFICER. The Senator from South Dakota.

UNITED STATES/JAPAN AVIATION DISPUTE

Mr. PRESSLER. Mr. President, I am cautiously optimistic that last night in Los Angeles progress was made in the United States-Japan aviation dispute with regard to cargo. Finally, the Government of Japan has agreed to honor the clear terms of the 1952 United States-Japan bilateral aviation agreement. Federal Express had been unfairly denied the right to serve numerous Asian cities beyond Japan. Now that the Japanese have authorized these routes, Federal Express can finally open its new Pacific Rim cargo hub at Subic Bay in the Philippines.

I am also pleased with the job done by Secretary Peña in this dispute. The Japanese clearly expected us to trade off existing aviation rights in order to get them to acknowledge rights we already had guaranteed under the terms of the United States-Japan aviation agreement. We did not cave in to this blackmail. Had we done so, it would have set a dangerous precedent for all U.S. international agreements. Global aviation opportunities for our carriers are critical to the long-term profitability of the U.S. airline industry. Secretary Peña understands this very important point.

Mr. President, yesterday I, along with 20 colleagues from both sides of the aisle, introduced a resolution calling on the Government of Japan to immediately honor the terms of the United States-Japan bilateral aviation agreement. I have been developing the resolution over a period of several weeks and I understand the Government of Japan was monitoring it closely. I believe the resolution, Senate Resolution 155, sent a strong signal to the Japanese that the United States Senate expects international agreements to be honored. We should expect nothing less when a solemn international agreement is in dispute.

In my introductory remarks yesterday, I expressed disappointment that the show-cause order the United States

issued to the Japanese on June 19 had not seemed to serve as a wakeup call for the Government of Japan. It was my hope that by introducing Senate Resolution 155 simultaneously with the negotiations in Los Angeles it would drive home the point that international agreements are not to be unilaterally disregarded. I hope Senate Resolution 155 played a role in resolving this dispute.

Let me say to the cosponsors of this resolution that we still may bring it to the floor. We may seek to pass it because the resolution also addresses an important passenger carrier dispute with Japan that remains unresolved. What is happening is that Japan has denied our passenger and cargo carriers new opportunities to serve countries beyond Japan such as Korea, Malaysia, and so forth. The Japanese refuse to recognize ''beyond rights'' guaranteed by our air service agreement. That is what this dispute is all about.

Unfortunately, our aviation dispute with Japan over ''beyond rights'' is not completely behind us. United Airlines has patiently waited while U.S. negotiators focussed on the cargo dispute. Now, the United States must demand the Government of Japan honor the rights of our passenger carriers as well. United Airlines has been wrongly denied the right to start new service between Osaka and Seoul, Korea. This is another clear violation of the United States-Japan bilateral aviation agreement. It must be redressed promptly.

Mr. President, let me also say I am angered by some media reports from Japan declaring victory in the aviation dispute. Let me make this point loud and clear: This was not a victory for Japan. For months the United States has been offering to talk with the Government of Japan about our bilateral aviation agreement. Quite correctly, the United States said it would do so only after Federal Express' beyond rights were honored by the Japanese. These reports are preposterous.

The aviation dispute accomplished nothing for Japan beyond temporarily protecting its inefficient carriers from more head-to-head competition with our carriers. The dispute did galvanize Congress to take a tough stand in future aviation relations with Japan. It showed what our Government can accomplish when Congress supports our Secretary of Transportation and permits him to negotiate from a position of political strength.

Mr. President, I hope our resolve in the United States-Japan aviation dispute sends a strong signal to nations around the world. if you enter into an agreement with the United States, you will not be allowed to pick and choose those provisions with which you will comply. Agreements between nations are solemn.

So, Mr. President, let me summarize by saying that last night I think our Government showed great progress in reaching the cargo aviation agreement with Japan. However, we did agree to give them some things in exchange for the agreement such as new cargo routes between Japan and Chicago. That might appear to some that we gave in. Overall, however, I think we stood firm and the cargo agreement is a step forward.

As Chairman of the Senate Commerce, Science, and Transportation Committee, I called a hearing last week to consider problems our air carriers experience trying to fly beyond Tokyo and beyond Heathrow. There is a system in both directions that prevents our carriers from flying beyond these important international gateways.

At times, the system which blocks our carriers can be subtle. For example, sometimes the Japanese and British technically comply with our aviation agreements but they impose certain ''doing business'' problems that prevent our carriers from competing effectively with their national carriers. Among these restrictions on competition are problems loading and unloading aircraft and requiring our carriers to use the old terminal while the host country carrier uses the modern terminal. There are other barriers that prevent our carriers for serving global destinations from Heathrow and beyond Japan.

Mr. President, I want to commend Secretary Peña. He has done an excellent job resolving this particular dispute. I have been a critic of his at times in the past. I am very sympathetic to the tough challenge he faces in international aviation negotiations.

What happens to the Secretary of Transportation is he is frequently undercut because what our air carriers tend to do is the one that gets the right to serve a foreign country sometimes works with the foreign government to keep other U.S. carriers out. Then the Secretary is presented with a letter from 6 or 8 Senators and 8 or 10 House Members who have a particular airline in their State or district which urges the Secretary to put the interest of the incumbent carrier ahead of the national goal of creating new opportunities for all our carriers. This undermines the Secretary's negotiating position.

To help correct this significant problem, I have urged that the economic interests of the United States be the basis for the Secretary of Transportation's international negotiations.

Mr. President, I do not see this as the end of our aviation problems with Japan. As I mentioned, a significant passenger issue involving United Airlines remains unresolved. Also, I suspect, having observed Japan's trade habits and protectionist activities, that they are going to keep attempting to block our carriers from serving points beyond Japan. There are many lucrative new air service opportunities in the Pacific rim. The Japanese know this and they likely will try to keep them for their own carriers.

We on this floor need to support the Secretary of Transportation in his efforts to open new international opportunities for our carriers and to protect existing aviation rights. We need to let the Secretary put the economic interests of the United States first. I hope someday we will no longer have to get bogged down in a system of bilateral aviation agreements. Instead, I hope one day we will have a multilateral aviation framework, like a GATT worldwide open skies agreement.

I congratulate the Secretary of Transportation. But I still think we may need to pass a resolution in the Senate giving the Japanese notice that we consider this a major trade issue. Also, we need to let the Japanese know that we expect the unresolved passenger carrier issue to be resolved promptly.

Mr. President, I yield the floor. I thank you very much for the additional time.

RECESS UNTIL 9 A.M., MONDAY, JULY 24, 1995

The PRESIDING OFFICER. The Senate now stands in recess until 9 a.m. on July 24.

Whereupon, the Senate, at 3:58 p.m., recessed until Monday, July 24, 1995, at 9 a.m.

NOMINATIONS

Executive nominations received by the Senate July 21, 1995:

THE JUDICIARY

JOHN H. BINGLER, JR., OF PENNSYLVANIA, TO BE U.S. DISTRICT JUDGE FOR THE WESTERN DISTRICT OF PENNSYLVANIA, VICE MAURICE B. COHILL, JR., RETIRED.

EXTENSIONS OF REMARKS

ANALYSIS OF THE CRISIS IN BOSNIA

HON. HARRY JOHNSTON

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 21, 1995

Mr. JOHNSTON of Florida. Mr. Speaker, I am honored to introduce into the RECORD our ranking member's insightful, thought-provoking analysis of the crisis in Bosnia.

CONTINUING CRISIS IN BOSNIA

(By Lee H. Hamilton)

I. INTRODUCTION

It is a pleasure to be here today and a privilege to address this distinguished group. The World Affairs Council of Washington has long fostered a better understanding of American foreign policy. It has served as an important forum for considering important foreign policy issues.

Today I want to talk about one of the toughest foreign policy issues since the end of the cold war: the war in Bosnia. It's at the top of the foreign policy agenda right now. It has evoked more frustration than any other foreign policy issue since the Vietnam war. It is an issue that will not go away, much as we would like it to.

Secretary Perry was right on the mark the other day when he said, ''We are at a defining moment in this war, and the actions we take in the next few weeks are going to be very critical.''

II. CRISIS IN BOSNIA TODAY

Before the fall of Srebrenica, the military, diplomatic and humanitarian situation in Bosnia was bleak enough. Today the agony of Bosnia is almost unbearable.

The UN peacekeeping operation, UNPROFOR, is on the verge of collapse. The UN and NATO no longer appear able—or willing—to fulfill the pledges they made to protect safe areas and establish weapons-free zones.

On the humanitarian front—in the past, one of the few achievements—aid shipments have also been blocked. There is starvation in some cities and events like Srebrenica only compound the humanitarian disaster.

Diplomacy, too, is at a standstill. Neither the Bosnian government nor the Bosnian Serbs seem interested in a diplomatic settlement. The Contact Group—the United States, Russia, Britain, France, and Germany—still has a peace plan and a map on the table. But the Contact Group has not yet convinced the Bosnian Serbs to accept the peace plan. Talks with Serbian President Milosevic to recognize Bosnia and undercut the Bosnian Serbs—in exchange for a partial lifting of the embargo—are also stalled.

The military picture is worsening. The deployment of the new 10,000-strong British-French-Dutch rapid reaction force to buttress UNPROFOR is a last ditch effort to prevent for the collapse of that mission. UNPROFOR may decide to leave soon if the fighting continues or if the remaining safe areas prove indefensible.

In short, we are on the verge of a new and dangerous phase in this tragic war.

There is a growing feeling in Congress that UNPROFOR has failed and should leave Bosnia and that the arms embargo should be lifted to allow the Bosnian government to defend itself and to improve its position at the bargaining table.

Members of Congress also understand that the President has made a commitment to help UNPROFOR withdraw, if it comes to that. All that points to U.S. involvement.

On the other hand, I see little support, either in Congress or among the American people, for a U.S. military mission in Bosnia. President Clinton will have an uphill battle winning support in Congress for sending troops to Bosnia for any purpose.

The question is, are there any other options?

III. U.S. INTERESTS IN BOSNIA

The fundamental problem for U.S. policy in Bosnia is the gap between what we say we want to achieve and the resources we are willing to commit to this crisis.

The Clinton Administration came into office determined to address the humanitarian tragedy of Bosnia. But it soon made a judgment that the United States does not have vital national interests at stake in this war. I agree. Bosnia has no strategic or economic significance.

Whenever I return home to my district in Indiana, it is clear that Bosnia is of no real significance to the people of Indiana. It is not a place they are willing to send their children to fight and to die.

Yet, as President Clinton has emphasized, the U.S. has important interests. These interests include:

Preventing a wider war in the Balkans that could engulf our NATO allies and spread instability throughout Europe.

Stopping the slaughter of innocent civilians and securing the delivery of humanitarian assistance;

Maintaining NATO as a powerful and credible force in the post cold-war world; and

Maintaining the credibility of the United Nations and strengthening its ability to respond to future crises.

With the horrible ethnic cleansing and bombardment of civilian populations there is an understandable desire to resond—to help victims, punish aggression and stop the killing.

But U.S. foreign policy cannot respond to every tradegy around the world or attempt to right every wrong, especially when the American people do not favor intervention.

The only way to turn back Serb aggression in Bosnia is to send hundreds of thousands of ground troops into combat, and occupy Bosnia for many years to come. The United States has never considered doing that. Neither the President nor Congress, past or present, have been Bosnia as a vital American interest worth that enormous risk and sacrifice.

IV. POLICY CHOICES WE HAVE NOW

I know there have never been good choices or simple solutions to the war in Bosnia. We must deal within the narrow options dictated by the realities on the ground, domestic political pressures in the United States, and the policies of our allies.

Right now we have three basic options:

The first option is what I call Lift, Strike and Train.

Many in Congress believe that UNPROFOR has failed and should be withdrawn and that the arms embargo should be lifted.

A bill sponsored by Senators Dole and Lieberman will come up in the Senate this week. It calls for the lifting of the embargo either after the withdrawal of UNPROFOR, or 12 weeks after the Bosnian government asks UNPROFOR to withdraw.

Some who support this option recognize that it commits the United States to war—through training and equipping Bosnian forces, and through air strikes to defend Bosnian forces until they can defend themselves.

Yet the chief sponsors of this proposal are silent on its consequences. They talk about ''letting the Bosnian people defend themselves.'' But they do not spell out what happens next. Lifting the arms embargo is fraught with peril for the United States.

The basic fact is that if we lift the embargo, so will the Russians. There will still be no level playing field in Bosnia, just more weapons on each side and wider war. We run the risk of getting drawn into a proxy war with Russia in the Balkans, the sort of nightmare scenario we sought to avoid during 40 years of the Cold War.

Unless NATO is willing to launch air strikes to protect the Bosnians, the Bosnian Serbs—with Serbia's help—will crush them in the time it will take to train and supply Bosnian forces. If the air strikes are not enough, the allies will be forced either to retreat or escalate with ground forces.

If lifting the embargo is anything more than rhetoric, the sponsors have an obligation to spell out their strategy. Who will supply the arms? Who will deliver them? Who will train the Bosnians to use them? Who's going to pay for them? Who will protect them while they are training?

The answer to all these questions is the United States. The United States will also have to feed and protect the civilian population once UNPROFOR leaves.

The Dole proposal does not address these concerns. In fact, it just hands over a key U.S. foreign policy decision to the Bosnian government. We tell the Bosnian government: You decide. Make a request to lift the embargo, and we'll do it. No discretion. No judgment. Just do it.

In the process of lifting the embargo, the Dole proposal will kill the initiative to strengthen UNPROFOR, force UN peacekeepers to withdraw instead and trigger the deployment of 25,000 U.S. troops to assist in that withdrawal.

In short, the Dole proposal means direct U.S. military intervention in Bosnia. That is precisely why the Bosnian government supports it.

The second option is to get UNPROFOR out and let the parties fight it out.

There is a growing sense that the UN is no longer able to carry out its mission in Bosnia, and that the parties themselves do not want to make peace.

According to this view, we should set a date certain for the termination of UNPROFOR—perhaps at the end of its current mandate at the end of November—if there is no progress on the negotiating front.

We must understand how difficult this business of withdrawal is going to be. It is not going to be a quick, easy, risk-free withdrawal.

A pullout by UNPROFOR, with or without a lifting of the arms embargo, will involve U.S. troops on the ground in Bosnia. In theory, they would be in Bosnia for only a matter of weeks, and only to help UNPROFOR

withdraw. They would not be involved in combat. But a withdrawal mission will almost certainly expose U.S. troops to hostile fire. Casualties are likely.

The withdrawal of UNPROFOR also threatens to trap U.S. troops in Bosnia. UNPROFOR'S pullout would leave the people of Bosnia exposed to humanitarian disaster. The presence of a well-armed, disciplined U.S. force in the midst of that disaster would lead to enormous pressure on that force to stay—to protect civilians, deliver humanitarian supplies, and even takes sides in the war. It will be difficult to resist that pressure.

Even if we want to leave, we may not be able to. Tens of thousands of Bosnian refugees, left in dire circumstances, will rush to the withdrawal forces for protection. They will try to block UNPROFOR'S withdrawal.

Remember, too, that as the UN peacekeepers leave, the contending parties are likely to grab more land. We will have to decide whether to use our air power and combat troops in response.

In short, there will be no such thing as an orderly withdrawal from Bosnia.

The third option is to strengthen UN peacekeeping and continue negotiations.

The proposal to strengthen UNPROFOR, stay the course, and focus on moving the parties toward a negotiated settlement is the least bad option. It will not provide a moral and just settlement, but at least it will stop the killing. This is a realistic and responsible policy.

Keeping UNPROFOR in Bosnia, beefed up by the Rapid Reaction Force, at least for the next two to three months, gives negotiations one last chance. We should support French and British efforts to protect remaining safe havens. I have doubts about an airlift using American helicopters to ferry British and French troops into Gorazde. The use of more aggressive air strikes against the Serbs certainly must be considered.

Maintaining the unity and cohesion in NATO must remain a paramount U.S. strategic consideration. We should act together with our NATO allies. I do not want Bosnia to become the sole responsibility of the United States. Whatever we do should be in cooperation with the Europeans and others whose troops are exposed on the ground.

There is no acceptable alternative. Any other course of action would provoke the collapse of UNPROFOR, a wider war, and the deployment of U.S. ground troops in the middle of a dangerous war.

For all of its obvious shortcomings UNPROFOR has produced much good in Bosnia.

UNPROFOR has kept hundreds of thousands of people alive through the delivery of humanitarian aid.

UNPROFOR has helped contain the fighting. In the first year of the war, 1992, there were upwards of 100,000 casualties before the deployment of UNPROFOR. This past year, the number of casualties was 3000. If UNPROFOR goes, we risk rekindling savagery of the magnitude that led to its deployment in the first place.

Time may be running out on this option, but we should still give it more time before we pull UNPROFOR out.

We must also do everything possible to get the peace negotiations back on track.

The only way to stop the killing and end this war is through a negotiated agreement acceptable to all sides—not wider war. We must continue to search for diplomatic, political and economic steps that will press the parties, especially the Serbs, to accept a peaceful outcome.

We must exploit the desire of the Serbs throughout the former Yugoslavia for recognition, acceptance and re-integration into the world community.

To gain concessions at the negotiating table, we must use as leverage Milosevic's political and economic need to end the sanctions and re-enter the world community.

We must be flexible enough in these negotiations to facilitate an agreement that will reflect realities on the ground—yet be fair enough to secure Bosnia as an integral state, however decentralized that state may be.

We must be realistic and flexible for one key reason: In the absence of NATO ground troops—including the U.S.—the Bosnian government stands to gain more territory at the peace table than it can ever gain on the battlefield.

V. ENDING POLICY AMBIGUITY

I urge the Clinton Administration to adopt this third option—to strengthen UN peacekeeping and press forward with negotiations—and stick with it.

Past ambiguities in U.S. policy have prolonged this war. Last year, I advised our top policymakers that it was time for brutal honesty on Bosnia.

Candor and honesty would have been helpful then, and are urgent now.

We have not been straightforward with the Bosnian government. They are still waiting for us to come to the rescue. We must be honest with them, and with ourselves. We should make it clear to the Bosnian government that it should get the best deal it can, because the cavalry is not coming to the rescue.

We have been trying to please all sides. We want to support the Bosnian government against Serbian aggression, we want to keep U.S. troops out of Bosnia, and we want to end the war. But these goals are not compatible. It is impossible to achieve any one of these goals without compromising the other two.

We must choose: do we want to fuel an open-ended Balkan war with uncertain outcome or do we want to work with our friends and allies to stop the killing?

VI. CONCLUSION

Bosnia has been a hellish problem for this Administration, and for this country. There are no heroes among the policymakers, and there is plenty of blame to go around. We cannot undo what has happened in this war, absent a commitment of ground troops and resources that neither the United States nor its allies are prepared to make.

We need to end the war in Bosnia not only to stop the senseless killing, but because a failure to end it will have a continuing, corrosive impact on NATO and the United Nations. We need these institutions to address future crises through collective action.

If the parties in Bosnia want to fight, we can't stop them from fighting. Yet I believe we still have an opportunity to end this war. There have been opportunities for peace in the past that slipped away. The Contact Group plan and map are still on the table. The parties' differences are not that great—at least not in comparison to the costs of a looming all-out war.

We have one last chance to try to end this war before UNPROFOR may be forced to withdraw. I urge the President to use these few remaining weeks to clarify U.S. policy and press as hard as he can for a negotiated peace settlement in Bosnia—before he is called upon to send U.S. ground troops to help our NATO allies leave.

FREEDOM FROM UNION VIOLENCE ACT

HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, July 21, 1995

Mr. CRANE. Mr. Speaker, over the last several years, we in the House have devoted a great deal of attention to the issue of crime in the United States, and have passed several anticrime bills. While we have not always agreed on the proper methods to reduce crime in America, Members of this body have unanimously condemned acts of violence.

To me, therefore, it is inconceivable that this Congress has not moved to outlaw certain acts of violence that have been protected by the Supreme Court since 1973. That year, the Court ruled in its Enmons decision that union officials were exempt from prosecution for acts of violence, if they were used to gain legitimate union objectives. The Enmons decision severely restricted the scope of the 1946 Hobbs Anti-Extortion Act. The Hobbs Act was enacted primarily to quell violence and extortion by union members and officials as they enforced compulsory union membership. By exempting union officials from the Hobbs Act, the High Court effectively sanctioned these acts of violence.

The results of this decision have been devastating. Since 1973, union violence resulted in 181 murders, 440 assaults, and more than 6,000 acts of vandalism. In fact, from 1975 to 1993, there were more than 7,800 acts of documented union violence. I believe that this violence must stop.

On June 8, 1995, I introduced H.R. 1796, the Freedom From Union Violence Act. H.R. 1796 would restore the original intent of the Hobbs Act to allow Federal authorities to prosecute union officials accused of violence or extortion in violation of the Hobbs Act. The author of the Hobbs Act, Representative Samuel Hobbs, stated, "that crime is crime * * *, whether or not the perpetrator has a union card." I agree with Mr. Hobbs, and I believe that, regardless of one's views on labor issues, the House can agree that violence is wrong and ought to be condemned. Lady Justice, after all, is blindfolded—she should not be peeking to ask for union credentials.

I urge my colleagues to support this important legislation.

MEDICARE AND MEDICAID

HON. DOUGLAS "PETE" PETERSON

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 21, 1995

Mr. PETERSON of Florida. Mr. Speaker, I've heard a lot the past several weeks about deficit reduction. And I've heard a lot about the urgent need to reform Medicare and Medicaid.

Although there is widespread agreement among nearly every Member of in this Chamber with regard to the above mentioned principles, let me remind my colleagues that Medicare cannot be saved through a simple line item on a budget bill, nor can Medicaid be reformed by simply changing it to a block grant and passing it off to the States. These ideas

have been discussed by some as the solution to all the problems that face these programs, a quick and easy resolution to the approaching crisis.

But now, strong and decisive steps are necessary to make a serious attempt at reducing the Federal budget deficit. Nevertheless, some Members of this body want to take a walk when it comes time to tackle the fastest growing segment of the Federal budget—health care. It is simply indisputable that we can never make more than a dent in the long-term budget deficit facing our children unless we seriously address reform of our health care system.

Contrary to the rhetoric that has been thrown about by defenders of the status quo, health care reform—sensible health care reform, does not mean mandates and big-government internvetion. Instead, sensible health care reform means ensuring that working Americans do not have to live in fear of losing their insurance should they or a member of their family get sick or injured. It means getting a grip on the rampant cost-shifting that raises the cost of health care services for all Americans.

Unfortunately, the leadership of this House has chosen to ignore this complex issue. However, on Wednesday I and several of my colleagues introduced H.R. 2071, the Health Care Improvement Act of 1995. This bill includes many of the reforms on which we can all agree, such as insurance reform and administrative simplification. But, unlike the other incremental health care bills that have been introduced in this Congress, my bill makes long-overdue systematic changes in Medicaid by allowing low-income persons to join the private health insurance market.

My bill will also give much greater choice to Medicare beneficiaries by providing them the opportunity to join a private insurance plan. This is not a push into a low-cost, bare bones plan; it is not a push into anything. It is simply one more option for Medicare beneficiaries to choose from.

Mr. Speaker, health care reform should not be a partisan issue. I wrote this bill in an effort to craft something that could garner the support of the American people, not to simply make a political statement. This bill represents a realistic approach to health care reform, and I encourage each of my colleagues to take a close look at H.R. 2071. I think you will like what you see.

In the meantime, we should all think about whether it is better to reform Medicare and Medicaid, or simply to take a meat axe to those programs in order to fulfill an arbitrarily-set budget number. The answer is clear.

SALUTE TO BERNARDO DE GALVEZ

HON. TILLIE K. FOWLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 21, 1995

Mrs. FOWLER. Mr. Speaker, today I rise to honor a man whose contributions helped a fledgling America gain its independence. Gen. Bernardo de Galvez, Spain's Governor of the Louisiana Territory, was extremely instrumental in helping us defeat the British in the Revolutionary War. The General personally led troops in a successful campaign to drive the British from the Louisiana Territory and the Gulf of Mexico. His forces captured Pensacola, Baton Rouge, Mobile, San Antonio, and Galveston from the British to support America's aspirations for freedom.

The General's actions denied these posts to Great Britain and severely pressured British forces in the South. His support of America's Continental Army and militiamen through the provision of munitions, cattle, and uniforms helped to assure America's final victory.

Mr. Speaker, General de Galvez's efforts had a major impact on the war and were a key to this nation's success against the British. As we approach the anniversary of his birth on July 23rd, we as free Americans should take a moment to honor an individual who did much to secure the life, liberty, and pursuit of happiness we so enjoy today.

CONGRATULATIONS DOUG BOVIN, PRESIDENT OF THE NATIONAL ASSOCIATION OF COUNTIES

HON. BART STUPAK

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, July 21, 1995

Mr. STUPAK. Mr. Speaker, today, July 21, 1995, marks the beginning of the annual convention of the National Association of Counties in Atlanta, GA. Most of my colleagues in the U.S. House of Representatives will likely have one or more of their county officials in attendance, but this year's conference has a very special significance to the First District of Michigan, this Member and especially to one of my constituents, not to mention a friend.

Mr. Doug Bovin of Gladstone, MI, who currently serves as president of the Delta County Board of Commissioners, will be installed as president of the National Association of Counties today, Friday, July 21, 1995. I and the entire First Congressional District of Michigan salute Mr. Bovin on his new office and extend to him our best wishes for a successful term in office.

Doug Bovin has personified public service for the past 28 years. It was in 1967 that he won election to his first public office on the Gladstone City Commission. In just 2 years, he sought and won his race for mayor of the community, and is believed to be the youngest person ever elected to that position in Gladstone.

Recognized by others throughout Delta County for his leadership, understanding of public issues and ability to help people, Mr. Bovin was encouraged to seek the office of county commissioner in 1976, a position he has held for the past 19 years and the last 12 as chairman.

Over the years, Doug has broadened his leadership in several ways. He has served as president of the Michigan Association of Boards of Health and then as president of the Michigan Association of Counties in the mid-1980's. Having a firm grasp on State issues, Doug understood the importance of regional matters and the effect they had on the State and his home area. To this end, he organized the Great Lakes Association, a group of county officials from States that border the Great Lakes as well as Iowa, and served as the first association president in 1990.

Doug's work in the Great Lakes region has led to his deep involvement with the National Association of Counties where he has held three vice presidencies. He now will move to the presidency of the organization. And despite his personal and political growth, Doug has never forgotten his obligations in Delta County and has never placed the interests of his constituents above his own.

Mr. Speaker, Doug Bovin has dedicated most of his life to public service, but to his credit, has always made his family his main priority. His wife, Bonnie, and children, Carrie and Dan are very proud of Doug as are the people of Michigan's First Congressional District.

Again, our congratulations to Doug Bovin, President of the National Association of Counties.

PERSONAL EXPLANATION

HON. PETER BLUTE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Friday, July 21, 1995

Mr. BLUTE. Mr. Speaker, on rollcall vote No. 535, I was unavoidably detained and missed the vote. Had I been present, I would have voted in the affirmative.

I ask unanimous consent that my statement appear in the RECORD immediately following that rollcall vote.

PERSONAL EXPLANATION

HON. JENNIFER DUNN

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Friday, July 21, 1995

Ms. DUNN of Washington. Mr. Speaker, on Rollcall No. 543, I ask that the RECORD reflect that I intended to vote ''yes.''

EXPLANATION OF ABSENCE FOR ROLLCALL VOTES NUMBERED 542, 543, 544, AND 545, RELATING TO H.R. 1976, THE AGRICULTURE APPROPRIATIONS ACT FOR FISCAL YEAR 1996

HON. WILLIAM F. GOODLING

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 21, 1995

Mr. GOODLING. Mr. Speaker, I regret my unavoidable absence for rollcall votes numbered 542 through 545. I was tending to a family emergency.

Had I been present, I would have voted as follows: on rollcall vote No. 542, ''aye''; on rollcall vote No. 543, ''nay''; on rollcall vote No. 544, ''aye''; on rollcall vote No. ''545, ''nay.''

A CONSTITUENT'S VIEWS ON THE FLAG DESECRATION AMENDMENT

HON. JOSÉ E. SERRANO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, July 21, 1995

Mr. SERRANO. Mr. Speaker, I recently received a letter from a constituent, Mr. Geoffrey Graham of the Bronx. Mr. Graham thanked me for my vote against the proposed constitutional amendment to permit Congress and the States to prohibit the physical desecration of the U.S. flag. He also enclosed an essay expressing his views on this issue in more detail, which I thought was very eloquent. I commend this essay to my colleagues, and hope that each and every one will read it carefully and think again about the messages this amendment to our Constitution would send to residents of the United States and to the rest of the world.

Mr. Speaker, Mr. Graham's essay follows:

WHY I OPPOSE THE FLAG DESECRATION AMENDMENT

There are three reasons to oppose the Constitutional amendment that would ''protect'' the flag.

The most important is that it will bring a small measure of fear into the lives of ordinary Americans. There are countries where people live in deep fear of their own government and institutions. Russia is a particularly tragic example, but there are many others. The contrast in quality of life between such countries and our own is so stark that any change in that direction should be viewed with apprehension.

Now, the friendly and familiar American flag, always a welcome presence, is being transformed into something that must be handled warily. It will have to be kept from young children and boisterous drunks, lest a felony occur. Unruly adolescents will have to be taught that disrespect for this object, unlike disrespect for the family bible or Crucifix, can bring severe punishment from outside the family. Idealistic teenagers, who sometimes believe in the First Amendment with almost religious fervor, will have to learn that the flag is an exception that could get them into very serious and long-lasting trouble. Housewives who are tempted to wash a soiled flag along with the regular laundry will have to remember that they had better not. We will have become a nation that is slightly afraid of its own flag.

A second reason is that it will undercut our efforts to help dissenters around the world who are being punished for violating some holy symbol. Sometimes, polite verbal protest is not enough. Most of us could sympathize with women in Islamic fundamentalist countries who might burn their veil or even a copy of the Koran. Of with women in poor Catholic countries, where the church has great influence, who might publicly destroy a Bible of crucific in anger over the church's position on birth control. Or with inhabitants of the former U.S.S.R. or Rhodesia if they burned their hated internal passports. Or with Chinese dissidents who, following the Tienanmen Square massacre, might direct a bitter symbolic protest at China's leader Deng Xiaoping (the act is to publicly break a small bottle, a ''xiao ping''). Our efforts to shield such dissenters have been moderately successful; but in the future, they will be weakened by the taint of hypocrisy. Indeed if disrespect for an icon is the important thing, rather than the form which the disrespect takes, it will be hard for us to reproach the Iranian government for its treatment of writers like Salman Rushdie.

The third reason is that the amendment will vandalize something much more important than the flag, our Constitution which includes the Bill of Rights. The Constitution is based on an unusual principle of government: an agreement to strictly limit the ability of any group to use the machinery of government against those of whom it disapproves. To that end, it guarantees freedom of expression without concessions to powerful political interests. In particular, it provides that expressions of discontent must be harmful, rather than merely convey and offensive idea, in order to be forbidden. Now we are abrogating that principle in return for the shallowest of satisfaction.

The Constitution, not the flag, has made us the great nation that we often are. It is admired around the world, and has been imitated countless times. Along with the Magna Carta and the Geneva and Hague Conventions, it is a landmark in the human effort to treat each other with decency. It is one of the greatest secular documents ever written, but its greatness derives from the fact that we usually live up to its guiding philosophy. It deserves better than this.

There is still time for the American public to give this proposed amendment the careful scrutiny it deserves. We should.

TRIBUTE TO PARTICIPANTS OF THE SUMMER INITIATIVE ''POLICE AND COMMUNITY TOGETHER STOP THE VIOLENCE'' RALLY/CONCERT

HON. NYDIA M. VELÁZQUEZ

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, July 21, 1995

Ms. VELÁZQUEZ. Mr. Speaker, it pleases me to acknowledge the efforts and accomplishments of the Cypress Hills and East New York communities. Through the hard work and determination of its residents and the local 75th Police Precincts, a ''Stop the Violence'' concert was recently organized on July 16, 1995. The purpose of the event was to promote and enhance positive relations between community residents and the Police Officers that serve and protect them.

Through cultural performances and other presentations, young people were exposed to an enlightening and positive atmosphere. Recognizing the limited resources available to support creative and ongoing events such as this one, I must applaud the efforts of the Police Department, community residents, and other collaborative groups for making this activity possible. It is through a collective and innovative strategy that our communities will be able to bring about positive social change. I must also acknowledge the dedication and outstanding track record of Police Officers' Richard Perez and Dennis Rivera.

I believe we must use this event as a model strategy for bridging gaps in communication within our cities and neighborhoods. We must also give praise and support to the individuals and organizations that make these activities possible. The communities of Cypress Hills and East New York have made a valuable contribution to society—an investment in our young people. Thank you.

IN MEMORIAL OF DAVID J. WHEELER

HON. WES COOLEY

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Friday, July 21, 1995

Mr. COOLEY. Mr. Speaker, yesterday I submitted a bill (H.R. 2061) to name the Federal building in Baker City, OR, after the late David J. Wheeler. I rise today to offer a few words in memory of Mr. Wheeler.

Baker City is a close-knit community in eastern Oregon—a little over an hour from the Idaho border. The town, lying just east of the beautiful Blue Mountains, was deeply affected by the recent loss of David Wheeler, one of the community's best-loved citizens. Mr. Wheeler, an employee of the U.S. Forest Service, was inspecting bridges in the Payette National Forest in late April when he was brutally murdered by two teenaged thugs.

Mr. Wheeler's death has had a tremendous impact on the entire Baker City community, because he was an active civic leader involved in and committed to his adopted Oregon hometown. In 1994, Mr. Wheeler was selected by the Baker County Chamber of Commerce as the Baker County Father of the Year. At the time of his death, Mr. Wheeler was president-elect of the Baker City Rotary Club. He was a leader in the United Methodist Church, where he served as chair of the staff-parish relations committee. He served as a coach at the local YMCA and was a member of the Baker County Community Choir. The import of the above is clear, Mr. Speaker—Mr. Wheeler was a model Forest Service employee, a dedicated family man, and an admired and respected citizen.

I am honored to propose that the Federal building in Baker City be dedicated to his memory.

HELPING SCHOOLS MEET THE ''DIETARY GUIDELINES FOR AMERICANS''

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 21, 1995

Mr. MILLER of California. Mr. Speaker, today I am joining Mr. GOODLING in bipartisan legislation—H.R. 2066—to give schools more flexibility in the methods they may choose to improve the quality of their meals and to meet the dietary recommendations in the ''Dietary Guidelines for Americans,'' including the appropriate levels of recommended dietary allowance for nutrients and energy. I stand firm in my support for improving the nutritional value of school meals and for the legislation passed last year requiring schools to meet the guidelines in the time line indicated in Public Law 103–448.

In last year's reauthorization of the National School Lunch Act, Democrats and Republicans joined together to support the ''Dietary Guidelines for Americans.'' Our goal was, and is, for the school lunch program to provide healthy meals that kids will eat. The reauthorization bill—Public Law 103–448—requires schools to bring their meals into compliance by the first day of the 1996–97 school year.

Because this time line is relatively short, we sought to give schools flexibility in the methods from which they might choose to reach compliance.

The regulations interpreting the new law, however, do not provide the flexibility we sought. Unfortunately, the regulations prohibit schools able to comply with the guidelines under the current meal pattern, or another nutritionally sound meal pattern, from doing so. In fact, those already in compliance under the current meal pattern would be forced to change to one of USDA's new systems even though they are already in compliance with the guidelines.

Though studies have shown that most schools to not meet the guidelines under the current meal pattern, some schools are able to. Others believe they could meet the guidelines also if they make a few minor changes in cooling methods and food choices. I do not believe schools that are able to meet the guidelines under the current meal pattern or another nutritionally sound meal pattern should be precluded from using those systems. Our goal is to provide healthier meals, not to ensure certain methods are used for achieving healthier meals. Specifically this legislation allows schools to use any reasonable method to meet the guidelines, including those provided by USDA.

The Clinton administration deserves great credit for working to improve the health of schoolchildren. This amendment is in keeping with that effort. Our bill says to schools: We don't care what method you use to provide your children healthy, nutritionally balanced meals, just make sure you get it done.

I firmly believe that the problems posed by the inflexibility of the USDA regulations can be corrected by the Secretary, and there will be no need to go forward with the bill. Again, I commend the administration for its work in this area and look forward to continuing our bipartisan effort to improve the nutritional value of school meals.

CHINA POLICY ACT OF 1995

SPEECH OF

HON. STENY H. HOYER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 20, 1995

Mr. HOYER. Mr. Speaker, I rise today in support of H.R. 2058. I want to commend the efforts of my good friends Ms. PELOSI and Mr. WOLF against the human rights atrocities in China.

Mr. Speaker, the United States has granted MFN renewal to China annually since 1980. Since the massacre in Tiananmen Square in 1989, we have been extremely focused on China's human rights performance. There are some Members who de-link international trade and human rights and believe that the infusion of Western business practices and ideas will lead to greater freedom in China.

Mr. Speaker, it has been 6 years since the Chinese regime directed the brutal massacre of pro-democracy protesters in Tiananmen Square. There has been little change, at best, in the dismal human rights record of the Chinese government.

There still has not been a full accounting for the victims of the 1989 crackdown. And, furthermore, just 2 months ago, scores of well-known activists and intellectuals were rounded up and arrested for filing open petitions to the government urging a complete list of those who died.

Over the past 2 years this Congress has been, in my opinion, lenient towards the continued denials of freedom of expression, association, and religion in China.

Clearly, the time has come to send a clear and strong message to President Zemin and the National People's Congress that the United States will no longer stand idly by as products are made by slave labor for export, dissidents are permanently exiled, and torture and denial of medical care continues in Chinese prisons and labor camps.

The bill before us clearly states the Congress' outrage at China's violation of international nonproliferation standards. It also calls upon China to respect and uphold the U.N. Charter and universal declaration of human rights.

Despite previous concessions and promises made by the Chinese regime on human rights, the State Department recently reported that there continues to be widespread and well-documented human rights abuses in China.

Mr. Speaker, let me be clear * * * I agree that we must engage the Chinese. I recognize the over $9 billion of exports to China last year and the thousands of American jobs associated with those products and services.

However, we should not help underwrite the totalitarian regime in China any longer. This MFN debate is very different than others in the past.

This is a hallmark moment in United States-Sino relations. The post-Deng Xiaoping transition period approaches. With the fall of the Soviet Union, the Korean peninsula has become the most dangerous place on the planet.

As we have learned in country after country in Europe, the United States develops its strongest alliances and ensures its lasting security when we stand firmly and unequivocally for the principles upon which our own Nation was founded.

Mr. Speaker, whether we like it or not, the fact is that MFN is the only bargaining power we have with the Chinese each year. Our continued policy of unconditional engagement and economic stimulus to encourage human rights and nuclear nonproliferation is a failed policy.

H.R. 2058 directs the President to undertake intensified diplomatic initiatives to persuade the Chinese Government to, among other things, adhere to prevailing international standards regarding nonproliferation of weapons and respect the internationally recognized human rights of its citizens.

These initiatives will be carried out in our bilateral relations with China, and through the United Nations, the World Bank, and the WTO.

This bill requires the administration to report every 6 months on the progress of these initiatives and the Chinese Government's willingness to bring about reform.

Essentially, this bill will not allow the administration to walk away from the reality of the human rights abuses or nuclear proliferation.

It will also require the Chinese to make real reforms now, rather than empty and worthless concessions days before MFN renewal each year.

Mr. Speaker, there is a general consensus in the Congress that the best China policy is one that advocates a prosperous, strong, and democratic China. This bill is a compromise which makes great strides toward effectively pressuring the Chinese to make needed reforms, while not denying MFN status to China at this time. For that reason, I will support this bill. Thank you.

JUSTICE WARREN BURGER

HON. ANDREW JACOBS, JR.

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 21, 1995

Mr. JACOBS. Mr. Speaker, our friend, Warren Cikins, has written a predictably eloquent piece for Legal Times about Justice Warren Burger.

I am pleased to share it with all those members and scholars who read the CONGRESSIONAL RECORD.

WARREN BURGER'S QUEST FOR ''FACTORIES WITH FENCES''

(By Warren Cikins)

Much is being written of Chief Justice Warren Burger's commitment to strengthening the criminal Justice system and to ensuring the punishment of wrongdoers, but the occasion of his death at 87 on June 25, should also be an opportunity to highlight his determination to give offenders a chance to reform. As he proclaimed in a 1981 speech, ''When society places a person behind walls and bars it is an obligation—a moral obligation—to do whatever can reasonably be done to change that person before he or she goes back into the stream of society.''

Burger's commitment to prison reform was part of his broader interest in improving the administration of justice. The number and breath of his contributions are themselves remarkable. In ''The Politics of Judicial Reform'' (1982), Burger's early endeavors are described by Dr. Mark Cannon, who held the position of administrative assistant to the chief justice from 1972 to 1986—a position Burger helped create to facilitate these reforms. Cannon chronicles Burger's joint efforts with the American Bar Association to create the Institute of Judicial Administration, his support of the interbranch Hruska Commission created in 1972 and continuing operations until 1975), his expansion of the functions of the Administrative Office of the Courts, his work with the Department of Justice to create the position of assistant attorney general for the Office for the Improvements in the Administration of Justice, and the greater involvement by the Judicial Conference of the United States (which he headed as chief justice) in the preparation of data necessary for legislation of major significance to the judiciary.

Burger also sponsored the National center for State Courts at Williamsburg, Va., supported the creation of the Federal Judicial Center (a brainchild of his colleague, Justice Tom Clark), promoted the National College of the Judiciary in Reno, Nev., helped create the State-Justice Institute, and sponsored the creation of the National Institute of Corrections and the National Corrections Academy in Boulder, Colo.

At his urging, the Brookings Institution sponsored a series of annual seminars that began in 1978 and continued through 1993. Attendees included the chief justice, the attorney general, the chairman and other members of the Senate and House Judiciary Committees and numerous other jurists and

senior Justice Department officials. As Burger noted in 1983, at these seminars, ''the topics range from subjects as old as federal jurisdiction, to subjects as new as the impact of automation on the judicial process.''

These seminars were more than theoretical discussions. As Burger stated, ''Many proposals considered at Williamsburg have been enacted by Congress. They include the division of the 5th Circuit, the creation of the Court of International Trade, the merger of the Court of Claims and the Court of Customs and Patent Appeals into the Court of Appeals for the Federal Circuit, the passage of the Omnibus Judgeship Act of 1978 and the Dispute Resolution Act, the relaxation of Speedy Trial Act time limits, improved juror protection and compensation, and clarification and expansion of magistrate jurisdiction.

As these extensive and varied efforts demonstrate, Chief Justice Burger was deeply committed to fostering cooperation between the three branches of the federal government to improve the administration of justice.

Burger's thoughts on prison reform began to form even in his childhood. In a foreword to a 1993 book, ''Privatizing Corrections Institutions,'' he wrote, ''I remember a visit as a Boy Scout to the Stillwater prison where some inmates were indeed 'warehoused' even though Minnesota was a pioneer in prison production.''

As chief justice, he continued his work on this issue, which he characterized in a 1981 speech as a choice between ''more warehouses or factories with fences.''

Burger's efforts on behalf of meaningful corrections reform ranged from appearing on Ted Koppel's ''Nightline'' to taking a distinguished group of Americans to Scandinavia to observe prison industries. Lloyd Elliott, then president of George Washington University, agreed to create a Center on Innovations in Corrections. An advisory board of senior government officials and representatives for the private sector was assembled to assist the center's director, Dr. Judith Schloegel. Job-training projects were identified to be implemented at the state level.

These efforts spawned the creation of the National Task Force on Prison Industries. Chaired by Frank Considine, president of the National Can Corp., this group included other prominent business leaders, criminologists, and senior government officials from all three branches of the federal government.

The task force helped create a national climate of acceptance for prison industries. This was (and continues to be) an especially sensitive issue, since inmate production engenders valid concerns about competition with nonprison workers.

A high-water mark of Burger's prison industries effort was a 1985 conference at Wingspread, in Racine, Wis. Participants considered the full range of legal and practical issues, including management, procurement, marketing, inmate compensation, staff and inmate training, job placement, business and labor concerns, research and evaluation, and media and public relations. Particular attention was given to controlling prison costs and to the establishment of programs designed to help inmates defray some of the costs of incarceration.

Among the representatives from private industry, corrections, legislatures, universities, and the public were a number of cooperating business people, some of whom went on to create or run prison-industry programs. For example, the Control Data Corp. set up a computer assembly plant in the Stillwater, Minn., prison and promised inmate workers jobs when they were released: Jack Eckerd of the Florida drugstore chain, Eckerd Stores, later took over on a private basis the job-placement effort for Florida state inmates.

When Chief Justice Burger retired from the Supreme Court in 1986 to give full-time attention to his job as chairman of the Bicentennial Commission, he put his involvement in prison industries on the back burner. By the early 1990s, however, he was back in the fray, when he took up the cause of UNICOR, the federal prison-industry program created by Congress in 1934 to provide job training in federal prisons, paid for by products made by inmates.

The House of Representatives had adopted an amendment to the 1990 crime bill that would sharply restrict UNICOR in four key areas: furniture, textiles, apparel, and footwear. While this proposal was in conference—and appeared about to be adopted—Chief Justice Burger went into action.

As *The Washington Post* front-page story of Nov. 12, 1990 reported, ''Burger fired off letters to House and Senate conferees labeling it an ''astonishing proposal'' that would be ''an incredible setback to one of the most enlightened aspects of the federal prison system.'' Conferee Sen. Strom Thurmond (R-S.C.) told his colleagues that he would not accept the anti-UNICOR amendment, and that ended the matter.

MIDDLE GROUND

Burger lent his considerable energies to efforts to find a middle ground between the federal government and adversely affected industries and labor unions. He revived the Prison Industries Task Force, and prevailed upon former Attorney General Griffin Bell (and later, the former head of the Federal Bureau of Investigation and the Central Intelligence Agency, Judge William Webster) to serve as chairman of that group. In his January 1994 address to the task force, Burger cited the Scandinavian governments as role models for recognizing that most incarcerated individuals eventually return to society and therefore should be made literate and trained in meaningful jobs. ''The U.S. needs to focus on education, training, and work to try to make offenders better people than when they entered the system,'' he urged.

Burger rejected the notion that his views on prison reform were at odds with his law-and-order approach to criminal justice. As the *Post* quoted Burger as saying, ''My position on this is the most conservative one you can imagine. If you can take an individual and train him so he can do something a little more useful than stamping license plates, he's a little less likely to go back [into prison]. This isn't for the benefit of the criminal community. It's for the benefit of you and me.''

Chief Justice Warren Burger continued his commitment to prison industries until the end of his life. In this quest for inmate rehabilitation, Warren Earl Burger honored his country.

TRIBUTE TO MRS. LENORE DONNELLY

HON. WILLIAM (BILL) CLAY

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Friday, July 21, 1995

Mr. CLAY. Mr. Speaker, today we say farewell to Mrs. Lenore (Lenny) Donnelly, chief of democratic pages, who is retiring after 10 years of dedicated service in this position. She will be sorely missed.

Mrs. Donnelly's career in politics spans three decades and is quite impressive. She knew and worked with two great Democratic Presidents, John F. Kennedy and Lyndon B. Johnson. She campaigned for President Kennedy and served President Johnson in the White House. She also worked for Senator Robert F. Kennedy. In 1985, she was appointed Chief of Democratic Pages by Speaker Thomas ''Tip'' O'Neill.

Mrs. Donnelly has been a valuable asset to this institution. She has trained and counseled more than 2,000 pages from across the country. Her contributions helped to make the page program a highly productive experience for the young men and women who participated.

I want to express my deep gratitude to Mrs. Donnelly for her outstanding assistance and wish her much success and great fellowship in the future.

REMEMBRANCE OF RICK NEUSTADT

HON. JANE HARMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 21, 1995

Ms. HARMAN. Mr. Speaker, earlier this month, the Democratic Party lost a creative voice and I lost a good friend.

Rick Neustadt and I met in the Carter White House, where his keen policy instincts were extremely valuable. He then moved to the private sector where he used his knowledge of communications policy to help fledgling new communications technologies to develop. He did good—and he did well.

He also continued his interest in refining and refocusing the Democratic Party to understand new technologies and the new workforce. His ideas were central to an excellent publication by the Democratic Leadership Council in California.

I learned a lot from Rick, and was hopeful he would play an increasingly prominent role in the DLC and the definition of the new Democrat. His untimely death in a rafting accident is a major loss to his friends, his party, and his country.

COMMEMORATING 150TH ANNIVERSARY OF BELVIDERE, NEW JERSEY

HON. MARGE ROUKEMA

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, July 21, 1995

Mrs. ROUKEMA. Mr. Speaker, I rise today to call attention to the 150th anniversary of the founding at Belvidere, NJ. The residents of Belvidere will hold a parade tomorrow as one of several events in a year-long celebration that began with a New Year's Eve party December 31. There have also been a costume ball, a charter signing re-enactment and a family fishing day. Obviously, there's so much to Belvidere's proud history that it cannot all be celebrated in just one day or just one event.

Belvidere was officially founded in 1845. But its history goes back to at least 1716, when William Penn and his partner, Colonel John Alford, purchased what was then the Lenape Indian village of Pequase. The property covered both sides of the Pequest River. The line

dividing the Penn and Alford properties became a colonial road that is now known as Route 519.

Many historical events have happened since then in Belvidere. Belvidere has had roles to play in the French and Indian Wars, the American Revolution and the Industrial Revolution, just to name a few of its places in history.

Belvidere was founded largely because of its location at the confluence of the Delaware and Pequest Rivers. The rivers first attracted Indian villages, then 18th century settlers and made possible 19th century mills. Since 1824, Belvidere has been the county seat of Warren County and continues to be the focus of the county.

I'd like to mention some of the past residents of Belvidere who contributed to the town's heritage in ways that should not be forgotten:

Robert Patterson, a tinsmith who purchased land along the Pequest from William Penn in 1759, Patterson's wife had been killed and scalped by Indians in Pennsylvania during the French and Indian War and brought his son to New Jersey to escape the violence. Patterson's log house still stands as Warren Lodge 13 of the Free and Accepted Masons at the corner of Front and Greenwich Streets.

David Brainerd, a 26-year-old Presbyterian minister who came to Belvidere in 1744 to preach Christianity to the Indians. Brainerd was dying of tuberculosis but spent the remaining 3 years of his life at his work. Brainerd translated a number of prayers and Psalms into the Indians' language. In addition, he kept a journal and wrote several reports on the lives of both the local Indians and settlers, which are still of immense historical value today.

Robert Hoops, who in 1769 purchased 500 acres of land from Patterson and William Penn, giving him water rights to both sides of the Pequest. These water rights made possible the industrialization of Belvidere through a saw mill, grist mill, and small factories. When the industries began to thrive on both sides of the river, Hoops linked them with the first bridge across the Pequest.

Captain John Craig, who opened the American House tavern-stagecoach stop at 322 Market Street. During the Revolutionary War, it was Captain Craig who helped reveal the British Army's plan of attack on General George Washington's army as it retreated to Valley Forge in 1777.

There are many others, of course, who contributed to Belvidere's history. I cite these as only a few examples of the wealth of history in a small town that might easily be overlooked by the pages of history books.

At only 1.25 square miles and 2,600 residents, Belvidere is the smallest municipality in the county. But its importance in our county's history obviously goes far beyond its size. I congratulate Belvidere on its history and accomplishments, and wish all the people of Belvidere as equal amount of success in the town's future.

SALUTE TO AMANDA SZALASNY

HON. MICHAEL R. McNULTY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, July 21, 1995

Mr. McNULTY. Mr. Speaker, I salute an outstanding young woman from my congressional district, Amanda Szalasny. Amanda was recently awarded first place in the essay contest, ''What the American Flag Means to Me,'' sponsored by the Legnard-Curtin American Legion post, which is located in Green Island, NY.

The American Legion has long supported efforts to educate young people about the flag and what it means to all Americans. Amanda Szalasny's essay reflects the values that the American Legion has always promoted.

WHAT THE U.S. FLAG MEANS TO ME

(By Amanda M. Szalasny)

To me the U.S. flag means liberty and independence. It is one of the most important things in all Americans lives. In the following paragraph, you will find out why I feel this way.

In 1777, the Continental Congress adopted a 13 star and stripe flag. This was a symbol of freedom, liberty, and independence of the United States. I think this flag is very important to all of us because without it, someone could overpower us easily. We wouldn't have the liberty or independence we do now. So many times, we see the flag and we don't even stop to think about how important it is to us. We barely give it the slightest glance. It is not only a piece of fabric, it is a symbol of our freedom and independence. We don't think about what we'd be without it. The flag should be looked at with respect and loyalty. So many times we hear the Star Spangled Banner and say the Pledge of Allegiance without thinking about what we're hearing or saying. What ever happened to the patriotism we used to show for our flag? Now we just hear the Star Spangled Banner and we don't even bother to really listen to this music or look at the flag as we hear it. We say the Pledge of Allegiance without that patriotism in our voice. We have to realize what these things all mean, and treat them with respect. I think our flag should be appreciated by everyone. I appreciate it and try to show the best patriotism I possibly can when I say the Pledge of Allegiance or hear the Star Spangled Banner. And most of all, when I look at our U.S. flag, I don't see just a piece of decorated fabric. I see a symbol of liberty, independence, and my country! I feel that if I do this, maybe others will follow.

In conclusion, I feel that our flag should be treated better because of all it represents. It represents us and I hope that patriotism for our flag will be shown more. Remember what it does for us.

GROUP PREFERENCES

HON. RON PACKARD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 21, 1995

Mr. PACKARD. Mr. Speaker, once again President Clinton's propensity for waffling has gotten the best of him. It was only a few months ago that he signaled serious reform of affirmative action was essential. Now, he supports the antiquated system of racial spoils that the American public no longer supports.

Thirty years ago, the civil rights movement began to ensure America's most fundamental ideals—individual liberty and equal justice under the law. Thirty years later, however, radical liberals have distorted the law and instituted quotas and set-asides. This amounts to nothing less than reverse discrimination.

My Republican colleagues and I are committed to fashioning legislation which will create real opportunities for those who need them most. I strongly believe that achievement does not come from heavy handed bureaucratic regulations or preferential treatment, but through equal opportunity and individual effort.

Mr. Speaker, I would warn President Clinton that the policies of the past are as divisive as the policies they sought to remedy. Last November the American people voted for change. His decision to support the status quo is a direct affront to their wishes.

FUNDING OF THE NATIONAL MUSEUM OF THE AMERICAN INDIAN

HON. BILL RICHARDSON

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Friday, July 21, 1995

Mr. RICHARDSON. Mr. Speaker, I would like to bring up a matter which deeply troubles me. The House recently passed its version of the fiscal year 1996 Interior appropriations bill, H.R. 1977. In its deliberations many vital programs had to be prioritized and some were eliminated or reduced drastically. During those deliberations, there was no mention of the elimination of construction funding in the Smithsonian request for the National Museum of the American Indian Cultural Resources Center.

Let me explain why this facility is so important to Indian people. First, the collection, which was transferred to the Smithsonian in 1989 from the Heye Foundation in New York, is one of the finest collections of native American treasures in existence and a legacy for the future. Without adequate protection, these treasures could be lost forever. The principal reason for the original transfer of the collection was the dismal condition of the storage facility in New York. The New York building, where most of the collection is housed, is over 70 years old and in such poor condition that it places the collection in physical danger. The Smithsonian has made the transfer of the collection out of the New York facility and into the Cultural Resources Center one of its top priorities. There in no question that the transfer is necessary in order to protect this magnificent collection.

Second, and more importantly, the establishment and progress of the National Museum of the American Indian is a fulfillment of the promises that this Congress made to the Indian tribes. Although the Cultural Resources Center will house over 1 million native American objects it will also serve as a institution of living culture, and will provide training programs, research opportunities, and educational endeavors to native peoples. This will enable Indian people to preserve and maintain their unique culture and community.

In fiscal year 1995, Congress appropriated $19.4 million in start-up moneys for the Cultural Resources Center. For fiscal year 1996, however, the House did not provide any funds

for the Center in its fiscal year 1996 Interior appropriation bill. It is my hope, and the hope of all of Indian country, that the Senate in its deliberations on the appropriations measure will see fit to restore funding for this project.

Mr. Speaker, the authority legislation for the National Museum of the American Indian created a solemn and historic obligation on behalf of this Nation to provide a living museum for its native American tribes. We should act in good faith and keep those promises, by recognizing the contributions and cultures of the native peoples who inhabited these lands first and who constitute such an integral and important thread in the fabric of our national cultural heritage. The National Museum of the American Indian Cultural Resources Center deserves our support and funding.

OPPOSING THE LANGUAGE OF HATE

HON. JERROLD NADLER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, July 21, 1995

Mr. NADLER. Mr. Speaker, those of us in politics have lately gotten a bad rap—people think that those of us who represent our neighbors here in Washington are craven and will say anything, stoop to any reprehensible stunt, to attract contributions and votes.

Of course, that's not true. Most Members of Congress are honorable people who are dedicated to public service.

It gets a bit hard to defend this institution when you have to pick up your morning paper and see reprehensible and hateful trash like the latest wanted poster sent out by Republican fundraisers.

Of the many Members of this body who have taken a principled stand against the Contract on America, the whiz kids decided they would push the emotional hot buttons of potential contributors if they depicted the opposition as predominantly Jewish, African-American, Latino, and female.

To which direct mail list was this to be sent? The KKK? Isn't our country divided enough without some craven politician stirring the pot in search of contributions?

One more thing, I was left off this poster and I wish to object. I have worked as hard as anyone to stop the contract's multiple assaults on individual liberty, the environment, consumers, and the Constitution. Yet this wanted poster suggests that I haven't been on the job, or worse yet, have colluded with the contract.

Mr. Speaker, where do I go to get my good name back?

PERSONAL STATEMENT

HON. RONALD D. COLEMAN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, July 21, 1995

Mr. COLEMAN. Mr. Speaker, on July 18, 1995, during consideration of H.R. 2020, the Treasury, Postal Service, and General Government Appropriations Act for fiscal year 1996, my remarks in the CONGRESSIONAL RECORD state that I had planned to support this legislation on final passage. However, due to the adoption by the House of the amendment regarding the exchange stabilization fund, I did not support this bill.

I took this regrettable action because this legislation was so dramatically altered by this amendment that if signed into law would have a negative impact on the Mexican economy. As you know, my congressional district is highly dependent on trade with Mexico.

I nevertheless plan to deal with this matter in conference to craft a bill which I hope I can support.

FAMILY VALUES FOUND ON THE FRONT PORCH

HON. WILLIAM O. LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, July 21, 1995

Mr. LIPINSKI. Mr. Speaker, I rise today to introduce the pastor of my local parish in Chicago, the Rev. Marcel J. Pasciak. He writes a weekly column in our parish guide entitled ''Father Marc's Markings.'' I found Father Marc's column of July 16, 1995, to be very informative, enjoyable, inspirational, and very much needed in today's society. I think so much of his words that I wish to share them with all who read the CONGRESSIONAL RECORD. Following is Father Marc's Markings:

FRONT PORCH PEOPLE

We're just not front porch people anymore. In the old neighborhood of Brighton Park, Back of the Yards, and Canaryville, when the temperature reached 80 degrees, families took to the front porch or front stoop. Chairs, stools, pillows, made their way outside as Dad read the paper, Mom knitted or crocheted and Junior with his friends played CLUE or SORRY (Monopoly money blew around too easily in the wind).

Neighbors cradling brown parcels hurrying home from the corner grocery store stopped to exchange greetings and swap stories. People from other porches down the street meandered over to say ''hello'' or check on the White Sox score. Ladies exchanged gardening tips; men boasted about their new lawn mowers or tools; children either drank cans of Pepsi or hurriedly unwrapped popsicles. Tugging on their mother's aprons, they pleaded for one last bicycle ride around the block before it gets too dark. ''The Front Porch'' meant family and neighborhood. It reflected a less complicated, more innocent lifestyle in America. The front porch was not only a place to cool off on a hot summer night; but a place where community began, where different ages mixed together, laughing, talking, sipping cool drinks. Relationships were deepened and values were communicated—it was in a sense a holy place.

In our air-conditioned society of 1995, we no longer come out on the stoop to see our neighbors or share board games with the youngsters. We huddle in front of our cable televisions or VCR's with remote control units poised in hand. We don't even huddle together since just about everyone on the household has their own television set. Table games have been replaced by computers or by video games (Nintendo or Sega * * * some quite violent). Children no longer feel energetic enough to ride their bicycles or play catch with Dad in the back yard.

Moms, tired from shopping in the large suburban malls, catch up with laundry or do housework in the evenings; many have put in a full day at work and just don't feel sociable. Dads may still tinker in the garage or basement workshops—before couching down with beer and snackies before the television set ready for a long evening before the tube (watching sports or the newest Bruce Willis movie). No room for the front porch here.

Yes—times have changed. We no longer have that front porch mentality. No amount of politicians like Robert Dole who promote family values or clergymen inviting church participation or civic leaders calling for neighborhood pride will bring back that front porch stoop and all that it stood for.

What we do need to do is to re-invent or re-translate the front porch spirit of family and neighborhood pride in contemporary terms, in a livable way for our modern society. We need to encourage first of all, neighbors to communicate with their neighbors. In my rounds on house blessings so far, one thing that comes out strongly is the real horror stories of neighbors who live next to one another and refuse to even talk to each other. Incidents of long ago have contributed to a state of co-existence or cold war on both sides of the back yard fences.

Second, why not promote more block parties like so many blocks have each year. Barricade the street, play some music, organize some games, barbecue some food, and invite absolutely everyone to it. Invite the parish priests; maybe have a prayer service or Mass. Talk, play, and pray together.

Third, welcome newcomers who move into the neighborhood. Bring over a cake or some cold drinks and introduce yourself; it sounds corny but, you know, it breaks the ice and builds community.

Fourth, find out who might need some extra help on the block: food shopping, grass cutting, reading the newspaper for, or just sitting with. Encourage your youngsters and teens to assist in a sense of Christian service (no money accepted, please).

Fifth, provide for the safety of the neighborhood. Keep your eyes and ears open for trouble or suspicious activity. Attend police beat meetings to get to know your police officer and what you can do to keep your block safe. Work together and dialogue with neighborhoods to make your block a better place to live.

Sixth, promote this spirit in your own home. Meet your children's friends; invite them over for dinner or pizza. Invite their parents over as well. Plan common activities or trips to Great America or baseball games or to the water park. Do creative tournaments or games in your back yard or front lawn to instill healthy competition (bingo games, chess, stick ball, board games). Encourage your children to walk or bike around the neighborhood, instead of always relying on the automobile to get us around town.

We need desperately to come out of our shells, out of our homes, we need to network and communicate and realize that we depend on one another. We need to rediscover that it's people that makes the world go round—not computers or television images—real live people communicating, laughing, playing, living together. Our stories of faith and life must be filled with memories not of video games and cable movies but of people and neighborhoods and porch stoops.

A TRIBUTE TO MARILYN LEFTWICH

HON. NICK J. RAHALL II

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 21, 1995

Mr. RAHALL. Mr. Speaker, I rise today to honor one of my constituents, from the third

congressional district of West Virginia, Ms. Marilyn Leftwich, an extraordinary employee of the Federal Prison Camp in Alderson, WV. Upon her retirement on August 31, 1995, Ms. Leftwich will have completed almost 25 years of service. Throughout her career, she has been a professional role model for the staff, and has had a great impact on the various programs at Alderson Federal Prison Camp.

Ms. Leftwich received her bachelor's degree at Bluefield State College, in Bluefield, WV, and her master's degree at Liberty University, during a career which began in 1970. Starting as a correctional officer, she was soon promoted to correctional counselor, community programs coordinator, and eventually to her current position as unit manager. Besides her accomplishments at work, Ms. Leftwich has raised a family of three children, and has been very active in the community, and her church. She has also received a number of awards for her work and dedication to the community and her job, some of which include the Outstanding Achievement Award, Employee of the Month, and Outstanding Performance Appraisal Awards. Active in the National Association for the Advancement of Colored People [NAACP], and in the development of the Alderson Federal Prison Camp Affirmative Action Program, Ms. Leftwich will long be remembered for her hard work to establish equality in all realms of society. Her involvement in community programs like these, has helped the Federal Prison Camp build and maintain a sound relationship with the surrounding community, as well as having a great impact in the attempt of creating a diverse work force.

Mr. Speaker, Ms. Leftwich's dedication throughout the years has been vital in developing community project for the Prison Camp, including a program in which inmates donate clothing for needy families in the community. She helped to organize a group of inmates to maintain a section of the highway under the Adopt a Highway program. Her most recent project was called ''Mothers and Infants Together,'' which allows for pregnant inmate mothers to bond with their newborn babies for a period of 3 months.

At a time when there has been so much focus on reducing government spending, we should appreciate the many programs which Ms. Leftwich developed and supervised. A shinning example is the institution sewing room, which has saved the government money by producing maternity clothing and reupholstering services, sewing drapes and other items, while at the same time providing meaningful employment for the inmate workers.

We must commend Ms. Leftwich on her effort to include the inmates into as many projects as possible. These projects served both the inmates and the community, which is an ideal way to let the public know that the inmates should not be forgotten members of society.

Ms. Leftwich's retirement will bring a great void to the staff at the Federal Prison Camp in Alderson, WV. After she retires, Ms. Leftwich plans to continue her community service and council children. She is an extraordinary woman, who has had a great impact of the female inmates and the community of Alderson, WV over the years.

UNITED STATES COOPERATION WITH THE INTERNATIONAL PARTNERS, INCLUDING RUSSIA, IN THE INTERNATIONAL SPACE STATION

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, July 21, 1995

Mr. GILMAN. Mr. Speaker, I rise to express my support for the international space station program. The first phase of this, the most challenging international technological project ever attempted, has already started with the space shuttle missions to Mir, the space station that has been operated by Russia for over 8 years. Just a few weeks ago, NASA and the Russian Space Agency demonstrated that joint operations in space are possible as the crew of *Atlantis* docked with Mir and became the largest, and most populated, spacecraft to ever orbit the Earth with its combined crew of 10. It was a flawless mission that provided our scientists with the opportunity to study the effect of long-duration space travel on one of our own astronauts and, for the first time, on two cosmonauts.

Conducting these joint operations and joint scientific experiments on the shuttle/Mir aboard Mir teaches our two space agencies to work together. This provides valuable experience and test data that will greatly reduce the risk during assembly and operation of the international space station. Conducting scientific experiments aboard Mir also gives our researchers the opportunity to benefit from long-term space flight—something not currently available on shuttle flights that only average about 10 days' duration.

By incorporating Russia into the partnership, space station construction costs to the United States are reportedly decreased by about $2 billion overall, and it will be completed at least 15 months sooner than planned before Russia's inclusion. The Russian partnership will allow America to tap into the Russians' vast experience. Russians have nearly three times more time in orbit than Americans.

But more importantly, as democracies the world over now face many difficult situations, we can look to the international space station program as the preeminent example of just how much we can accomplish when former adversaries work with each other, not against each other.

SALUTE TO CAROL JENIFER, DISTRICT DIRECTOR OF THE INS

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, July 21, 1995

Mr. CONYERS. Mr. Speaker, given that we are so frequently confronted with the troubles and the travails of the Immigration and Naturalization Service, I would like to have the following uplifting article inserted in the RECORD. The article profiles Carol Jenifer, the first African-American women to manage day-to-day operations in an INS district office. Ms. Jenifer is the District Director of the INS district office at the United States-Canada border located in my hometown of Detroit, MI. I hope and expect that the INS will continue to attract and promote individuals of Ms. Jenifer's caliber.

CAN BUSINESS STILL SURVIVE IN OUR CITIES?

(By Anita Lienert)

Carol Jenifer does not look like a huggable person. She wears her hair in a Marine Corps-style buzz cut and shuns makeup and jewelry. Although she's six feet tall, she seems even taller, carrying herself with a military bearing that reflects her years as a police officer in Washington, D.C. She carries a gold badge that says ''District Director'' and has just ordered a Glock handgun to keep in her desk. To get inside her office at the U.S.-Canada border in Detroit, you need to get by a metal detector and armed employees.

So when one of her clients leaps out of a seat in the waiting room at the Detroit branch of the U.S. Immigration and Naturalization Service and gives Jenifer a big hug, it seems somewhat out of place.

''Oh, Miss Jenifer,'' says Chadia Haidous, a Lebanese immigrant. ''I just got sworn in today! I'm an American citizen! And now I don't have to worry about my daughter.''

Jenifer, 45, the first African-American woman to manage day-to-day operations at one of the 33 INS district offices in the United States, hugs her back and rejoices with the Haidous family.

Moments later, loping up the back steps to her office that overlooks the Detroit River, Jenifer explains that little Alica Haidous, 11, who was born in Senegal, could have faced deportation because her mother was not a U.S. citizen.

''The family was afraid the daughter would have to go back to Senegal unescorted,'' Jenifer explains. ''I could have stuck to the book, but why? I made a heart decision and I made it in the name of family unity. I could have sent her back and had them petition for her, but I didn't. And now it won't happen because we don't treat our citizens like that.''

Jenifer, who oversees a hectic operation with a $14 million annual budget, considers herself one of the new breed of INS managers. While the southern border with Mexico draws most of the media attention, INS officials say the northern border has its share of illegal immigrants—they just don't talk about how many.

Therefore, it's her mission to walk a tightrope to satisfy a number of different constituents, from American taxpayers who are disturbed by the large number of illegal aliens entering the country, to immigrants who complain about long lines and insensitive treatment at INS offices.

One of Jenifer's first management decisions was to improve the atmosphere by installing brighter lights in the crowded waiting room. She is considering hiring a customer-service representative to handle complaints generated by the 48 million people who pass through INS checkpoints in her jurisdiction each year, including the Detroit-Windsor Tunnel, the Ambassador Bridge and Detroit Metropolitan Airport. She is also determined to hire an inspector who is fluent in Arabic because her client base is 50 percent Middle Eastern and no one in the office is fluent in that language.

Jenifer has made it a point to get to know the names—and personal details—of the 254 employees and one drug-sniffing dog who work with her in patrolling eight ports of entry along 804 miles of water boundary between the United States and Canada.

So far, one of Jenifer's ''employee'' relations challenges has been communicating with the German shepherd: Gitta only responds to commands in German. Even so, Jenifer still knows how to work a room—whether it's full of customers or employees—

in a charismatic style reminiscent of Ronald Reagan. She stops often to ask about sick wives or new husbands. But don't confuse her familiarity and warm-and-fuzzy approach with wimpiness. In reality, her management style is much close to the tenets of Tough Love.

After all, her office deported 1,249 people in 1994. And shortly after the heartwarming scene with the Haidous family, Jenifer stands firm on a $15,000 bond set by her deputy director earlier in the afternoon on a Jordanian immigrant whose wife had blurted out during his naturalization interview that she had been ''paid to marry him.'' He also had prior felon convictions and there was an outstanding warrant for his arrest.

But to get a real feel for Jenifer, you need to see her in action at 7:30 a.m., as a single parent in Detroit getting her two daughters, Eboni and Kia, both 13 off to school. Jenifer skips breakfast and barks orders like ''Kia, did you finish those dishes?'' and ''Eboni, give me that assignment notebook to sign.''

While her girls scurry around, Jenifer straightens her simple black dress, snaps on a beeper and bundles up in a coat and scarf, stopping only to grab her ever-present black leather organizer.

Outside, it's 20 degrees and still dark, with a light snowfall. Sounding like a typical mother, Jenifer grumbles that she can't get the girls to wear their ski caps to school and that they keep pestering her to buy a dog.

''When I applied for the job a year ago, I told my supervisors that the girls were a huge part of my life,'' Jenifer says in the car on the way to work. ''I told them I would have to limit travel because I attend games, go to parent conferences and pick them up after school. It didn't seem to hurt, because I think they wanted someone who could humanize the office.''

At work, her office is decorated with striking paintings of ''buffalo soldiers''—the all-black cavalry who fought and resettled the West. Jenifer explains that since taking the job last spring, she has been worried about every little detail, including whether or not she should have hung the artwork.

''I almost took the pictures down,'' she says. ''I didn't want to overwhelm people who couldn't relate to something like that. But after I thought about it, I realized I needed those men [in the pictures] to watch my back. Management has some pitfalls.''

In private, Jenifer admits that ''being a tall black female has had its problems.''

Testifying before a congressional committee last fall on equal employment opportunity protection and employment practices at the INS, she described the low points of her career, beginning with her job interview 12 years ago for an INS analyst position.

''The interviewer seemed more surprised that I was articulate and a product of the D.C. public school system than in other qualifying factors,'' Jenifer told the committee. ''It was quite obvious that I did not fit whatever image this manager had regarding African-Americans. He later remarked that one day I would be his 'boss' . . . There remains a perception that my advancement was due to connections and not based on merit.''

She says she had to struggle for every promotion at the federal agency, at one point hiring an attorney to present her concerns about lack of advancement to INS personnel officials.

Despite those early challenges, Jenifer says the transition to her new $88,000-a-year position has been relatively smooth, due in part to her long INS experience that ranges from working as an officer in the detention-and-deportation branch to holding the post of second-in-command in Detroit before she got the director's job. Her boss, Carol Chasse, INS eastern region director, describes Jenifer as ''a shining star.''

''She's got it,'' Chasse says. ''She's a practitioner of good human relations. Leadership in the '90s is about people skills and that's critical here because we deal with huge volumes of people.''

Although Jenifer grew up in Washington, D.C., she never dreamed of working for the INS. The daughter of a bookbinder at the Federal Bureau of Engraving wanted to be a firefighter. ''But back in those days, women didn't get to be firefighters,'' she says. ''I had to settle for police work.'' Her time on the D.C. force included a stint undercover on the prostitution detail.

Jenifer later earned two master's degrees, one is counseling from the University of the District of Columbia and one in public administration from Southeastern University. She said the degrees helped her develop the discipline to manage efficiently.

The first order of almost every day is meeting with her top managers. Six out of seven of Jenifer's managers are women, which is notable considering there are no female border patrol chiefs in the United States and there are only two female district directors. On the day of the interview, Jenifer seems to be running late for the daily briefing, until she explains that she sets her office clock 15 minutes fast on purpose. She grabs a piece of hard candy from the jar on her desk and heads out right on time.

The meeting is fast-paced and informal, and covers topics ranging from the need for air fresheners in the office bathrooms to a video for employees about avoiding sexual harassment, Jenifer insists that her managers keep their remarks to a minimum, and they give their daily reports in a sort of verbal shorthand that takes a total of 21 minutes.

''E-mail is negative,'' begins administrative officer Judy McCormack.

''No arrests yesterday,'' pipes up James Wellman, acting assistant district director for investigations.

The issue of bathroom air fresheners prompts some discussion. ''I don't care what you get, as long as we get them in there,'' she says to her staff, slightly annoyed after being questioned about what type should be ordered.

Jenifer is anxious to end the meeting and get down into the public waiting room for her daily ''walk around'' with people who are here to take citizenship tests, file paperwork contesting deportations or apply for green cards. Although she speaks English only, she communicates well, sometimes with gestures or handholding or by repeating phrases over and over.

Today, about 75 people are assembled by 9:30 a.m., under disconcerting signs that say things like Fingerprinting—Now Serving #823. Jenifer later explains that the signs record the number of people from January 1 to the present. Still, the signs just seems to magnify the ''Waiting for Godot'' atmosphere in the room. The Detroit office serves bout 350 people a day and conducts about 1,300 naturalization interviews a month.

Jenifer doesn't identify herself, but plunges into the crowd, smiling and joking.

''Where are you from?'' she asks one man.

''Nigeria,'' he replies tersely.

''What part?'' Jenifer continues.

''Africa,'' he says.

''I know it's Africa, silly,'' she chides him, laughing. ''I've been there. What part?''

By this time, the man and his companions are smiling. Everyone in the room is staring.

''Lagos,'' he says. ''Have you been there?''

She has been accused of working the crowd, but ''this is some of the most important work I do,'' she explains afterward. ''I got a real feel for front-line work when I worked for the INS processing refugees in Kenya a couple of years ago. It sure gives you a difference perspective on naturalization. It makes you realize that these are peoples' lives you're making decisions about.''

Back in her office around 10:15 a.m., Jenifer sucks on another hard candy and meets with Harold Carter, an INS examiner who chairs a committee representing minorities in the Detroit district.

''Come on Harold, get comfortable,'' Jenifer coos as she scrabbles around on her desk looking for a pen. After Carter settles into a chair, she launches into her concerns: ''There are no Hispanics in investigations . . . We don't have any representative [minority] groups at Sault Ste. Marie. We have to show we've tried to reach parity. Can we get people to work up there?''

Carter laughs, noting it's pretty cold at the Soo, which is an INS port-of-entry located in Michigan's Upper Peninsula. But they get serious again quickly. After all, there is a class-action suit in Los Angeles about lack of advancement among black INS officers.

After the meeting, she's off to the Detroit-Windsor Tunnel, which runs underneath the Detroit River, but first stops to order Girl Scout cookies from a coworker. ''I should have ordered more,'' she muses. ''My kids know I hide them under my bed.''

Jenifer needs to see how work is progressing at the tunnel and Detroit's Ambassador Bridge—the largest commercial-vehicle entry port in the United States—on the ''Portpass'' program. Portpass allows prequalified drivers to use express lanes, which will speed up the flow of traffic.

''Traffic can be my worst nightmare,'' Jenifer says. ''We have a federal mandate to get people inspected here in less than 20 minutes—and we have to keep it moving or the complaints start backing up.'' The INS inspects people crossing the border, while U.S. Customs agents inspect things, but the two cross-train and work together. To the public, they are virtually indistinguishable.

Touring the new tunnel Portpass office, Jenifer is complimentary about the countertops that will separate staff and customers. ''Good,'' she notes. ''I like them wide so nobody can reach across and grab our people.''

She's less sanguine, however, about the Portpass signs in the traffic lanes at the tunnel. ''The signs are too little,'' she complains. ''I don't know if people will be able to see them.''

At the bridge at noon, Jenifer is still obsessed with signage. She tells Norman Byron, port director for the bridge, that she's worried that people won't be able to see the express lane signs at night. He assures her that they will be well-lit.

The two tour a trailer-type office set up at the foot of the bridge to accommodate the new program and staff. Jenifer checks out every closet and toilet and pushes back part of the wall paneling that has bowed out. She nearly slips coming down the steps in the snow and asks when skid strips will be put in.

''The skid strip for steps costs $3,000 a roll,'' Byron says. ''Some things we can't do until the weather gets warmer.''

Back in Byron's office, Jenifer banters with several INS agents and asks for their recommendations on good places to eat nearby. They direct her to a restaurant in Detroit's nearby Mexican Village that looks like a dive, but turns out to have decent food.

Jenifer orders the quesadillas and chicken enchiladas and ends up taking home a doggie bag of most of the food for her kids. ''I'm a horrendous cook, so I love leftovers,'' she admits.

By 1 p.m., she's on her way to Detroit's Metro Airport to check on a request for more INS inspectors to accommodate a 60 percent increase in international passengers since 1993 due to airline mergers. It's a 45-minute drive to the airport, and on the way she talks about the mundane, yet important issues that face single parents, such as getting the laundry done and whether it's wise to hire a housekeeper.

Stuck in rush-hour traffic with Jenifer, you find yourself sharing the problems of raising teenagers and getting along with men. She seems more like an old friend by mid-afternoon than an interview subject. But then, her staff has warned you that Jenifer often ''pulls an Oprah,'' or gets people to tell all unwittingly.

At the INS section of the airport, Michael Freeman, the supervisory immigration inspector at the airport, prints up a computer list of how passengers have increased on each airline since 1989. Jenifer studies the printout and tells him she'll consider hiring 10 or 11 new inspectors to ease the crunch. Jenifer asks Freeman if he's lost weight. It's clear Freeman's busting to tell her something else and he finally does.

''I just found out my wife is having a baby,'' he says. They chat about children and health concerns. If Jenifer ever tires of the INS, she could probably have her own talk show.

She makes it a point to shake hands with or speak to all 12 of the INS inspectors on duty that afternoon before heading back to her office. The new hires, whose desks are piled with books like *The Art of Cross-Examination*, stiffen when Jenifer walks in the room. But within minutes they are relaxed.

Back at the office, Jenifer goes through the paperwork that has sprouted on her desk over the last few hours. Her secretary puts the most urgent notes on her chair. There are employee identification cards to sign, a quarterly meeting with immigration lawyers to arrange and an application for a bowling tournament with the heads of other federal agencies in Detroit, from the Secret Service to the FBI.

''Oh,'' Jenifer groans. ''I need a coach to help me bowl better. I bowled an 80 last time and have yet to live down the shame.''

By 4:45 p.m., Jenifer is walking out the door to pick up the girls. They are waiting for her in the school library, complaining about their eighth-grade class pictures.

Jenifer studies the photos as closely as she's looked at any paperwork today. ''Yes, I'm keeping these for blackmail purposes,'' she says. The three of them burst out laughing.

By 5:15 p.m., the INS manager who insists that ''fair management and families'' are the cornerstones of her personal and professional life, is walking in the side door of her house holding the leftover chicken enchiladas in her free hand.

HONORING RALPH SPENCE

HON. RALPH M. HALL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, July 21, 1995

Mr. HALL of Texas. Mr. Speaker, I rise today to pay tribute to an outstanding east Texan, Ralph Spence of Tyler, TX, who died recently at the age of 76. Ralph Spence was one of those extraordinary individuals who was successful in so many areas of his life. He devoted his energies to a variety of worthy causes in east Texas and beyond, and his presence will be sorely missed by all those who knew him.

Born January 4, 1919, in Yorktown, Ralph lived in Tyler most of his life. He served in the United States Navy during World War II and participated in the invasions of Normandy, southern France, Okinawa, and the Philippines. He was an independent oil operator in Tyler who contributed to the discovery of several oil fields. He served as vice president of the Independent Petroleum Association of America, served on the IPAA executive committee and founded the Tyler Petroleum Club.

Ralph Spence was actively involved in his community. He was director of the former Citizens First National Bank, a life member and past chairman of the Salvation Army Board, past president of the Texas Rose Festival and Order of the Rose, president of the East Texas Symphony Association, past president of Robert E. Lee High School Parent Teachers Association, director of the East Texas Hospital Foundation, and past member and vice chairman of the Federal Bi-Racial Committee. He originated the Eisenhower International Golf Classic in Tyler and assisted in fundraising for the Tyler-Smith County Public Library.

Ralph also devoted countless hours on behalf of higher education. He was chairman of the development board of the University of Texas at Tyler and was the only man to serve on five University of Texas development boards—University of Texas at Austin, University of Texas at Tyler, University of Texas Medical Branch at Galveston, College of Business Administration at the University of Texas at Austin, and the University of Texas Health Center at Tyler. As chairman of the University of Texas Chancellor's Council, he completed the acquisition of the Gutenberg Bible for the university. He received many awards and honors, including life membership in the Texas Congress of PTA, a public service award from Texas College in Tyler, the Pioneer Award from the East Texas Association of Petroleum Landmen, and community service award as chairman of Earl Campbell Day. He received the distinguished alumnus award from the University of Texas Ex-Students' Association Administration and from the University of Texas College of Business Administration, was named ''The Centennial Dad'' by the University of Texas Dad's Association and was appointed to the Texas College Coordinating Board. He also was listed in Men of Achievement in Texas.

An active member of Christ Episcopal Church, Ralph Spence held numerous lay positions in the church and was named lifetime vestry member. He was elected by the Diocese of Texas to serve as deputy or alternate to the general convention for 30 years and was elected by the general convention to the executive council of the National Church. He was a member of the executive board of the Episcopal Diocese of Texas and a representative to the Diocesan Council for 40 years.

Ralph is survived by his wife, Mary John Spence of Tyler; one son and daughter-in-law, Ralph Spence, Jr., and Tancy of Billings, MT; two daughters and sons-in-law, Louise and Guy Griffeth of Dallas and Judy and Charles Tate of Houston; two brothers and sisters-in-law, Charles and Carolyn Spence of Raymondville and Pat and Judy Spence of Tyler; nine grandchildren and several nieces and nephews.

Mr. Speaker, our lives are enriched by citizens like Ralph Spence, who devote their time and energies to our communities, churches and schools. One of the benefits of being a Member of Congress is that you meet and get to know the Ralph Spences of the world—people who really care and really help others—who really love and are loved. There is no way to measure the good Ralph Spence did during his lifetime—and he will be missed. As we adjourn today, I join his family and many friends in paying our last respect to this exemplary citizen. His legacy will be felt for generations to come.

TRIBUTE TO THE LIA ON ITS 60TH ANNIVERSARY

HON. BOB FRANKS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, July 21, 1995

Mr. FRANKS of New Jersey. Mr. Speaker, I rise today to congratulate the Linden Industrial Association [LIA] which will celebrate its 60th anniversary on September 27, 1995.

Over the past 60 years, the LIA has faced many challenges and been active on many different fronts. These include offering advice on legislation at the local, State, and Federal level; working with municipal officials on tax, public safety, and education issues; improving the public image of the city of Linden and advocating various economic development projects. Perhaps LIA's most important function has been to facilitate communications between the local industrial community and public officials. Since the LIA was formed in 1935 in the midst of the Great Depression, it has advanced the interests of the Linden-area business community.

On September 27, the LIA will be celebrating its 60th anniversary with a special dinner entitled ''Linden . . . 2000 and Beyond.'' In keeping with its progress-oriented charter, the focus of the evening will be on Linden's future, not its past.

Like most organizations, the LIA's able leadership has been responsible for much of its success. Individuals such as Anthony Soriano, president; Thomas Noble, 1st vice president; H.R. Van Handle, 2nd vice president; Kenneth Estabrook, secretary, and Eileen Williams, treasurer, deserve recognition for their essential role in making the LIA a vibrant organization.

Mr. Speaker, it is my great honor to represent part of Linden, NJ, in Congress. I know first-hand many of the dedicated men and women who make up the business community there. I am continually impressed by the commitment these people have to their community and to New Jersey. Their leadership will help ensure that Linden, and Union County, will continue to be a center of economic activity in northern New Jersey for generations to come.

RETIREMENT OF STANLEY G. FEINSTEIN FROM THE GENERAL ACCOUNTING OFFICE

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 21, 1995

Mr. MILLER of California. Mr. Speaker, I want to express appreciation for the tireless

public service of Mr. Stanley G. Feinstein, who retires this month from the General Accounting Office. At a time when budget-cutters seek to eliminate the GAO and cripple the Congress's ability to investigate Government waste, Mr. Feinstein's work exemplifies the valuable assistance that this Congress received every day from the GAO.

Over the course of his career, Mr. Feinstein helped document some serious abuses of the public trust. His legal analyses of Federal water projects provided this Congress with the factual information we needed to make significant changes in Federal water policy and in the authorization of specific water projects. Mr. Feinstein helped us to sort out the intricacies of the Colorado River Storage Project Act, the Garrison project, the Oahe project, the Central Valley project, the Colorado River Basin Project Act, to name just a few. He told us what was authorized and therefore legal, and what was unauthorized and therefore illegal.

I first met Mr. Feinstein in 1977 when he served on the staff of the San Luis Task Force, a presidentially appointed task force established to investigate abuses of a major Federal water project in my home State of California. Mr. Feinstein's work on that study uncovered abuses of reclamation law and demonstrated that large corporations were in fact receiving illegal subsidies from the Federal Treasury. These discoveries contributed in large part to the reforms embodied in the Reclamation Reform Act of 1982 and the Central Valley Project Improvement Act of 1992.

Mr. Feinstein has for many years demonstrated an incomparable understanding of natural resource law, attesting to the importance of the independent legal analysis that GAO staff brings to the legislative process. His contributions will be missed, and we wish him a long and happy retirement.

CHINA POLICY ACT OF 1995

SPEECH OF

HON. SHEILA JACKSON-LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 20, 1995

Ms. JACKSON-LEE. Mr. Speaker, I rise today to address the longstanding and difficult issue of China's atrocious record on human rights and its most-favored-nation-trading status.

As a new Member of the House, I am not oblivious to the serious human rights abuses that China commits against its citizens. I was horrified by the slaughter of the students at Tienamen Square in 1989. And today am very troubled by the arrest of U.S. citizen Harry Wu. The students were crying out for freedom and justice, a practice that we take for granted in this country. Instead of negotiating an end to the demonstration, Premier Li Peng ordered the needless slaughter of unarmed civilians. I consider this an indefensible act beyond explanation.

But, the question remains, how do we as a body and as a country work to bring an end to the practices of the Chinese Government? Do we completely divest and not do business with over 1 billion people? Or, do we continue to invest and hope that by engaging the regime we can effect change from the inside? I fear that this is a difficult problem to reconcile.

I am committed to making sure that human rights are an integral part of U.S. foreign and trade policy. Recently, I have introduced, and passed, an amendment to the Foreign Operations Appropriation bill that brings greater awareness to the human rights violations of the Ethiopian Government. It is in that vein that I wish to discuss the situation with China tonight. Even though the Ethiopians have made improvements in their human rights record, our Nation must continue to encourage and monitor the situation there. This policy must also be for China.

There are many practices that the Chinese Government engages in that anyone would find reprehensible.

Short ''show'' trials with only cursory attention to the facts of the case;

Executions by a gunshot to the back of the head. The convicted prisoner's family is then charged for the price of the bullet. I have been told that the Government has just increased the price of the bullet;

Gulag style prisons where slave labor is commonplace; and

The organs of executed prisoners are quickly removed for transplant. This begs the question of the motivation for many of executions.

I supported, with an overwhelming number of my colleagues, H.R. 2058, the China Policy Act. This bill, for the first time, requires that the President present a biannual report on the progress of China's human rights.

The China Policy Act has many points and congressional findings, such that:

Charges against American citizen and human rights activist Harry Wu should be immediately dismissed;

China has violated international standards regarding the nonproliferation of weapons of mass destruction;

China has engaged in a program of modernizing and expanding its military;

China continues its practice of lengthy detention without trial, torture, and inhumane treatment of prisoners, and has failed to release political prisoners such as Wei Jingsheng, Bao Tong, and Chen-Ziming;

China continues to restrict free speech and trade unions;

China does not allow access to prisons by humanitarian and human rights organizations;

China continues to crackdown on the pro-democracy movement;

China continues to harass journalists and the Voice of America;

China continues to engage in discriminatory and unfair trade practices, including products made with prison slave labor; and

China continues to repress Tibetans and other religious and ethnic minorities.

The passage of the China Policy Act is a step in the right direction. We must continue to pressure the Chinese Government for change. I realize that it is very difficult to balance the necessity to trade with an estimated $600 billion economy and our Nation's commitment to human rights.

China must treat its citizens with basic decency.

China must stop the proliferation of weapons of mass destruction. China must come into line with the rest of the civilized nations.

But, this body and this Nation must also carry the same standards of human rights for other nations with which we deal. Be it China, Cambodia, Bosnia, or Zaire, the United States must continue to be a beacon and champion of human rights for the rest of the world.

As a nation we can demand no less of ourselves and with those who are members of the United Nations and with whom we conduct business.

I am hopeful that China will continue to improve its human rights record. We must assist Harry Wu in his efforts to be free and be diligent in our insistence that China comply with basic human rights standards. Time is running out and the patience of many of my colleagues is wearing thin. Soon, China will no longer be a favored nation. The clock is running and only the Chinese can make it stop. My support and vote for H.R. 2058 along with my colleagues is a start and we must do more.

Daily Digest

HIGHLIGHTS

Senate passed Emergency Supplemental/Rescissions, 1995.
Senate passed Military Construction Appropriations, 1996.
House passed Agriculture appropriations bill.

Senate

Chamber Action

Routine Proceedings, pages S10445–S10509

Measures Introduced: Eleven bills were introduced, as follows: S. 1054–1064. **Pages S10490–91**

Measures Passed:

Missouri/Illinois Compact: Senate passed S.J. Res. 27, to grant the consent of the Congress to certain additional powers conferred upon the Bi-State Development Agency by the States of Missouri and Illinois. **Page S10506**

Emergency Supplemental/Rescissions, 1995: By 90 yeas to 7 nays (Vote No. 321), Senate passed H.R. 1944, making emergency supplemental appropriations for additional disaster assistance, for antiterrorism initiatives, for assistance in the recovery from the tragedy that occurred at Oklahoma City, and making rescissions for fiscal year ending September 30, 1995, after taking action on amendments proposed thereto, as follows: **Pages S10456–68**

Rejected:

Wellstone/Moseley-Braun Amendment No. 1833, to strike certain rescissions, and to provide an offset. (By 57 yeas to 40 nays (Vote No. 319), upon division, Senate tabled Division I of the amendment.) **Pages S10456–62**

Wellstone/Moseley-Braun Amendment No. 1833, to strike certain rescission, and to provide an offset. (By 65 yeas to 32 nays (Vote No. 320), upon division, Senate tabled Division II of the amendment.) **Pages S10456–62**

Military Construction Appropriations, 1996: By 84 yeas to 10 nays (Vote No. 323), Senate passed H.R. 1817, making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 1996, after agreeing to committee amendments, and taking action on amendments proposed thereto, as follows: **Pages S10445–49, S10451–56, S10468–72**

Rejected:

Bingaman Amendment No. 1834, to reduce funding for military construction and family housing by $300,000,000. (By 77 yeas to 18 nays (Vote No. 322), Senate tabled the amendment.) **Pages S10451–56, S10468–69**

Withdrawn:

Simon/Moseley-Braun Amendment No. 1835, to ensure continued protection and enhancement of the open spaces of Fort Sheridan. **Pages S10470–71**

Senate insisted on its amendments, and requested a conference with the House thereon. **Page S10471**

Ryan White CARE Act Authorization: Senate began consideration of S. 641, to reauthorize the Ryan White CARE Act of 1990. **Pages S10476–81, S10486**

Senate may resume consideration of the bill on Monday, July 24, 1995.

Legislative Branch Appropriations, 1996—Conferees: Senate insisted on its amendments to H.R. 1854, making appropriations for the Legislative Branch for the fiscal year ending September 30, 1996, requested a conference with the House thereon, and the Chair appointed the following conferees: Senators Mack, Bennett, Hatfield, Murray, and Mikulski. **Page S10468**

Nominations Received: Senate received the following nominations:

John H. Bingler, Jr., of Pennsylvania, to be United States District Judge for the Western District of Pennsylvania. **Page S10509**

Messages From the House: **Page S10490**

Measures Referred: **Page S10490**

Executive Reports of Committees: **Page S10490**

Statements on Introduced Bills: **Pages S10491–S10503**

Additional Cosponsors: **Page S10503**

Amendments Submitted: **Pages S10503–04**

Notices of Hearings: **Page S10504**

Authority for Committees: **Page S10504**

Additional Statements: **Pages S10504–06**

Record Votes: Five record votes were taken today. (Total—323) **Pages S10461–62, S10467, S10469, S10471**

Recess: Senate convened at 9 a.m., and recessed at 3:58 p.m., until 9 a.m., on Monday, July 24, 1995. (For Senate's program, see the remarks of the Majority Leader in today's RECORD on page S10506.)

Committee Meetings

(Committees not listed did not meet)

NOMINATIONS

Committee on Finance: Committee ordered favorably reported the nominations of Lawrence H. Summers, of Massachusetts, to be Deputy Secretary of the Treasury, John Joseph Callahan, of Massachusetts, to be an Assistant Secretary of Health and Human Services, and Howard Monroe Schloss, of Louisiana, to be Assistant Secretary of the Treasury for Public Affairs.

Prior to this action, the committee concluded hearings on the above mentioned nominations, after the nominees testified and answered questions in their own behalf. Mr. Summers was introduced by Senators Kassebaum, Kerry, and Bradley.

FOREIGN TAX ISSUES

Committee on Finance: Committee held hearings to examine tax rules relating to income earned by United States businesses from foreign operations, including the deferral of United States tax on earnings overseas, the tax treatment of passive foreign investment companies, the application of the excess passive assets provision of section 956A of the Internal Revenue Code, and the tax treatment of foreign sales corporations, receiving testimony from Joseph H. Guttentag, International Tax Counsel, Department of the Treasury; Gary Hufbauer, Institute for International Economics, Washington, D.C.; and Michael J. McIntyre, Wayne State University, Detroit, Michigan.

Hearings were recessed subject to call.

NOMINATION

Committee on Foreign Relations: Committee concluded hearings on the nomination of Mark D. Gearan, of Massachusetts, to be Director of the Peace Corps, after the nominee, who was introduced by Senators Kennedy and Kerry, testified and answered questions in his own behalf.

GOOD OL' BOYS ROUND-UP

Committee on the Judiciary: Committee held hearings to examine the alleged participation and misconduct of certain Federal law enforcement officers in a recent incident in Tennessee, receiving testimony from Ronald K. Noble, Under Secretary for Enforcement, Valerie Lau, Inspector General, and John W. Magaw, Director, Larry D. Stewart, Assistant Special Agent in Charge, Atlanta Field Division, Cordell Malone, Jr., Special Agent, and John Scott, Special Agent, both of the Chattanooga Field Division, all of the Bureau of Alcohol, Tobacco and Firearms, all of the Department of the Treasury; Jamie S. Gorelick, Deputy Attorney General, Louis J. Freeh, Director, Federal Bureau of Investigation, and Thomas A. Constantine, Administrator, Drug Enforcement Administration, all of the Department of Justice; and Curtis Cooper, The Investigative Group, Inc., Chicago, Illinois, former Regional Inspector, Office of Internal Affairs, Bureau of Alcohol, Tobacco and Firearms.

Hearings were recessed subject to call.

House of Representatives

Chamber Action

Bills Introduced: Ten public bills, H.R. 2090–2099; and one resolution, H. Res. 199 were introduced. **Page H7461**

Reports filed: Reports were filed as follows:

H. Res. 197, providing for the consideration of H.R. 70, to permit exports of certain domestically produced crude oil (H. Rept. 104–198);

H.R. 1814, to authorize appropriations for environmental research, development, and demonstration activities of the Environmental Protection Agency for fiscal year 1996, amended (H. Rept. 104–199);

H. Res. 198, providing for the consideration of H.R. 2076, making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 1996 (H. Rept. 104–200); and

H.R. 2099, making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 1994 (H. Rept. 104–201). **Pages H7460–61**

Speaker Pro Tempore: Read a letter from the Speaker wherein he designates Representative Morella to act as Speaker pro tempore for today. **Page H7381**

Committees to Sit: The following committees and their subcommittees received permission to sit today during proceedings of the House under the 5-minute rule: Committees on Commerce, Government Reform and Oversight, the Judiciary, and Select Intelligence. **Page H7385**

Transportation Appropriations: House completed all general debate and began reading for amendment on H.R. 2002, making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 1996; but came to no resolution thereon. Proceedings under the 5-minute rule will continue on Monday, July 24. **Pages H7397–H7412**

Agreed to the Smith of Michigan amendment that reduces the appropriations for Coast Guard operating expenses by $393,000. **Page H7411**

A point of order was sustained against language that sought to provide $126 million under the ''State and community highway safety grants'' for the ''safe communities'' program in three States. **Page H7411**

H. Res. 194, as amended by the Waldholtz amendment in the nature of a substitute, the rule under which the bill is being considered, was agreed to earlier by a voice vote. Agreed to order the previous question on the rule and the amendment by a yea-and-nay vote of 217 yeas to 202 nays, Roll No. 546. **Pages H7385–97**

Agriculture Appropriations: By a yea-and-nay vote of 313 yeas to 78 nays, Roll No. 554, the House passed 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. **Pages H7412–46**

Agreed to the Deutsch amendment that prohibits use of funds to pay the salaries of personnel who carry out the Market Promotion Program if the program provides assistance to the U.S. Mink Export Development Council, or to any mink industry trade association (agreed to by a recorded vote of 232 ayes to 160 noes, Roll No. 553). **Pages H7431–33, H7434–35**

Rejected:

The Hoke amendment that sought to reduce the Public Law 480 Program Accounts (Food for Peace) by $242.7 million (rejected by a recorded vote of 83 ayes to 338 noes, Roll No. 547); **Pages H7413–14**

The Sanford amendment that sought to prohibit use of funds for the construction of a new office facility campus at the Beltsville Agricultural Research Center (rejected by a recorded vote of 199 ayes to 221 noes, Roll No. 548); **Pages H7414–15**

The Olver amendment that sought to prohibit use of funds for payment of salaries of personnel to provide assistance to livestock producers of crop insurance protection or noninsured crop disaster assistance for the loss of feed produced is available and increase by $60 million funds for Rural Development Performance Partnerships (rejected by a recorded vote of 169 ayes to 248 noes, Roll No. 549); **Pages H7415–16**

The Zimmer amendment that sought to prohibit use of funds to pay the salaries of personnel who carry out the Commodity Credit Corporation market promotion program (rejected by a recorded vote of 154 ayes to 261 noes, Roll No. 550); **Pages H7416–27**

The Obey amendment that sought to provide that funds under the Market Promotion Program may only be made available to organizations that qualify as small businesses, companies with less than $20 million in annual sales, or cooperatives representing small producers or companies (rejected by a recorded vote of 176 ayes to 299 noes, Roll No. 551); and **Pages H7427–29**

The Kennedy of Massachusetts amendment that sought to prohibit use of funds for the Market Promotion Program to promote the sale or export of alcohol or alcoholic beverages (rejected by a recorded vote of 130 ayes to 268 noes, Roll No. 552). **Pages H7429–31, H7433–34**

Late Report: Committee on Appropriations received permission to have until midnight tonight to file a report on H.R. 2099, making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 1994. **Page H7446**

Legislative Program: The Majority Leader announced the legislative program for the week of July 24. Agreed to adjourn from Friday to Monday. **Pages H7446–48**

Calendar Wednesday: Agreed to dispense with Calendar Wednesday business of July 26. **Page H7448**

Designation of Speaker Pro Tempore: Read a letter from the Speaker wherein he designates Representative Armey to sign enrolled bills and joint resolutions. **Page H7448**

Senate Messages: Message received from the Senate today appears on page H7446.

Amendments Ordered Printed: Amendments ordered printed pursuant to the rule appear on pages H7462–63.

Quorum Calls—Votes: Two yea-and-nay votes and seven recorded votes developed during the proceedings of the House today and appear on pages H7396, H7413–14, H7414–15, H7415–16, H7426–27, H7428–29, H7434, H7434–35, and H7445–46. There were no quorum calls.

Adjournment: Met at 10 a.m. and adjourned at 7:50 p.m.

Committee Meetings

LABOR—HHS—EDUCATION APPROPRIATIONS

Committee on Appropriations: Continued markup of the Labor, Health and Human Services, and Education appropriations for fiscal year 1996.

Will continue July 24.

WASTE ISOLATION PILOT PLANT LAND WITHDRAWAL AMENDMENT ACT

Committee on Commerce: Subcommittee on Energy and Power held a hearing on H.R. 1663, Waste Isolation Pilot Plant Land Withdrawal Amendment Act. Testimony was heard from Representative Skeen; George Dials, Manager, Carlsbad Area Office, Department of Energy; Ramona Travato, Director, Office of Radiation and Indoor Air, EPA; Bernice Steinhardt, Associate Director, Energy and Science Issues, GAO; Jennifer Salisbury, Secretary, Department of Energy, Minerals and Natural Resources, State of New Mexico; Lindsay L. Lovejoy, Attorney, Office of the Attorney General, State of New Mexico; Gary Perkowski, Mayor, City of Carlsbad, New Mexico; and public witnesses.

COMBATING PARKINSON'S DISEASE AND OTHER NEUROLOGICAL DISORDERS

Committee on Commerce: Subcommittee on Health and Environment held a hearing on Research Efforts with Respect to Combating Parkinson's Disease and Other Neurological Disorders. Testimony was heard from the following officials of the NIH, Department of Health and Human Services; Richard J. Hodes, M.D., Director, National Institute on Aging; and Zach W. Hall, M.D., Director, National Institute of Neurological Disorders and Stroke; and public witnesses.

CLEAN AIR ACT AMENDMENTS IMPLEMENTATION AND ENFORCEMENT

Committee on Commerce: Subcommittee on Oversight and Investigations held a hearing on the Implementation and Enforcement of the Clean Air Act Amendments of 1990, with emphasis on provisions of Title III of the Act relating to the control of Hazardous Air Pollutants. Testimony was heard from the following officials of the EPA: Mary D. Nichols, Assistant Administrator, Air and Radiation; and Elaine Davies, Deputy Director, Chemical Emergency Preparedness and Prevention Office; and public witnesses.

OVERSIGHT—WACO

Committee on Government Reform and Oversight: Subcommittee on National Security, International Affairs, and Criminal Justice, and Subcommittee on Crime of the Committee on the Judiciary continued joint oversight hearings on Federal Law Enforcement Actions in Relation to the Branch Davidian Compound in Waco, Texas. Testimony was heard from the following former officials of the Department of the Treasury: Lloyd M. Bentsen, Secretary; Michael Langan, Acting Deputy Assistant Secretary; Roger Altman, Deputy Secretary; Steve Higgins, Director, Bureau of Alcohol, Tobacco and Firearms; John Simpson, Acting Assistant Secretary; and Christopher Culyer, Bureau of Alcohol, Tobacco and Firearms Liaison for Assistant Secretary; Joyce Sparks, Department of Child Protective Services, State of Texas; and public witnesses.

Hearings continue July 24.

PERMIT EXPORTS OF CERTAIN DOMESTICALLY PRODUCED CRUDE OIL

Committee on Rules: Granted, by a voice vote, an open rule providing 1 hour of debate on H.R. 70, to permit exports of certain domestically produced crude oil. The rule makes in order the amendment in the nature of a substitute recommended by the Resources Committee as an original bill for the purposes of amendment under the five-minute rule. The rule authorizes the Chair to accord priority in recognition to Members who have preprinted their amendments in the CONGRESSIONAL RECORD. The rule also allows the Chair to postpone votes in the Committee of the Whole and reduce votes to five minutes, if those votes follow a 15-minute vote.

The rule provides one motion to recommit, with or without instructions. The rule provides for consideration of S. 395 in the House and a motion to amend as described in the rule, and a motion to recommit with or without instructions. Finally, the

rule allows for a motion that the House insist on its amendments to S. 395 and request a conference with the Senate. Testimony was heard from Chairman Young and Representative Thomas.

COMMERCE, JUSTICE, STATE AND JUDICIARY APPROPRIATIONS

Committee on Rules: Granted, by voice vote, an open rule providing 1 hour of debate on H.R. 2076, making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies programs for the fiscal year ending September 30, 1996. The rule provides that the bill shall be considered by title rather than by paragraph with each title considered as read.

The rule waives clause 2 (prohibiting unauthorized appropriations) and clause 6 (prohibiting reappropriations) of rule XXI against provisions in the bill. The rule authorizes the Chair to accord priority in recognition to Members who have preprinted their amendments in the CONGRESSIONAL RECORD, Finally, the rule provides one motion to recommit, with or without instructions. Testimony was heard from Representatives Rogers, Gilman, Barr, Mollohan, and Orton.

ETHICS INVESTIGATION

Committee on Standards of Official Conduct: Met in executive session to take testimony regarding the ethics investigation of Speaker, Gingrich. Testimony was heard from Barbara Grossman, Senior Vice-President and Publisher, Penguin/Viking Press.

CONGRESSIONAL PROGRAM AHEAD

Week of July 24 through 29, 1995

Senate Chamber

On *Monday,* Senate will consider S. 101, Lobbying/Gift Rules Legislation, and may resume consideration of S. 641, Ryan White CARE Reauthorization Act.

On *Tuesday,* Senate may resume consideration of S. 21, Bosnia Self Defense Act.

During the balance of the week, Senate may consider available appropriations bills, including:

H.R. 1905, Energy and Water;

H.R. 1977, Interior;

H.R. 2020, Treasury, Postal; and other legislation, including:

S. 908, State Department Authorizations;

S. 961, Foreign Assistance Authorizations;

Conference reports, when available, and any cleared legislative and executive business.

(*Senate will recess on Tuesday, July 25, 1995, from 12:30 p.m. until 2:15 p.m., for respective party conferences.*)

Senate Committees

(Committee meetings are open unless otherwise indicated)

Committee on Appropriations: July 24, Subcommittee on Foreign Operations, to hold hearings to examine issues relating to democracy, human rights, and narcotics controls in Burma, 2 p.m., SD–192.

July 25, Subcommittee on Treasury, Postal Service, and General Government, business meeting, to mark up H.R. 2020, making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies for the fiscal year ending September 30, 1996, 11 a.m., SD–192.

July 27, Full Committee, business meeting, to mark up H.R. 1905, making appropriations for energy and water development for the fiscal year ending September 30, 1996, and H.R. 2020, making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies for the fiscal year ending September 30, 1996, 3 p.m., SD–192.

Committee on Commerce, Science, and Transportation: July 26, Subcommittee on Surface Transportation and Merchant Marine, to hold hearings on proposed legislation authorizing funds for the Maritime Security Program, 9:30 a.m., SR–253.

July 27, Full Committee, to hold hearings on proposed legislation to reform the Federal Communications Commission procedures in their use of auctions for the allocation of radio spectrum frequencies for commercial use, 9:30 a.m., SR–253.

Committee on Energy and Natural Resources: July 25, Subcommittee on Forests and Public Land Management, to hold hearings on S. 45, to require the Secretary of the Interior to sell Federal real and personal property held in connection with activities carried out under the Helium Act, S. 738, to prohibit the Bureau of Mines from refining helium and selling refined helium, and to dispose of the United States helium reserve, and S. 898, to cease operation of the government helium refinery, authorize facility and crude helium disposal, and cancel the helium debt, 9:30 a.m., SD–366.

July 27, Full Committee, to hold hearings on the nomination of John Raymond Garamendi, of California, to be Deputy Secretary of the Interior, 9:30 a.m., SD–366.

Committee on Finance: July 25, to hold hearings to examine ways to improve the Medicare program and make it financially sound, focusing on private sector cost containment strategies, 9:30 a.m., SD–215.

July 26, Full Committee, to continue hearings to examine ways to improve the Medicare program and make it financially sound, focusing on the modernization of Medicare and giving senior citizens more choice in the kinds of plans that are available to them, 9:30 a.m., SD–215.

July 27, Full Committee, to hold hearings on the Federal Medicaid matching formula, 9:30 a.m., SD–215.

Committee on Foreign Relations: July 25, Subcommittee on East Asian and Pacific Affairs, to hold hearings on the current status of United States—SINO relations, 2 p.m., SD–419.

Committee on Governmental Affairs: July 25, Subcommittee on Oversight of Government Management and The District of Columbia, to hold hearings on S. 946, to facilitate, encourage, and provide for efficient and effective acquisition and use of modern information technology by executive agencies, 9:30 a.m., SD–342.

July 25 and 27, Full Committee, to hold hearings on S. 929, to abolish the Department of Commerce, Tuesday at 2:30 p.m. and Thursday at 9:30 a.m., SD–342.

July 26, Subcommittee on Post Office and Civil Service, to hold hearings to review the Annual Report of the Postal Service, 9:30 a.m., SD–342.

Committee on the Judiciary: July 24, to hold hearings to examine fiberporn's impact on children, focusing on the scope of the technology and the need for Federal intervention, 2 p.m., SD–226.

July 25, Full Committee, to hold hearings to examine prison reform, focusing on enhancing the effectiveness of incarceration, 10 a.m., SD–226.

July 26, Full Committee, to hold hearings to examine punitive damages reform, 10 a.m., SD–226.

July 27, Full Committee, business meeting, to consider pending calendar business, 10 a.m., SD–226.

Committee on Labor and Human Resources: July 25, to hold hearings on proposed legislation relating to employer group purchasing reform, 9:30 a.m., SD–430.

July 27, Full Committee, to hold hearings on proposed legislation to authorize funds for programs of the Substance Abuse and Mental Health Services Act, 9:30 a.m., SD–430.

July 28, Full Committee, to hold hearings on health insurance relative to domestic violence issues, 9:30 a.m., SD–430.

Committee on Indian Affairs: July 25, to resume hearings on S. 487, to amend the Indian Gaming Regulatory Act, 9:30 a.m., SD–G50.

Select Committee on Intelligence: July 26, to hold closed hearings on intelligence matters, 2 p.m., SH–219.

Special Committee To Investigate Whitewater Development Corporation and Related Matters: July 25, 26, and 27, to resume hearings to examine issues relative to the President's involvement with the Whitewater Development Corporation, focusing on certain events following the death of Deputy White House Counsel Vincent Foster, 9:30 a.m., SH–216.

House Chamber

Monday, Consideration of H.R. 70, To Permit Exports of Certain Domestically Produced Crude Oil (open rule, 1 hour of general debate); and

Continue consideration of H.R. 2002, Transportation Appropriations for fiscal year 1996.

Tuesday and the balance of the week, Joint Meeting on Wednesday for the purpose of receiving His Excellency Kim Young Sam, President of the Republic of Korea;

Consideration of the following Corrections Calendar Measure: H.R. 1943, San Diego Coastal Corrections Act of 1995;

Complete consideration of H.R. 2002, Transportation Appropriations for fiscal year 1996;

Consideration of H.R. 2076, Commerce-State-Justice Appropriations for fiscal year 1996 (open rule, 1 hour of general debate); and

Consideration of H.R. 2099, VA-HUD Appropriations for fiscal year 1996 (subject to a rule being granted).

NOTE.—Conference reports may be brought up at any time. Any further program will be announced later.

House Committees

Committee on Agriculture. July 25, Subcommittee on Department Operations, Nutrition, and Foreign Agriculture, hearing to review H.R. 236, to amend the Food Stamp Act of 1977 to permit participating households to use food stamp benefits to purchase nutritional supplements of vitamins, minerals, or vitamins and minerals, 2 p.m., 1300 Longworth.

July 27, Subcommittee on Resource Conservation, Research, and Forestry, hearing to review farm credit regulation and to mark up H.R. 2029, Farm Credit System Regulatory Relief Act of 1995, 9:30 a.m., 1300 Longworth.

Committee on Appropriations, July 24, to continue markup of the Labor, Health and Human Services, and Education appropriations for fiscal year 1996, 4 p.m., 2360 Rayburn.

July 27, Subcommittee on District of Columbia, on D.C. Finances, 10 a.m., 2360 Rayburn.

Committee on Banking and Financial Services, July 25, Subcommittee on Domestic and International Monetary Policy, hearing on the Future of Money, 10 a.m., 2128 Rayburn.

July 26 and 27, Subcommittee on Capital Markets, hearings on Debt Issuance and Investment Practices on State and Local Government, 10 a.m., 2128 Rayburn.

Committee on Commerce, July 24, Subcommittee on Commerce, Trade, and Hazardous Materials and the Subcommittee on Telecommunications and Finance, joint hearing on H.R. 1756, Department of Commerce Dismantling Act, 2:30 p.m., 2123 Rayburn.

July 24, Subcommittee on Energy and Power, oversight hearing on the implementation of Corporate Average Fuel Economy (CAFE) Standards and related issues, 2 p.m., 2322 Rayburn.

July 25, Subcommittee on Oversight and Investigations, hearing on Allegations of FDA Abuses of Authority, 10 a.m., 2123 Rayburn.

July 26, Subcommittee on Health and Environment, to continue hearings on the Transformation of the Medicaid Program, 9 a.m., and 1 p.m., 2322 Rayburn.

July 26, Subcommittee on Telecommunications and Finance, hearing on legislation to reauthorize the Securities and Exchange Commission, 10 a.m., 2123 Rayburn.

Committee on Economic and Educational Opportunities, July 25, hearing on Departmental reorganization, 9:30 a.m., 2175 Rayburn.

July 27, Subcommittee on Workforce Protections, to continue hearings on H.R. 1834, Safety and Health Improvement and Regulatory Reform Act of 1995, 9:30 a.m., 2175 Rayburn.

Committee on Government Reform and Oversight, July 24, 25, 26, and 28, Subcommittee on National Security, International Affairs, and Criminal Justice and the Subcommittee on Crime of the Committee on the Judiciary, to continue joint oversight hearings on Federal Law Enforcement Actions in Relation to the Branch Davidian Compound in Waco, Texas, 10 a.m., on July 24 and 28 and 9:30 a.m., on July 25 and 26, 2154 Rayburn.

July 25, Subcommittee on Government Management, Information, and Technology, oversight hearing on the Chief Financial Officer's Act, 9:30 a.m., 311 Cannon.

July 25, Subcommittee on Postal Service, oversight hearing on the U.S. Postal Inspection Service and Postal Operations, 10 a.m., 2247 Rayburn.

July 26, Subcommittee on Civil Service, hearing on OPM Privatization Initiatives: Contracting Out Training, 2 p.m., 2247 Rayburn.

July 26, Subcommittee on District of Columbia, to mark up the District of Columbia Convention Center and Sports Arena Act, 10 a.m., 311 Cannon.

July 27, full Committee, to mark up the following: H.R. 1670, Federal Acquisition Reform Act; and the District of Columbia Convention Center and Sports Arena Act, 10 a.m., 2154 Rayburn.

Committee on House Oversight, July 25, hearing on Voter Registration and Election Fraud, 10 a.m., 1310 Longworth.

Committee on International Relations, July 25, Subcommittee on Asia and the Pacific and the Subcommittee on International Operations and Human Rights, joint hearing on Indochinese Refugees: Comprehensive Plan of Action, 2 p.m., 334 Cannon.

July 26, full Committee, to mark up the following: to authorize the transfer of naval vessels to certain foreign countries; H. Res. 181, encouraging the peace process in Sri Lanka; H. Con. Res. 80, expressing the sense of Congress that the United States should recognize the concerns of the peoples of Oceania and call upon the Government of France to cease all nuclear testing at the Moruroa and Fangataufa atolls; and H. Con. Res. 40, concerning the movement toward democracy in the Federal Republic of Nigeria, 1 p.m., 2172 Rayburn.

July 27, Subcommittee on Asia and the Pacific, hearing on Hong Kong After 1997, 9:30 a.m., 2200 Rayburn.

Committee on the Judiciary, July 26, Subcommittee on Commercial and Administrative Law, hearing on H.R. 1802, Reorganization of the Federal Administrative Judiciary Act, 10 a.m., 2226 Rayburn.

July 27, Subcommittee on Commercial and Administrative Law, to continue hearings on the Reauthorization of the Legal Services Corporation, 10 a.m., 2226 Rayburn.

July 27, Subcommittee on Courts and Intellectual Property, to mark up the following bills: H.R. 1734, National Film Preservation Act of 1995; H.R. 1270, Madrid Protocol Implementation Act; H.R. 1295, Federal Trademark Dilution Act of 1995; H.R. 632, to enhance fairness in compensating owners of patents used by the United States; and H.R. 1506, Digital Performance Right in Sound Recordings Act of 1995, 10 a.m., 2237 Rayburn.

Committee on National Security, July 26, to mark up a joint resolution pursuant to PL 101–510, the Defense Base Closure Act of 1990, concerning the recommendations of the Defense Base Closure and Realignment Commission, 9:30 a.m., 2118 Rayburn.

July 28, Subcommittee on Military Procurement, hearing on the B–2 bomber, 2 p.m., 2118 Rayburn.

Committee on Resources, July 25, Subcommittee on National Parks, Forests and Lands, hearing on the following bills: H.R. 773, National Parks Service Concession Policy Reform Act of 1995; H.R. 1527, to amend the National Forest Ski Area Permit Act of 1986 to clarify the authorities and duties of the Secretary of Agriculture in issuing ski area permits on National Forest system lands and to withdraw lands within ski area permit boundaries from the operation of the mining and mineral leasing laws; H.R. 721, Public Resources Deficit Reduction Act of 1995; and H.R. 2028, Federal Land Management Agency Concession Reform Act of 1995, 10 a.m., 1324 Longworth.

July 25, Subcommittee on Water and Power Resources, oversight hearing on the Trinity River Basin Fish and Wildlife Management Program, 1 p.m., 1334 Longworth.

July 26, full Committee, to consider pending business, 11 a.m., 1324 Longworth.

July 27, Subcommittee on Energy and Mineral Resources, oversight hearing on the management alternatives of Outer Continental shelf oil and gas resources, including the Administration's proposals to (1) sell the royalty stream, and (2) transfer of the Minerals Management Service to another Federal agency, 2 p.m., 1334 Longworth.

July 27, Subcommittee on Fisheries, Wildlife and Oceans, hearing to consider technical changes to the Coastal Barrier Resources Act and to consider H.R. 1741, to provide for the conveyance of the C.S.S. Hubley to the State of South Carolina, 10 a.m., 1334 Longworth.

July 27, Subcommittee on National Parks, Forests and Lands, hearing on H.R. 2081, to recognize the validity of rights-of-way granted under section 2477 of the Revised Statutes, 10 a.m., 1334 Longworth.

Committee on Rules, July 25, to consider a measure making appropriations for the Department of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 1996, 10:30 a.m., H–313 Capitol

Committee on Science, July 25, to mark up H.R. 2043, National Aeronautics and Space Administration Authorization Act of 1996, 9:30 a.m., 2318 Rayburn.

July 26, Subcommittee on Basic Research and Subcommittee on Technology, joint hearing on Cyberporn:

Protection Our Children From the Back Alleys of the Internet, 9:30 a.m., 2318 Rayburn.

Committee on Small Business, July 26, hearing on OSHA Reform, 2 p.m., 2359 Rayburn.

July 26, Subcommittee on Taxation and Finance, hearing on the need to clarify the status of independent contractors, 10 a.m., 2359 Rayburn.

Committee on Standards of Official Conduct, July 24, 25, 26, and 27, executive, to continue to take testimony regarding the ethics investigation of Speaker Gingrich, 3 p.m., on July 24, 9:30 a.m., on July 25, 8:30 a.m., on July 26 and 10 a.m., on July 27, HT–2M Capitol.

Committee on Transportation and Infrastructure, July 25, Subcommittee on Public Buildings and Economic Development, to mark up the Economic Development Administration reform and Reauthorization, 8:30 a.m., 2253 Rayburn.

July 25, Subcommittee on Surface Transportation, hearing on the following: H.R. 2017, District of Columbia Emergency Highway Relief Act; and other proposals to waive the D.C. Local Matching Share for Certain Federal-Aid Highway Projects, 10 a.m., 2167 Rayburn.

July 27, Subcommittee on Aviation, hearing on reasons for, and reporting of, Airline Flight Delays, 9:30 a.m., 2167 Rayburn.

July 27, Subcommittee on Public Buildings and Economic Development, hearing on the GSA Leasing Program, 10 a.m., 2253 Rayburn.

Committee on Ways and Means, July 25, Subcommittee on Health, to continue hearings on Saving Medicare and Budget Reconciliation Issues, 10 a.m., 1100 Longworth.

July 26, Subcommittee on Trade, to mark up the following: H.R. 927, Cuban Liberty and Democratic Solidarity Act of 1995; and Miscellaneous and Technical Trade measures, 10 a.m., 1100 Longworth.

July 27, Subcommittee on Health and the Subcommittee on Health and Environment of the Committee on Commerce, joint hearing on Standards for Health Plans Providing Coverage in the Medicare Program, 10 a.m., 1100 Longworth.

Permanent Select Committee on Intelligence, July 25, executive, hearing on Guatemala, 9:30 a.m., H–504 Capitol.

July 26, full Committee, executive, briefing on the O'Grady Shootdown, 9:30 a.m., H–405 Capitol.

July 26, full Committee, executive, briefing on China Proliferation, 2 p.m., H–405 Capitol.

July 27, full Committee, to continue hearings on IC21, 9 a.m., room to be announced.

Next Meeting of the SENATE

9 a.m., Monday, July 24

Senate Chamber

Program for Monday: Senate will begin consideration of S. 101, Lobbying/Gift Rules legislation.

Senate may resume consideration of S. 641, Ryan White CARE Reauthorization Act.

Next Meeting of the HOUSE OF REPRESENTATIVES

10:30 a.m., Monday, July 24

House Chamber

Program for Monday: Consideration of H.R. 70, To Permit Exports of Certain Domestically Produced Crude Oil (open rule, 1 hour of general debate); and

Continue consideration of H.R. 2002, Transportation Appropriations for fiscal year 1996.

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