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House of Representatives

The House met at 10 a.m.

PRAYER

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

As we seek to learn the details of the issues before us and as we endeavor to understand all certainties, it is our prayer, O gracious God, that we will also gain a heart of wisdom. For we know that Your spirit is working within us when we have insight and discernment and sound judgment. Remind us always, O God, that it is not wise simply to observe events or to know all the facts, for the scripture proclaims that ''the fear of the Lord is the beginning of wisdom, and the knowledge of the Holy One is insight.'' Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

The SPEAKER. The gentleman from Kentucky [Mr. BAESLER] will lead the House in the Pledge of Allegiance.

Mr. BAESLER 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

The SPEAKER. The Chair will recognize 10, 1-minutes on each side.

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 concurrent resolution of the House of the following title:

H. Con. Res. 89. Concurrent resolution waiving provisions of the Legislative Reorganization Act of 1970 requiring adjournment of Congress by July 31.

SUPPORT H.R. 1834, THE OSHA REFORM ACT

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

Mr. NORWOOD. Mr. Speaker, yesterday the Secretary of Labor issued a so-called analysis that supposedly showed that Republican OSHA reforms would lead to more workplace injuries. This is outrageous fearmongering. Instead of playing politics, the Secretary should be finding an answer for the question we have asked: Why, after spending over $4 billion, is there so little evidence that OSHA has made a real impact on reducing injuries and deaths?

The Secretary is fond of noting that injury rates have been declining since OSHA's birth in 1970, but he rarely mentions that those rates have been dropping, indeed, since 1946. Perhaps the Secretary just does not want to consider the real world. Maybe he is just too busy trying to figure out that government can run our lives to think that OSHA really is a failure.

It is time the American taxpayer insisted that OSHA spend at least half of its funds on health and safety in the workplace, rather than hiring dictators to fine small businesses.

KEEPING THE EQUAL OPPORTUNITY PROMISE

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

Mr. BAESLER. Mr. Speaker, in 1994, the Federal Government spent less than 2 percent of the Federal budget educating the Nation's children. Now some in Congress are saying on the one hand that American children need to compete with the children of other nations—in other words that education is a national priority. On the other hand they are saying, let's spend less. I ask my colleagues, ''Is education a national priority or not?''

The overwhelming majority of Federal education spending goes toward evening the odds for disadvantaged children in America. Yet some would ask me to support a funding bill that would cut title I funding which helps students from disadvantaged backgrounds with the three R's. They ask me to support this bill even though it would deny this important funding to 19,100 Kentucky students.

I am not ready to pull the educational rug out from under these kids. I firmly believe that the promise of America is equal opportunity, not equal outcomes. But I also believe title I is the kind of program that provides such equal opportunity and puts the Nation's money where its mouth is.

EVERY AMERICAN SHOULD KNOW WHAT IS IN THE MEDICARE TRUSTEES REPORT

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

Mr. WATTS of Oklahoma. Mr. Speaker, it has been said that Republicans live in paranoid fear that the American people will not discover the truth and that the Democrats live in paranoid fear that they will discover the truth.

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The current debate over Medicare clearly shows the wisdom of this statement.

Here is a copy of the Medicare trustees report. It says that immediate action is needed to save Medicare from bankruptcy. As a Republican, and as a concerned citizen, I want every American to get hold of this report. 202–224–3121 is the number for their Representative. They should ask for the Medicare trustees summary report. I want the American people to know what is in this report. It is important that the people decide for themselves if this report is valid.

If this report is true, then we need to get real serious, real quick about saving Medicare. It does not help when Democrats try to politicize and demagog this very important issue.

REPUBLICAN CUTS IN BILINGUAL EDUCATION

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

Ms. ROYBAL-ALLARD. Mr. Speaker, the Republican Labor-HHS-Education appropriations bill cuts bilingual education programs by 75 percent.

This massive cut penalizes and punishes children by robbing them of their constitutional right to equal educational opportunities.

The primary objective of bilingual education is to teach children English while ensuring they do not fall behind in other basic subjects.

Numerous studies have documented that many limited English proficient students simply cannot learn and compete in the classroom without these programs.

As a result, the Republican plan will create a permanent underclass of poorly educated children who will be denied the opportunity to achieve their full potential.

We as a country cannot maintain our competitiveness in an ever-growing, highly technical global economy unless we develop the talents and abilities of all our children.

The virtual elimination of bilingual education programs works against our children and our national interests.

IT IS TIME TO END THE GOVERNMENT FREE-FOR-ALL

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

Mr. CHABOT. Mr. Speaker, this week Congress will vote to undo some of the damage that previous Congresses caused over the last 40 years. For too long politicians here in Washington assured the American people that they had all the answers to society's problems.

Since the 1960's the Federal Government has created so many programs and so many spending plans that it is absolutely mind boggling. I think it is fair to say that there is not one accountant, not one Government bureaucrat who can name all of the programs that the Federal Government—and the American taxpayer—pays for.

And what has all this spending created?

Debt, debt, and more debt.

Mr. Speaker, it is time to end the Government free-for-all. It is time to set our priorities straight and work together to balance the Federal budget, if not for our own sake, then for our children and grandchildren.

''THE BUCK STOPS HERE'' MEANS IT STOPS WITH THE ATTORNEY GENERAL

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

Mr. TRAFICANT. Mr. Speaker, the Waco hearings are over. There are two issues. No. 1: Is Janet Reno truly responsible for the most incompetent police maneuver in American history; or is Janet Reno carrying the water, protecting Larry Potts, the FBI, and the ATF for their actions?

Quite frankly, I do not know; but if ''the buck stops here'' means anything, Janet Reno should be fired and the people of Waco, TX, should petition their county prosecutor to immediately convene a grand jury, because it appeared to me as a former sheriff that FBI and ATF agents were lying through their teeth to the U.S. Congress. ''The buck stops here'' should mean something.

LIBERAL DEMOCRATS DO NOT WANT THE PEOPLE TO SEE THE REPORT ON MEDICARE

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

Mr. HAYWORTH. Mr. Speaker, this is the report the liberal Democrats do not want the American people to see. They do not want the American people to know the truth about Medicare.

This report was signed by three of President Clinton's Cabinet members and shows clearly that unless something is done, Medicare will go bankrupt in 7 years.

Mr. Speaker, every American needs to know the truth about Medicare. I urge all Americans to call their Representative at 202–224–3121 and get a copy of this report.

The American people also need to know that the Democrats do not want to do anything. Their only strategy is to scare senior citizens and bash any attempt to save Medicare from bankruptcy.

What is so very important to Democrats that they would turn Medicare into a partisan issue. This is wrong and only hurts the millions of Americans who depend on Medicare.

FRENCH NUCLEAR TESTS

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

Mr. FALEOMAVAEGA. Mr. Speaker, one of my dear colleagues and former member from the other side of the aisle said to me, ''ENI, if you want to make a point and to make sure that an Embassy here in Washington gets your attention—just make it a point by coming to the well of this Chamber and share your concerns with your colleagues and the American people.''

Mr. Speaker, I have got good news and bad news. The good news is that the President of France and his military advisors are beginning to feel the pinch whereby consumers all over the world are refusing to purchase French goods and products to protest France's recently announced policy to explode eight more nuclear bombs in the middle of the Pacific Ocean beginning next month on the Moruroa Atoll.

The bad news is that the French Government has now announced it will explode its first nuclear bomb explosion this month because there has been such a tremendous support from ordinary people and leaders of countries throughout the world condemning French nuclear testing.

Mr. Speaker, I suggest that the charismatic and dashing President of France to quit playing God with the lives of millions of men, women, and children who live in the Pacific. President Chirac should spend more time to resolve France's serious unemployment at 12 percent, rather than proving France's nuclear capability.

Mr. Speaker, I ask my colleagues and our citizens all over America to join other world citizens by refusing to buy French goods and products.

Shame on you France, shame on you for reintroducing a nuclear arms race again—we do not need it and I believe the good people of France do not want it.

SUPPORT RESOLUTION CELEBRATING SOCIAL SECURITY

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

Mr. BUNNING of Kentucky. Mr. Speaker, August 14 will mark the 60th anniversary of the signing of the Social Security Act by President Franklin Roosevelt. With his signature and the support of Congress, a new commitment was established between the American people and their Government.

To mark this anniversary of the signing of the Social Security Act, I along with my colleague, ANDY JACOBS, am introducing, today, a resolution to celebrate that landmark commitment.

This resolution will celebrate the occasion the best way possible—by letting the American people know that

the House of Representatives still honors that 60-year-old commitment to Social Security and that the House of Representatives intends to make sure that this 60-year-old commitment is honored.

I urge my colleagues to join with me and ANDY JACOBS and support this resolution.

ONLY A GOOD EDUCATION BRINGS SUCCESS TO AMERICA'S POOREST CHILDREN

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

Mr. DE LA GARZA. Mr. Speaker, I come from a very low-income area of this country, but it has an obsession with education. We have seen the education of our children, the migrant children, the children of the poor. It could not have been done without the assistance of the Federal Government.

When I came here 30 years ago, the issue was should the Federal Government be involved or not in education. The answer was yes, and I can show Members the difference. There are now doctors, lawyers, engineers, with Spanish surnames that would have never been, relying solely on the income from the local school districts or from the State.

I did not come here to dismantle the educational system of the United States, I came to enhance it. We have enhanced it. I am concerned now that there is a move to dismantle it. It should not be done. We keep hearing about not putting a burden on our children and our grandchildren. The best thing we can do for our children and grandchildren is to give them an education. If we dismantle the Federal part, we would have done wrong to future generations.

THE ISTOOK-MCINTOSH AMENDMENT WILL HALT TAXPAYERS' MONEY GOING TO POLITICAL ADVOCACY GROUPS

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

Mr. WHITFIELD. Mr. Speaker, one of the most egregious wrongs imposed on taxpayers during the past 40 years has been a policy which gives tax money to various lobby groups that advocate special programs for particular groups. The Istook-McIntosh Federal grant reform amendment to the Labor Appropriation bill would put a halt to taxpayers' money going to support political advocacy groups they may not want to support.

Thomas Jefferson said it best when he said, ''To compel a man to furnish funds for the propagation of ideas he disbelieves and abhors is sinful and tyrannical.'' The Government should not use taxpayers' money to strengthen special interest groups which do not reflect the views of most Americans. This is wrong, and I urge support of the Istook-McIntosh Federal grant reform amendment to the Labor-Education appropriation bill.

SACRIFICES FROM ALL AMERICANS MAKE POSSIBLE UNFAIR SUBSIDIES TO SPECIAL INTERESTS

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

Mr. MENENDEZ. Mr. Speaker, a little more than 1 week ago Members of this House came to this floor and voted in favor of continuing agriculture subsidies to farmers making over $100,000 in off-farm income and they voted to continue millions of dollars in market promotion subsidies for companies like McDonald's and Pillsbury.

Yet this week, many of these same Members will come to the floor to speak and vote in favor of $4.5 billion in cuts to education programs like student aid and safe and drug free schools. How will they justify it? They will say, ''we must make sacrifices to balance the budget'', ''for our children'' they will say, ''for our children''.

But McDonald's will continue to receive $1.2 million in market subsidies and a farmer making over $100,000 annually in off-farm income will get a $500-per-child tax break for his two children and continue to receive farm payments from the Federal Government. Apparently only your child and mine need to make sacrifices, not farmers nor big business.

GENERATIONAL EQUITY: SAVING MEDICARE AND BALANCING THE BUDGET

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

Mr. GUTKNECHT. Mr. Speaker, I would like to read from Bill Bennett's Book of Virtues a poem entitled ''The Bridge Builders'' by Will Allen Dromgoole. The poem speaks of generational equity.

An old man, going a lone highway,
Came, at evening, cold and gray,
To a chasm, vast, and deep, and wide,
Through which was flowing a sullen tide.
The old man crossed in the twilight dim;
The sullen stream had no fears for him;
But he turned, when safe on the other side,
And built a bridge to span the tide.
''Old man,'' said a fellow pilgrim, near,
''You are wasting strength with building here;
Your journey will end with the ending day;
You never again must pass this way;
You have crossed the chasm, deep and wide—
Why build you the bridge at the eventide?''

The builder lifted his old gray head;
''Good friend, in the path I have come,'' he said,
''There followeth after me today
A youth, whose feet must pass this way.
This chasm, that has been naught to me,
To that fair-haired youth may a pitfall be.
He, too, must cross in the twilight dim;
Good friend, I am building the bridge for him.''

Mr. Speaker, we owe it to our seniors to save Medicare. But, we owe it to our children to balance our budget.

MEDICARE TRUSTEES' REPORT DOES NOT RECOMMEND RAIDING MEDICARE FUNDS TO PAY FOR TAX BREAKS FOR THE WEALTHY

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

Mr. MILLER of California. Mr. Speaker, I have here a copy of the Medicare trustees report. They make it very clear that unless changes are made, Medicare will be insolvent. They also make a series of recommendations of minor extensions of current law that will make it solvent to the year 2010.

What the Medicare trustees do not recommend in this report is raiding the Medicare account to give tax breaks to the wealthy. The Medicare trustees do not recommend, as the Republicans plan to do, to take $270 billion out of Medicare and give it to the wealthiest people in this country. What the Medicare trustees recommend is that we reform the Medicare system to extend its life, not raid the system to give a handout to the wealthiest people in this country.

However, that is what the Republican plan is; not fixing Medicare, not reforming Medicare, but raiding Medicare, using the trustees' report as cover so that they can pass on a tax cut to the wealthiest people in this country. We are fully prepared to reform Medicare. We are not prepared to raid Medicare.

THE HOUSE NEEDS MORE TIME TO CONSIDER VITAL TELECOMMUNICATIONS LEGISLATION

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

Mr. HEFLEY. Mr. Speaker, tonight at about 9 p.m. we are going to begin consideration of the telecommunications bill. It is a very important piece of legislation. It affects everybody in the United States, and will for years to come. We have been working on this piece of legislation for at least 10 years, I am told, and yet somebody has decided it must be out before we leave here the first of August.

This bill passed by an overwhelming majority when it came out of committee, a bipartisan majority, and has been taken and rewritten in a back room by a handful of people, and we are going to begin debate on it tonight. Usually when something this important is rushed through in the dark of night, it is because someone does not want us to know what the real ramifications are. This is no way to do the people's business.

□ 1020

OUTRAGED AND ASHAMED OF PRIORITIES OF NEW MAJORITY

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

Mrs. SCHROEDER. Mr. Speaker, as we end this session, I want to show two pictures, because pictures are worth a thousand words, so they say.

This is the picture of what we are going to be doing when we get to the Defense Department bill. Yes, it is very historic. For the first time since I can ever remember, and believe me, I am old with this gray hair, for the first time since I can ever remember, we are giving them $8 billion that even the Pentagon did not want.

Yes, the GOP elephant is carrying this pork right into the Defense Department. You do not want it, you get it. You get B–2 bombers, get all sorts of missiles, you get anything you want. Here it comes. Maybe they will even gift wrap it. Who knows?

I find that absolutely outrageous when at the very same time we are going to be taking up Labor-HHS and in there we are attacking children right and left. We are throwing 60,000 children out of Head Start. That does not make me very proud. We are taking a 60-percent cut in safe and drug-free schools. As a parent I am outraged. I could go on with the whole list. But remember these two pictures. This is the new priority of this new Congress. I am ashamed.

Today in my district an innovative new program is being launched to help kids and families and reduce teen violence.

Two years ago I teamed up with Attorney General Janet Reno, Colorado Gov. Roy Romer, Denver Mayor Wellington Webb and Aurora Mayor Paul Tauer to begin finding innovative solutions to urban violence in the metropolitan Denver area. The partnership is called Project PACT [Pulling America's Communities Together], an initiative being piloted by the U.S. Department of Justice.

In addition to coordinating law enforcement activities throughout the metro area, Project PACT encourages innovative preventive strategies. This summer Project PACT teamed up with Ticketmaster—the Nation's leading ticket sales outlet—and Mile High United Way to create an activities-for-kids hotline.

Starting today, Colorado parents can call the Ticketmaster/PACT safe summer hotline and get a listing of arts, sports, and recreation activities in any metro Denver neighborhood. The hotline will be piloted for the month of August and will run all next summer.

Ticketmaster is interested in replicating this hotline in other urban districts around the country. I encourage you to look into working with your local United Way, Ticketmaster and other public and private partners to create a safe summer hotline. Innovative strategies like this one need to be supported and replicated, and I am proud to have this hotline in my district.

CLINTON ADMINISTRATION ZIGS AND ZAGS ON OSHA

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

Mr. BALLENGER. Mr. Speaker, I guess we all know by now that the Clinton administration has made a lot of zigs and zags and 180-degree turns. Now they are doing their famous ''now you see it, now you don't'' on OSHA reform.

Two months ago President Clinton made quite a show of going to a small business in northwest Washington and promising that his administration was going to reinvent OSHA. He said that the administration wanted OSHA to be a partner with employers in working toward safety in the workplace. ''Prevention not penalties'' was going to be the new goal for OSHA, according to the President. Last month, Assistant Secretary for OSHA, Joe Dear, made the same promises to the White House Conference on Small Business. Our goal is not to issue penalties, he said, but to work with employers and employees to improve safety.

Someone must have forgotten to get the script to Secretary of Labor Reich. Yesterday he criticized every effort Congress is making to have a more reasonable OSHA.

The Clinton administration's efforts to appeal to the small business community with promises of a reinvented OSHA are looking more and more like one more PR gimmick by this administration. Small businesses, employers, and employees, deserve better.

REPUBLICAN PRIORITIES ARE WRONG

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

Mr. OLVER. Mr. Speaker, the Republicans' defense appropriations bill earmarks $493 million to begin production of the first two unneeded B–2 bombers. But the Republicans' education appropriations bill which we debate today cuts funds for education.

Safe and drug-free schools, special education, art in schools, adult education, education for gifted children, and public library funding all will be slashed. Education for homeless children will be eliminated, gone. Dropout prevention, gone. The national writing project, gone. The teacher corps, gone. Workplace literacy programs, gone.

The irony here is that every single one of the cuts I just mentioned, plus many more, added together equals less than the startup costs of those two unneeded B–2 bombers.

Cuts in education on the one hand, more money to build unneeded B–2 bombers on the other hand. The Republican priorities are wrong.

MEDICARE

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

Mr. TATE. Mr. Speaker, it is an undisputable fact that Medicare is going broke. In fact, in this report it states very clearly that under all sets of assumptions, the trust funds are projected to become exhausted. The good news is the Republicans are willing to take this issue head on, to preserve Medicare, to protect Medicare, and to strengthen Medicare. In fact, we plan on increasing the spending from $4,800 this year for a recipient on Medicare to $6,700 per recipient on Medicare, a $1,900 increase per recipient on Medicare.

The bad news is the liberals have a plan for Medicare as well. Their plan is to do nothing, to allow Medicare to go broke within the next 7 years. Even if the budget was balanced today, we would still have this report stating very clearly that Medicare would go broke.

The Republicans have repealed the Clinton taxes on Social Security benefits, raising the senior citizen earning limit. Now we want to allow seniors to keep more of their money and to protect their Medicare. I urge support for these kind of changes.

EDUCATION CUTS

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

Mr. MARTINEZ. Mr. Speaker, not even Head Start is safe from cuts.

Although it has enjoyed bipartisan support for years, but now the new majority is cutting $132 million from the program; 60,000 or more children will be denied services.

As you may recall, in 1989, a bipartisan group of Governors, along with President Bush, outlined the national education goals.

First and foremost was—''by the year 2000, all children will start school ready to learn.''

Does the new majority leadership no longer believe that such a goal is laudable?

We certainly have not achieved it.

Cutting Head Start is one of many steps that will undermine educational achievement in this country.

Members on the other side of the aisle continually espouse the need for parents to assume responsibility for their children—something many of us already knew was critical. Head Start, in addition to helping prepare children for schooling, encourages parents to become integrally involved in their children's educational achievement.

Do the majority leaders really care about education and parental involvement, or do they only care about tax breaks for their wealthy contributors?

PROVIDING FOR CONSIDERATION OF H.R. 2127, DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 1996

Mr. SOLOMON. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 208 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 208

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. 2127) making appropriations for the Departments of Labor, Health and Human Services, and Education, 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. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. After general debate the bill shall be considered for amendment under the five-minute rule, and the first amendment printed in part 1 of the report of the Committee on Rules accompanying this resolution shall be considered as pending. The reading of the bill for further amendment shall not proceed until after disposition of the amendments printed in part 1 of the report. Each amendment printed in part 1 of the report may be considered only in the order printed, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for ten minutes equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. After disposition of the amendments printed in part 1 of the report, the provisions of the bill, as amended, shall be considered as the original bill for the purpose of further amendment under the five-minute rule. Further consideration of the bill for amendment shall proceed by title rather than by paragraph. Each title shall be considered as read. Points of order against provisions considered as the original bill for failure to comply with clause 2 or 6 of rule XXI are waived. It shall be in order at any time to consider the amendments printed in part 2 of the report of the Committee on Rules. Each amendment printed in part 2 of the report may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment except as specified in the report, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against amendments printed in the report of the Committee on Rules are waived. During further consideration of the bill for amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 6 of rule XXIII. Amendments so printed shall be considered as read. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

MOTION TO ADJOURN

Mr. OBEY. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER pro tempore (Mr. DICKEY). The question is on the motion offered by the gentleman from Wisconsin [Mr. OBEY].

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

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

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

The Sergeant at Arms will notify absent Members.

The vote was taken by election device, and there were—yeas 120, nays 289, answered ''present'' 1, not voting 24, as follows:

[Roll No 609]

YEAS—120

Abercrombie
Ackerman
Baldacci
Barcia
Becerra
Bentsen
Bevill
Bishop
Bonior
Boucher
Brown (CA)
Brown (FL)
Brown (OH)
Bryant (TX)
Clay
Clayton
Clyburn
Coleman
Collins (MI)
Condit
Conyers
Coyne
Danner
de la Garza
DeLauro
Dellums
Deutsch
Dingell
Dixon
Durbin
Engel
Evans
Farr
Fattah
Fazio
Filner
Flake
Foglietta
Ford
Frank (MA)
Frost
Gejdenson
Gephardt
Gutierrez
Hastings (FL)
Hayes
Hefner
Hoyer
Jefferson
Johnson (SD)
Johnson, E. B.
Johnston
Kaptur
Kennedy (MA)
Kennedy (RI)
Kildee
Lantos
Levin
Lewis (GA)
Lowey
Maloney
Markey
Martinez
Mascara
Matsui
McCarthy
McDermott
McKinney
McNulty
Meek
Mineta
Mink
Mollohan
Montgomery
Moran
Nadler
Oberstar
Obey
Olver
Owens
Pallone
Pastor
Payne (NJ)
Pelosi
Pickett
Pomeroy
Rangel
Reed
Richardson
Rivers
Roybal-Allard
Rush
Sabo
Sanders
Sawyer
Schroeder
Schumer
Scott
Serrano
Sisisky
Skaggs
Slaughter
Stark
Stenholm
Stokes
Studds
Thompson
Torres
Torricelli
Towns
Velazquez
Vento
Visclosky
Ward
Waters
Watt (NC)
Waxman
Woolsey
Wynn
Yates

NAYS—289

Allard
Archer
Armey
Bachus
Baesler
Baker (CA)
Baker (LA)
Ballenger
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Beilenson
Bereuter
Berman
Bilbray
Bilirakis
Bliley
Boehlert
Boehner
Bonilla
Bono
Borski
Brewster
Browder
Brownback
Bryant (TN)
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cardin
Castle
Chabot
Chambliss
Chenoweth
Christensen
Chrysler
Clement
Clinger
Coble
Coburn
Collins (GA)
Collins (IL)
Combest
Cooley
Costello
Cox
Cramer
Crane
Crapo
Cremeans
Cubin
Cunningham
Davis
Deal
DeFazio
DeLay
Diaz-Balart
Dickey
Dicks
Doggett
Dooley
Doolittle
Dornan
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
English
Ensign
Eshoo
Everett
Ewing
Fawell
Fields (LA)
Fields (TX)
Flanagan
Foley
Forbes
Fowler
Fox
Franks (CT)
Franks (NJ)
Frelinghuysen
Frisa
Funderburk
Furse
Gallegly
Ganske
Gekas
Geren
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goodlatte
Goodling
Gordon
Goss
Graham
Green
Greenwood
Gunderson
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hancock
Harman
Hastert
Hastings (WA)
Hayworth
Hefley
Heineman
Herger
Hilleary
Hinchey
Hobson
Hoekstra
Hoke
Holden
Horn
Hostettler
Houghton
Hunter
Hutchinson
Hyde
Inglis
Istook
Jackson-Lee
Johnson (CT)
Johnson, Sam
Jones
Kanjorski
Kasich
Kelly
Kennelly
Kim
King
Kingston
Kleczka
Klink
Klug
Knollenberg
Kolbe
LaFalce
LaHood
Largent
Latham
LaTourette
Laughlin
Lazio
Leach
Lewis (CA)
Lewis (KY)
Lightfoot
Lincoln
Linder
Lipinski
Livingston
LoBiondo
Lofgren
Longley
Lucas
Luther
Manzullo
Martini
McCollum
McCrery
McDade
McHale
McHugh
McInnis
McIntosh
McKeon
Meehan
Menendez
Metcalf
Meyers
Mica
Miller (FL)
Minge
Molinari
Moorhead
Morella
Murtha
Myers
Myrick
Neal
Nethercutt
Neumann
Ney
Norwood
Nussle
Ortiz
Oxley
Packard
Parker
Paxon
Payne (VA)
Peterson (FL)
Peterson (MN)
Petri
Pombo
Porter
Portman
Poshard
Quillen
Quinn
Radanovich
Rahall
Ramstad
Regula
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Rose
Roth
Roukema
Royce
Salmon
Sanford
Saxton
Scarborough
Schaefer
Schiff
Sensenbrenner
Shadegg
Shaw
Shays
Shuster
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Solomon
Souder
Spence
Spratt
Stearns
Stockman
Stump
Stupak
Talent
Tanner
Tate
Tauzin
Taylor (MS)
Taylor (NC)
Tejeda
Thomas
Thornberry
Thornton
Tiahrt
Torkildsen
Traficant
Upton
Vucanovich
Walker
Walsh
Wamp
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wise
Wolf
Wyden
Young (FL)
Zeliff
Zimmer

ANSWERED ''PRESENT''—1

Blute

NOT VOTING—24

Andrews
Bateman
Chapman
Hansen
Hilliard
Jacobs
Manton
Mfume
Miller (CA)
Moakley
Orton
Pryce
Reynolds
Riggs
Roberts
Seastrand
Smith (WA)
Thurman
Tucker
Volkmer
Waldholtz
Williams
Wilson
Young (AK)

□ 1051

Messrs. KIM, MEEHAN, INGLIS of South Carolina, SMITH of New Jersey,

Ms. JACKSON-LEE, and Ms. FURSE changed their vote from ''yea'' to ''nay.''

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

So the motion was rejected.

The result of the vote was announced as above recorded.

PROVIDING FOR CONSIDERATION OF H.R. 2127, DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 1996

The SPEAKER pro tempore (Mr. DICKEY). The gentleman from New York [Mr. SOLOMON] is recognized for 1 hour.

Mr. SOLOMON. Mr. Speaker, for the purposes of debate only, I yield 30 minutes to the gentleman from Texas [Mr. FROST], pending which I yield myself such time as I may consume. During consideration of the resolution, all time yielded is for the purpose of debate only.

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

Mr. SOLOMON. Mr. Speaker, House Resolution 208 is an open rule. It provides for the consideration of the bill, H.R. 2127, which is the fiscal year 1996 appropriation bill for the Departments of Labor, Health and Human Services, and Education.

The rule provides for 1 hour of general debate, equally divided and controlled by the chairman and ranking minority members of the Committee on Appropriations. However, I would hasten to add that I have been authorized by the Committee on Rules to offer an amendment to extend that general debate time from 1 hour to 2½ hours, plus 90 minutes each on the first three titles of the bill. That will total about 8 hours all together.

Mr. Speaker, the offering of that amendment was contingent on other arrangements being worked out between the chairman and ranking minority member of the Committee on Appropriations. I will withhold that manager's amendment until the end of the rule, in hopes that we could get that unanimous consent worked out.

Mr. Speaker, following general debate, the rule first makes in order two manager's amendments printed in part 1 of the report. The amendments are not subject to amendment and are debatable for 10 minutes each. If adopted, they will become a part of the base text for further amendment purposes.

Mr. Speaker, the rule provides for reading the bill by title rather than by paragraph, with each title considered as read. Members should go back and make sure they know where their amendments come up because of that.

The provisions of clauses 2 and 6 of House rule XXI are waived against provisions in the bill to protect the many unauthorized and legislative provisions in the bill. However, those provisions are subject to cutting and striking amendments under this open rule.

In addition to the regular amendment process, the rule makes in order three additional amendments contained in part 2 of the Committee on Rules report, and it waives points of order against them.

Mr. Speaker, the first of those amendments is by the gentleman from Pennsylvania [Mr. GREENWOOD] that restores $193 million to the Title X Family Planning Program by transferring the funds from the maternal and child health block grant and migrant health centers.

The Greenwood amendment is subject to one amendment, and that is a substitute amendment by the gentleman from New Jersey [Mr. SMITH] that would terminate funding for the Title X Family Planning Program and would transfer those funds back to the maternal and child health block grant and the migrant health centers.

Both the Greenwood amendment and the Smith substitute are subject to 30 minutes of debate each, divided equally between the proponent and the opponent.

Mr. Speaker, these two amendments are the product of many, many hours of negotiations. The gentleman from Arkansas [Mr. DICKEY] sat through many of them last night between the various parties on both sides of this very controversial issue.

Mr. Speaker, I just want to commend our leadership, and all the Members who did participate in those negotiations, for their good-faith efforts to bring this to a successful conclusion.

The other amendment specifically made in order in part 2 of the committee report is an amendment by the gentleman from Idaho [Mr. CRAPO], myself, and a group of others on a bipartisan basis. That amendment establishes a deficit reduction lockbox law that would apply to this and all future appropriation bills.

That amendment is not subject to amendment and is debatable for 40 minutes, equally divided between the proponent and the opponent.

Mr. Speaker, I am especially pleased with the amendment, since it is the product of the leadership of the gentleman from Idaho [Mr. CRAPO] and a bipartisan group of Members to develop a workable lockbox law that will lock in savings made in the appropriations process for reducing the deficit.

Included in that group of bipartisan Members are the gentleman from Oklahoma [Mr. BREWSTER] and the gentlewoman from California [Ms. HARMAN] on the Democrat side, and the gentleman from Florida [Mr. FOLEY], the gentleman from Oklahoma [Mr. LARGENT], the gentleman from New Jersey [Mr. ZIMMER], the gentleman from California [Mr. ROYCE], and the gentleman from Wisconsin [Mr. NEUMANN] on the Republican side, and a number of others.

The Committee on Rules has also reported this as a separate bill, H.R. 1162, that we hope to take up on the floor later this fall. So, Mr. Speaker, we will go in a tandem route where we will have not only a bill working its way through Congress, but we will have this amendment attached to this appropriation bill working its way through Congress as well.

□ 1100

That was a commitment that was made to Members who support this, and we are fulfilling that commitment today. In the meantime, this amendment to the Labor-HHS bill will ensure that from now on we will utilize this process.

We are especially grateful to the Committee on the Budget, the Committee on Government Reform and Oversight, and the Committee on Appropriations for all of their assistance and support in producing this consensus approach to the lockbox. I would be remiss if I did not especially single out the Committee on Rules Subcommittee on Legislative and Budget Process, the gentleman from Florida [Mr. GOSS], sitting next to me over here, who was so instrumental in negotiating this bipartisan compromise, and finally we would commend our leadership on its commitment to bring this amendment forward today on this bill and for having an open mind on the concept while it was being developed.

I think we have once again proved this Congress is a reform Congress and that the reform process did not end on opening day but rather is an ongoing process, as well it should be.

Mr. Speaker, the Labor-HHS-Education bill has been a very, very difficult bill to fashion, given our new glide path towards a balanced budget in the next 7 years. The chairman of the subcommittee, the gentleman from Illinois [Mr. PORTER], and the ranking member, the gentleman from Wisconsin [Mr. OBEY], are to be commended on working together to bring this bill to us today even though they obviously do not agree on all the particulars or priorities in the bill. But we do have the bill here on the floor.

In conclusion, this is a good rule because it is an open and a fair rule that will allow a majority of this House to work its will within the allocations made to this bill and its subcommittee. I, therefore, urge my colleagues to give their strong support for this rule.

The information referred to follows:

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

[As of August 1, 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	41	72
Modified Closed [3]	49	47	14	24
Closed [4]	9	9	2	4
Totals	104	100	57	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 August 1, 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	PQ: 217–202 (7/21/95)
H. Res. 197 (7/21/95)	O	H.R. 70	Exports of Alaskan Crude Oil	A: voice vote (7/24/95)
H. Res. 198 (7/21/95)	O	H.R. 2076	Commerce, State Approps. FY 1996	A: voice vote (7/25/95)
H. Res. 201 (7/25/95)	O	H.R. 2099	VA/HUD Approps. FY 1996	A: 230–189 (7/25/95)
H. Res. 204 (7/28/95)	MC	S. 21	Terminating U.S. Arms Embargo on Bosnia	A: voice vote (8/1/95)
H. Res. 205 (7/28/95)	O	H.R. 2126	Defense Approps. FY 1996	A: 409–1 (7/31/95)
H. Res. 207 (8/1/95)	MC	H.R. 1555	Communications Act of 1995	
H. Res. 208 (8/1/95)	O	H.R. 2127	Labor, HHS Approps. FY 1996	

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

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

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

Mr. Speaker, today we are considering a rule for a truly terrible bill. The Committee on Appropriations has recommended a bill which decimates nearly every program that affects school children, the elderly poor, working men and women, and the most vulnerable in our society.

The committee has sent the House a bill which repeals family planning programs when at the same time the Congress has under consideration legislation which will effectively penalize unwed teenage mothers. The Appropriations Committee has sent a bill to the floor which reaches so far into the social safety net that it even cuts the President's request for Head Start by $500 million. And, while all of us certainly agree that there are many governmental programs which may be duplicative or unnecessary, the Appropriations Committee—not the legislative committees with jurisdiction—has sent us a bill which terminates 270 Federal programs.

And, Mr. Speaker, to add insult to injury, this appropriations bill can hardly stand on its own by virtue of the fact that it is so loaded with legislative provisions. My friends in the majority party have often used the name of the distinguished gentleman from Kentucky, Mr. Natcher, to make points in debate; today, let me invoke that fine gentleman's memory to make a point. This bill contains pages and pages and pages of unauthorized provisions, but worse yet, contains page after page of legislative matters that are in blatant violation of the rules of the House. Mr.

Natcher was chairman of the Labor/HHS Subcommittee for 15 years and he never came to the Rules Committee to request such a waiver for one of his bills. Mr. Speaker, in my experience I have never seen such a mean spirited piece of legislation and I am sure that Mr. Natcher, were he with us here today, would agree wholeheartedly with me.

Mr. Speaker, this bill is so bad it cannot be fixed. I believe the Appropriations Committee should take this bill back, reallocate some of its scarce resources and preserve and protect the programs that have fought illiteracy, protected workers at their jobs, ensured a decent life for those elderly Americans who were not as fortunate as others, and provided opportunities for countless Americans to secure a place in the middle class through education and training.

Mr. Speaker, surely this is not what the American people voted for last November. Surely, the goodness and generosity that characterizes this Nation and all Americans does not condone a bill which abandons those in our society who have only a small or perhaps no voice here in Washington. I think not, Mr. Speaker.

I urge the Appropriations Committee to withdraw this terrible bill. We should not, we cannot, pass legislation that attacks children, women, the elderly, the disabled, and working men and women. I urge defeat of the bill.

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

Mr. SOLOMON. Mr. Speaker, I yield such time as he may consume to the distinguished gentleman from Sanibel, FL [Mr. GOSS], a member of the Committee on Rules.

Mr. GOSS. Mr. Speaker, I thank our distinguished chairman the gentleman from Glens Falls, NY [Mr. SOLOMON] for yielding this time to me. I must commend him for his patience, persuasion, and persistence in seeking a reasonable compromise on the host of highly contentious issues that pervade the Labor-HHS and Education appropriations bill. As Members know, while the bats were swinging in Bowie, MD last night for the congressional baseball game, our Rules Committee and Members on all points of the political spectrum were at work in the Capitol seeking common ground on the terms of debate for this bill.

Some might call this bill the ''mother of all appropriations bills'' since it covers a tremendous scope of topics and allocates more than $60 billion. The sticking points have become highly visible sore thumbs—including the extraordinarily difficult issue of Federal funding for abortion. This rule does about the best it can do to allow for a relatively free and fair debate on the major issues—while keeping within a somewhat manageable timeframe. I am particularly pleased that this rule makes in order a lockbox amendment offered by Mr. CRAPO. This much-discussed and long awaited amendment commits the House to ensuring that savings agreed to on the floor of the House will indeed be used for deficit reduction and will no longer be permitted to be spent on other spending projects.

We have worked hard to translate this seemingly simply concept into a workable procedural device—one that can accomplish its mission without derailing the entire appropriations process. I think we have done it—and we did so in a bipartisan and deliberative way. Sure, many of us would have preferred that we reach this point sooner in the process. But I am convinced it was better to do lock-box right the first time.

Mr. Speaker, we have got a long debate ahead of us on a host of important subjects. I urge support for this rule.

I hope to have a dialog with Chairman BLILEY on the subject of local land use and local ability to earn revenues in the utilities area and some other things as we go along in this and other legislation. There are many things ahead of us in the days ahead.

This is an important appropriations bill. This is a good rule. It is going to get the full debate it deserves. I urge support for this rule so we can get on with our debate.

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

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

Mr. Speaker, let me simply say that I am of a split mind on this rule because this bill is so bad. But I guess what I would say is I would like us to pass this rule so that we can just as quickly as possible get to a vote on final passage so we can vote ''no.''

I said earlier, when this bill came out of committee, that in my view this bill was the meanest and the most vicious and the most extreme attack on the children of this country, on the dignity and the rights of workers, and on many of our most vulnerable citizens that I ever seen produced by the Committee on Appropriations in all of the years I have had the privilege to serve in this House. I do not believe this bill is fixable.

The basic problem with this bill is that earlier in the year the majority party adopted a budget. And under that budget what is called the 602 allocation was made by the committee, which decided how much would go to each department of Government, and this subcommittee is operating under constraints imposed by those 602 budget limitations. That means that even though the gentleman from Illinois [Mr. PORTER], who is the subcommittee chairman, and in my view one of the finest Members of this House, even though I am sure he would have liked to have done otherwise, he could simply not, under the conditions in which he was operating, produce a bill which meets our national obligations to our children, our workers, and the most vulnerable among us.

The bill also continues 17 major changes in authorization law, and each of those changes ought to be considered on their own by the committee of jurisdiction. They should not be slipped in as legislative riders in this bill so that the authorizing committees can avoid confronting not only the language that you have for each of these provisions, but also confronting rational amendments to them.

Under the way we work, the way the House governs appropriations bills, or the way the House rules govern appropriation bill consideration, you cannot offer many rational amendments to the extreme language which is in this bill, and because that language makes a wholesale assault on the ability of workers to expect even a reasonable degree of protection and dignity at the bargaining table, because it imposes a set of values on women of this country rather than trying to encourage a set of values, I think that this is a highly illegitimate process, and so I think the bill ought to go down.

But the rule does facilitate our ability to at least address each of these issues in a rational way.

With the amended suggestions of the gentleman from New York [Mr. SOLOMON], it will be a rational way in which we can focus the debate on education, on what we are doing to workers, on what we are doing to the seniors, and we will have an opportunity to at least debate in some fashion the legislative language which has illegitimately been attached to this bill, in my view, so I think the rule is far more legitimate than the bill which has spawned it.

So I would urge Members to vote for the rule, and I would ask the cooperation of Members on both sides of the aisle in helping us to focus the debate on each of these subjects without getting into the constant repetitive offering of individual amendments. This bill is so bad it cannot be fixed by amendment.

The key vote on this, in the end, will be the vote that occurs on final passage.

So I would urge Members of both sides of the aisle to vote for this rule, but when we move on to the bill itself, I would urge Members of both parties who recognize that this is an extreme attack on the education of children, the rights of workers, the rights of women, and the needs of the most vulnerable in our society, to join me in voting against the bill on final passage.

Mr. SOLOMON. Mr. Speaker, I yield myself such time as I may consume to thank the gentleman from Wisconsin [Mr. OBEY].

The truth of the matter is that this is a very controversial bill, and in the first three titles we have, at his suggestion, increased the general debate time for each of those three titles. As a matter of fact, 1½ hours each, and that does then lay the groundwork for what is in those titles.

So I want to commend him for his suggestions and for helping us to get this rule through here today.

Having said that, I would like to yield to the gentleman from Claremont, CA [Mr. DREIER], the very distinguished vice-chairman of the Committee on Rules. He was the Chair of the task force, Speaker's task force, that brought about on opening day major changes in this institution that are now coming to fruition, and we are finally able to process legislation the way it should have been. We still have far to go.

The gentleman from California [Mr. DREIER] is still concentrating on that, and he has been very helpful in this lockbox legislation that is going to be in this bill here today.

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

Mr. DREIER. Mr. Speaker, I thank my friend, the gentleman from Glens Falls, NY [Mr. SOLOMON] for yielding me this time. I hope the time he used to introduce me does not come out of such time as I may consume.

Let me say, Mr. Speaker, that our former colleague, Dan Rostenkowski, used to always say that if everyone is unhappy with a piece of legislation, it is probably a pretty good bill.

We do not always say that when we are looking at a rule, but we know that it took a great deal of negotiation to get to the point where we are today, and as the chairman of the Committee on Rules has just said, the ranking minority member of the Committee on Appropriations did have input in determining the time for general debate that was added for these three titles, and virtually everyone has had a hand in this.

If you look at the very beneficial aspects, I believe that it should lead a majority of Members of this institution to support this rule.

Now, one of the items that has been discussed in a bipartisan way consistently has been the lockbox, the desire to deal with deficit spending, and Members on both sides of the aisle again have stepped up and said, ''We need to deal with the issue of the deficit.'' We have had very strong statements made by our colleagues, the gentleman from Oklahoma [Mr. BREWSTER] and the gentlewoman from California [Ms. HARMAN] consistently before our Committee on Rules on that, and, of course, we have had Members on our side of the aisle, the gentleman from Idaho [Mr. CRAPO], and others who have been dealing with the issue of the lockbox. This rule allows us to finally face that question.

□ 1115

Then we look at a number of the other items. Well, it has been stated time and time again the legislation that deals with the Departments of Health and Human Services, and Labor, clearly is an overwhelmingly large bill, and there are many items in it, but it seems to me that it is our responsibility to deal, as well as we can, with them, and this rule, while it may not be perfect, is, quite frankly, the best product that can be assembled.

I am disappointed that things like the Riggs amendment were not made in order that would allow us to deal with the issue of illegal immigration, and I can point to other aspects of it that I believe should have been addressed. But we need to move forward.

This is an extraordinarily important appropriations bill, and I hope very much that our Members will come to the conclusion that providing support for this rule will at least allow us to consider this very important legislation.

Mr. FROST. Mr. Speaker, I yield 2 minutes to the gentleman from Colorado [Mr. SKAGGS].

Mr. SKAGGS. Mr. Speaker, I thank the gentleman from Texas [Mr. FROST] for yielding this time to me.

Mr. Speaker, this rule, although touted by the good chairman of the Committee on Rules, as exemplifying yet another instance of reform is this place, really is belied in that regard. It is yet another example of cover and camouflage with which we have buried in an appropriations bill 13 pages of the most egregious, wrong-headed legislative language imaginable. Why in the world, Mr. Speaker, this was protected from a point of order is beyond me, but it is. And it should offend everyone's sense of regular order around this place that without any hearings, without any examination in the normal order of business, we would be putting a bill, an entire bill, dealing with a topic as sensitive as Government restrictions on political activity in this country, putting an entire bill into this appropriations measure. If for no other reason, not withstanding the reasons that have been outlined by the gentleman from Wisconsin for going ahead with this rule, we ought to seriously consider defeating it because of its protection of this provision. Nonetheless, we will have an opportunity, which I hope my colleagues will avail themselves of probably tomorrow, to get rid of this travesty, this frontal, headlong assault on first amendment protected activities in this country.

In any case I wanted my colleagues to be aware of what's probably the singular waiver event of this Congress in protecting the nonsense in this bill.

Mr. FROST. Mr. Speaker, I yield 2 minutes to the gentleman from Texas [Mr. GENE GREEN].

(Mr. GENE GREEN of Texas asked and was given permission to revise and extend his remarks.)

Mr. GENE GREEN of Texas. Mr. Speaker, Members, this rule makes it far too easy for the Republican majority to target children, seniors, and working families with these cuts. What we are seeing is a finalization, I guess, of the budget resolution we passed here earlier that required this bill to have these substantial cuts in education, senior programs, and for children programs and for working families.

Let me talk about the education cuts since I serve on that committee here in Congress. This bill that this rule will allow us to consider will cut 48,000 children from Head Start programs, cut the Healthy Start in half, it cuts the Safe and Drug Free Schools by 59 percent, it cuts 1 million children that will not get extra help on their reading and math thanks to the 17-percent cut in chapter 1. In my State of Texas we will lose $66 million on summer jobs programs that we restored this summer, but this appropriations bill will not allow it for the summer of 1996, and that is what is wrong with this bill. Chapter 1 funding; it goes to almost every elementary school in my district in the State of Texas, will be cut $97 million. There are school districts, particularly in poorer parts of Texas and all over the country, who depend on that to provide that extra help for these children who need that extra assistance.

Senior citizens' programs are cut in this bill. The programs that we have to provide heating assistance in the winter and cooling assistance in the summer are being cut. Take, for example, what has happened in Chicago this last month or what was happening in Texas up until we had the tropical storm come through, Mr. Speaker. Twelve million meals served to seniors each year are eliminated by cuts in Meals on Wheels and meals that are served in senior citizens' centers that all of us have in all of our districts.

Working families; let me talk about the cuts in just the labor side of it. Working families, the cuts; now we may all agree that we need to look at OSHA and a lot of Federal programs, but to cut 33 percent off of job safety is ridiculous, and cut the pension plans.

Mr. Speaker, I could talk all day, as my colleagues know, and I appreciate my colleagues' courteousness, and I urge a ''no'' vote on the bill.

Mr. FROST. Mr. Speaker, I yield 2 minutes to the gentlewoman from Colorado [Mrs. SCHROEDER].

Mrs. SCHROEDER. Mr. Speaker, I thank the gentleman from Texas [Mr. FROST] for yielding this time to me, and, as my colleagues know, in 2 minutes I just cannot say enough bad things about this bill.

People are wearing these shame lapels because we are really ashamed to be here. The ranking member said over and over again this is the meanest and the most extreme bill we have ever seen. We are picking on people that rally cannot fight back.

I ask my colleagues, ''Are you proud today if what we will be doing is kicking 48,000 children out of Head Start? Does that make anybody proud? Is anybody proud today that we're going to cut Healthy Start for infants and children in half?''

Well, Mr. Speaker, it does not make me proud.

Is there anybody proud that we are going to take Safe and Drug Free School funds and cut them by 60 percent?

Or how about gutting title I, which is where we try and bring children's reading skills up to snuff?

What about the whole area of protecting our workers, and their pension programs, and all the things that we have been doing?

Or what about what we are doing to seniors?

As I say, this list goes on, and on, and on, and I am ashamed because at the very same time we are gutting all of this we are going to be backing right up to this bill a Defense Department bill where we are going to give the Pentagon $8 billion more than they asked for, $8 billion more than they asked for. We have never done that. We cannot buy enough B–2's, and apparently we cannot buy enough hardware and all this stuff when they do not even want it, and yet we are saying to little kids, 3-year-olds, out of Head Start, we do not have the money. We are saying to people in Healthy Start get out, we do not have the money for them to have a healthy start.

Mr. Speaker, those are not the priorities for America's future.

I am surprised that the leadership of this House who keeps talking about the third wave, and their vision, and all of that; if their vision does not include children, if their vision does not include middle-class families, we are in real trouble. Their vision is a horror show.

Mr. SOLOMON. Mr. Speaker, I yield such time as he may consume to the gentleman from Illinois [Mr. PORTER].

PERMISSION FOR CHAIRMAN OF COMMITTEE OF THE WHOLE TO POSTPONE VOTES ON AMENDMENTS DURING CONSIDERATION OF H.R. 2127

Mr. PORTER. Mr. Speaker, I ask unanimous consent that during the consideration of H.R. 2127 pursuant to the provisions of House Resolution 208, 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, and that 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 SPEAKER pro tempore (Mr. DICKEY). Is there objection to the request of the gentleman from Illinois?

There was no objection.

LIMITING TIME FOR DEBATE ON AMENDMENTS AND LIMITING MOTIONS FOR COMMITTEE TO RISE DURING CONSIDERATION OF H.R. 2127

Mr. PORTER. Mr. Speaker, I ask unanimous consent that consideration of the bill H.R. 2127 in the Committee of the Whole pursuant to House Resolution 208 shall also be governed by the following order:

The following amendments, identified by their designation in the CONGRESSIONAL RECORD pursuant to clause 6 of rule XXIII, may amend portions of the bill not yet read for amendment, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole, if offered by the Member designated: the amendment by Representative OBEY of Wisconsin numbered 36; and an amendment en bloc by Representative PELOSI of California consisting of the amendments numbered 60, 61, and 62.

The time for debate on each of the following amendments to the bill, identified by their designation in the CONGRESSIONAL RECORD pursuant to clause 6 of rule XXIII, unless otherwise specified, and any amendments thereto shall be limited to 40 minutes equally divided and controlled by the proponent of the amendment to the bill and an opponent: the amendment by Representative OBEY of Wisconsin numbered 36; the amendment by Representative STOKES of Ohio numbered 70; the amendment by Representative LOWEY of New York numbered 30; the amendment by Representative KOLBE of Arizona proposing to strike section 509 of the bill; the amendment by Representative SKAGGS of Colorado numbered 64; the amendment by Representative SABO of Minnesota or Representative OBEY of Wisconsin proposing to amend title VI of the bill; and the amendment by Representative SOLOMON of New York relating to the subject of political advocacy.

Except as otherwise specified in House Resolution 208, the time for debate on each other amendment to the bill and any amendments thereto shall be limited to 20 minutes equally divided and controlled by the proponent of the amendment to the bill and an opponent.

After a motion that the committee rise has been rejected on a day, the chairman may entertain another such motion on that day only if offered by the chairman of the Committee on Appropriations or the majority leader or their designee. After a motion to strike out the enacting words of the bill, as described in clause 7 of rule XXIII, has been rejected, the chairman may not entertain another such motion during further consideration of the bill.

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

Mr. GUNDERSON. Reserving the right to object, Mr. Speaker, the concern I have is the preclusion of Members offering a motion for the Committee to rise because this is one of the few opportunities where member of the committee, where there are time controls, have any access to get heard.

Mr. Speaker, there is a lot of controversy on this bill on both sides of the aisle, and I have got to tell my colleagues that if we are going to preclude Members like myself from moving that the Committee rise so that we might be heard for 5 minutes, it is something to which at this point I would object.

Can we delete that section from the motion?

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

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

Mr. OBEY. Let me point out that the language on that was specifically requested by the gentleman's party leadership.

Mr. GUNDERSON. It does not get any better.

Mr. OBEY. I was most reluctant to agree to it because I think it can put them procedurally in the driver's seat, but in the end I was persuaded to accept it on two grounds.

Mr. GUNDERSON. Further reserving the right to object, Mr. Speaker, my concern is that we are going to enter into a whole series of time agreements to expedite business over the next couple of days. I understand that, and I respect that, but, if we have time agreements, and the time is controlled, and we only allow one motion to rise during that day, then everybody else on the floor outside of the chairman and ranking member is precluded from getting heard if they feel strongly.

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

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

Mr. OBEY. Let me explain the process under which we are going to proceed. I think it will alleviate the concerns of the gentleman.

What we are doing is we are starting with 2½ hours of general debate under the proposal that is being offered by the gentleman from New York [Mr. SOLOMON].

□ 1130

We are trying to group debate so we can have a focused discussion title by title on Labor, on HHS, and on Education. We will also then have a focused discussion on a number of the language amendments. We have, for instance, the Istook amendment, the rape-incest provision, we have a number of those.

We have tried to structure a good deal of debate time so that Members on and off the committee will be able to participate. I know we certainly worked out a very large number of participants on this side of the aisle, and I would be very surprised if the gentleman from Illinois has not done the same thing.

So I, speaking as a Member of the minority who used that right the other night in order to make a point, I am very reluctant to give that up. If you ask the Speaker's representative, he will tell you we had a quite heated discussion on it. But I think the rights of Members to be able to participate meaningfully are being protected by the rule.

I do not have a dog in this fight. This is your leadership's request, but it is our efforts to try to accommodate them.

Mr. GUNDERSON. Mr. Speaker, I would like to make it clear that I need

to correct my own language. It is the motion to strike the enacting clause that I wanted to preserve, not the motion to rise, so everybody understands what I am trying to preserve here.

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

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

Mr. SOLOMON. Mr. Speaker, in addition to the motion to rise by the manager of the bill, the gentleman would be entitled to one motion to strike the enacting clause.

Mr. GUNDERSON. Mr. Speaker, is it one per Member? For example, if the gentlewoman from Florida wanted to move to strike the enacting clause and get recognized for 5 minutes and that has been done, under this agreement do I have the right to strike the enacting clause?

Mr. SOLOMON. Mr. Speaker, if the gentleman will continue to yield, you would only have one between the two of you. But what is allowed, so that the gentleman may be heard, is that you are allowed to strike the last word at any time when an amendment is not pending. So one cannot be precluded from speaking for 5 minutes or even longer on their point of view. The gentleman is protected under this arrangement.

Mr. GUNDERSON. Mr. Speaker, reclaiming my time, that is the concern. The gentleman knows we are going to move to rather strict time debates. When we have amendments thereto, such as the Greenwood amendment and the Smith amendment thereto, and if I have Members here who feel strongly about this issue, myself or others, who want to be recognized, and we are told you only have 30 seconds under the time agreement, that is not acceptable.

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

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

Mr. PORTER. Mr. Speaker, this is an open rule. That means that any Member can simply offer another amendment and get time under the 5-minute rule to pursue it. I do not think anyone would be shut off from debate or further expressing themselves in any way they want.

We are trying, obviously, to pack a lot of work into the last few days before the August district work period, and this will simply allow us to expedite that work. I do not think it will cut off anybody's rights. I urge the gentleman to withdraw his reservation.

Mr. SOLOMON. Mr. Speaker, if the gentleman will continue to yield, the gentleman under all circumstances would be allowed 5 minutes by striking the last word. He might be precluded from an additional 2 or 3 or 5 minutes if someone objected to a unanimous consent request.

Mr. GUNDERSON. Mr. Speaker, I think it is important that people understand that members of the committee get recognized before anybody else. Second, we are doing things in this bill that do not belong in the Committee on Appropriations or the appropriations bill. Third, we are going by strict time controls on the debate on most of these amendments.

What the gentleman is telling a Member like me, who is a member of the authorizing committee, who sees all of these things done that we have had no input on, who feels very strongly about the question of human investment, is that I am going to be controlled by somebody else's time agreement and whether they yield me time, and now the gentleman is going to take away from me the one opportunity I have during the course of that debate to make points I feel strongly about, which is the motion to strike the enacting clause.

I would plead with the gentleman, delete that, so I do not have to object. I would not get recognized. One would not be able to get recognized to strike the requisite number of words.

Mr. SOLOMON. Mr. Speaker, under protocol and precedents of the House, the Speaker would recognize members of the committee first. Certainly in this case, with the authorizing committee being involved, I am sure that the gentleman's committee would come second in the eyes of the Speaker. The gentleman is protected.

Mr. GUNDERSON. Mr. Speaker, I object.

Mr. PORTER. Mr. Speaker, if the gentleman would further yield, if we were to remove that last sentence of the request, would the gentleman then not object?

Mr. GUNDERSON. That is right.

Mr. PORTER. Mr. Speaker, I ask unanimous consent to strike the last sentence of my earlier unanimous-consent request.

Mr. GUNDERSON. Mr. Speaker, further reserving the right to object, I want to make sure that is the sentence regarding striking the enacting clause?

Mr. PORTER. Yes.

The SPEAKER pro tempore. The gentleman from Illinois [Mr. PORTER] modifies his request. Is there objection to the request of the gentleman from Illinois?

Mr. SKAGGS. Mr. Speaker, reserving the right to object, and I do not intend to object, I just wanted to pose a question to the gentleman from Illinois [Mr. PORTER]. The gentleman listed several amendments on which there would be a 40-minute limitation on debate, including, I believe, one attributed to the gentleman from New York [Mr. SOLOMON] on political advocacy.

My review of what is preprinted did not show such an amendment. Is this one that is yet to be drafted?

Mr. PORTER. Mr. Speaker, if the gentleman will yield, apparently it is not preprinted. It was printed this morning.

Mr. SKAGGS. So it has been submitted and is available for review. It is that amendment that is contemplated by that 40-minute restriction?

Mr. PORTER. Yes.

Mr. SKAGGS. Mr. Speaker, I withdraw my reservation of objection.

Mr. OBEY. Mr. Speaker, reserving the right to object, I simply want to make sure I understand what has been suggested by the gentleman from Illinois [Mr. PORTER]. Is the gentleman in fact simply removing the last sentence?

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

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

Mr. PORTER. Mr. Speaker, yes.

Mr. OBEY. Mr. Speaker, if that is satisfactory to the majority, we have no objection.

Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The SPEAKER pro tempore. Is there objection to the original request of the gentleman from Illinois, as modified?

There was no objection.

Mr. SOLOMON. Mr. Speaker, I yield 3 minutes to the distinguished gentlewoman from Florida [Mrs. FOWLER].

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

Mrs. FOWLER. Mr. Speaker, it is with a heavy heart that I rise today in strong opposition to this rule.

This rule does not make in order an amendment offered by Mr. KOLBE, Ms. PRYCE, and myself, which would have provided a commonsense solution to the issue of Medicaid-funded abortions in the cases of rape and incest.

In 1993, the Hyde amendment, which was overwhelmingly supported by pro-life Members, included language allowing Medicaid-funded abortions in the cases of rape and incest. As we all know, Medicaid is funded jointly by the States and the Federal Government. Because some States prohibit funds from being used for rape and incest abortions, many States' laws are in conflict with the current Hyde language.

This bill includes a provision which attempts to remedy that situation by allowing States the option of not funding such abortions. While the bill protects States' rights, it would result in instances where a young woman who has become pregnant from rape or incest would have to travel across State lines to get a Medicaid-funded abortion.

The Kolbe amendment would solve the dilemma by maintaining States' rights not to fund such abortions, but would have the Federal Government cover the entire cost. Last year, there where only two—let me repeat that—only two Medicaid abortions because of rape or incest.

I do not support Federal funding of abortions except in the cases of rape, incest, or life of the mother. But I feel very strongly about those exceptions. As the mother of two daughters, it is horrifying to me to think of anyone's

daughter having to suffer the consequences of rape or incest without recourse. The Kolbe amendment was not radical and it was not about funding abortion on demand. It was a commonsense solution. But it was not made in order by the Rules Committee.

Under this rule, we have two choices: either we accept the bill language, or we move to strike the provision. While I do not support the current bill language, the motion to strike fails to address the problem of States' rights.

It is beyond me to understand why our leadership has a problem with an open debate on this issue and an up or down vote on the Kolbe-Pryce-Fowler amendment. I am extremely disappointed that our leadership has ignored Members' concerns and I am voting against this rule.

Mr. FROST. Mr. Speaker, I yield 3 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. Speaker, I rise in opposition to this bill. I think if we want to get a clear view of the new priorities in Washington, we need to take a close look at this bill.

First of all, it is antieducation. Our educational system, which is the truest test of what we are and where we are going, is going to be cut nearly 20 percent in this bill. These cuts affect 14,000 school districts, and are going to deny 1 million children the help they need in reading and math.

Vocational programs, which are key to ensuring that young adults and children keep step with a rapidly changing economy, are cut by one-third. Apparently, we are willing to tell children who simply must have vocational programs to rise above the poverty line that they are expendable.

Head Start, one of the Nation's most successful preschool programs for 700,000 disadvantaged and disabled children, is a target for cuts. At least 48,000 children will no longer get the community-based health and education programs they need to do well in school.

Programs for the mentally ill, which are already underfunded, take a 20 percent cut. In this country, 63 million children suffer from mental disorders. Severe mental illness is more prevalent than cancer, diabetes, or heart disease, yet this vulnerable population is apparently not a priority.

Rural health programs that assist doctors, local hospitals, and migrant workers are no longer necessary or important by the cuts of this bill. Protection for workers, decimated. Each year, 55,000 people die and another 60,000 are permanently disabled on the job, but OSHA, the agency responsible for dramatically reducing worker injuries in the last 20 years, has been slashed rather drastically.

Mr. Speaker, there is a need to read between the lines with this appropriations bill. However, many of my constituents and working families all over the country seem to be less of a priority now.

Mr. Speaker, it is critically important that we also recognize the damage to seniors. The low income energy assistance which provides heat in the winter and cooling in the summer for thousands of low income elderly people is totally eliminated. Twelve million meals served to seniors each year are eliminated by cuts in Meals on Wheels and meals served to senior centers.

I have already talked about Head Start. Healthy Start cut in half; safe and drug-free schools cut by 59 percent; 48,000 children eliminated from Head Start; 1 million children will not get the extra help they need in reading and math thanks to the 17 percent cut in title I education.

Again, as I mentioned, enforcement of health and safety protections in the workplace for working families is cut by 33 percent. Pension protection is cut. Enforcement of the minimum wage law, child labor laws, and the 40-hour week, is cut by 12 percent.

Mr. Speaker, this is not a good bill, and it should be defeated.

□ 1145

Mr. SOLOMON. Mr. Speaker, I yield 1 minute and 30 seconds to the gentleman from Fullerton, CA [Mr. ROYCE].

Mr. ROYCE. Mr. Speaker, I rise in support of the rule on the Labor-HHS bill. In particular, I support the provision in the rule which permits the offering of an amendment by my colleague, Mr. CRAPO and myself, requiring that any savings realized in the bill from amendments either in committee or on the floor below the 602(b) budget allocation, be specifically earmarked for deficit reduction.

This is the so-called deficit reduction lockbox provision, which Mr. CRAPO, Mr. SOLOMON, and others, myself included, have supported and worked for in the past. The Speaker, our majority leader, Mr. ARMEY, and many of our colleagues from the other side of the aisle, especially Mr. BREWSTER, all support this provision, which will insure that any savings we make below the budget allocation for this bill will go directly to debt reduction, rather than for other programs.

I think this amendment is also supported by the American people, who deserve to know that we are working to reduce the national debt while still providing essential services. A child born today faces a tax bill of $187,000 over his or her lifetime just to pay their share of interest on the national debt. I urge adoption of this rule, which will allow us to make sure our votes go to deficit reduction.

Mr. FROST. Mr. Speaker, I yield 1 minute to the gentleman from Wisconsin [Mr. OBEY].

Mr. OBEY. Mr. Speaker, I rise because of the statement just made by the last speaker to simply point out that the lockbox provision being attached to this bill is a king-size joke.

All year we have tried to defend the right of Members to offer an amendment on lockbox which essentially would save any money that is cut during floor consideration of a bill and use that for deficit reduction. We objected to the rescissions bill earlier in the year because lockbox was blocked. But now cynically the lockbox provision is provided on this bill at the end of the process; the only problem is that there is not going to be any money to put in the box because this bill is already so decimated that I doubt seriously that the House is going to make any significant reductions in the bill.

All the lockbox amendment is is a cover-your-tail amendment that allows politicians to pretend that they are setting up a system to save money when, in fact, there will be no money to be saved the way this bill is being handled.

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

I would also point out on the same subject of lockbox that in the Committee on Rules last night I offered an amendment to make lockbox provisions retroactive so in fact we could cover all the appropriation bills that have already been considered, but that was rejected by the committee. So the gentleman from Wisconsin is entirely right. This is a meaningless provision as it is currently offered.

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

Mr. KENNEDY of Massachusetts. Mr. Speaker, we are considering a rule that is nothing more than a dastardly act perpetrated on the American people by the Republican Party, a bill so bad that it cannot be fixed by any number of amendments offered here in the next several hours.

The gaping wounds slashed into the heart of the programs by the Grand Old Party on our children's education, on our senior citizens, on training and protecting America's work force into the 21st century, and health programs cannot be healed by the Band-Aid approach that is taking place here.

Let us just let this bill bleed to death on the House floor. Make no mistake about it, the bill is a head-on assault on our future. It fundamentally goes in the opposition direction that our country needs to take. It targets the most vulnerable people in our society, and it yanks the safety net away from our seniors, rolls back protections for our workers and take away the opportunity for our children to learn.

It ends the fuel assistance program so key to the needs of our seniors and poor people in the middle of winter that ended up providing the assistance that was necessary right here in the summer where 700 people were killed in the last couple of weeks because of the heat wave. The Republicans want to cut it.

It kills the summer job programs for our Nation's youth, a program that is vital if we are going to end the kind of

violence that we see, the kind of despair that so many young people feel in our inner cities today. It cuts backs on the Drug-free Schools Program by 60 percent.

It cuts $1 billion out of the job training programs for our country. It cuts 50 percent out of the Healthy Start Program. There are parts of this country, parts of my district where we have worse infant mortality rates than the poorest countries in our hemisphere. The one program that works, it works, is Health Start, which dramatically brings down the infant mortality rates; the Republicans are going to cut it. It cuts back the opportunities for college education. It undermines the bargaining rights for the working people of our country.

It undermines the bargaining rights of working people. Somehow we are told that the Republicans, again, are not trying to enforce an authorizing provision in an appropriations bill. That is a lot of jargon around here, but basically what it means is they write laws when they are supposed to be appropriating money. It eliminates the striker replacement bill in this legislation.

What we have here is an attempt by Republicans to go about their business of trying to balance the budget, at the same time providing an enormous tax cut and going through the back door of undercutting and slashing the most vulnerable people in this country. I do not understand it. If we are really, truly considering the future needs of Americans, why go and hurt the most vulnerable people in this country? Why go after our children? Why go after our senior citizens? It just is not right.

Find some heart, find some conscience in what you are doing. Do not just be mean-spirited to line your pockets and the pockets of wealthy contributors today. Go after a more balanced approach in terms of finding the ways to balance the budget of this country. We can do it, but not in this mean-spirited way.

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

Mr. Speaker, I am going to just propound a question to everyone: What is compassionate about running up a huge Federal deficit that is literally going to rob my children, my grandchildren, my great-grandchildren and yours and everybody's in this room?

We have a Federal deficit today that is approaching $5 trillion. When you look at the pie that makes up the Federal budget, about 16 percent of that pie goes to pay the interest, each year, on that Federal deficit that has now reached $5 trillion.

If we continue down the path that was presented by the President, we would have added another trillion dollars to that. In other words, at the end of 5 years we would then have a $6 trillion debt.

Do you know how much the interest is that we pay to foreign countries who own the Treasury notes that go to finance that debt? Now it is only $250 billion, which is almost equal to what we spend on the first priority of our budget, national defense. The interest alone each year almost equals that national defense budget. If we continue down that path, then it will not be just $250 billion that we pay out; it will be $350 billion. That is an additional $100 billion that has to be taken from the rest of the pie, which is national defense, which is discretionary programs, which is entitlement programs. You then have to deduct another $100 billion from the money you currently spend on the truly needy in this country.

What is compassionate about that?

Now, we are not going to raise taxes another dollar. We are not going to do it. Because young people today, including my five children, find it difficult to save enough money for a downpayment on something that the gentleman spends so much fighting for on this floor, and that is the right for decent human beings to own their own home, not a public home, but their own home.

My children have difficulty saving enough money for that downpayment.

They would have more difficulty even if they did save that money to make the mortgage payments because interest rates are so high. We cannot let this deficit continue to burgeon, to continue to go up and up and up. Those interest rates go up and up and up, and young people today are not going to have the ability to do what we all wanted to do so much 45 years ago.

When I first got married, we scrimped and we saved and we had enough money because the Federal Government did not take that much out of our take-home pay. We were able to save a little bit. We were able to make those mortgage payments, and we suffered, but we did it. We cannot continue to be noncompassionate on those people today.

That is what we are talking about in this debate. Sure, it is tough. You have got to have cuts. But you have got to cut someplace. We have cut everywhere and it has been fair.

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

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

Mr. KENNEDY of Massachusetts. Mr. Speaker, I stand second to no one in terms of being willing to cut the Federal budget. We have different priorities.

The fact of the matter is that when you say you cut everywhere, you put $7.6 billion more into the equipment account of the military than they even asked for. You have lined the pockets of corporate America through the use of corporate welfare in this country, the likes of which we have never seen before in the Congress of the United States.

We have done things over the course of this budget by providing people with incomes above $200,000 a year with a $20,000-a-year tax break. I appreciate the gentleman talking about the fact that he is interested in having his kids own a home. I wonder whether or not the gentleman might have taken advantage of the VA loan program when he got out of the military. I know that he served the country very well, but the fact is that he probably got some Government help and assistance when he needed to buy a home.

I do not know that for sure, but there is certainly a large number of veterans that have. All that I am trying to suggest is that there are ways to invest in our country's future, and there are ways to frivolously throw money around today. This bill cuts the very heart out of the poorest people, the senior citizens, fuel assistance, summer jobs for our kids, protections in our work force, which I think are a shortsighted way of going.

Mr. SOLOMON. Reclaiming my time, Mr. Speaker, let me just say to my good friend, we can argue about the national defense budget. I recall when Captain O'Grady was shot down, and I recall how we were able to detect where he was and then go in there, stealthily, without a loss of one single American life, and bring him out. Do you know why? Because we have been able to maintain, since Ronald Reagan came in here in 1981, a decent research and development program in our military budget that allowed us to do that.

It allowed us to go into a place called Iraq with the fewest possible casualties. We were able to give the young men and women we put into the military the finest equipment in the world. And by God, if we ever put them in there again, and I hope it is not in Bosnia, they are going to go in with the very best.

Sure we increased procurement by 11 percent. We increased research and development by 5 percent, operation and maintenance by 3 percent to give them a decent place to live in the military. I could go on and on and on.

Minimal increases in the defense budget are necessary to guarantee that our military is going to be able to defend America's strategic interests around the world. That is what this debate is all about here, priorities and fairness.

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

Mr. FROST. Mr. Speaker, I would inquire of the chair the time remaining on each side.

Mr. SPEAKER pro tempore. The gentleman from Texas [Mr. FROST] has 8 minutes remaining, and the gentleman from New York [Mr. SOLOMON] has 7 minutes remaining.

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

Mr. FRANK of Massachusetts. Mr. Speaker, the last interchange between my colleague from Massachusetts and the gentleman from New York indicates the problem that now faces the House. We are about to make the most important decisions a civilized democracy can make in about 2 days. We are

being told that we will appropriate the two largest amounts, the Defense Department appropriations bill and the Labor-Health and Human Services appropriations bill, totaling more than $500 billion, more than $300 billion discretionary, more than half of the discretionary account. Plus we will deal with the telecommunications future of this country in about 2 days. Nothing better illustrates the absolute incompetence with which the majority is now running the House.

This is not the fault of the Committee on Rules. They have been given an impossible job. We have heard Members on the other side, the gentleman from Wisconsin, the gentlewoman from Florida, objecting at the constricted nature of the debate that faces them. It happens because we have a Republican leadership that has so mishandled things that we come to 2 days before a recess, having taken time out for Republican fund raisers and other things, and we are told that we will go all night, if necessary, we will do the most fundamental decisions.

□ 1200

Yes, we will take money away from the poor and the needy and the elderly and give it to the B–2 bomber, and give it to defense. We will make all these decisions on American telecommunications.

There is a kind of a book that comes to mind. When the Mets played their first year, somebody wrote a book about the Mets and they quoted Casey Stengel as having said, as he looked at his team, ''Can't anybody here play this game?'' This is not a game, this is more serious; but can not anybody on this side run this House?

Mr. Speaker, to come to this late date, we have 2 days and 3 hours, 51 hours, 2 days and 3 hours to do the telecommunications bill, the Labor-HHS appropriation, and the Defense Department. This is not just incompetence, it becomes an abuse of democracy. If we were not cramming all this in so quickly we would have time to debate it adequately.

Mr. SOLOMON. Mr. Speaker, I yield myself 30 seconds.

Mr. Speaker, let me just say to my good friend, the gentleman from Massachusetts [Mr. FRANK], he should have included the Democrat leadership in the incompetency that he mentioned, because they have conspired to limit the time for consideration of the bill.

Mr. Speaker, I yield 1 minute to the gentleman from Pennsylvania [Mr. WALKER].

Mr. WALKER. Mr. Speaker, I just wanted to point out that last year we did Labor-HHS, DOD, and VA–HUD in 2 days. That was under the Democratic leadership of the Congress. That was a far bigger bite to take off than what the gentleman suggested that the Republican leadership has given. I just thought we ought to correct the record.

Mr. SOLOMON. Mr. Speaker, I yield 2 minutes to the gentleman from Idaho Falls, ID [Mr. CRAPO], a distinguished Member of this Congress. He is the father of lockbox, and boy, we are going to get this deficit spending under control because of people like him.

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

Mr. Speaker, before we talk about lockbox, I have to respond also. As a freshman last year, I remember many times when we wanted to have a lot of time when we wanted to debate a lot of bills pushed through here in a short time, sometimes in a matter of hours. For the arguments to be made here, I think we should look back and see what the practice has been in this House.

Mr. Speaker, I came to talk about a very critical issue, and I want to thank the Committee on Rules for making this in order, the lockbox amendment. We have been fighting now for close to 2 years to make one of the most important reforms in our budget process that we will address in this Congress. That is the lockbox.

I can still remember as a freshman in this Congress when I found that after we had fought on bill after bill, motion after motion, to reduce spending here and to pare spending down there and to try to bring control to our budget, all we had been doing was eliminating various programs or projects; but the money was still getting spent.

Why? Because we were just cutting the programs or projects, and what was happening to the money is it was simply unallocated. When it went into the conference committee, those in the conference committee sat down, pulled out special projects of their own interest or concern, put them back into the bill and used the unallocated money on those projects.

The reason it happens, Mr. Speaker, is because our budget system does not mandate that when we vote on this floor to cut budgets, that the cuts go to deficit reduction. That is what the lockbox will do. It will create a special deficit reduction lockbox account. When we in the House and Senate vote to reduce spending, the spending reductions, the money, in addition to the projects, the money will go into these lockbox accounts, and there will then be a corresponding reduction in our Federal deficit spending, as we end each bill.

Mr. Speaker, this is a critical reform of our budget process, and I again thank our Committee on Rules for making it in order. I look forward to this evening's debate on this critical issue.

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

Mr. Speaker, the charade being engaged in by the other side on the lockbox provision is really quite extraordinary. As a member of the Committee on Rules, I have offered an amendment in the Committee on Rules to every single appropriation bill up to this point, trying to get the lockbox provision added so we could vote on it, so we could have some savings.

The majority members of the Committee on Rules, day after day, bill after bill, rejected my amendment in the Committee on Rules, and only at this late date, with the final appropriation bill working its way through, did they deign to add the lockbox provision.

Mr. Speaker, the charade they are engaging in is extraordinary: crocodile tears. If they wanted this lockbox provision all they had to do was make it in order a month ago when I offered it to one of the other appropriation bills; but every time they rejected it, so we cannot take them seriously on this matter.

Mr. Speaker, I yield 2 minutes to the gentlewoman from New York [Mrs. MALONEY].

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

Mr. Speaker, I rise in opposition to the rule and to the underlying bill. I would like to respond to my good friend and colleague, the gentleman from New York, and agree with him on one point: that this bill is about priorities.

Mr. Speaker, as was pointed out by my colleagues earlier, this body voted for $8 billion, roughly $8 billion in additional spending to the defense budget that the President did not want, the Vice President did not want, the Joint Chiefs of Staff did not want, and the Pentagon said it did not need. However, in this budget we are slashing programs that are important to this Nation's children, seniors, and workers. We are slashing, really, programs that assist and help this Nation's cities.

Education cuts make up half of the cuts in the bill. Title I, which provides the extra support that millions of disadvantaged children need to get off to a good start, is slashed to ribbons. I represent portions of Manhattan, Queens, and Brooklyn. These counties will lose $48 million in title I funding alone.

These are not just numbers, these cuts have real consequences. This bill will force thousands of New York City children, and children across this Nation who receive the extra push in reading and math that they need this year, to go it alone next year. That is not fair. Neither is the 60-percent cut in the Safe and Drug-Free Schools Act, nor are the cuts that will eliminate thousands of Head Start slots across the Nation; the healthy start program; the job training and seniors programs. And the bill eliminates the summer jobs program. We are blocking young children from the path to learning, and young adults from the path to opportunity.

Finally, Mr. Speaker, I cannot abide the outrageous assaults on a woman's constitutional right to reproductive freedom that are contained in this bill.

The Istook amendment, which would prevent States from using Medicaid funds to provide abortions in the case of rape and incest,

represents the rankest attack on or most vulnerable citizens.

This provision renders the right to choose meaningless since it denies women the means to choose. It must be stricken from the bill.

I also oppose the assault on title X funds. It is hard to understand why the new majority wants to cut a program that saves the Government $5 for every dollar invested and that prevents half a million abortions each year.

Finally, the egregious language on accreditation standards for graduate medical education is an unwarranted back door attempt to advance the anti-choice agenda.

There is no place in this funding bill for wanton Government interference in residency requirements for obstetrics and gynecology.

The bill undermines the constitutional rights of women.

The bill will make it harder for women to stay healthy.

The bill decimates the programs that have proven most successful in educating our children.

I ask for a ''no'' vote on the rule and a ''no'' vote on the bill.

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

Mr. Speaker, one reason Congress is held in such low esteem by the American people is because some politicians have a tendency to say one thing back home and then come down here and vote a different way. I would just ask the viewers of C–SPAN, maybe they want to write in for the National Taxpayers Union's list of big spenders. I have it here in front of me.

I hate to even bring this up with my good friend, the gentleman from Texas [Mr. FROST], but he says he has fought for this lockbox time in and time out. We have to live by our voting record. The name of the gentleman from Texas [Mr. FROST] appears here as one of the biggest spenders in the Congress, year in and year out. People ought to pay attention to this when they hear people on the floor get up and pretend to be fiscal conservatives. This will clarify the matter for the American people.

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

Mr. Speaker, I would only point out to the gentleman on the other side that I have offered this amendment on every single appropriation bill, and the gentleman who holds himself out as the defender of the taxpayers has led the fight to prevent this amendment from being offered on every single appropriation bill up until this point.

Mr. Speaker, I yield 1 minute to the gentleman from Massachusetts [Mr. FRANK].

Mr. FRANK of Massachusetts. Mr. Speaker, I thank the gentleman for yielding time to me.

Mr. Speaker, previously Members on the other side said, ''We did three appropriations bills in 2 days last year.'' There is a difference. Last year we did not have the systematic abuse of authorizing process. We did not have appropriations bills that preempted totally the authorizing process. We had a senior Republican from one of the authorizing committees today complaining about this.

Those three bills that only took 2 days last year all had completely open rules with no restriction, and they were done easily because they were appropriations bills, and they only dealt with the money. They did not, as this side did in VA–HUD this year. Try to rewrite and cripple EPA. They did not rewrite the legislation. What they have done is they have been unable to have the authorizing committees function. The Republicans control the authorizing committees, but they have not been able to get them to function. They have not been able to get them to function. They have, therefore, used the appropriations bills to a degree unprecedented in my experience as legislative vehicles, and then we run into this terrible problem. It is one thing to deal simply with the money. It is another to get into the degree of legislating that they have gotten into.

Mr. FROST. Mr. Speaker, I yield myself my remaining time.

Mr. Speaker, this is an absolutely terrible piece of legislation. This is a piece of legislation that the other side should be ashamed of. Quite the contrary, they seem to take great pride in cutting programs that affect women, cutting programs that affect children, cutting programs that affect the neediest in our society. This bill should be defeated, and I urge a ''no'' vote on this legislation.

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

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

Mr. Speaker, I have here the committee report on this bill. I would just point out to the previous speaker, the gentleman from Massachusetts [Mr. FRANK], and to my good friend, the gentleman from Texas [Mr. FROST], that in all of the bills that were brought before this House last year, all of the appropriation bills, all of them contained unauthorized and legislative language. All of them contained unauthorized programs.

As a matter of fact, let me just point out what will happen if this rule goes down. In this bill are literally dozens and dozens of programs, like the Older Americans Act, that have not been reauthorized. If we let this rule go down, there is going to be a heyday on this floor when we bring the bill back without a rule, and any Member can stand up, if you are a conservative you can stand up and wipe out all of these programs that the moderates in the House strongly support. It would be a field day.

By the same token, we have moderates who do not like a lot of the legislative language that is in here. They can stand up and, one by one by one, they can knock them all out on a point of order. We will end up with practically nothing in this bill, and we will not have taken care of those programs that truly help the needy. I do not think we want to do that. That would be terribly embarrassing to both sides of the aisle if we let that fiasco take place.

Mr. Speaker, this is a rule that has been negotiated for hours with moderates and conservatives by the droves, sometimes 35 or 40 of each, sitting down and working out the rule. It was an agreed-to rule. Everybody was in agreement. Then suddenly, because somebody smells blood, we are going to have a vote on this rule, and some are going to try to defeat the rule. I think that the American people would not like that to happen.

AMENDMENT OFFERED BY MR. SOLOMON

Mr. SOLOMON. Mr. Chairman, I offer an amendment suggested by my good friend, the gentleman from Wisconsin [Mr. OBEY], where we are going to extend the debate time on general debate from 1 hour to 2½ hours. We are then going to set up general debate time on the first three titles, so we can actually have good give and take. We are going to give 90 minutes on each of those titles of general debate before we get into the amendment process. This was suggested by the gentleman from Wisconsin. We are going to go along with it.

The SPEAKER pro tempore (Mr. DICKEY). The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. SOLOMON: Page 2, line 6, strike ''one hour'' and insert ''two and one-half hours''.

Page 3, beginning on line 5, strike ''It shall be in order at any time to consider'' and insert ''Consideration of each of the first three titles of the bill shall begin with an additional period of general debate, which shall be confined to the pending title and shall not exceed 90 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. It shall be in order at any time during the reading of the bill for amendment to consider''.

The SPEAKER pro tempore. The gentleman from New York [Mr. SOLOMON] has 10 seconds remaining.

Mr. SOLOMON. Mr. Speaker, I move the previous question on the amendment and on the resolution.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the amendment offered by the gentleman from New York [Mr. SOLOMON].

The amendment was agreed to.

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

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

Mr. FROST. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 323, nays 104, not voting 7, as follows:

[Roll No. 610]

YEAS—323

Ackerman	Armey	Baker (CA)
Allard	Bachus	Baker (LA)
Archer	Baesler	Baldacci

Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bereuter
Berman
Bevill
Bilirakis
Bishop
Bliley
Blute
Boehner
Bonilla
Bonior
Bono
Borski
Boucher
Brewster
Browder
Brown (OH)
Brownback
Bryant (TN)
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Chabot
Chambliss
Chenoweth
Christensen
Chrysler
Clay
Clement
Clinger
Coble
Coburn
Collins (GA)
Collins (MI)
Combest
Condit
Cooley
Costello
Cox
Coyne
Cramer
Crapo
Cremeans
Cubin
Cunningham
Danner
Davis
de la Garza
Deal
DeFazio
DeLay
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Dooley
Doolittle
Dornan
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
English
Ensign
Eshoo
Everett
Ewing
Fattah
Fawell
Fazio
Fields (TX)
Flake
Flanagan
Foglietta
Foley
Forbes
Fox
Franks (CT)
Franks (NJ)
Frelinghuysen
Frisa
Funderburk
Furse
Gallegly
Ganske
Gekas
Gephardt
Geren
Gilchrest
Gillmor
Gonzalez
Goodlatte
Goodling
Goss
Graham
Greenwood
Gutknecht
Hall (TX)
Hamilton
Hancock
Hansen
Harman
Hastert
Hastings (WA)
Hayworth
Hefley
Hefner
Heineman
Herger
Hilleary
Hinchey
Hobson
Hoekstra
Hoke
Holden
Horn
Hostettler
Hoyer
Hunter
Hutchinson
Hyde
Inglis
Istook
Jackson-Lee
Jefferson
Johnson (SD)
Johnson, E.B.
Johnson, Sam
Jones
Kanjorski
Kaptur
Kasich
Kelly
Kildee
Kim
King
Kingston
Klug
Knollenberg
Kolbe
LaHood
Lantos
Largent
Latham
LaTourette
Laughlin
Lazio
Leach
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Lightfoot
Linder
Lipinski
Livingston
LoBiondo
Lofgren
Longley
Lucas
Manton
Manzullo
Martini
Mascara
Matsui
McCarthy
McCollum
McCrery
McDade
McHale
McHugh
McInnis
McIntosh
McKeon
McNulty
Meek
Menendez
Metcalf
Mfume
Mica
Miller (CA)
Miller (FL)
Minge
Molinari
Mollohan
Montgomery
Moorhead
Moran
Murtha
Myers
Myrick
Nethercutt
Neumann
Ney
Norwood
Nussle
Obey
Ortiz
Oxley
Packard
Pallone
Parker
Paxon
Payne (NJ)
Payne (VA)
Peterson (FL)
Peterson (MN)
Pickett
Pombo
Pomeroy
Porter
Portman
Poshard
Pryce
Quillen
Quinn
Radanovich
Rangel
Regula
Richardson
Rivers
Roberts
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Roth
Royce
Rush
Sabo
Salmon
Sanders
Sanford
Sawyer
Saxton
Scarborough
Schaefer
Schiff
Schumer
Seastrand
Sensenbrenner
Shadegg
Shays
Shuster
Sisisky
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Spratt
Stearns
Stenholm
Stockman
Stokes
Stump
Stupak
Talent
Tanner
Tate
Tauzin
Taylor (MS)
Taylor (NC)
Tejeda
Thornberry
Thornton
Tiahrt
Torres
Torricelli
Towns
Traficant
Visclosky
Volkmer
Vucanovich
Waldholtz
Walker
Walsh
Wamp
Ward
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wilson
Wise
Wolf
Wynn
Young (FL)
Zeliff

NAYS—104

Abercrombie
Andrews
Becerra
Beilenson
Bentsen
Bilbray
Boehlert
Brown (CA)
Brown (FL)
Bryant (TX)
Cardin
Castle
Chapman
Clayton
Clyburn
Coleman
Collins (IL)
Conyers
Crane
DeLauro
Dellums
Deutsch
Doggett
Durbin
Engel
Evans
Farr
Fields (LA)
Filner
Ford
Fowler
Frank (MA)
Frost
Gejdenson
Gibbons
Gilman
Gordon
Green
Gunderson
Gutierrez
Hall (OH)
Hastings (FL)
Hayes
Hilliard
Houghton
Johnson (CT)
Johnston
Kennedy (MA)
Kennedy (RI)
Kennelly
Kleczka
Klink
LaFalce
Lincoln
Lowey
Luther
Maloney
Markey
Martinez
McDermott
McKinney
Meehan
Meyers
Mineta
Mink
Morella
Nadler
Neal
Oberstar
Olver
Orton
Owens
Pastor
Pelosi
Petri
Rahall
Ramstad
Reed
Riggs
Rose
Roukema
Roybal-Allard
Schroeder
Scott
Serrano
Shaw
Skaggs
Slaughter
Stark
Studds
Thomas
Thompson
Torkildsen
Upton
Velazquez
Vento
Waters
Watt (NC)
Waxman
Williams
Woolsey
Wyden
Yates
Zimmer

NOT VOTING—7

Bateman
Jacobs
Moakley
Reynolds
Thurman
Tucker
Young (AK)

☐ 1235

Messrs. STARK, OLVER, GORDON, SERRANO, GILMAN, Ms. DELAURO, Mrs. COLLINS of Illinois, Ms. VELÁZQUEZ, Ms. WATERS, and Ms. MCKINNEY changed their vote from ''yea'' to ''nay.''

Mr. COSTELLO and Mr. WISE changed their vote from ''nay'' to ''yea.''

So the resolution, as amended, was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

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

Mr. SOLOMON. Mr. Speaker, I ask unanimous consent that the following committees and their subcommittees be permitted to sit today while the House is meeting in the Committee of the Whole under the 5-minute rule.

Committee on Banking and Financial Services; Committee on International Relations; Committee on National Security; Committee on Small Business; Committee on Transportation and Infrastructure; and Committee on Veterans' Affairs.

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

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

Mr. DOGGETT. Mr. Speaker, reserving the right to object. It is my understanding we have been consulted and that there is no objection from our side, with the exception of the Committee on Resources, and I believe the gentleman from New York has taken them off the list, since there was objection.

Mr. SOLOMON. If the gentleman will yield, their name is removed from the list.

Mr. DOGGETT. Mr. Speaker, I salute the gentleman for doing that and I withdraw my reservation of objection.

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

There was no objection.

DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 1996

The SPEAKER pro tempore (Mr. DICKEY). Pursuant to House Resolution 208 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. 2127.

☐ 1237

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 2127) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies, for the fiscal year ending September 30, 1996, and for other purposes, with Mr. WALKER in the chair.

The Clerk read the title of the bill.

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

Under the rule, the gentleman from Illinois [Mr. PORTER] and the gentleman from Wisconsin [Mr. OBEY] will be recognized for 1 hour and 15 minutes.

The Chair recognizes the gentleman from Illinois [Mr. PORTER].

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

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

Mr. Chairman, this is obviously a very difficult and contentious bill. It cuts $6.3 billion from discretionary budget authority of $67.2 billion, reducing it to $60.9 billion.

It is a 9–percent overall cut. It is a cut that is necessary to help bring down deficits and bring our budget as quickly as possible into balance.

The cuts range from a high of 15 percent for funding for programs in the Department of Education to cuts in discretionary spending in the Department of Health and Human Services, which is 3.5 percent.

May I suggest to my colleagues on the other side of the aisle that cuts of 9 percent in a bill of this magnitude are not cuts that will cause the sky to fall. They are moderate cuts that allow the departments and agencies and programs under our jurisdiction to contribute to deficit reduction and ensure that we help bring the deficits down and stop asking our children and grandchildren to pay for what we receive.

Mr Chairman, we worked very hard on the bill. We attempted to use intelligence and thoughtfulness in addressing the priorities for spending for our country under our jurisdiction, and we looked very carefully at every single line item starting with the premise that everything in the bill must contribute something to helping us to reduce the deficit.

We asked ourselves, Mr. Chairman, whether a particular program needed to be a Federal responsibility or could it be done better in the private sector or by State government or local government?

We asked ourselves, does the program actually work? In other words, is it actually helping people, or is it simply providing work to the people in the departments either at the State, Federal, or local level?

We asked whether it met a national need, whether the administrative costs were too high in respect to the benefits to be derived.

We asked ourselves, was it duplicative of other programs?

Every single line item was measured against those criteria, and we undertook to reduce the discretionary spending under our jurisdiction and, at the same time, give commitments to national priorities that should be funded at a higher level.

For example, we provided $11.9 billion to the National Institutes of Health, the NIH research done in teaching institutions across our country as well as intramurally at the NIH facility in Bethesda, Maryland. It provides research to combat disease and injury, helping people to live longer and healthier lives.

On the economic side, the United States leads the world in biomedical research and development. Federally supported biomedical research creates high-skilled jobs for our people and supports the biotechnology industry, which also leads the world in helping to generate a positive balance of trade for our country. The increase for fiscal year 1996 is $642 million, an increase of 5.7 percent.

We, at the same time, removed numerous earmarks and instructions that placed political considerations ahead of scientific decisions as to the most promising avenues of research. We end earmarking of research funding and leave the funding priorities not to political considerations, but to science.

We increase funding for prevention programs by $63 million, including funding for childhood immunization, sexually transmitted diseases, chronic and environemtnal diseases, breast and cervical cancer screening, and infectious diseases. Programmatic levels are maintained for programs such as the preventive health block grant, the AIDS prevention activities, tuberculosis, lead poisoning and epidemic services.

□ 1245

We increased, Mr. Chairman, funding for the Job Corps program, which will permit the opening of four newly authorized centers, and, Mr. Chairman, we support student assistance very strongly by providing the largest increase in maximum Pell grants in history, and by funding the maximum grant at $2,440, also the highest level in history.

We provide level funding for Federal supplemental educational opportunities grants, the work study programs and the TRIO program, which we consider a very high priority.

We do terminate 170 programs originally funded in fiscal 1995 at $4.9 billion. Among those terminated are many of the 163 separate job training programs in the Department of Labor and the Department of Education and over 50 programs in the Department of Education that provide no direct services to students but instead fund research, technical assistance, information dissemination, or demonstration funds.

We terminate Goals 2000, Mr. Chairman, a program that also provides no direct assistance whatsoever to students but instead funds a variety of administrative and planning activities that school districts and States can well do without billions of dollars of Federal funding.

We focus OSHA funds more towards compliance assistance to prevent worker injury and away from enforcement, an after-the-fact solution.

We abolish the Office of the Assistant Secretary of Health with its allocation of 14 deputy assistant secretaries and six special assistants at a grade 15 or above, which the Department itself is in the process of reforming.

We increase assurance that Federal funds are not being used to support the advocacy of public policy. We reduce administrative costs by cutting overall administrative budgets in every single department, program, and agency by 7.5 percent and for congressional and public affairs offices by 10 percent.

Mr. Chairman, for the Department of Labor, we cut discretionary spending by $1.1 billion, or 11.4 percent. This includes substantial reductions in certain job training programs, including the elimination of funding for the summer jobs programs, also previously rescinded because of their general lack of effectiveness. This decision reflects the need to prioritize programs and reduce spending as well as the fact the Committee on Economic and Educational Opportunities is in the process of consolidating these same programs.

As I mentioned, Job Corps is increased, one-stop career centers are level funded, Bureau of Labor Statistics is funded almost at level at $347 million, a reduction of 1.3 percent, OSHA funds are shifted, as I mentioned, and the bill directs more of the Community Service Employment for Older Americans spending to local providers rather than to national contracts.

The bill also contains language to prevent implementation of the President's Executive order on striker replacements and to end pressure on pension funds to invest in economically targeted investments.

For the Department of Health and Human Services, the funding declines by $1 billion, a 3.5-percent cut.

The bill funds the health centers activities at $77 million above last year's level, $756.5 million, and provides an increase of $116 million for the maternal and child health block grant to $800 million.

The bill presently folds the family planning program into the community and migrant health programs and the maternal and child health block grant, an idea that I do not support and will oppose when the amendment comes before the floor for our consideration.

We do provide level funding, maintenance funding, for the Centers for Disease Control and Prevention programs support, supporting a broad range of prevention programs and funding many others at last year's level, including the CDC AIDS prevention program.

Funding for breast and cervical cancer screening is increased by 25 percent to $125 million.

We provide level funding for community service block grants at $390 million, for child care and development block grants at $935 million.

For the Ryan White AIDS program, funding is increased by $23 million to a level of $656 million, and NIOSH funding, Mr. Chairman, is reduced by 25 percent to $99 million.

Funding for the Agency of Health Care Policy and Research declines by 21 percent to $125.5 million.

We provide level funding for the mental health and substance abuse block grants at $275 million and $1.23 billion, respectively.

Funding for the LIHEAP program, low-income home energy assistance, is eliminated because the original justification for this program no longer exists and has not existed for many years.

The bill reduces funding for Head Start by $137 million, or 3.9 percent, from last year's level, and even with this reduction, Head Start is still funded at over $3.3 billion for fiscal year 1996. We are not at all hostile to Head Start. We are strong supporters of Head Start, but we do believe that it is necessary to send a message to those programs that are not being run properly that the funding will not go on forever without their cleaning up their act and providing the kinds of services

that we expect in a program that is well run.

The bill also changes current law by providing the States with the option of providing Federal Medicaid funds for abortion in cases of rape or incest and prohibits the use of Federal funds to discriminate against medical schools who do not include abortion training as part of their overall Ob/Gyn training and bans embryo research by NIH. I might say, Mr. Chairman, I do not agree with these provisions and will address them when we come into that section of the bill where amendments are being offered.

Mr. Chairman, overall, we have a 9-percent reduction. The largest departmental reduction is at 13 percent; the lowest is at 3.5 percent.

This is a responsible bill that chooses priorities for our country, funds those programs that are essential and working well to help people in our country. It is a bill also that contributes its share to deficit reduction and the need for us to put our fiscal house in order.

Let me say in closing Mr. Chairman, I believe we have done our job in a very thoughtful and responsible manner. I believe that we have made the reductions necessary to contribute to deficit reduction in a way that preserves essential and good programs.

To say that the sky is falling because we have reduced spending in this area is simply to vastly overstate the case. The Federal Government has grown for 40 years. It has grown without any control. It has grown on deficit spending that has raised our national debt to nearly $5 trillion.

These departments have grown hugely. In the last 10 years alone, the Department of Education has gone from 120 programs to 240 programs, just in the last 10 years. We must get control over this process. We must get back to the core programs that serve people. We must trim the tree. Every once in a while you have to do that, Mr. Chairman. You have to look at all that has grown up and, however worthy it may be, it is very costly to administer. We do not need programs that are very tightly targeted with their own separate staff and administrator. We need to get back to core programs that really help people. That has been the thrust of our thinking in this bill. I think we have done a responsible job.

I commend the bill to all of the Members.

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

Mr. OBEY. Mr. Chairman, I yield myself 17 minutes.

Mr. Chairman, I have a great deal of respect for the gentleman from Illinois, as he knows. He has worked very hard, and he has dealt with all of us in a very fair way. But he is, frankly, caught in a maelstrom not of his own making. This is not a bill which he would have produced had he been able to control events.

Mr. Chairman, this is the worst appropriation bill that I have seen come out of the Committee on Appropriations in the 25 years that I have had the privilege to serve the Seventh District of Wisconsin in this House.

Mr. Chairman, the public, in the last election, tried to send us a message. I think what happened in the last election is that working people for more than a decade saw their living standard fall. They have seen costs slowly rise, while their incomes have stood still or even declined in real dollar terms after you adjust for inflation. Young workers see that it takes two workers per family to maintain the same kind of living standards that you could maintain a generation ago with one person in the workplace.

You have what many people call the sandwich generation. They are desperately worried about how to take care of their retired parents at the same time that they are trying to find enough money to send their kids to school. And I think for many years individual Americans have been looking in the mirror when they get up in the morning and saying, ''Hey, what am I doing wrong?''

But in the 1990's I think they have come to understand that it is not just them. I think they have come to understand that everybody is being squeezed. And in 1992, President Clinton was elected because I think the public wanted him to pursue a solution to fundamental problems.

In 1994 they were not satisfied with the progress that they thought had been made. They saw a national failure on health care. They saw too much time being devoted to marginal issues, and so they put our Republican friends in charge. And I think what they were hoping was that by doing so, that would force both parties to work together to produce a common agenda on common ground for the common good of the greatest number of people in this country. They wanted us to deliver a dollar's worth of service for a dollar's worth of taxes. They wanted programs that were as well managed as they were well meaning, and I think they wanted us to weed out unnecessary spending and make Government smaller and make Government work better at the same time.

I think they also wanted a war on special interest domination of the Congress and the Government.

Now, certainly I think many of us in the Democratic Party got the message. If we did not, we would have had to be deaf. And I think many of us are willing to work to try to pursue that kind of agenda. But this bill goes far beyond that.

This bill eliminates a number of unnecessary and duplicative programs. I say ''good.'' It makes additional cuts in the name of deficit reduction. Maybe we are not thrilled about that because some of these programs we deeply care about, but we understand it is necessary. But it goes far beyond that and, in doing so, becomes the meanest and the most vicious and extreme attack on women and kids and workers of any appropriation bill in the postwar era.

It reveals in the process enormous differences between my party and the Republican majority about the priorities that ought to be given to raising the quality of our children's education, to protect the health and dignity of workers, both in the workplace and at the bargaining table, and to provide the skills necessary for workers to compete in a changing world economy. And it shreds the vulnerable and those who are often cruelly neglected in a materialist society.

Next to the fight over Medicare, this bill is the epicenter of what I call the Gingrich counterrevolution. As I said, some of the cuts are necessary to help reduce our Federal spending, but this bill goes far beyond that because the economic game plan, of which this bill is a part, is insisting that we provide, among other things, some very large tax cuts for some very rich people.

If you take a look at what is being prescribed, you understand what I mean. We are being told by our Republican friends that we need to eliminate the corporate minimum tax. This is a list of companies who, from 1982 to 1985, paid no taxes whatsoever, despite the fact that they made one whale of a lot of money. We are going to return to those good old days because our majority party friends want us to eliminate the minimum tax that those corporations have to pay. So we will go back to the good old days when AT&T, DuPont, Boeing, General Dynamics, Pepsico, General Mills, Trans America, Texaco, International Paper, Greyhound, you get the idea, all the way down. You see, those corporations, during the 1982 to 1985 period, made $59 billion in profits, $59 billion in profits. Yet in many of those years they escape paying a dime in taxes. We are going to gouge Medicare and gouge programs in this bill to help finance that kind of nonsense.

□ 1300

If we take a look at the Federal Reserve studies which have been done on what happened in the 1980's, this shows who has gotten what and what has happened to the American dream in the 1980's.

The Federal Reserve shows that from the end of World War II to roughly 1979, beginning of 1979, indeed a rising tide did lift all boats in this country, because whether one was in the bottom 20 percent of income in the country, or in the middle, or in the top, everybody's income rose, even after inflation. And so everybody, despite the fact that we had the Vietnam war, despite the fact that we had the race riots after Martin Luther King was killed, this society hung together because everybody was getting a piece of the growing economic pie. But from 1979 through the latest year for which the Federal Reserve has been able to compile statistics we see that, instead of growing together, this country has been growing

apart. I say to my colleagues, If you're in the bottom 20 percent of income, you have lost a bundle since 1979. If you're in the middle, you have lost ground. Only if you're in the top 20 percent of income earners in this country have you done well, and especially the richest ½ million families in this country have done exceedingly well because the new Federal Reserve study shows that the richest ½ million families in this country, about ½ percent of the total family number, have increased their share of national wealth since 1980, the beginning year of the Reagan revolution. They've increased their share of national wealth from 24 percent of the Nation's wealth to 31 percent.

Mr. Chairman, that is a huge expansion of wealth for the wealthiest people in this society who already had a awful lot. The wealth for those few families increased by a greater amount, by almost twice as much as the entire national debt increased during that period. And yet our Republican friends on this side of the aisle think that that is not enough disparity, that is not enough trickle-down which starts by taking care of the needs of people in the top berths.

So they have produced a tax package which has a distribution table roughly this way:

The average tax cut per family from the House tax bill is mighty slim for someone in the bottom 40 percent, or even in the middle of this society, but, oh man, someone in that top 1 percent, $20,000 in a tax cut. So we are going to chisel on programs for poverty-ridden senior citizens, and we are going to chisel on the aid that we provide local school districts to help educate the most difficult to educate kids in this society in order to provide those folks a $20,000 tax cut.

Mr. Chairman, that is what is behind this bill, and that is why this bill is so wrong.

If we take a look at what is happening, the biggest cut in this bill is aimed at the aid that we have traditionally provided local school districts, some $2½ billion. Going to clobber chapter 1. Going to clobber ''Drug-Free Schools'' that helps schools teach kids to avoid drugs before they get hooked. Going to clobber vocational education. Going to lay it to the School to Work Program which helps non-college-bound kids move out of high school into the world of work and helps them to try to find someplace that will give them a good bit of training to transition into the work force. The main results from that, my colleagues can be assured, will be lower educational quality and higher property taxes.

For the first time in 34 years the Federal Government is not going to make a contribution to the Stafford student loan program. I would bet my colleagues that a good third of the people in this Chamber, if they are 30 years of age or older, used that Stafford program when they went to college, but now we are going to have an awful lot of folks who have climbed the economic ladder of opportunity pulling that ladder up after them by not making a contribution to that program. Goals 2000 to improve educational quality: bipartisan, started under George Bush, wiped out under this bill.

The next biggest hit comes on the vulnerable, the seniors, the disabled, and the poor kids in this society. In the late 1970's Senator Muskie and I started a program to help low-income people, mostly seniors, pay their fuel bills, heat their houses in the wintertime, cool them in the summertime, because we got awfully tired of seeing senior citizens who had to choose between paying their prescription drugs and keeping their house warm in the winter. So we passed a low-income heating assistance program.

We just had almost 800 people in this country die in a heat wave 3 week ago, and lots of Governors put out press releases saying, ''We are going to release emergency money under the Low-Income Heating Assistance Program that the Federal Government has just given us so that we could help people in that situation.'' Guess what? Under this bill there is not going to be any more funding available to provide that kind of emergency relief because the program is wiped out. Eighty percent of the people who use that program make less than $10,000 a year, one-third of them are disabled, so that is just another of the grace notes in this bill.

Under this bill we are going to have thousands of students who are learning to teach handicapped kids who are going to lose their scholarships to do that.

Under Healthy Start; it was started by President Bush to attack infant mortality in communities where it is more than twice as high as the national average. That program is going to be cut in half under this bill. Thirty-six thousand babies are going to die in this country this year.

Head Start, which the gentleman from Maryland [Mr. HOYER] and others will talk about later: 45,000 to 55,000 kids going to be tossed out the window on that program, and we are essentially going to be saying to local school districts, ''You find a way to take care of it, kiddo. We're not going to do that anymore.''

Both parties talk a grand game on welfare reform, and yet this bill clobbers virtually every program on the books to move people from welfare into work. It clobbers the dislocated worker program, it clobbers adult job training, and it hammers State vocational educational grants.

And what disturbs me more than anything in this bill is the attack it makes, the attack it makes on the protections that workers have a right to expect will remain: protections for worker health, protections for worker safety, protections for their bargaining rights. There are deep cuts in the Labor Department enforcement here which will make it easier for some corporations to make a profit, no doubt. It will also make it easier for those corporations to violate wage hour laws. It will make it a lot less risky for them to set up bogus pension systems. It will make it a whole lot easier for corporations to abuse workers who try to organize to get better pay. So that is another one of the ''grace notes'' in this bill.

All in all what this bill is going to do is make it harder for ordinary people to hang on to a middle-class lifestyle, and it is going to make workers more vulnerable to the whims of their employers who want to avoid paying the minimum wage, or the 40-hour week, or rules for fair labor practices, or standards for a safe working environment.

I think what we are regrettably witnessing in this bill—and indeed across the board in this Congress, but especially in this bill—I think we are witnessing a giving up on our efforts to be one people with a common interest and a common cause. We are ceasing to be a country with a large and growing middle class. Instead we are accepting the fact that we are going to have fewer and fewer tickets into the middle class, and we are accepting the fact that we are going to have a level of insecurity for those in the middle class that used to be associated with being poor. We are becoming in my view a society with a very rich people and a great number of people trying desperately to hang on to some semblance of what is left of a middle-class living standard, and not many people in between, and this bill makes all of that worse.

Mr. Chairman, this bill savagely cuts financial support for crucial programs that have been used by millions of Americans to help work themselves up the economic ladder. And the New Centurions who are running this House, I think, after having made it themselves are perfectly willing to pull that ladder up after them, and my response is, ''Shame on you, shame on you. You ought to know better.''

This bill also contains a number of legislative riders which are slipped into this bill literally in the dead of night because that is when we met, from 9:30 at night until 3 in the morning. And those provisions rip into the protections that we provided workers and working families for decades. We will be offering amendments to try to strip that language out, but we will not be offering amendments to fix this bill financially because this bill is beyond repair because of votes previously already cast in this House which locks this subcommittee into an allocation of resources which will allow this Congress to continue to fund the B–2, for instance, over $1 billion a plane. That is the cost of the B–2, just one B–2 bomber, and we are buying more than the Pentagon asked for, more than the President asked for, more than the Joint Chiefs of Staff asked for. Just

one of those babies would pay the tuition costs of every single kid at the University of Wisconsin, Madison, for the next 12 years, to put it in perspective.

While we are going to be gutting the programs for the people in this bill, Mr. Chairman, we are going to continue the production, or we are going to begin production, of the F–22 in the Speaker's home State; $70 billion for that airplane to complete production. That is more than we have got in this entire bill in discretionary spending, for everything that this bill is supposed to do for education, and workers and seniors.

So we will be trying to make people understand, as we go through the amendment process, what is at stake, not inside the beltway, but for people out there in the country, and we will be trying to focus people's attention on the vote on final passage. There are going to be a lot of Members offering amendments, what I call get-off-the-hook amendments, or what I call holy picture amendments to try to pose for holy pictures and look good on a little narrow issue on this bill, hoping then people would not notice that they voted for final passage. The only way to correct the gross injustices in this bill is to vote the bill down, send it back to the committee, insist that the committee redo its budget allocation process so that we do not have to gouge seniors, gouge our future education prospects in order to provide a big tax cut for some of the richest people in this country.

Mrs. SCHROEDER. Mr. Chairman, will the gentleman yield?

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

Mrs. SCHROEDER. One of the most profound and thoughtful statements I have ever heard, I say to the gentleman.

I wanted to talk about the gentleman's charts for a moment because I thought they were so ominous. The way I read the gentleman's tax-cut chart, that last one is for the upper 1 percent? Is that correct?

Mr. OBEY. Yep, 1 percent.

Mrs. SCHROEDER. The upper 1 percent, and the reason I thought it was important to point it out is, as I understand the chart before that, it is broken into 20 percent——

Mr. OBEY. That is right.

Mrs. SCHROEDER. So what the gentleman is saying there is while the upper 20 percent had been doing much better, obviously, than the lower 20 percent, with this tax cut we are forgetting even the upper 19 percent of that 20 percent. We are just going for the 1 percent; we are going for the really fattest of the fat cats.

Mr. OBEY. Well, I guess what I would say is we have been told that this bill represents payback time, and I guess when we see this chart, we can see who is getting paid back.

□ 1315

Mrs. SCHROEDER. I thank the gentleman.

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

Mr. Chairman, let me say about the gentleman from Wisconsin [Mr. OBEY] that I appreciate his contributions in working with the majority and the Members on his side who are excellent members of our subcommittee as well. He has contributed throughout the process in marking up and reporting the bill. It has not been easy for any of us, and I appreciate his kind remarks, and I feel that we have worked very well together and have done our best in addressing the difficult problems in the bill.

I might say regarding his chart, the one that shows the quintiles of income for people in the country, that that chart is completely misleading because it deals only with income. Income used to be a very easy quantifiable measure, but the difficulty was that the very times he worries that the income has gone down, we began a process in our country of providing worker benefits through employment health benefits, pension benefits and the like that are not reflected in his chart.

Mr. Chairman, he also ignores Government transfer payments. There is nothing in there that takes account of food stamps, Medicaid and like programs. So the chart measuring only income does not measure the well-being of families at all, and I believe that no one should believe that the chart really reflects the condition of families across this country.

I might say about the tax package, Mr. Chairman, that I agree with what the gentleman said about taxes. We should not be making tax cuts at this time. I did not support the tax cut provisions. I believe we should make tax cuts when we have balanced the budget and not before. A question of timing. I certainly think that they are not appropriate right now, and I might agree also with the gentleman, this is not the time to provide huge funding for the B–2. Even though it is wonderful technology to have, we do have other problems that have to be addressed. I have never supported funding for the B–2 bomber.

Mr. Chairman, let me talk about some of the other things the gentleman has talked about and set the record straight. On Perkins loans, which he called Stafford loans, the Perkins Loan Program is already funded at $6 billion. Yes, it is true we did not add $158 million of new capital to that account, but the account is a revolving account with $6 billion out there. I might say that if every person who borrowed a Perkins loan repaid it, we would never need to add capital to the account except as the number of students rise that might need it. There is a very adequate fund available to students who need help in this country. We have not cut that at all. We simply were not able, in this budgetary environment, to add to it.

We talked about the LIHEAP Program earlier. I would have supported it in 1979 because Federal policy caused the second Arab oil embargo. It did raise prices unconscionably, and the poor were terribly affected by the fact that heating oil and energy costs generally went through the roof. Today, however, energy costs and heating oil are at historic lows. The Federal policy has long since gone. There is no crisis, and yet the program continues on and on and on.

Do we have needs in this country among the poor? Of course, we do. Is it the Federal responsibility to address every one of those needs? It seems to me it is the responsibility of the utilities and the States which regulate them to handle that problem, as they always did in the past, and not for the Federal Government to create a program that simply is unending. A very expensive program indeed.

The gentleman talked about chapter 1, title I, the program for economically disadvantaged students. It would be wonderful to fund that forever, except for one thing: The program does not work. The very schools that the program sends its money to in the inner cities are failing our students. All the money in the world is not going to change that and it has not changed that.

In fact, the schools are in awful condition. What is going to change it is the very thing my State is doing. If I can say to the gentleman, we have said to the city of Chicago, which has among the poorest public schools in America, end it. Get rid of your board of education, get rid of all your bureaucracy and levels of administration.

We are turning over to the mayor of the city of Chicago the entire responsibility for the schools; and, believe me, the mayor will straighten them out. One of the great problems with school funding in America is that it supports huge bureaucracies that do not help students one whit. All you have to do is look to our major cities and see that that money is money truly down a rat hole. It is not working to help kids.

Healthy Start. Healthy Start is a demonstration program. We support that program. It is going to terminate this year. We did cut the funding for it to terminate it a little earlier, but it is not an ongoing program. It is not any thing other than a demonstration program. We think it works well, and maybe should be reauthorized, but that is not up to the Committee on Appropriations.

Head Start I addressed earlier. Let me say once again we strongly support Head Start, but we do not support sending money into new Head Start programs where it is poorly administered and we are not getting value for the money. That is why we made a very small cut in a program of over $3 billion that will keep the program going but send a message that we want that money spent well and wisely.

Job training: 163 programs. The gentleman talks about the dislocated

workers program, the displaced workers program, for example. What about it? The Department of Labor, in its own departmental evaluations says that short-term skills training has not been successful in producing earning gains for dislocated workers. Only a minority of displaced workers are likely to enter long-term training if the option is offered to them.

Frankly, Mr. Chairman, the program is not a very good program and should have received and did receive the kinds of cuts that we made in it. We need effective programs that work for people, and the authorizing committee is in the process of reforming that entire area and I think we are going to see that happen.

Now, Mr. Chairman, I want to take just a minute to thank the members of our subcommittee before I recognize the chairman of the full committee. Again, I thank the gentleman from Wisconsin [Mr. OBEY], our ranking member. He has done an excellent job, and it is a very difficult assignment for him to have this ranking membership in addition to being the ranking member on the full committee.

We also have five new members of the subcommittee: The gentleman from Oklahoma [Mr. ISTOOK], the gentleman from Florida [Mr. MILLER], the gentleman from Arkansas [Mr. DICKEY], the gentleman from California [Mr. RIGGS], and the gentleman from Mississippi [Mr. WICKER]. All of them have done a wonderful job on our subcommittee and in their work on this bill.

I also want to thank the staff of the Committee on Appropriations, the full committee. They have been extremely helpful to us every step of the way, as they have been to all the subcommittees during this very difficult appropriation season in the House. I would like to remind the Members of the House that this committee has managed the passage and signature of the President of two rescission bills already, including the largest rescission in history just signed by the President. The staff has done an excellent job.

I would like also, Mr. Chairman, to thank the staff of the minority membership, Mike Stephens, who has done an excellent job in representing the minority, and he has worked cooperatively and courteously with all of our staff. Our staff has done wonderful, wonderful work, headed by our clerk, Tony McCann, Bob Knisely, Sue Quantius, Mike Myers, Joanne Orndorff, and Jennifer MacKay. All have done wonderful work. Jennifer is on detail from the Department of Health and Human Services. She has been a very big help to us all year long and we appreciate having her.

Let me take this opportunity, if I may, Mr. Chairman, to thank the chairman of the Committee on Appropriations [Mr. LIVINGSTON]. I cannot think of a tougher job than his job. I do not know when he has time to get even a minimal amount of sleep. He has played a tremendous role in getting this bill through the subcommittee markup and through the full committee. His help had been invaluable. I want him to know how much all of us appreciate it. He has done a splendid job under very, very difficult circumstances throughout the year, and all the major appropriation bills, hopefully, including this one, will have been passed on our August recess. That accomplishment is a real testimony to the leadership of our chairman and the importance of his excellent staff.

Mr. Chairman, I yield such time as he may consume to the gentleman from Louisiana [Mr. LIVINGSTON].

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

Mr. LIVINGSTON. Mr. Chairman, I thank my friend, the distinguished gentleman from Illinois [Mr. PORTER], the chairman of the Subcommittee on Labor, Health and Human Services, and Education for his very kind remarks and for his outstanding efforts on behalf of this very difficult and complex bill. It was a hard task for him to approach preparing and presenting this bill because he does care so deeply about each and every one of the items that are the subject matter of the bill. He has done a splendid job. This bill meets our budget targets, and I commend him, all of the staff, and all of the members of the committee on both sides of the aisle.

I want to say to my friend, the ranking minority member of the committee and the subcommittee, that I have enjoyed working with him through this very rigorous process. He and I do not agree on every single issue, and, as you will soon hear, certainly not on the issues involving this bill or his last statement, but we have had a good working relationship.

Mr. OBEY. Mr. Chairman, would the gentleman yield?

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

Mr. OBEY. As the gentleman knows, Will Rogers said once that when two people agree on everything, one of them is unnecessary.

Mr. LIVINGSTON. I would hope the gentleman has just proved that neither one of us is unnecessary. One of us will win, and I hope it is me.

At any rate, I want to commend him for the way he has handled his business on the subcommittee and on the committee. He is a great Member of Congress. He believes deeply in the institution, and I personally enjoy working with him very much, and would say to the Members that I think he is totally wrong on this bill.

In fact, Mr. Chairman, I think his statement on the floor is a representation, a very good representation, of a very failed and flawed philosophy that has gone dry over the last 60 years. It has ended. Socialism does not work anymore. We now know you cannot reach into the pockets of the taxpayer and expect them to rise up and be happy about spending money on every neat idea that some legislator happens to come up with, and that is what this bill has come to be. We have never scaled this bill back, and for that reason we now have redundancies and inefficiencies and unnecessary spending, wasteful spending, riddled all through the bill.

I rise, Mr. Chairman, in support of the bill as it has been confected by this subcommittee and hope that the Members will pass the bill on the House floor and send it to the Senate, and, ultimately, to the President. I think it represents a real transformation; a realization that, yes, there has been a revolution of political thought; that we cannot afford every good idea or every neat idea that comes down the pike, and that we can do things differently. We can actually give money to those who need it. We can help people survive without simply throwing money at every idea that tries to address every single problem.

In fact, Mr. Chairman, the debate today goes way beyond this bill. It is really about the legacy that we leave our children, about the contract we signed with the American people last September, and about the mandate that the American voters gave to all of us in November. That mandate is to balance the budget, to end duplication in Federal programs, and to downsize government agencies. To paraphrase the debate earlier in the year on the Republican budget: Why do we need to balance the budget? The chairman of the Federal Reserve, Alan Greenspan, said it best: So that our children will have a higher standard of living than their parents.

Now, Mr. Chairman, how long can we really expect to continue to strap American citizens with a national debt that is approaching $5 trillion, a debt that equates to over $18,000 for every man, woman, and child in America? That debt, just like the debt on your credit cards, is gathering interest at a rapid rate. So rapid in fact, that within a year and a half, the interest on the debt that we pay will exceed what we spend on the National defense of this country.

The fact is we have to rein in spending. We have to start saving and economizing. Government spending is not the be-all end-all to all of our problems. We have thrown money for too long at too many problems and gotten too little result. Now we realize if we do not start balancing our books, just like every family in America has to do and every business in America has to do, that this Nation will, like many other nations, go bankrupt.

Mr. Chairman, I do not think that is a legacy we want to leave our children or grandchildren. Even with the Republican budget that balances spending by the year 2002, total Federal spending will continue to grow by hundreds of billions of dollars.

□ 1330

In fact, we would just slow the increase in spending with our budget between now and then to an annual 3 percent growth rate as the economy grows. We are not stopping all spending. We are not even cutting real spending. The Government budget will continue to grow at an annual rate of 3 percent with the bills that we have passed this year.

Under the Republican budget for Medicare that you have heard so much about, it will still increase at an astronomical 6.4 percent a year. Until this and other appropriations bills that have come to the floor this year, nondefense domestic discretionary spending since 1985, according to this President's own fiscal year 1996 budget submission, has increased, even in inflation-adjusted outlay dollars, by 28 percent, grown by 28 percent since 1985.

Means-tested entitlements, those programs over which we have little or no control because they are written into law, and anybody who qualifies gets the money, have increased by 38 percent since 1985. Still, despite what others would have you believe, this is the first annual Labor, Health and Human Services, and Education appropriations bill since 1986 that actually decreases spending from the previous year, and I say for good reason.

It is a follow-up to the reductions we made in the rescissions bill, the $17 billion rescission bill the President now has, after one veto, finally signed into law. So that was the first step the President called it down payment on a balanced budget. But in this bill, we take that further. Yes; we do eliminate programs and downsize and streamline programs in this bill, because we believe that we can provide assistance to the truly needy without simply having more wasteful, inefficient, redundant, unnecessary, or abusive programs.

We believe that it is not necessary to have 163 programs across 15 departments and agencies doing the same thing in terms of Federal employment training programs or Federal job training. We believe that it is not necessary to have 266 Federal programs across 8 departments and agencies for youth at risk. We believe that it is not necessary to have 80 Federal welfare programs or 167 Federal programs across 16 departments and agencies, according to the GAO, for housing purposes, or 90 programs across 11 departments and agencies doing early childhood programs, or 240 education programs, or at least six different programs funding family planning.

We can hone these down. We can separate these programs, these redundancies and these inefficiencies, and we can have fewer programs with less bureaucracy and still provide probably more money to the people that are really in need. We can do without this wasteful idea of simply raising money from the American taxpayer and throwing it at good ideas.

In this bill, after the cuts that have been described by the gentleman from Wisconsin who preceded me, we still provide $68.1 billion in discretionary outlay spending for hundreds of domestic programs. We still provide a total of $278 billion in spending when you include mandatory programs under this committee's jurisdiction.

We provide $11.9 billion for the National Institutes of Health; $642 million over last year's level, which represents a 6-percent increase.

We have increased funding for prevention by $62 million for such programs like breast and cervical cancer, childhood immunization, and infectious diseases. We have provided over $2.16 billion for the Centers for Disease Control programs, an increase of $39 million over last year, and $802 million for the maternal and child health program, which is $116 million over last year's level.

We increased the Job Corps funding to open four new centers; total spending for Job Corps is $1.1 billion in this bill. In this bill we provide the largest increase in history for the maximum Pell grant, $2,440 per individual.

This bill provides new funding of $6.9 billion for funding for student financial assistance, and combined with the carry-over Pell grant funding, the total is $7.7 billion for student assistance, an increase of $103.9 million over last year's level, and they say the sky is falling. We are not giving enough to students.

The bill provides, among other things—here is a good one. We have heard the President, we have heard those in Congress who decry the cuts say the sky is falling, the Sun is rising in the West. Head Start, the one they talk about so much, we are cutting it all the way back from $3.5 billion to $3.4 billion; $3.4 billion will be spent on Head Start alone, up from $2.2 billion in 1992. And where does that money come from? From the American taxpayer, the generous American taxpayer. The taxpayer that genuinely cares deeply about America's children, is contributing this year, under this bill, $3.4 billion for Head Start, as well as $4.3 billion for foster care and adoption assistance, $2.8 billion for the social services block grant, $1.2 billion for the substance abuse block grant, $1 billion for the jobs program, $934.6 million for child care block grants, $77 million for the aging programs, or the administration of aging programs, $428 million for community services block grant, $357 million for the congregate nutrition services, and $275.4 million for the mental health block grant. And they say the sky is falling, the world is coming apart because we are not spending enough money on people?

The money comes from the taxpayer. We owe them the responsibility to weed out the waste, the inefficiency, the abuse, the redundancy, the unnecessary spending. That is what we try to do, and we do not neglect our poor, our needy, our elderly, or middle class.

In fact, there has been some talk about those tax benefits. I have another chart, not blown up unfortunately, but here is the Republican tax proposal. People whose income is under $20,000 get 5 percent of the proposed tax benefit. The people making between $20,000 and $30,000 of income get roughly 10 percent of the proposed tax benefit. The people making between $30,000 and $40,000 get 15 percent of the benefit. Those making between $40,000 and $50,000 get 15 percent of the benefit. If you add all these together and include the people making under $75,000, all of these people get 65 percent of the tax benefits. For the $500 child credit proposal, 75 percent of this tax benefit goes to those making under $75,000 in the aggregate.

Now, Mr. Chairman, I will have to tell you that there has been a lot of hype. There has been a lot of overplay, a lot of scare mongering. People say that this bill should not be adopted because it cuts. It spends a total of $278 billion for good causes, and that is $278 billion from the American taxpayer. It is not unfair, it is not unwise, it is not devastating. It is a good bill, it is a critical bill, it should be passed, and I urge its adoption.

Mr. OBEY. Mr. Chairman, I yield myself 3½ minutes.

Mr. Chairman, just very briefly to respond to the previous two gentlemen, I would say first to the gentleman from Illinois [Mr. PORTER], he suggests that our tax charts are not accurate. Is the gentleman truly suggesting that the middle-class families in this country have done better the last 10 years than the super rich? If he is, I would respectfully suggest somebody is smoking something that is not legal. I do not think anybody else sees it that way.

The gentleman says that the Perkins loan is amply funded. All I can tell you is there are going to be 150,000 students who are not going to be able to be helped by the Perkins loan program this year if we do not make a contribution to it.

The gentleman says in terms of low-income heating assistance, there is no crisis. Good gravy, 600 people died in Chicago just 2 weeks ago because they were overcome by heat. The low-income heating assistance program is the program that is supposed to help folks like that. No crisis?

The gentleman says that because schools are in trouble, we ought to cut back on chapter I. To suggest you ought to cut back on the major program we have to help local school districts educate the toughest to teach kids in their districts, to suggest we ought to cut that back and somehow that is going to improve education performance is, I think, backwards.

The gentleman says that we should not worry about the dislocated worker program; 193,000 fewer workers aren't going to get help on job training after they have lost their jobs, through no fault of their own. Is that the answer America is going to give to the workers

who have fallen victim to programs like NAFTA and GATT? I hope not.

With respect to the gentleman from Louisiana, he recites a great number of small programs that ought to be eliminated. He is beating a dead horse. We have already said 15 times we support the elimination of those programs. Fine.

The gentleman says that this bill is an end to socialism. Well, with all due respect, I do not think helping kids to get an education is socialistic. I do not think helping workers to get job training is socialistic.

I ran into one young woman in the community of Rhinelander in my district, 22 years old, I think she was. She was in school, in a 2-year school. She had a couple of kids. She and her husband split because her husband had beaten the living devil out of her time after time after time. She was homeless for 2 months last year, yet she kept going to school every day trying to make something of her life, and she was using a Perkins loan and other educational help. Is it socialism to help a person like this? Nonsense.

The gentleman says we should stop throwing money at programs. I agree. Why do not you join us in eliminating the B–2 and the F–22? We will save a whole lot more money than we are spending in this bill.

The gentleman says that we are going to provide plenty of money for the truly needy. Here is a list of the truly needy giant corporations in this country who are going to wind up again paying no taxes whatsoever because of the Republican party insistence on eliminating the corporate minimum tax.

The gentleman says you are going to have some benefits to lower income people in the tax bill. Undoubtedly. But they will be table scraps in comparison to the caviar given to the people at the top of the income scale.

The gentleman says we should not worry because this bill is spending $68 billion in discretionary funds. It is not. It is spending $62 billion. If it was spending $68 billion, we would not be having this fight.

Mr. YOUNG of Florida. Mr. Chairman, I yield 1 minute to the gentleman from Louisiana [Mr. LIVINGSTON], the distinguished chairman of the Committee on Appropriations.

Mr. LIVINGSTON. Mr. Chairman, I point out, as regretful as that incident was when all those people died because of the heat, not one of them was saved by the existing LIHEAP program which is in full operation today. The LIHEAP program did not do them any good.

Second, the B–2 bomber, a $13 billion investment, is estimated may end up saving us well over $640 billion over the long haul because of its payload. This is the weapons system for the future. It really has no place in this debate, because that is talking about the defense of this Nation.

Mr. OBEY. Mr. Chairman, I yield myself 30 seconds.

Mr. Chairman, with all due respect, it does have a place in this debate, because your allocation gave the Pentagon $7 billion more than the President asked for. You have cut at least $7 billion out of this bill. That is the problem.

□ 1345

Mr. Speaker, I yield 6 minutes to the distinguished gentleman from Maryland [Mr. HOYER], a member of the subcommittee.

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

Thomas Jefferson said that the nation that expects to be both free and uneducated expects that which never was and will never be. As a result of that philosophy, America has historically invested in its children, both at the local level, the State level and, yes, at the Federal level as well.

We do so because we believe it is absolutely critical for the success of America's way of life. We believe it is absolutely essential if we are to remain competitive in an increasingly global economy where young people in America are not just in competition with kids from California or Maryland or Florida or Louisiana or Maine or Wisconsin, but are in competition with kids who are educated in Japan, in Germany, in Taiwan, all over the world. Therefore, we have made a commitment to making sure that every one of our children is educated.

The chairman of our committee, Mr. LIVINGSTON, has shown a chart at least 15 times now, I think I have seen it. He loves that chart. It is his Head Start chart. It shows how much money we are spending.

My colleagues, the reason that escalated in 1989, and 1990, and 1991, and 1992 and 1993 is because the Congress and President George Bush agreed, we were not doing enough. The bill was not vetoed. In fact, President Bush suggested increases. What the gentleman from Louisiana did not tell my colleagues is that more than 50 percent of the young people in America eligible for Head Start are falling through the cracks, that we are not investing in the over 50 percent of the young people for whom there are no seats in Head Start.

All of us in this Nation lament the fact that so many young people are falling into lives that are negative, that are going to make them tax takers rather than taxpayers. They will not be positive, participating citizens in our community. We see them on television. And we lament and we get angry, and we say, what is happening?

Government clearly cannot do it all. We have got to have parents do a better job in education. We have got to have our schools doing a better job. But we will not solve the problem by disinvestment. A party that believes in the capital system, in the free market system knows full well if you do not invest your capital, you will not get a return. Bottom line.

Now, I only have 4 minutes. The education budget that is presented by this bill would be opposed by the ranking member of this subcommittee, the Republican with whom I served for so many years, Silvio Conte. He would not countenance this bill. And Bill Natcher, the former chairman of this subcommittee, I am aware lamentably, is turning over in his grave.

I said earlier at a press conference that Bill Natcher used to say, ''If you take care of the health of your people and the education of your children, you will continue to live in the strongest and best nation on the face of the earth.''

Now, I am a Democrat. My good friends and colleagues on that side of the aisle could shrug their shoulders, oh, there go the Democrats again. All they want to do is throw money at problems. The States ought to educate people.

My colleagues, let me call to your attention a statement made by Terrel Bell. Most of you will recall this is not a Democrat, this is the Secretary of Education appointed by Ronald Reagan, his first Secretary of Education, when he first came into office, saying that he wanted to have a revolution in this country. Let me tell you what Secretary Bell believes of this budget, not the gentleman from Wisconsin [Mr. OBEY], not the gentleman from Maryland, [Mr. HOYER], not the Democratic side of the aisle, but Terrel Bell, the Secretary of Education under Ronald Reagan.

Statement, July 13, 1995: ''The drastic and unwarranted education cuts made in Congress by the House Appropriations Subcommittee,'' this subcommittee, this bill, ''must be restored or we will undercut community efforts to help better educate our children.'' Ronald Reagan's Secretary of Education.

He goes on to stay, Secretary Bell, Secretary of Education under Ronald Reagan, ''I hope the rest of Congress will take a different view.''

We urge you to reject this bill. that is a different view than the subcommittee and committee took.

Listen, my colleagues, what Terrel Bell says: ''The education of our children is too important to fall victim to this attack against education that serves a narrow agenda not supported by those who know and care about education.''

He concludes with this: ''The American people support educational excellence, not political extremism.''

My colleagues, the person calling for the rejection of this bill and opposition to political extremism was Secretary Terrel Bell of the Reagan administration. Reject this bill.

Mr. YOUNG of Florida. Mr. Chairman, I yield 4 minutes to the gentleman from Pennsylvania [Mr. GOODLING].

Mr. GOODLING. Mr. Chairman, I would like to pick up on the last couple words that were just mentioned: educational excellence. I want to stand here today to take partial responsibility for the slowing down of the growth

of funding of Head Start and chapter 1. It is based specifically on what the gentleman just said: educational excellence.

That is not what we have been getting in Head Start in many instances. That is not what we have been getting in chapter 1 in many instances. Anything other than educational excellence. And I have crossed this country for 20 years telling these people we want excellence. We do not want to just know how many new people you added. We do not want to know how much more money you spent. We want to know what the results are. And we do not have any studies that show us anything to indicate that $40 billion in one program and $20 billion in another program have done great things to improve the lives of those young people and make them productive citizens.

But what has happened every time I have spoken all over this country about insisting on educational excellence? Those who run the programs say, not face to face but behind my back: We do not have to pay any attention to you. We know the Congress of the United States is going to give us more money. We know that every President, it does not matter which side of the aisle they come from, are going to ask for more money, and so we are going to get more money and we do not have to worry about excellence. And what a disadvantage we have done to disadvantaged children in this country in Head Start in many instances and in chapter 1 in many instances.

What we are saying with this slight decrease is, now is the time to step forth and offer programs that are based on quality, that offer programs that will show us that in their third year, fourth year, fifth year of school, they have made dramatic increases and the Head Start has remained. The only studies we have to show that we have moved forward in these areas are in community college towns, where the mentors are college students who are out there doing what we should have been doing in Head Start and what we should have been doing in many of the chapter 1 programs. That is teaching parenting skills and improving the literacy skills of the parents so when the child goes home from a Head Start or a chapter 1 experience, they have someone to help them to improve, not just a couple hours they may be in a school setting.

So I am not ashamed that I am one who has asked us to slow down temporarily these increases until we get the kind of quality that will give disadvantaged students an opportunity to be advantaged. In many instances, that is not happening today.

Very few Members have spoken out, in all of these years of $40 billion of spending in the one program and $20 billion in the other. All we have ever heard about is, we need more money because we are not covering enough people; we should be covering more. I have always said, covering them with what? If you are not covering them with quality, you are doing them a disservice.

So I would hope that we would use those two words, educational excellence, to frame this discussion, not how much money we can spend, not how many people we can cover, but how much we can do to help them get a piece of the American dream. We have not been doing that successfully in many of these programs throughout the United States.

Mr. OBEY. Mr. Chairman, I yield 4 minutes to the gentleman from Ohio [Mr. STOKES].

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

Mr. STOKES. Mr. Chairman, I thank my distinguished ranking minority member, the gentleman from Wisconsin [Mr. OBEY], for yielding time to me.

Mr. Chairman, I rise in strong opposition to H.R. 2127, the bill establishing fiscal year 1996 appropriations for the Departments of Labor, Health and Human Services, and Education. For many years, I have been one of the members of this subcommittee who have put this particular bill together. Until now, I have always taken pride in this bill which our beloved deceased chairman, Bill Natcher used to call the people's bill. This is the first time that I have come to the floor opposing the Labor-HHS-Ed appropriations measure. I oppose H.R. 2127 because of the devastating physical, social, and economic burden it places on the backs of our children, the elderly, and hard working families.

Neverthess, I want to acknowledge the leadership and fairness of our distinguished subcommittee chairman, the gentleman from Illinois, Mr. JOHN PORTER, as well as the leadership of the distinguished ranking member, Mr. DAVID OBEY of Wisconsin.

The 602(B) allocation for this bill is $9 billion, or 13 percent, below the fiscal year 1995 allocation. While some of the cuts can be justified, far too many of them will create critical quality of life problems for the people for whom this bill is intended.

Within the Department of Labor account, in overall discretionary programs, funding is cut 24 percent, or $2.7 billion, below the fiscal year 1995 appropriation level. More specifically, funding for summer jobs is eliminated, denying jobs to over 600,000 young people who need and want to work. The $446 million cut in the dislocated workers program will deny re-employment services to hundreds of thousands of laid-off workers.

With the Department of Health and Human Services account, funding for the LIHEAP is eliminated. The $55 million, or over 50 percent cut in the Healthy Start Program means that over 1 million women would be denied critical prenatal health care. Funding for family planning is completely eliminated.

Within the Department of Education account, funding is cut 16 percent, or $4 billion. The $1.1 billion cut in title I concentration grants means that more than 1 million educationally disadvantaged students would be deprived of the academic assistance they require in reading and math. Funding for safe and drug free schools is cut by $266 million, or nearly 60 percent below the current funding level. Critical cuts are also made in funding for Howard and Gallaudet Universities.

Drastic cuts are also made in a number of other quality of life programs including congregate meals, services for the homeless, substance abuse and mental health, unemployment insurance, and employment for older Americans. I ask my colleagues to be mindful that this is just a glimpse of the devastation contained in H.R. 2127.

The measure also takes extensive liberties with respect to authorizing legislation. An unbelievable number of authorizing provisions are contained in this appropriations bill—ranging from abolishing the Office of the U.S. Surgeon General, to restricting women's rights, to gagging political advocacy, to denying worker protections.

Mr. Chairman, I can understand and support a balanced approach to addressing our Nation's fiscal difficulties. But, I cannot support balancing the needs of the wealthy on the backs of our children, the elderly, and families. I urge my colleagues to defeat H.R. 2127.

□ 1400

Mr. PORTER. Mr. Chairman, I yield 4 minutes to the gentlewoman from Maryland [Mrs. MORELLA].

Mrs. MORELLA. Mr. Chairman, I would like to engage in a colloquy with the chairman of the subcommittee.

Mr. Chairman, I would like to express to the gentleman my concern over the defunding of the Office of Emergency Preparedness. As we know, this Office is charged under the Presidential decision document, NSC–39, to coordinate the health and medical response of the Federal Government in support of State and local governments in the aftermath of terrorist acts involving chemical and biological agents. The Office is also responsible for coordinating the Public Health Service interagency plans and activities to prepare for and respond to the consequences of natural disasters and terrorism, with particular emphasis on weapons of mass destruction.

Since 1992, the Office has responded to Hurricane Andrew, the Midwest flood, the Southeast flood, the Northridge earthquake, and the Oklahoma City bombing.

Mr. Chairman, I express this concern with the image of a rescue worker carrying a small child from the wreckage and devastation of the Oklahoma City bombing. No matter how much we wish to put this terrible tragedy behind us, it is indelibly etched in our minds, and serves as a grim part of our country's history. I feel very strongly that this Office should continue its good work.

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

Mrs. MORELLA. I yield to the gentleman from Illinois.

Mr. PORTER. Mr. Chairman, I would tell the gentlewoman that our subcommittee is fully aware of the important work performed by the men and women of the Office of Emergency Preparedness. The subcommittee's action is in no way a devaluing of their efforts and of the need to respond to national emergencies. The subcommittee only removed the Office as a line item in the agency's budget. The Secretary of Health and Human Services still has the discretion to keep this operation functioning if she deems it a priority.

Mrs. MORELLA. Mr. Chairman, I thank the gentleman very much for that clarification. I would also like to engage the chairman in a colloquy with my colleague, the gentleman from Virginia [Mr. DAVIS].

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

Mrs. MORELLA. I yield to the gentleman from Virginia.

Mr. DAVIS. I thank the gentlewoman for yielding to me, Mr. Chairman.

I applaud the leadership of the chairman of the committee and the assistance of the chairman of the Committee on National Security, the gentleman from Florida, BILL YOUNG, in continuing funding for the DOT extramural AIDS program in the Labor-Health and Human Services-Education appropriations bill. As we know, the Army Research and Development Command was originally tasked by Congress in 1996 as lead DOD command for HIV–AIDS research. This research has focused on the practical aspects of screening, prevention, and early-stage treatment affecting military readiness and national security. The Army Medical Corps has a long history of battling infections diseases that threaten military personnel, and the success of the Army's program has been due largely to the unique character of military life.

Mrs. MORELLA. Reclaiming my time, Mr. Chairman, I also want to thank the chairman of the committee for so wisely continuing this program. I also want to thank the gentleman from Florida [Mr. YOUNG] for his assistance.

Mr. Chairman, it is our understanding that the Army is interested in only focusing research on finding a vaccine for HIV–AIDS. However, with the 10- to 20-year validation period for a suitable vaccine, the importance of maintaining a vigorous research treatment program for those military personnel who are already infected is obvious.

I would ask the chairman of the committee, is it his intention that the $25 million provided for DOD AIDS research in the bill is to continue the natural history cohort and the domestic clinical studies, including the chemotherapeutic program and the immune reconstitution program?

Mr. PORTER. Mr. Chairman, if the gentlewoman from Maryland will continue to yield; yes, it is our intention to fund the continuation costs of the DOD research project. I agree it is an important research and treatment program and should be continued.

Mrs. MORELLA. I thank the gentleman very much for his leadership in this regard an I reiterate my thanks to the gentleman from Florida [Mr. YOUNG].

Mr. OBEY. Mr. Chairman, I yield 4 minutes and 10 seconds to the distinguished gentlewoman from California [Ms. PELOSI], a member of the subcommittee.

Ms. PELOSI. Mr. Chairman, I thank our ranking member for yielding time to me, and also for his leadership on this legislation.

Mr. Chairman, I rise in opposition to the bill, with the greatest respect for our colleague, the chairman of the subcommittee, the gentleman from Illinois [Mr. PORTER], but I oppose the bill and hope that all of our colleagues will oppose it, because it is fundamentally flawed and must be rewritten.

Mr. Chairman, this is a sad day for the Congress, and, therefore, for the country. It has always been a great privilege to serve on the Subcommittee on Labor, Health and Human Services, and Education of the Committee on Appropriations, a place where a bill is developed to provide the funds and directions for America's future.

Others have referenced the gentleman from Kentucky, Mr. Natcher, and, I am sure they will, Mr. Conte, but as Chairman Natcher would always say, ''If you educate your children and take care of the health of your people, you will live in the strongest country in the world.'' Mr. Conte agreed. That definition of strength is one that we should keep before us as we establish budget priorities in this Congress.

Mr. Chairman, our budget should be a statement of our national values, and our national values should measure our strength, not only in our military might, which is very important to our country, but also in the health, education, and well-being, as Mr. Natcher said, of our people.

While there was often controversy over the Hyde amendment, issues like the Hyde amendment, in the past there was no question about the broad bipartisan support for the programs in this bill. For many years, our subcommittee operated on the basis of consensus, without even taking a vote. Both parties worked constructively to fashion a truly bipartisan statement of priorities for these programs. The bill was a unifying factor between our two parties in this Congress.

All that has changed. This bill has become an ideological battleground. It has driven a wedge into this Congress, because it declares war on American workers, it erodes decades of progress for women, it declares war on education, it targets for punishment the most vulnerable people in America.

Some argue that this bill is just part of the pain associated with balancing the Federal budget. If that is all that was going on here, then the bill would be at least understandable, but this debate is about priorities within the budget limitations, as I mentioned earlier.

Mr. Chairman, while recognizing the need for us to have the strongest possible defense, it is hard to understand why we are moving more than $5 billion more into the defense and military construction projects, funds that were not even requested. The Republicans have decided to focus the drastic cuts on the Labor-HHS-Education and VA-HUD bills. Even if the defense-related programs were frozen rather than taking the same proportional hit as other bills, we would have about $4 billion more for this bill, enough to make it a much better bill.

I remind our colleagues that this bill takes a hit of $10 billion. We go from $70 billion to $60 billion. On top of all of this, the Republican leadership is insisting on a tax break for the wealthiest Americans, putting even more pressure on the most defenseless in our population. We want to give more money to defense and take money from the defenseless. I think it is wrong.

I think the bill started out bad, it was a very dark night, as our ranking member, the gentleman from Wisconsin [Mr. OBEY] mentioned, in the dark of night when this bill came out of subcommittee. then it got even worse as it moved through 3 days of full committee markup. By adopting five amendments which were part of the issues alert of the Christian Coalition, the bill became worse. Those included attempting to gag public interest advocacy, limiting further a woman's right to choose, prohibiting human embryo research, interfering with the private sector's accreditation of graduate medical education, and eliminating, if Members can imagine this, Mr. Chairman, title X, family planning. In doing that, the majority has made a bad bill terrible.

Mr. Chairman, I urge my colleagues to vote against this most unfortunate legislation.

Mr. OBEY. Mr. Chairman, I yield 4½ minutes to the distinguished gentlewoman from New York [Mrs. LOWEY].

Mrs. LOWEY. Mr. Chairman, I want to say at the outset that I have great respect for the chairman of the committee, and we have worked together on many of the issues in this bill, and also, of course, for the ranking minority on this committee. I understand the terrible choices that our chairman and our ranking minority had to face with us, because this bill, the bill that really reflects the priorities of this Nation, was cut $10 billion. Therefore, although I am rising in strong opposition to the bill, it has no reflection on the chairman's commitment to some of the issues we face.

Mr. Chairman, this piece of legislation has always been called the people's bill, but today the people will find

out whether Congress truly understands their needs and the needs of their families. They will find out how serious we are about making investments in our most precious resource, our children. The people of this Nation will learn whether it matters to Congress if elderly Americans have the means to heat their homes in the winter and cool them in the 100-degree summer heat, or we are going to just stand by when elderly people lose their lives; 100, 200, 300, 400, 500. These are people, real people with families. They will discover if we are truly committed to giving young people with little hope and laid-off workers with few opportunities the means to find a job.

Today the American people will find out whether Congress is willing to disregard our children and make unprecedented cuts in education, cuts which will deprive local schools of billions of dollars and hardworking college students of the aid they need to have a shot at the American dream.

Mr. Chairman, as a mother of three and a former PTA president, I can tell the Members that this bill will have a devastating impact on America's children and our community schools. Let us not make any mistake about it, this bill will lead to increased local property taxes, because our mothers, our parents, will not stand for their children not having the best education they can. Therefore, if we cut, guess where it is going to come from? Cut here, pay at the other end.

We will also vote on whether to force poor women who are the victims of rape and incest to carry those pregnancies to term. We will vote to eliminate an unprecedented intrusion in this bill into medical school curriculum which will endanger the health of women. We will have an opportunity to restore critically needed family planning funds.

It is shameful, and I am embarrassed to serve on this committee where I was once so proud, to be at a place in history where we are zeroing out family planning funds. Make no mistake about it, that is exactly what is happening in this bill. Members are going to hear all kinds of alibis, but we are zeroing out family planning funds.

Yes, I am pleased that the increases at the NIH were not on the Christian Coalition agenda. I am pleased that important investments, investments in breast cancer research will continue. I am pleased that the CDC breast and cervical cancer screening program is still alive. But this bill takes women backward. The GOP leadership has proudly touted its plan to reduce the deficit.

Today we are seeing, Mr. Chairman, we are seeing what that plan will mean, what GOP priorities really are. This bill cuts spending, but it does it on the backs of average Americans and on the backs of the Nation's most vulnerable citizens. These cuts in education, training, student loans, low-income energy assistance, are being made to finance the Republicans' proposal to provide a tax cut for the most privileged, and to build new weapons that the Pentagon did not even ask for.

As I sat in committee and subcommittee, Mr. Chairman, two things were very clear: first, this bill was deeply flawed from the start, because it was a direct outgrowth of mixed-up Republican budget priorities. We need to go back to scratch. We need to fix this bill.

Then the bill was made even worse as the Christian Coalition sent their legislative language and had everyone dutifully follow it, passed that legislative language, passed that special interest language that hurts workers and flies in the face of basic constitutional rights.

Mr. Chairman, I cannot support this bill. Let us send it back and do it right.

Mr. PORTER. Mr. Chairman, I am pleased to yield 5 minutes to one of the new and very able members of our subcommittee, the gentleman from Florida [Mr. MILLER].

□ 1415

Mr. MILLER of Florida. Mr. Chairman, I rise today to put this bill in its proper context. The 104th Congress is in the midst of the most important debate about America's domestic future since the New Deal. The debate is not about accounting numbers and line items, although that is what much of the public will hear in this debate. In fact, at its core, the debate is about what kind of America we want to be in the 21st century.

Mr. Chairman, America is at a crossroads. As we close the 20th century, we are faced with one great battle. The American people have defeated fascism and communism and spread democracy around the world. Now we are faced with the threat of the national debt. The challenge is to leave our children a legacy of both peace and prosperity. We must ensure that the American dream lives on. An America that enters the 21st century free from deficits will be a strong America that has resources to meet its obligations for Social Security and Medicare and to the American taxpayer. That is what this debate is about. We are making the tough choices to start on a glide path to a balanced budget.

The most obscene thing we have done in this Congress is to build up these horrendous deficits and the national debt. Let me put in perspective what this is. The national debt is $4.9 trillion. Now, if you divide that by the population of the United States, that amounts to $18,800 for every man, woman, and child in the United States; $18,800 for every man, woman, and child.

We have a Congresswoman on the Republican side who is going to have a baby next year. When that child is born, that child immediately inherits an $18,800 debt. My wife and I, we have two children. For a family of four, that means I have a $75,000 debt that the Federal Government has spent that I have inherited. The interest on that debt amounts to $5,264 a year. It takes $439 a month for my family to pay for the interest on the national debt.

Mr. Chairman, next year, and in 2 years, we are going to spend more money on interest on the national debate than we do for the entire national defense. That is insane, and it makes no sense. And that is what the real debate is about today, is the fact that we have a debt that we need to clear up and move to some fiscal sanity in our process.

Mr. Chairman, solving this process does not mean 7 years of pain and sacrifice. Far from it. If we can balance the budget in 7 years, Alan Greenspan says, that will lead to a 2-percent reduction in interest rates. Let me explain what a 2-percent reduction in interest rates might mean.

For a family having a $75,000 mortgage, if they refinance it or get a new home, that is $100 a month less that they have to spend on that $75,000 mortgage. For small business, that is going to give an incentive for them to invest more, to create jobs, and to improve our economy.

By balancing this budget and moving on that glide path, we are going to stimulate the economy and help restore the American dream. We need to stop spending more money here in Washington.

Mr. Chairman, in 1950, the average American family spent 5 percent of their wages in Federal taxes. Now we are spending 24 percent to send to Washington for a bloated Federal Government. Unless we cut spending and eliminate the deficit, the tax burden will continue to grow.

Mr. Chairman, the President has offered an alternative vision of America in the 21st century: $200 billion deficits as far as the eye can see. He says the problem is to big and we just cannot deal with it right now. Now, not only is that a defeatist attitude, it is counterproductive. The job of balancing the budget does not magically get easier a decade from now. In fact, it grows exponentially more difficult.

First of all, the more debt we build up, the more interest rates payments will grow. In other words, we lock in more and more spending. But more importantly, starting in the year 2008, the first of the baby boom generation begins to retire, and the costs of Social Security and the Medicare programs explode. How can we justify putting off the day of reckoning on this budget?

Mr. Chairman, I believe this is a moral issue. We all know the challenge we face. The facts are the facts. We have a moral obligation to meet this challenge now, and we know the problem becomes virtually insurmountable in 10 to 15 years. If we fail, we will have failed the test of our time.

Mr. Chairman, this bill is fair, and spent $60 billion on some of the most important programs in the Federal Government. The cruelest thing we can

do for the young people today and for future generations is keep building up the debt. We must get this deficit under control and get our fiscal house in order. This bill makes a significant down payment on a balanced budget. It is some of the tough choices we are going to have to make in the appropriations process. That is the most important issue we are facing, balancing the national debt, and the moral and economic imperative of our time, and this bill meets that challenge.

Mr. OBEY. Mr. Chairman, I yield 4 minutes to the distinguished gentleman from Missouri [Mr. CLAY], the ranking member of the Committee on Economic and Educational Opportunities.

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

Mr. CLAY. Mr. Chairman, I rise to condemn this bill as the meanest, most vicious, most inhumane appropriations bill I have seen during my long career in the Congress. I implore my colleagues, on both sides of the aisle, to reject this cruel legislation and send it back to the Appropriations Committee with an instruction to produce a much more compassionate and fair-minded bill.

Mr. Chairman, once there was a time, when Democrats and Republicans worked together to expand access to education. Once there was a time when Democrats and Republicans supported efforts to help children raised in poor communities get a head start in life. Once there was a time when Democrats and Republicans believed that the role of Government was to protect the weak—from unsafe working conditions, oppressive employers, and dishonest pension managers.

That time has passed. To the Republican leadership in this House, people do not matter, profits do. To the Republican leadership, the role of Government now is to enhance the privileged and the powerful at the expense of the poor.

Mr. Chairman, the corporations and individuals unfairly enriched by this bill read like Who's Who among Fortune 500. The Republicans all but placed an ad in the Wall Street Journal that reads: ''This House is for sale! And, if you've got a gripe with OSHA let the Republicans know; they'll gut funding for OSHA inspectors and render the agency impotent.''

The Republicans are now abusing the appropriations process to carry out the political agenda of the radical right. This bill is polluted with the legislative wish list of the Christian Coalition. Through massive, unconscionable cuts in education, public education is being seriously crippled. These cuts support the thinking of religious extremists. Ralph Reed of the Christian Coalition has said ''We should de-federalize education policy. * * * Our top legislative priority at the Christian Coalition is to abolish the Department of Education.'' And, Jerry Falwell said recently ''I hope to see the day when * * * we won't have any public schools. The churches will have taken them over again and Christians will be running them. What a happy day that will be.'' These cuts in this bill will have Falwell dancing in his pulpit.

Mr. Chairman, provisions in the bill reflect promotion of a sinister, cynical agenda that is out of sync with mainstream Americans. In the middle of the night, Republicans rammed through crippling revisions in job safety, pension, and labor laws. They turned the appropriations process into a half-way house for those unscrupulous business people who would criminally expose their work force to unsafe and unhealthy working conditions.

Mr. Chairman, this is a critical time in our Nation's history, a time to better equip our Nation to compete in the world economy; a time to expand, not cut, job training opportunities for displaced workers; a time to expand, not cut, Head Start; a time to expand, not cut, college financial aid. This is no time to destroy the bridges to prosperity and opportunity.

Mr. Chairman, in the final analysis this bill is so bad it is beyond repair, and I urge my colleagues to vote against it.

Mr. OBEY. Mr. Chairman, I yield 2 minutes to the distinguished gentlewoman from Connecticut [Ms. DELAURO].

Ms. DELAURO. Mr. Chairman, I rise in strong opposition to this legislation which attacks children, seniors and working families to pay for a tax cut for the wealthy. I call it the American Dream Destruction Act.

The American Dream promises our people that if you work hard, if you play by the rules, this country will provide you with opportunity and with security. This bill betrays that promise. It betrays the promise of educational opportunity by cutting funding for education, from Head Start to safe and drug-free schools. It betrays the promise of opportunity for our workers by cutting crucial health and safety protections that help them on their job, and by cutting retraining, and that help could be provided to them if they lose that job.

This bill also betrays the promise of security for our seniors by cutting energy assistance and nutrition programs that help seniors to pay for their heating bills and to stay healthy.

Mr. Chairman, my colleagues from across the aisle say that they are only making these cuts to balance the budget. They would like you to believe that this is a shared sacrifice with a noble purpose. But folks, this is not a shared sacrifice, and there is nothing noble in asking our most vulnerable citizens to pay for a tax break for the wealthiest citizens. There is nothing noble in that. It is amoral.

The American people want us to cut waste, but unneeded tax subsidies to giant corporations are wasteful. Taxpayer-funded advertising for multinational corporations is waste. Special tax loopholes for billionaire expatriates are waste. The Republican leaders in this House can never seem to find waste in any program that helps their wealthy campaign contributors; they can only find waste in programs that help the working families of this Nation.

Mr. Chairman, balancing the budget is about making choices. This bill makes bad choices, choices that will hurt children, hurt seniors, and hurt working families, all to fund a tax cut to the wealthiest Americans. Vote against this bill.

Mr. PORTER. Mr. Chairman, I yield 5 minutes to our colleague, the very able gentleman from Texas [Mr. BONILLA].

Mr. BONILLA. I thank the chairman for yielding time to me.

Mr. Chairman, the gentleman from Illinois [Mr. PORTER] has done so much work on this bill and has produced a bill that I am strongly supporting. This is a proud day for America, to be able to take one appropriations bill, cut $9 billion out of it, and still preserve good programs in this country, like Head Start, community and migrant health care centers, TRIO, and programs like the National Institutes of Health. Imagine that.

We are hearing a lot of Members come forward today with the same old song and dance that we have cut education to give a tax cut to the rich. Other days before today we have heard them say that we are trying to help the military to provide tax cuts at the expense of the poor, and we are providing tax cuts for the rich to cut volunteers in the park. You name it, everything is being tagged for the same reason, and we all know that this is not true. These are all lies that are just continuously spread to try to stop the agenda that the American people want us to move forward.

So instead, let us talk about the truth. In the dark of the night, there was an attempted midnight massacre by the opposition when Member after Member offered amendments to cut Medicaid for poor States. However, today, when the cameras are on and the lights are shining and C–SPAN is broadcasting, there will not be a single Member to come forward and offer an amendment like that to see what really happened as this bill was being drafted. Why is this happening? Because they are afraid that the American people may see them saying one thing and doing another, and really discover the truth about what is going on around here.

Mr. Chairman, this bill makes tough choices. The gentleman from Illinois [Mr. PORTER], the chairman of the subcommittee, has brought this House a bill which reflects responsive and thoughtful decisions to support national priorities, not parochial priorities, and to reduce the deficit by cutting lower priority and duplicative programs.

Mr. Chairman, no matter how you slice this bill, we have over $60 billion

of discretionary spending in this bill. For some Members, it is never enough. If Members want to take pot shots at this bill, go right ahead. We do not claim to be perfect. We know that adjustments can be made to improve on what we are doing. But we are trying the best we can as a Republican majority to make the tough choices necessary that the American people are calling for.

Mr. Chairman, with over $60 billion in discretionary spending, let me give you two examples of how much $1 billion is. One billion seconds ago this country was in the middle of the Bay of Pigs. One billion minutes ago the world went from BC to AD on a calendar. In this bill we have over 60 of those billions. Again, for some Members, that is not enough; it is never enough.

If Members would not support a rescissions bill that cut only 1 percent of Federal spending this year that we proposed earlier this year, I do not anticipate support from Members when we want to cut 13 percent out of a spending bill. If Members would not support a rescissions bill that restored some fiscal sanity, they will not support a bill that tries to cut and consolidate 163 Federal employment training programs, 266 Federal youth at-risk programs, 90 Federal early childhood programs, 340 Federal families and children's programs, and 86 Federal teachers training programs.

□ 1430

How much is enough? It is never enough for the opposition.

I guess the dollar figure like that is whatever it takes to bow down to those special interest liberal groups.

Members will make all kinds of complaints against this bill, some based on facts and some are not based on facts. Either way, I am reminded of the old saying that says, ''It takes a carpenter to build a barn, but just one jackass can knock it down.''

There is a new way of thinking in Congress. After 40 years of the same old ''throw money at the problem and pose for holy pictures,'' let us have just 1 year to try it our way. What do my colleagues say? Give us a chance to do it one year our way and see what happens.

The President made a statement last week saying that he would not allow our people to be sacrificed for the sake of political ideology. I agree with him. Our people are the taxpayers of this country that sent us here last November to get our fiscal house in order.

We must reject those who are slaves to the National Education Association, slaves to the American Bar Association, and other special interest groups, and others who always want more money, more money, more money, more money, without ever spending their own money.

So, Mr. Chairman, if my colleagues favor this new philosophy that we are bringing forth, I ask them to please support this bill. It is a good bill. It is a bill that is the result of many tough decisions.

Mr. Chairman, I urge my colleagues to support this bill.

Mr. OBEY. Mr. Chairman, I yield myself 3 minutes.

Mr. Chairman I yield myself this time to answer the nonsense that I just heard from the gentleman from Texas [Mr. BONILLA]. The gentleman from Texas is objecting to the fact that we are not offering the amendments on the House floor that we offered in the subcommittee. The answer is, we cannot do that because the rules of the House prevent that kind of en bloc transfer.

I would be happy to do that if the gentleman wanted to vote on them, but he does not want to. I do not blame the gentleman for being sensitive on the issue of surplus Medicaid compensation in some States.

To correct the gentleman, we did not cut Medicare. What we tried to do is take into account the fact that my State winds up getting from the Feds only 55 cents out of every dollar for the cost of dealing with a Medicaid patient. Texas only gets from the Federal Government 64 cents out of every dollar for the cost of dealing with a Medicaid patient, but the State of Louisiana gets 75 cents out of every dollar.

The gentleman from Texas consistently, in the subcommittee, voted to take money out of his own State of Texas and give it to Louisiana, because he voted against amendment after amendment to try to equalize the formula between States.

So, Mr. Chairman, the gentleman voluntarily, in his own committee, voted to give away from the State of Texas $66 million for summer jobs. He voted to take away $21 million from Texas for dislocated worker training. He voted to take away $29 million under Goals 2000. He voted to take away almost $100 million from Texas under title I, because he insisted on seeing to it that it kept going to States like Louisiana. I do not blame the gentleman for being sensitive on that issue.

I would also make one additional point. He said ''Let us have it our way for a year.'' The reason we have gotten in this debt is because Ronald Reagan came into office and told us if we just passed his budget in 1981, that in 4 years we could cut taxes, we could double military spending, and still balance the budget.

Mr. Chairman, this chart demonstrates the promise versus what happened. These bars demonstrate that in 1981, President Reagan said: Pass our package, the deficit will go down from what was then $55 billion to zero over 4 years' time.

Guess what? The Congress did it the gentleman's way. The Congress swallowed the Reagan budget and guess what. We only missed the deficit target by $185 billion, because under the policies rammed through this place by the party of the gentleman from Texas, with 29 or so misguided souls on my side of the aisle mistakenly joining them, the deficit went from $55 billion not to zero, as Ronald Reagan promised, but to $185 billion.

Mr. Chairman, If the gentleman from Texas cannot get his story straight about what happened in subcommittee, he should at least get history straight.

Mr. OBEY. Mr. Chairman, I yield 2 minutes to the distinguished gentlewoman from Hawaii [Mrs. MINK].

(Mrs. MINK of Hawaii asked and was given permission to revise and extend her remarks.)

Mrs. MINK of Hawaii. Mr. Chairman, I rise today in strong opposition to the Labor, Health and Human Services, and Education appropriation. This bill demonstrates the most significant difference between the Democrats and the Republicans. We seek to invest in the people of this Nation, they seek to destroy that investment, not only through elimination and cutting of programs, which this bill does with unmeasured precedent, but by using this bill to push through their legislative agenda to weaken the rights of workers, women, and the most vulnerable in our Nation. Never before have we seen such a systematic abuse of the legislative process in order to get the agenda of the majority passed.

At every turn this bill attacks long-held rights and protections for people in this country including provisions which weaken the rights of workers, takes away first-amendment rights of the people who work through nonprofit agencies, eliminates reproductive rights for low-income women, even if they were raped or a victim of incest, and weakens enforcement of equity for women in intercollegiate sports.

A legislative rider in this bill attempts to weaken the enforcement of title IX of the Education Act Amendment of 1972. Title IX is the law which prohibits sex discrimination in federally funded educational institutions. As one of the coauthors of this legislation I am proud of title IX and its success in protecting equal rights for women in education and in increasing intercollegiate athletic opportunities for women. I am deeply disturbed that the Appropriations Committee would allow a provision in their bill which circumvents the legislative process, and is clearly intended to weaken the enforcement of title IX.

The rider prohibits the Department of Education Office of Civil Rights from enforcing title IX after December 31, 1995, unless the Department has issued objective policy guidance on complying with title IX in the area of intercollegiate sports.

While on its face this provision may seem harmless—a simple request for clarification on how to comply with title IX—do not be fooled. This provision pushed by opponents of title IX is clearly an attempt to force the Office of Civil Rights to weaken its enforcement standards, because of a misperception that men's sports are being hurt by overly aggressive enforcement of title IX.

This is simply not true. Since the passage of title IX, for every new dollar spent on women's sports, two new dollars have been spent on men's sports. The standards schools must meet under title IX are minimal. A school simply has to show that it is improving it's women athletic program or that it is meeting the needs and abilities of its women students in order to be in compliance with the law. I would argue that these standards are far too lenient.

The Department of Education opposes this language because it is unnecessary and micromanaging the Department, the NCAA does not like this language, colleges and universities think this language goes too far, and most importantly the women of America do not want this language because they know it is an attempt to turn back the progress we have made toward equity in intercollegiate sports.

In addition to title IX, this bill is also used to eliminate other rights for women—reproductive rights. Legislative language prohibits Medicaid from paying for abortions for low-income women, even women who have been raped or victims of incest. This provision denies women their constitutional right to reproductive freedom.

The bill also attacks workers rights. Limitations on the National Labor Relations Board's enforcement mechanisms in resolving a labor dispute means that companies can continue to commit unfair labor practices including firing of workers, strong arm tactics to influence the outcome of the dispute, efforts to prevent employees from organizing a union or issue illegal bargaining demands, while NLRB is reviewing a case.

The bill prohibits the enforcement of a child labor law which protects children under 18 from injury and death from cardboard and paper balers and halts efforts to protect the health of workers who work with computers and other office machinery by prohibiting the implementation of OSHA's ergonomics standards.

Prohibition of the Executive order on striker replacement is simply a slap in the face to the workers of this Nation. It is a clear indication that the majority party does not believe in workers' right to organize and fight for their rights through a union.

I am alarmed by the inclusion in this appropriations bill of 12 pages which strip away individual rights guaranteed to each and every one of us to petition our government for any reason whatsoever. Title VI of this bill states that you cannot get any Federal funds if you participate in political advocacy.

This bill if passed would prohibit any person who received a Federal grant under any law, not just this act, from speaking out on any matter relating to laws whether, State, Federal, or local. The prohibition against political advocacy which includes attempts to influence legislation or agency action explicitly prohibits communication with legislators and their staffs. The definition of ''grantee'' includes the entire membership of the organization who are explicitly prohibited from communicating with legislators or urging others to do so.

This bill disqualifies anyone from receiving a Federal grant if for 5 previous years it used funds in excess of the allowed threshold.

Further anyone receiving Federal grant money cannot spend it on the purchase of goods and services from anyone who in the previous year spent money on political advocacy in excess of the allowed limit.

Political activity is defined as including publishing and distributing statements in any political campaign, or any judicial litigation in which Federal, State, or local governments are parties, or contributing funds to any organization whose expenses in political advocacy exceeded 15 percent of its total expenditures.

This title of the bill is totally and completely unconstitutional. It is a blatant unlawful effort to stifle dissent and advocacy. It is contrary to basic principles of our democracy. It is a gag law. It must be defeated.

Mr. PORTER. Mr. Chairman, I yield 5 minutes to the gentleman from Oklahoma [Mr. ISTOOK], another able member of our subcommittee.

Mr. ISTOOK. Mr. Chairman, the public is demanding that the Congress reduce Federal spending. The message from the elections was clear, the constant messages we receive from our constituents are clear; they are demanding that we do so. They realize that we have built a gigantic Government bureaucracy of social programs and Government handouts that are cruel. They are cruel because they are killers of initiative, killers of self-reliance, and destroyers of the family.

Do the American people lack compassion because they want to bring down the size of Government? Of course not. Do Members of Congress, whether they be on this side of the aisle or on that side of the aisle, lack compassion because they see the necessity to reduce Government spending and to do it in social programs? Of course not.

Mr. Chairman, we all prove our individual compassion by what we do with our own time, our own efforts and our individual dollars. We do not prove we have compassion by reaching into the wallets of the American taxpayers and extracting, under force of law through the tax system, more and more money. That proves that we believe in taking from other people, not that we have personal compassion.

Compassion is measured by what we do individually and what we help people to be able to do for themselves, not with the Government programs that destroy initiative, that have brought down this country, that have generated the national debt that will be the ruin of the next generation of our children and our grandchildren, if we do not bring spending under control and do it now.

Mr. Chairman, this bill, compared to the task before us, is easy. The spending reductions in this bill are about $6.5 billion below what was spent last year and about $10 or $11 billion below what the President wanted to spend. But even after the reductions are made, the budget will still be almost $200 billion out of balance in the next fiscal year.

Even after these cuts that some people think will make the sky fall, it is still going to take years and years of effort to be able to meet our target of balancing the budget by the year 2002.

Mr. Chairman, any Member who thinks that this bill contains tough decisions should not come back for another term in the next few years, because the decisions will only get tougher. It is a choice: Cut spending now or visit ruin upon our children with a bankrupt Federal Government and a Federal Government that, according to figures released by the Clinton administration, would insist upon taking 83 cents out of every dollar that our children make in their future, over their lifetimes, in the amount of taxes they have to pay if we do not get spending under control, if we do not balance the budget.

The overall spending reductions in this bill, Mr. Chairman, are only 11 percent. Yet, we are told it will be the ruin of American civilization. That is hogwash, and people know it.

What my colleagues on the other side of the aisle want is a system of more personal dependency upon Government bureaucracy. I disagree with them on that. I believe the American people disagree with them.

I applaud what the gentleman from Illinois [Mr. PORTER] has done on this. The gentleman has things in this bill that frankly he does not want to do. The gentleman has programs that he likes, that he thinks are good programs. Yet, for the good of the entire country, he has been willing to put them forward to reduce and even zero out programs that he individually likes because he recognizes the scale of the problem. I applaud the fashion which the gentleman from Illinois has handled it, the fairness to all sides on the issues.

I applaud the gentleman from Louisiana [Mr. LIVINGSTON], chairman of the full committee, and I note, for the benefit of the gentleman from Wisconsin [Mr. OBEY], the very charts that he has had published in the report show that the State of Louisiana will have almost $100 million less coming to it in Federal spending under the bill already. In fact, if my rough figures are correct, I believe Louisiana takes a greater dollar hit than the State of Wisconsin does under this bill.

Mr. Chairman, that is not the chairman of the Committee on Appropriations trying to protect people back home; it is the chairman working for the common good of the entire country, and I applaud those efforts.

It is tough, but it is going to get tougher. This bill is important toward balancing the budget, toward correcting mistakes that have been made in the growth of the Federal bureaucracy and the duplication.

Mr. Chairman, I certainly urge support of this entire bill.

Mr. OBEY. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Texas [Mr. COLEMAN].

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

Mr. COLEMAN. Mr. Chairman, first of all, President Clinton 2 weeks ago said that he would veto this bill because the Republicans have approved $36 billion in cuts in education and

training over 7 years. In contrast, the President's proposal balances the budget while increasing investment in education and training by $40 billion over that same 7 years.

In my State of Texas, Republican cuts of $2.5 billion will harm working families. The gentleman from Oklahoma [Mr. ISTOOK] used the term ''hogwash.'' I agree with him.

Statements of the chairman of the Committee on Appropriations seem to indicate that he believes that the philosophy here is one of socialism, if we do not do what the gentleman from Oklahoma [Mr. ISTOOK] and the gentleman from Louisiana [Mr. LIVINGSTON] say we need to do.

Second, the gentleman from Pennsylvania stands up and says we need educational excellence, and the gentleman speaks all over the country about it.

□ 1445

We ought to start putting our money where our mouth is. We are told in this bill we are going to downsize and streamline. What did you do to Goals 2000? Eliminated it.

Ask the Governors around the country, both Republican and Democrat, whether or not they think that is a good idea. They do not think it is a good idea. In fact, they consider it one of the dumbest things they have seen in a long time.

Let me tell you what else you did. You took 1,043 out of 1,053 school districts in my State of Texas that we have been using a program called Safe and Drug Free Schools to prevent crime, violence, and drugs, to keep drugs away from the kids in the school room, you cut that program. You have also seen to it that we are not going to increase any access to college. We are going to deny programs, in fact, to 23,400 kids in Texas in 1996 alone. You are probably going to force them to drop out of school. That is what your idea is about educational excellence, the future for the children of America.

You are cutting in all the wrong places. That is what is wrong with the Republican plan. Each and every one of you stand up here and says, ''Oh, we have got to do this.'' Wrong, wrong, wrong. Read your bill. Compare that to the President's budget for a balanced budget in 10 years. Take another look at it. You are making a big mistake. This is a bad bill.

Mr. Chairman, President Clinton said 2 weeks ago that he would veto the bill approved by the House Appropriations Committee since it slashes critical education and training initiatives. Republicans have approved $36 billion in cuts from education and training over 7 years. In contrast, the President's proposal balances the budget while increasing investment in education and training by $40 billion over 7 years. In Texas, Republican cuts of $2.5 billion over 7 years would harm working families:

Head Start: President Clinton proposes to expand Head Start to serve 50,000 additional children nationwide by 2002. Republicans have approved cuts that would deny Head Start to 180,000 children nationwide and 12,512 children in Texas in 2002 compared to 1995.

Improving basic and advanced skills: President Clinton's budget completely protects title I, which helps students from disadvantaged backgrounds with reading, writing, mathematics, and advanced skills. Republicans would cut funding by $1.1 billion in 1996, denying this crucial assistance to 1.1 million students nationwide and 99,600 students in Texas.

Goals 2000: With strong bipartisan support, the President created Goals 2000 to help communities train teachers, encourage hard work by students, and upgrade academic standards in schools. The President calls for almost $700 million in 1996. Republicans would eliminate Goals 2000 and deny to Texas funding affecting as many as 1,428 schools.

Safe and drug-free schools: While President Clinton strongly supports Safe and Drug-Free Schools, Republicans want to gut the program, which 1,043 out of 1,053 school districts in Texas use to keep crime, violence, and drugs away from students and out of schools.

Increasing access to college: President Clinton would increase annual funding for Pell grants by $3.4 billion and raise the top award to a record $3,128 by 2002. The GOP would deny Pell grants to 23,400 students in Texas in 1996 alone, possibly forcing them to drop out of college.

National service: AmeriCorps offers young people a hand in paying for their education if they lend a hand to their communities. Republicans would eliminate AmeriCorps and deny 3,171 young people in Texas the chance to serve in 1996.

Job training: President Clinton's GI bill for America's workers would streamline Federal job training efforts and provide skill grants for dislocated and low-income workers. The President would provide 800,000 skill grants of up to $2,620 in 1996. Republicans would cut funding by $68.3 million and would deny training opportunities to 28,688 dislocated workers in Texas in 1996.

Summer jobs: Summer jobs are an important first opportunity for many low-income youths to get work experience. President Clinton wants to finance 600,000 jobs this summer. Republicans would slash the President's school-to-work initiative and eliminate summer jobs, denying jobs to 42,491 Texas youths in 1996 and 297,437 Texas youths over 7 years.

Student loans: While the President strongly supports the student loan program, Republicans want to raise student costs for loans by $10 billion over 7 years. The GOP cuts could raise the cost of college education by as much as $2,111 for 260,700 college students and as much as $9,424 for 37,200 graduate students in Texas.

Mr. BONILLA. Mr. Chairman, I yield 5 minutes to the distinguished gentleman from Arkansas [Mr. DICKEY], a member of the subcommittee.

Mr. DICKEY. Mr. Chairman, cut spending first; that is the mandate that I got when I came here and not only have I gotten it but it has been repeated time and time and time again by those folks whom I represent.

One way you can cut spending is by tax cuts, and what happens is if you have tax cuts, you just lessen the amount of money that comes into the government. The government then shrinks to match its budget, and we have less government, less intrusion, and less waste.

Another way is to cut spending in the true sense of the word, and that is what we are doing to the tune of $9 billion in this bill. I think it is a credit to what the committee has done rather than a criticism, seeing the criticism we have gotten.

When we went to cut this budget, we went to the source of the people who knew best, where waste was, where the fat was, where the excesses were. We went to the agencies. Time after time after time after time, we asked those agencies, ''Please, do you realize that we have got to cut spending? Do you realize that if we do not, our country is going to become insolvent, that we are not going to be able to take care of our kids, that we are not going to be able to take care of our elderly people? Will you help us, agency, will you help us pinpoint where it is we can cut so that we are laymen, the people sitting here trying to do our job in cutting spending first, can do it more intelligently?''

But, no, we were stonewalled. Not a one came in and said, ''This is where we should cut.'' Not a one said, ''We want to help you. We want to be a part of this partnership, and we want to do what is best for America.'' What was said was, ''We have got this program going. We have had these programs 30 or 40 years. We own them, and as long as we can own them, you are not going to take them away from us, and if you do, you are going to do it by the hardest.'' That is exactly what we have done. We have taken $9 billion. We said, ''Okay, we are going to cut here and here and here,'' all the time asking for help, asking from those people who knew where the excesses were.

Some of the times after we cut the bills, people would come up to us and said, ''Oh, if we just knew what you were after, what you were going to do, we would have told you this particular program overseas did not work, or this particular program is really full of excess and waste.'' All I said a couple of those times was, ''Why didn't you tell us? Why didn't you tell us?''

All right, then, let us go to the architects of this. For 30 or 40 years the people who controlled this House, this Congress, put bill after bill after bill in here so they could have a perfectly good HHS Committee deliberation, and everybody could go and say, ''Here is some more money. Here is what you can do, because we are afraid to say 'no' to you, and we want immediate gratification rather than to do what is best for the country.''

We went to those people. What did they say? They said with their eyes and not with their mouths, ''Yes, we have got you out there. I know we have got you out there.'' We could not have gotten back in. We did not have the way, the credibility of anything else to get

back in. ''We are going to let you do it.'' ''We are not going to help you.'' Stonewalled.

So what did we have to do? The buck stopped. We have to go. Now, as we come back in, we are bringing this thing in in compliance with the commandment from the American people, the very people who are the architects of this are complaining all the way and criticizing us for doing what they know in their hearts, and it shows in their eyes, what is right, and that is we cut spending first for the sake of our country in a patriotic way.

We are going to make mistakes because the deck is stacked against us. Those of us who want this, the deck is stacked up here against us. We are going to make mistakes, so what we have to do now is do the best we can conscientiously, do the best we can to cut spending, to be obedient to the mandate from the American people and then, when things are calmed down, go back to these agencies and say, ''Now will you, please, help us?'' ''You all know better. Do not leave it to laymen. Will you, please, help us?'' ''Help us find the right way to cut, the best way to cut.''

But right now all we are trying to do is just to shrink it. Without money, there has to be something that is done by the agencies that is efficient, efficiency is in place.

I call upon this body, the American people, all of these agencies, the opposition, to work together, get in alignment.

We are in a step process right now, and we are willing to take the heat. We are willing to take the criticism. We are willing to take that which is really contradictory when the opposition says that you all are mean-spirited and do not care and are not compassionate. We are willing to take that for your sake and for our sake. But what I hope is that we will leave enough of conversation, enough of a relationship so we can get together with these agencies and with the opposition when this is all over and we do our job and do a better job of spending cuts for the sake of the American people and in love of the American people.

Mr. OBEY. Mr. Chairman, I yield 2 minutes to the gentleman from Illinois [Mr. DURBIN].

Mr. DURBIN. Mr. Chairman, life and politics are a matter of choices. This Congress has made spending choices and is about to make one today.

Let me tell you some of the choices this Congress has made. Under Republican leadership, this Congress has decided we will continue to give farm payments to wealthy individuals with more than $100,000 off-farm income.

The same Republican leadership comes to us today and says, ''But we are going to have to cut money for title I for kids in the classroom.'' The Republican leadership tells us, ''We must continue to spend millions of dollars every year subsidizing the tobacco industry,'' and the Republican leadership comes today in this bill and says, ''But we are going to have to tell 150,000 young men and women across the United States we cannot help them pay for their college expenses,'' kids from working families denied the opportunity of an education.

The Republican leadership tells us we have to spend billions of dollars on wasteful B–2 bombers and then turns right around and tells us we cannot afford Head Start to take kids in the toughest family situations in America and give them a fighting chance.

The Republican leadership tells us we have to waste millions of dollars on star wars, a welfare program for defense contractors.

Then they come to us today and say, ''We are going to have to cut LIHEAP,'' the program that provides some assistance to the poorest, usually elderly, who are trying to survive in the cold of winter and in the heat of summer.

The Republican leadership comes and tells us we have to give $300 billion in tax breaks, mostly to the wealthiest people in this country, and yet we have to turn around and cut the money that is available for the agencies that make sure that the workplaces in America are safe for our employees, that there is money for workers who have lost their jobs because the plants move overseas, workers that need retraining, people who want protection so their pension benefits will be there when they are retired. We cannot afford that, according to the Republican leadership.

The Republicans are there for the wealthy farmers, for tobacco, and for defense contractors, but they are not there when American families really need them.

Mr. OBEY. Mr. Chairman, yield 1½ minutes to the gentleman from Texas [Mr. GENE GREEN].

(Mr. GENE GREEN of Texas asked and was given permission to revise and extend his remarks.)

Mr. GENE GREEN of Texas. Mr. Chairman, like a lot of the other colleagues on this side of the aisle, I think this today is a defining moment in our short term in the 104th Congress. We have dealt with a great many of the appropriations bills, but when we see what is happening to the education and job training provisions and the Department of Labor, we see where the intent really is.

Like my colleague from Arkansas, who is on the other side of the aisle, I would like to balance the budget and aim for that glide path to a balanced budget. But the way this bill is doing it is the wrong way to do it.

We hear every morning in our 1-minutes and all during these appropriations bills how we need to balance the budget, to save our children's futures so our grandchildren and children are not going to have to pay off the debt. This bill cuts job training, education funding, so those children will not be able to have that education to be able to even afford themselves much less pay off the debt.

We have to look to the future in our country. That is the beauty of our Nation. We have children that are in elementary school now who are utilizing chapter I funding to be a better citizen 10 years from now, 12 years from now.

By voting for this bill today and cutting the funds now instead of expecting that investment in those children, we are cutting off our nose to spite our face. It is amazing that we are willing to say we want to save our children from what they are going to have to pay, and yet we are cutting public education funding and we are cutting student loans.

Mr. OBEY. Mr. Chairman, I yield 1½ minutes to the gentleman from California [Mr. BECERRA].

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

Mr. BECERRA. Mr. Chairman, we hear in this debate that we are being told that some programs have to be trimmed, we have to trim this tree; Head Start, for example, is being penalized because some programs apparently did not run or were not managed as well as they should have been.

Yet I remember $500 toilet seats. I remember $100 screw drivers. I remember the costly travel junkets, and I remember the heavy cost overruns in the Department of Defense, and I see that they do not get penalized. In fact, they are rewarded. They are rewarded with $8 billion more in funding than they even requested.

Tree trimming? I call it butchering. When we go out there and tell our children in our schools that their programs will not be there, those are being hacked; when we tell our workers that safety for all of our middle-income workers has been axed; when we tell our senior citizens section 8 housing subsidies will not be there to help them pay for their high cost of living and their rent, that is being sacrificed, what we are telling people is that the dream Americans have for their children is just that, it is just a dream.

Let us be serious. We are not putting money into deficit reduction when we make these cuts. You could save every single penny we are cutting out of education by just cutting a fraction of the tax cuts that are going to go to the wealthiest of Americans in this country in this House's tax bill. We do not come even close with all the cuts we have made in education in paying for those wealthy tax cuts.

Let us be serious, let us let America know where we are heading in this Congress. It is not for the American family.

Mr. OBEY. Mr. Chairman, I yield 1½ minutes to the gentlewoman from New York [Ms. VELÁZQUEZ].

Ms. VELÁZQUEZ. Mr. Chairman, I rise in strong opposition to the Labor–HHS appropriation bill. This destructive legislation takes aim at the people

who need the most help—women, children, students, the poor, and the elderly. At a time when we should be giving individuals a helping hand, this bill sentences the poor to a life of poverty and despair—all in the name of a tax break for rich corporations and the wealthiest Americans.

One of the most devastating parts of this legislation is the $3.8 billion that is cut from educational spending. Even more alarming, bilingual and immigrant educational programs stand to lose $104 million. I wonder which one of my Republican colleagues would like to explain to the thousands of bilingual students like those at Public School 169 in my district, why the programs that serve to educate them deserve a 50 percent cut?

It's ironic that this Congress is lecturing the Nation on welfare reform, yet systematically denying every opportunity for people to become self-sufficient.

Another terrible blow will come from the elimination of the Low Income Home Energy Assistance Program. Many seniors in the Lower East Side of my district depend on this program to survive. Have we already forgotten last month's episode in which hundreds of seniors died senselessly because they were unable to afford the costs of an electric fan? If we do not maintain funding for this critical program, the next time the temperature climbs into triple digits or drops below zero more people will die.

Then there will be no one to blame for these shameful cuts but ourselves. By then, it may be too late. Shame, shame, shame on all of us. I urge my colleagues to vote against it.

Mr. OBEY. Mr. Chairman, I yield 1½ minutes to the gentlewoman from California [Ms. WOOLSEY].

Ms. WOOLSEY. Mr. Chairman, I compliment the leader, the ranking member of the Committee on Appropriations, for all she has done on this.

If this bill passes, Mr. Chairman, the Gingrich Republicans will be showing a triple feature down at your local movie theater. It will be ''Dumb and Dumber,'' with sick and sicker and poor and poorer, and let me tell you, folks, it is not going to be a bargain matinee. No doubt about it, this sweeping and radical legislation is going to cost us dearly in the long run.

□ 1500

My colleagues, I could go on and on about the other faults of this bill. It is antichoice, antifamily planning, it is antiwoman, all of the provisions that are much too much and numerous to mention. But one thing is for sure. This bill will go down in history as the declaration of war on our children, on women, on the poor, on working families, and on seniors.

Mr. Chairman, I urge all Americans who care about education, the well-being, health, and safety of their loved ones, to tell their Representatives to oppose this bill.

My friends, this Congress has passed some bad legislation, but this bill is worse than I ever thought possible. It is the epitome of the us-versus-them mentality which plagues the legislation and the debate of the 104th Congress.

This divisiveness has no place in a national dialogue. It has no place, because, it leads to elitist and dangerous policy, never more clear than in the bill we are debating today.

We must defeat the Labor-HHS bill because it abdicates this Government's greatest responsibility: to make life better for those who are uneducated, untrained, poor, sick, or disabled. It signals the end of the Federal Government having any obligation, whatsoever, in the education, training, and health and safety of our people.

Make no mistake, this is sweeping and radical legislation. It guts our education and training system. It makes a mockery of our efforts to get families off welfare. And, it puts the health and safety of all American workers at serious risk.

First and foremost, this bill flies in the fact of the American people's belief that education must be our Nation's No. 1 priority. It cuts Head Start for 5 year olds; safe and drug free schools for 10 year olds; summer jobs and vocational education for 15 year olds; and financial aid for students of all ages.

Is this any way to take care of our Nation's most important special interest: Our children? Absolutely not. And, what about all the talk we hear from both sides of the aisle about getting families off welfare?

Well, combined with the harsh Republican welfare plan passed earlier this year, this bill makes it next to impossible for a mother to get a job and get off welfare. While the Republican welfare plan shredded the safety net, this bill burns the ladder to self-sufficiency—effectively trapping families in permanent poverty. And, what about families who are working hard every day in our Nation's factories, plants, and mines.

As a member of the Economic and Educational Opportunities Committee, I have heard loud and clear from these families that they are frightened by the new majority's efforts to weaken workplace health and safety rules. Over and over again, spouses, parents, and children tell me that they are willing to see some of their taxes go toward enforcing health and safety rules, so they can be assured that their loved ones will come home from work at night safe and sound.

That's a reasonable tradeoff for our families, and that's a sound investment for our Nation. The majority, however, does not see it that way.

The Labor-HHS bill makes it clear that the Gingrich Republicans would rather invest in a tax break for the fat cats, than the education, training, and health and safety of American workers.

In fact, if this bill passes, the Gingrich Republicans will be showing a triple feature down at your local movie theatre: It will be ''Dumb and Dumber''; with ''Sick and Sicker''; and ''Poor and Poorer.'' And, let me tell you folks, it is not going to be a bargain matinee. No doubt about it, this sweeping and radical legislation is going to cost us all dearly in the long run.

My friends, I could go on and on about the other faults of this bill. It is antichoice; antifamily planning; and antiwomen provisions—but they are much too numerous to mention. But, one thing is for sure, this bill will go down in the history as a declaration of war on our children; women; the poor; working families; and seniors.

I urge all Americans who care about the education; well-being; health and safety of their loved ones to tell their representatives to oppose this abomination of a bill.

Mr. BONILLA. Mr. Chairman, I yield 5 minutes to the distinguished gentleman from Mississippi [Mr. WICKER], a member of the subcommittee.

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

Mr. WICKER. Mr. Chairman, I thank the distinguished gentleman from Texas [Mr. BONILLA] for yielding this time to me.

Mr. Chairman, I came to Washington with 72 other freshmen Republicans to change the way Washington does business. This has included a number of important reforms ranging from requiring Congress to live under the same laws as everyone else to ensuring that the young men and women in our Armed Forces will never again serve under foreign generals. I am proud to be a part of this freshman class which I believe has forever changed the way Washington works.

But, Mr. Chairman, while we have taken many steps to restore the American people's belief in Congress, I believe the most important step is our commitment to balance the budget, and this Labor HHS, Education appropriation bill is an important part of that commitment.

Over the last 40 years our Government in Washington has grown out of control. Today the national debt is $4.8 trillion, and the President will soon ask the Congress to raise the ceiling to enable us to borrow even more money; that is, more money to pay for a spiraling bureaucracy today that will be paid for by our children tomorrow, by the very children that are shown in this photograph that I have with me today. At the current rate of Federal spending the national debt for these children will rise to $6½ trillion in 5 short years.

Now, these figures are incomprehensible. In more digestible terms, a child born today will pay over $187,000 in his lifetime in principal and interest on the national debt. Is there a parent or grandparent in America today who would knowingly hand one of these children a bill for $187,000 to pay for our own excesses? I think it is fair to ask, Mr. Chairman, are our children really getting their money's worth? Let us look at the Federal Department of Education, for example. Since its creation the Department of Education has more than doubled its budget, from $15 billion to over $31 billion. More than 240 programs exist within the Department today, nearly doubling in size since 1980. Yet the uncontrolled growth of the Department of Education has not increased our children's test scores. Sadly, we have seen a steady

decline in student performance as parents and local communities have less control over the children's education.

No doubt, Mr. Chairman, when we get to the title of the bill dealing with education spending, we will see opponents of this bill parading with charts and perhaps dressed in Save the Children neckties claiming to be advocates on behalf of children. The truth is that many will hide behind the children to make their case for Federal bureaucrats who are in danger of losing their jobs. I would submit to my colleagues that those of us who are interested in balancing the budget and reducing the national debt on these children are the real advocates of children in today's current debate.

Mr. Chairman, it is also important to point out that we can balance the budget by the year 2002 by slowing the rate of growth of Federal spending. While people talk about cuts, the truth is that we will spend $1.8 trillion more over the next 7 years than we are spending today, $1.8 trillion more than we are spending today. This bill is a prime example of the fact that we can balance the budget by funding programs that work and by cutting redundant, wasteful programs. This bill takes a myriad of duplicative and intertwining programs and reshapes them into a leaner and smarter Government.

For example, the Federal Government now funds 163 job training programs, over 15 departments and agencies, with 40 inter-departmental offices. Each of these programs has its own bureaucracy swallowing tax dollars which never make it outside the Beltway. Equally astounding is the fact that of these 163 Federal programs to train workers to find jobs, less than half can tell us whether or not their participants receive jobs, and 40 percent cannot even tell us how many people they are training.

Mr. Chairman, we must ask ourselves is it morally right for these children to pay for a Federal Government:

which currently funds 119 housing programs across 10 different departments and agencies;

which currently funds 86 federal teacher training programs across 9 departments and agencies;

which currently funds 266 programs to help youth at risk across 8 departments and agencies;

which currently funds over 80 Federal welfare programs; and

which currently funds 340 programs for families and children across 11 departments and agencies to the tune of $60 billion annually.

Mr. Chairman, I urge a ''yes'' vote on the bill.

Mr. OBEY. Mr. Chairman, I yield a minute and a half to the gentleman from Ohio [Mr. SAWYER].

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

Mr. SAWYER. Mr. Chairman, I thank the gentleman from Wisconsin [Mr. OBEY] for yielding this time to me.

I have been listening with care to the remarks we have heard from the other side. They talk about the importance of looking to the future, and I agree that we must look to the future, we must recognize the imperative that we all face to reduce the debt that we face as a nation. That debt will come down on our children. But in understanding where we need to go in the future, we also sometimes can learn important lessons from our past. No lesson has been more important than the last two times we have been in this level of indebtedness.

In the period following the Civil War, the most devastating conflict this Nation has ever faced and in the period following the Second World War when our level of indebtedness compared to our economy was even more devastating than we face today, both were times of industrial transition, much like what we face across this Nation, a time in which people's jobs are less secure than they have been in the past, and in both circumstances we need to learn the lesson that took place in both of those times. In the period following the Civil War we put in place the Land Grant Colleges Act. We turned 200 small institutions into 3,500 institutions of higher education, and job development and nation building in this country that not only helped us grow, but helped us grow beyond the level of debt that we faced at that time. Again, at the end of the Second World War we invested in the education and training of an entire work force as a million men came back from that conflict. We put them to work at building their skills so that they could go to work building the industrial productivity of an entire nation.

Those are the lessons from the past that we need to learn as we address a bill that fails to take advantage of them in building for our future.

Mr. OBEY. Mr. Chairman, I yield 2 minutes to the gentlewoman form California [Ms. WATERS].

Ms. WATERS. Mr. Chairman, I was going to offer six amendments today, one on Head Start, Healthy Start, dislocated workers, summer jobs, School-to-Work Program, and Foster Grandparents Program, putting money back in, but then I realized, even if all of those amendments had passed, I could not vote for this bill. This bill is so outrageously bad that there is no way I could support it. It devastates education and job training.

Mr. Chairman, since I can only speak for a short time, I came to speak about Head Start. I know about Head Start. It changed my life. I was just a little teacher aide, a mother of two children, went to work for the Head Start Program. They encouraged all of us to continue our education, the parents and the workers. I went back to school and received my degree, and so did many of the parents in that program. We learned how to help children build self-esteem, we learned how to get parents involved in the budget, and we learned how to get people making decisions about their children's education.

Mr. Chairman, I saw Head Start change lives, change families, change communities. How can my colleagues say they care about children and take away money from Head Start? This is a wonderful program that not only helps children and families, it breaks the cycle of poverty.

I say to my colleagues, all of you Republicans who say you care about children, shame on you that you would do away with the program that everybody agrees is a good program that's helped America. These children need Head Start. Only 50 percent of the children in America who need Head Start are being served by Head Start. I wish there was some way I could convince you not to do this awful, terrible bill that is going to hurt so many children, but I know I can't. You're going to slash this program. You're going to get rid of some of the programs in this country that support Head Start.

Mr. Chairman, there is nothing we can do about it but vote against this awful bill, and I believe there are some Republicans who are going to stand with us on this terrible bill.

Mr. BONILLA. Mr. Chairman, I yield a minute and a half to the distinguished gentlewoman from New York [Ms. MOLINARI].

Ms. MOLINARI. Mr. Chairman, in the brief time that has been allotted me I would like to speak about the increases in funding that the Labor-HHS bill before us provides, recognizing, and gratefully so, the increasing trend of violence against women. This bill provides, as my colleagues know, an increase of over $40 million from last year's spending just on the Labor-HHS side, the majority of it, $35 million, going to rape-prevention programs. We had $400,000 for a domestic violence hotline, $400,000 for youth education, $4 million for community programs, $100,000 for a Center for Disease Control domestic violence study, and an equal amount of $32.6 million for a battered women's shelter. This billion under this year's funding provides $72.5 million to complete our contract with the Violence Against Women bill.

Now add that to the additional funding that we provided in State, Commerce, and Justice where we sent from $25 million in last year's funding request to $125 million in this year's funding request, and I am extremely proud of the work that has been done under the Republican Party to fulfill our commitment in the Violence Against Women Act. I want to thank Chairmen PORTER, ROGERS, LIVINGSTON, and the gentleman from New Jersey [Mr. FRELINGHUYSEN], for bringing this to our attention, and also I want to thank the gentlewoman from New York [Mrs. LOWEY], for leading a bipartisan effort to make sure that this funding was in place.

Again I want to commend my colleagues because this is an important initiative as we see the numbers rise

where three out of four women will be victims of violent crimes. We have adequately responded with the resources at hand.

Mr. OBEY. I am awaiting my last speaker. I yield 1½ minutes to myself in the meantime.

Let me simply say, Mr. Chairman, that we have been told many times today by our Republican friends that we have to cut the deficit. Of course we do. And I am certainly willing, and so are the rest of us, to see education, and job programs, and seniors programs take their fair share of deficit reduction. But what we are not willing to do is to see them take a double hit so that they can spend $70 billion on the F–22, which we do not even need for 15 more years, or that they can continue to spend almost $1½ billion a plane to buy more B–2's than the Pentagon itself has asked for. We also do not think we ought to continue three different separate subsidies for the nuclear industry. We are not willing to gut the NLRB and the protections it affords to workers in this country so that we can free up corporations to deal with their workers like chattel instead of dignified human beings. And we are certainly not willing to see these programs take a double hit so that we can provide a $20,000 tax cut for somebody making $300,000 a year.

There are some 17 separate special riders in this bill that have no business here. Many of them are flat-out gifts to special interests. There is absolutely no reason in the name of deficit reduction to provide those slippery-slope riders, none whatsoever, and so I think that on all grounds there is a very good reason to oppose this bill.

Mr. BONILLA. Mr. Chairman, I yield 2 minutes to the gentlewoman from Florida [Mrs. FOWLER].

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Mrs. FOWLER. Mr. Chairman, I rise in opposition to H.R. 2127 with regret, because it has come important provisions which I support. It contains a title on political advocacy that will end taxpayer subsides for lobbyists. It shifts OSHA funding priorities away from enforcement and toward helping to make workplaces safer, and it increases funding for the National Institutes of Health by 5.7 percent, preserving our commitment to biomedical research.

However, this legislation also has huge flaws, including disproportionate cuts in the area of education. If it passes, the Safe and Drug Free Schools Program will be cut by more than half. Vocational and adult education will be cut by 23 percent, and the Head Start Program will be reduced by $137 million.

The bill cuts funding for seniors as well, including reducing the National Senior Volunteer Corps by $21 million and cutting senior nutrition programs, which fund the very successful Meals-on-Wheels Program—which provides the only daily meal many senior citizens receive—by nearly $19 million.

I recognize and support the need to reduce spending, but the cuts in this bill are not properly prioritized.

The bill also contains some obvious contradictions, especially over family planning. My colleagues who worked on this bill want to eliminate family planning and—at the same time—reduce abortions, unwanted pregnancies, and the size of the welfare rolls. That does not add up—and in fact, this bill would increase abortions and welfare dependency I cannot in good conscience support that.

Finally, the issue of Medicaid-funded abortions in the case of rape or incest is not adequately addressed in this bill. Although Mr. KOLBE, Ms. PRYCE, and myself had an amendment which would have provided a commonsense solution to this problem, we were not allowed to offer it.

I urge my colleagues to oppose this bill so that we can go back and make it better.

Mr. OBEY. Mr. Chairman, may I inquire of the gentleman, does he have just one remaining speaker to close?

Mr. PORTER. Mr. Chairman, I think we have just 1 minute remaining.

The CHAIRMAN. The gentleman from Illinois [Mr. PORTER] does have 1 minute remaining. The gentleman from Wisconsin [Mr. OBEY] has 5 minutes remaining.

Mr. OBEY. Mr. Chairman, I yield the remainder of my time to the gentleman from Missouri [Mr. GEPHARDT], the distinguished minority leader.

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

Mr. GEPHARDT. Mr. Chairman, I rise today to denounce this mindless and mean-spirited package of budget cuts and to urge every one of my colleagues to cast their vote against it. This appropriations bill is more than a handful of budget reductions to balance the Nation's budget, it is more than a few policy changes about which we could rationally and reasonably disagree, Mr. Chairman, this appropriations bill is a dagger pointed at the heart of working Americans. It is a dangerous repeal of basic standards and protections that have been in place in this country for nearly a century. If we pass it, America in the 1990's will look more and more like America in the 1890's.

Mr. Chairman, like the days of the Robber Barons, we will have a Republican America where hard-working people are overworked, underpaid, and underprotected. We will have a Republican America where corporate titans wreak trickle-down tax cuts while we slash education, slash job training, slash summer jobs, and any chance of protecting average workers from abuse and exploitation.

Is that really what we should be doing? Is that really what America voted for last November; a Congress that doles out tax breaks for the few and partisan punishment for the many?

Mr. Chairman, the sole central purpose of this Government is to fight for working families and the middle class, to work as partners with the private sector, to lift up wages and incomes and our standard of living. That used to be a bipartisan commitment in this House. Judged by that goal, however, we are already in a crisis. Wages and incomes have been falling for all but the wealthiest Americans for a decade and a half, and, thanks to failed Republican policies, two-thirds of all the new wealth in the boom years of the 1980's went to the top 1 percent of earners. The bottom 80 percent actually saw their wealth decline in that period.

Mr. Chairman, in the midst of a business boom, the Labor Department recently reported the greatest yearly wage decline in nearly 150 years. If you do not know what that means, come back to my district, or many of the districts across the country. Go door to door and meet the families that I meet: Parents who work two and three jobs, barely ever seeing their children; couples that spend their precious time together fighting over their bills and their inability to pay their bills.

Are we proud of this legacy? Does that bad turn really deserve another? That is why Democrats have resisted a Republican agenda that slashes Medicare, student loans, and education to pay for a tax cut for people that have it made. We cannot afford a transfer of wealth in this country for people who work to people who are wealthy and no longer work.

Mr. Chairman, I suppose we could differ on supply side policies, but who, in good conscience, can support today's assault on workplace decency and children's opportunity? This bill slashes education, it slashes training, it slashes the standards under which our workers have been protected. The result is a damaging downward spiral: Even more children starting school unhealthy and unable to learn; even more Americans unable to find jobs and prepare for them; even more of the sweat shop standards that Democrats and Republicans together used to strive to eliminate for nearly a century. These are not partisan issues. These are human issues.

When it comes to enforcing basic standards and decency, Government has a role. When it comes to ensuring access to education and health, Government has a role. This bill not only denies it, it destroys it. A vote for this bill is a vote against America's working families. A vote for this bill is a vote for a lower standard of living. A vote for this bill is a vote for a meaner, tougher America where the dream of rising wages will be nothing but a mirage.

This is not the vision of our people, Mr. Chairman, and it is not what the people of this country want. I urge Members on both sides of this aisle to reject this bill as wrong headed and mean spirited, and to stand together in a bipartisan way and say that we can do better for the working people of this country.

Mr. PORTER. Mr. Chairman, I yield myself the balance of the time.

The CHAIRMAN. The gentleman from Illinois is recognized for 1 minute.

Mr. PORTER. Mr. Chairman, I take great umbrage on the words ''mindless'' and ''mean spirited.'' I might say that the subcommittee worked very thoughtfully and, I think, very intelligently to provide cuts of about $6 billion on a base of $70 billion.

What I really take issue with is that the Democrats just do not get it. They do not seem to understand that we have to get spending under control; that we have to get the deficit down; that the special interest, serve them all, business as usual that has gone on in this Congress for the last 40 years is over.

Mr. Chairman, we are going to get our fiscal house in order. We are going to do it thoughtfully and intelligently. We are going to make the cuts necessary in order to accomplish that end. I might say it is fascinating to me to listen to the sky is falling coming from the other side of the aisle when the cuts in our bill are not cuts at all. The bill is going up, because entitlement spending is raising it by $11 billion over last year.

It seems to me, Mr. Chairman, you have to put all of this in perspective and understand that the hyperbole from the other side is simply that, hyperbole.

The CHAIRMAN. All time for general debate on the bill has expired.

Pursuant to the rule, the amendment numbered 1–1 printed in part 1 of House Report 104–224 is now pending.

Reading of the bill for further amendment shall not proceed until after disposition of the amendments printed in part 1 of that report, which will be considered in the order printed, may be offered only by a Member designated in that report, shall be considered read, shall be debatable for 10 minutes, equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

After disposition of the amendments printed in part 1 of the report, the bill, as amended, shall be considered as the original bill for the purpose of further amendment under the 5-minute rule.

Further consideration of the bill for amendment shall proceed by title and each title shall be considered read.

Consideration of each of the first three titles of the bill shall begin with an additional period of general debate, which shall be confined to the pending title and shall not exceed 90 minutes, equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations.

It shall be in order at any time during the reading of the bill for amendment to consider the amendments printed in part 2 of the report. Each amendment printed in part 2 may be offered only by a Member designated in that report, shall be considered read, shall be debatable for the time specified in the report, 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.

During further 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.

Pursuant to the order of the House of today, the following amendments (identified by their designation in the CONGRESSIONAL RECORD) may amend portions of the bill not yet read for amendment, shall not be subject to amendment, and shall not be subject to a demand for division of the question, if offered by the Member designated:

Amendment No. 36 by the gentleman from Wisconsin [Mr. OBEY]; and

Amendments 60, 61, and 62 offered en bloc by the gentlewoman from California [Ms. PELOSI].

Debate on each of the following amendments—identified by their designation in the RECORD, ''unless otherwise specified''—and any amendments thereto, shall be limited to 40 minutes, equally divided and controlled by the proponent and an opponent of the amendment:

Amendment No. 36 by the gentleman from Wisconsin [Mr. OBEY];

Amendment No. 70 by the gentleman from Ohio [Mr. STOKES];

Amendment No. 30 by the gentlewoman from New York [Mrs. LOWEY];

An amendment by the gentleman from Arizona [Mr. KOLBE] proposing to strike section 509 of the bill;

Amendment No. 64 by the gentleman from Colorado [Mr. SKAGGS].

An amendment by the gentleman from Minnesota [Mr. SABO] or the gentleman from Wisconsin [Mr. OBEY] proposing to amend title VI of the bill; and

An amendment by the gentleman from New York [Mr. SOLOMON] relating to the subject of political advocacy.

Except as otherwise specified in the rule, the time for debate on each other amendment to the bill and any amendments thereto shall be limited to 20 minutes, equally divided and controlled by the proponent and an opponent of the amendment.

After a motion that the Committee rise has been rejected on a day, the Chairman may entertain another such motion on that day only if offered by the Chairman of the Committee on Appropriations or the majority leader or their designee.

Pursuant to the order of the House of today, the Chairman of the Committee of the Whole may postpone until a time during further consideration in the Committee of the Whole a request for a recorded vote on any amendment.

The Chairman of the Committee of the Whole may reduce to not less than 5 minutes to 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.

AMENDMENT NO. 1–1 PRINTED IN PART 1 OF HOUSE REPORT 104–224 OFFERED BY MR. PORTER

The CHAIRMAN. The Clerk will designate amendment No. 1–1 printed in part 1 of House Report 104–224.

The text of the amendment is as follows:

Amendment Number 1–1 printed in Part 1 of House Report 104–224 offered by Mr. PORTER:

On page 4, line 17, strike ''$3,109,368,000'' and insert: ''$3,107,404,000''

On page 5, line 17, strike ''$218,297,000'' and insert: ''$216,333,000''

On page 16, line 20, strike ''$130,220,000'' and insert: ''$134,220,000''

On page 33, line 12 and line 15, strike ''$2,136,824,000'' and insert: ''$2,134,533,000'' and

On page 37, line 7, strike ''$4,543,343,000'' and insert: ''$4,544,643,000''.

The CHAIRMAN. Pursuant to the rule, the gentleman from Illinois [Mr. PORTER] and the gentleman from Wisconsin [Mr. OBEY] will each be recognized for 5 minutes.

The Chair recognizes the gentleman from Illinois [Mr. PORTER].

PARLIAMENTARY INQUIRY

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

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. PORTER. Mr. Chairman, I believe that under the rule it is indicated that the manager's amendments, No. 1 and 2, will be disposed of before we proceed further at this point, but I also heard as part of the rule that amendments could be rolled in the discretion of the Chair.

Is it the Chair's intention to dispose of these amendments if recorded votes are requested at this time; or would the Chair intend to roll the votes until later in the day?

□ 1530

The CHAIRMAN. It would be the Chair's intention to roll the votes until later in the day.

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

Mr. Chairman, the first amendment I intend to offer would do four things. The first would be to increase funding for Runaway Youth—Transitional Living in the Administration for Children and Families, in the Department of Health and Human Services by $1.3 million to a level of $14.9 million. This funding level will permit the continuation of all currently funded projects.

Second, it would increase funding for International Labor Affairs in the Department of Labor by $4 million. This increase will allow the Department to fund its portion of the International Labor Organization's International Program for the Elimination of Child Labor and to carry out other human

rights activities conducted by that office. This $4 million increase is to be confined to those activities only.

Third, it would reduce funding for the Medicare Contractors budget by $2.3 million. HCFA indicated in fiscal year 1995 claims were below estimated levels and that $5 million was available for reprogramming. This reduction, along with the reduction approved by the committee, would reduce fiscal year 1996 funding by $5 million.

Four, it would reduce funding for State Unemployment Insurance and Employment Service Operations by $2 million. Throughout the bill, Federal administration costs were reduced by 7.5 percent. With this reduction overall, the State administrative account will have been reduced 3 percent.

Mr. Chairman, I would encourage adoption of the amendment.

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

The CHAIRMAN. The Chair wishes to correct a statement just made to the gentleman. The Chair is in fact under the rule entitled to roll a vote, should it occur, on amendment No. 1. However, on amendment No. 2, the Chair is not under the rule permitted to roll that vote. That vote will have to be taken immediately following the debate on amendment No. 2.

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

Mr. Chairman, on the first amendment offered by the gentleman, we have no objection.

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

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

The CHAIRMAN. The question is on amendment No. 1–1 printed in part 1 of House Report 104–224 offered by the gentleman from Illinois [Mr. PORTER].

The amendment was agreed to.

The CHAIRMAN. It is now in order to consider amendment No. 1–2 printed in part 1 of House Report 104–224.

AMENDMENT OFFERED BY MR. PORTER

Mr. PORTER. Mr. Chairman, I offer an amendment numbered 1–2.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 1–2 printed in part 1 of House Report 104–224 offered by Mr. PORTER: On page 76, line 12, after ''applicant'' insert: '', except an individual person,''

On page 77, lines 7 and 8, after ''grantee'' insert: '', except an individual person,''

On page 84, line 13, strike '', or'' and insert: ''.''

On page 84, line 14, strike ''or''

On page 84, line 15, after ''to'' insert: ''or distribution of funds by''

On page 84, line 15, before the period insert: ''and the provision of grant and scholarship funds to students for educational purposes'' and on page 85, line 7, after ''grantee'' insert: '', except an individual person,''.

The CHAIRMAN. Pursuant to the rule, the gentleman from Illinois [Mr. PORTER] will be recognized for 5 minutes, and the gentleman from Wisconsin [Mr. OBEY] will be recognized for 5 minutes.

The Chair recognizes the gentleman from Illinois [Mr. PORTER].

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

Mr. Chairman, the second amendment I am offering would, first, correct an error in the drafting of the bill with respect to title VI. It would insert two phrases that were approved by the committee but were inadvertently left out of the version that was sent to the printer.

Second, it would make a technical change in title VI by inserting language to exempt individuals from the requirements of title VI. This simply clarifies the intent of the legislation, and, again, I would urge the adoption of the amendment.

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

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

Mr. Chairman, let me simply say here that I think it is important to understand that this is not just a technical change. As I understand it and as the gentleman from Colorado will point out shortly when I yield to him, this language not only accomplishes the technical changes desired by the chairman of the subcommittee, but also makes a substantive change to carve out individuals from the prohibition in the Istook amendment that should not be here in the first place.

So, it is an effort to put a rose on a pig, so-to-speak, and that does not mean that the pig is still anything but a pig.

So I do not have any objection to the fix-up, but I want people to understand, it does not improve the general picture of the animal.

Mr. Chairman, I yield such time as he may consume to the gentleman from Colorado [Mr. SKAGGS].

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

Let me just point out to my colleagues, if you can envision a jalopy that is up on blocks in somebody's backyard, the headlights have been shot out, the engine has been partly dismantled, the tires and wheels are gone, it is basically rusted out. This is a rough analogy to the quality of legislative product that we are now referring to as the Istook amendment.

What the gentleman's amendment will do to this disarray, mechanically and philosophically, is basically perhaps to replace the oil gasket. But we still have a jalopy that is unfit for human habitation, much less legislative consideration in this body.

It does go farther than merely correcting the clerical error that occurred when this was considered in the full Committee on Appropriations, as the gentleman from Wisconsin has pointed out. It also attempts, unsuccessfully I might add, to repair one of the fundamental flaws in this whole cockamamy scheme, which is to try to fix it so it does not apply to normal human beings, individuals that receive some kind of Federal grant. But it only goes partway in doing that. We will have further discussions of that later on, I am sure.

So it reflects, as will be the case over and over again as we discuss this ill-considered proposition, the incredibly sloppy conceptual work that was done originally in cobbling it together for ill purpose, and the incredibly sloppy drafting work that reflects the incredibly sloppy thinking.

Having said that, this clears up a little bit of the slop.

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

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

Mr. Chairman, if I may say so, I, as the gentleman from Colorado and the gentleman from Wisconsin know, opposed the inclusion of this entire title in our bill. This I think would, however, improve the intent of what the gentleman from Oklahoma had when he offered the amendment that included title VI. I would therefore say it makes the product better, and would support it for that reason. The gentleman might want to oppose it for exactly the same reason.

Mr. OBEY. Mr. Chairman, I ask unanimous consent to reclaim my time.

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

There was no objection.

Mr. OBEY. Mr. Chairman, I yield such time as he may consume to the gentleman from Colorado [Mr. SKAGGS].

Mr. SKAGGS. Mr. Chairman, I cannot avoid commenting on the gentleman's characterization that this is attempting to improve on the intent of the gentleman from Oklahoma in offering this. His intent is unimprovable. This change certainly makes the bad impact of this provision somewhat diminished.

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

Mr. PORTER. Mr. Chairman, I yield such time as he may consume to the gentleman from Oklahoma [Mr. ISTOOK], the author of title VI.

Mr. ISTOOK. Mr. Chairman, I want to express appreciation for the comments of the gentleman from Colorado. I realize he opposes the thrust of the legislation and has his own concerns about that. As the gentleman correctly said a moment ago, even though he does not like the bill, at least in his opinion it is an improvement. This is certainly intended to clarify the intent and to correct the scrivener's error that was made when things that were in the actual amendment as offered in appropriations were inadvertently left out in the bill printing process.

We have certainly tried to be responsive to the concerns of the Members on the other side, and the corrective amendment I think certainly addresses those. I appreciate what modicum of favorable comment the gentleman was able to make in candor. I thank the

gentleman. If there is no other debate on this, I would urge adoption of this technical correction.

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

Mr. ISTOOK. I yield to the gentleman from Colorado.

Mr. SKAGGS. Mr. Chairman, there is a simple way we can improve this even further.

Mr. ISTOOK. I think I can anticipate that, Mr. Chairman.

Mr. SKAGGS. Mr. Chairman, I appreciate the solicitude about improving the gentleman's proposal. I think we can make a very, very quick and brief act of mercy on it that will effect the real improvements necessary.

Mr. ISTOOK. Mr. Chairman, reclaiming my time, I thank the gentleman. I realize we are very much opposed on the legislation as a whole, and we certainly do anticipate going forward with it. But this does, through the technical correction, make sure that we are addressing some concerns. I would urge adoption of the amendment.

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

The CHAIRMAN. The question is on amendment No. 1–2 printed in part 1 of House Report 104–224 offered by the gentleman from Illinois [Mr. PORTER].

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

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 Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 1996, and for other purposes, namely:

The CHAIRMAN. The Clerk will designate title I.

The text of title I is as follows:

TITLE I—DEPARTMENT OF LABOR

EMPLOYMENT AND TRAINING ADMINISTRATION

TRAINING AND EMPLOYMENT SERVICES

For expenses necessary to carry into effect the Job Training Partnership Act, as amended, including the purchase and hire of passenger motor vehicles, the construction, alteration, and repair of buildings and other facilities, and the purchase of real property for training centers as authorized by the Job Training Partnership Act; title II of the Civil Rights Act of 1991; the Women in Apprenticeship and Nontraditional Occupations Act; National Skill Standards Act of 1994; and the School-to-Work Opportunities Act; $3,180,441,000 plus reimbursements, of which $2,936,154,000 is available for obligation for the period July 1, 1996 through June 30, 1997; of which $148,535,000 is available for the period July 1, 1996 through June 30, 1999 for necessary expenses of construction, rehabilitation, and acquisition of Job Corps centers; and of which $95,000,000 shall be available from July 1, 1996 through September 30, 1997, for carrying out activities of the School-to-Work Opportunities Act: *Provided,* That $50,000,000 shall be for carrying out section 401 of the Job Training Partnership Act, $65,000,000 shall be for carrying out section 402 of such Act, $7,300,000 shall be for carrying out section 441 of such Act, $830,000,000 shall be for carrying out title II, part A of such Act, and $126,672,000 shall be for carrying out title II, part C of such Act: *Provided further,* That no funds from any other appropriation shall be used to provide meal services at or for Job Corps centers.

COMMUNITY SERVICE EMPLOYMENT FOR OLDER AMERICANS

To carry out title V of the Older Americans Act of 1965, as amended, $350,000,000.

FEDERAL UNEMPLOYMENT BENEFITS AND ALLOWANCES

For payments during the current fiscal year of trade adjustment benefit payments and allowances under part I, and for training, for allowances for job search and relocation, and for related State administrative expenses under part II, subchapters B and D, chapter 2, title II of the Trade Act of 1974, as amended, $346,100,000, together with such amounts as may be necessary to be charged to the subsequent appropriation for payments for any period subsequent to September 15 of the current year.

STATE UNEMPLOYMENT INSURANCE AND EMPLOYMENT SERVICE OPERATIONS

For activities authorized by the Act of June 6, 1933, as amended (29 U.S.C. 49–49l–1; 39 U.S.C. 3202(a)(1)(E)); title III of the Social Security Act, as amended (42 U.S.C. 502–504); necessary administrative expenses for carrying out 5 U.S.C. 8501–8523, and sections 225, 231–235, 243–244, and 250(d)(1), 250(d)(3), title II of the Trade Act of 1974, as amended; as authorized by section 7c of the Act of June 6, 1933, as amended, necessary administrative expenses under sections 101(a)(15)(H), 212(a)(5)(A), (m) (2) and (3), (n)(1), and 218(g) (1), (2), and (3), and 258(c) of the Immigration and Nationality Act, as amended (8 U.S.C. 1101 et seq.); necessary administrative expenses to carry out section 221(a) of the Immigration Act of 1990, $125,328,000, together with not to exceed $3,109,368,000 (including not to exceed $1,653,000 which may be used for amortization payments to States which had independent retirement plans in their State employment service agencies prior to 1980, and including not to exceed $2,000,000 which may be obligated in contracts with non-State entities for activities such as occupational and test research activities which benefit the Federal-State Employment Service System), which may be expended from the Employment Security Administration account in the Unemployment Trust Fund, and of which the sums available in the allocation for activities authorized by title III of the Social Security Act, as amended (42 U.S.C. 502–504), and the sums available in the allocation for necessary administrative expenses for carrying out 5 U.S.C. 8501–8523, shall be available for obligation by the States through December 31, 1996, except that funds used for automation acquisitions shall be available for obligation by States through September 30, 1998; and of which $125,328,000, together with not to exceed $738,283,000 of the amount which may be expended from said trust fund shall be available for obligation for the period July 1, 1996, through June 30, 1997, to fund activities under the Act of June 6, 1933, as amended, including the cost of penalty mail made available to States in lieu of allotments for such purpose, and of which $218,297,000 shall be available only to the extent necessary for additional State allocations to administer unemployment compensation laws to finance increases in the number of unemployment insurance claims filed and claims paid or changes in a State law: *Provided,* That to the extent that the Average Weekly Insured Unemployment (AWIU) for fiscal year 1996 is projected by the Department of Labor to exceed 2.785 million, an additional $28,600,000 shall be available for obligation for every 100,000 increase in the AWIU level (including a pro rata amount for any increment less than 100,000) from the Employment Security Administration Account of the Unemployment Trust Fund: *Provided further,* That funds appropriated in this Act which are used to establish a national one-stop career center network may be obligated in contracts, grants or agreements with non-State entities: *Provided further,* That funds appropriated under this Act for activities authorized under the Wagner-Peyser Act, as amended, and title III of the Social Security Act, may be used by the States to fund integrated Employment Service and Unemployment Insurance automation efforts, notwithstanding cost allocation principles prescribed under Office of Management and Budget Circular A–87.

ADVANCES TO THE UNEMPLOYMENT TRUST FUND AND OTHER FUNDS

For repayable advances to the Unemployment Trust Fund as authorized by sections 905(d) and 1203 of the Social Security Act, as amended, and to the Black Lung Disability Trust Fund as authorized by section 9501(c)(1) of the Internal Revenue Code of 1954, as amended; and for nonrepayable advances to the Unemployment Trust Fund as authorized by section 8509 of title 5, United States Code, and section 104(d) of Public Law 102–164, and section 5 of Public Law 103–6, and to the ''Federal unemployment benefits and allowances'' account, to remain available until September 30, 1997, $369,000,000.

In addition, for making repayable advances to the Black Lung Disability Trust Fund in the current fiscal year after September 15, 1996, for costs incurred by the Black Lung Disability Trust Fund in the current fiscal year, such sums as may be necessary.

PROGRAM ADMINISTRATION

For expenses of administering employment and training programs and for carrying out section 908 of the Social Security Act, $83,505,000, together with not to exceed $40,974,000, which may be expended from the Employment Security Administration account in the Unemployment Trust Fund.

PENSION AND WELFARE BENEFITS ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses for Pension and Welfare Benefits Administration, $64,113,000.

PENSION BENEFIT GUARANTY CORPORATION

PENSION BENEFIT GUARANTY CORPORATION FUND

The Pension Benefit Guaranty Corporation is authorized to make such expenditures, including financial assistance authorized by section 104 of Public Law 96–364, within limits of funds and borrowing authority available to such 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 (31 U.S.C. 9104), as may be necessary in carrying out the program through September 30, 1996, for such Corporation: *Provided,* That not to exceed $10,603,000 shall be available for administrative expenses of the Corporation: *Provided further,* That expenses of such Corporation in connection with the collection of premiums, the termination of pension plans, for the acquisition, protection or management, and investment of trust assets, and for benefits administration services shall be considered as non-administrative expenses for the purposes hereof, and excluded from the above limitation.

EMPLOYMENT STANDARDS ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses for the Employment Standards Administration, including

reimbursement to State, Federal, and local agencies and their employees for inspection services rendered, $246,967,000, together with $978,000 which may be expended from the Special Fund in accordance with sections 39(c) and 44(j) of the Longshore and Harbor Workers' Compensation Act: *Provided,* That the Secretary of Labor is authorized to accept, retain, and spend, until expended, in the name of the Department of Labor, all sums of money ordered to be paid to the Secretary of Labor, in accordance with the terms of the Consent Judgment in Civil Action No. 91–0027 of the United States District Court for the District of the Northern Mariana Islands (May 21, 1992): *Provided further,* That the Secretary of Labor is authorized to establish and, in accordance with 31 U.S.C. 3302, collect and deposit in the Treasury fees for processing applications and issuing certificates under sections 11(d) and 14 of the Fair Labor Standards Act of 1938, as amended (29 U.S.C. 211(d) and 214) and for processing applications and issuing registrations under Title I of the Migrant and Seasonal Agricultural Worker Protection Act, 29 U.S.C. 1801 et seq.

SPECIAL BENEFITS

(INCLUDING TRANSFER OF FUNDS)

For the payment of compensation, benefits, and expenses (except administrative expenses) accruing during the current or any prior fiscal year authorized by title 5, chapter 81 of the United States Code; continuation of benefits as provided for under the head ''Civilian War Benefits'' in the Federal Security Agency Appropriation Act, 1947; the Employees' Compensation Commission Appropriation Act, 1944; and sections 4(c) and 5(f) of the War Claims Act of 1948 (50 U.S.C. App. 2012); and 50 per centum of the additional compensation and benefits required by section 10(h) of the Longshore and Harbor Workers' Compensation Act, as amended, $218,000,000 together with such amounts as may be necessary to be charged to the subsequent year appropriation for the payment of compensation and other benefits for any period subsequent to August 15 of the current year: *Provided,* That such sums as are necessary may be used under section 8104 of title 5, United States Code, by the Secretary to reimburse an employer, who is not the employer at the time of injury, for portions of the salary of a reemployed, disabled beneficiary: *Provided further,* That balances of reimbursements unobligated on September 30, 1995, shall remain available until expended for the payment of compensation, benefits, and expenses: *Provided further,* That in addition there shall be transferred to this appropriation from the Postal Service and from any other corporation or instrumentality required under section 8147(c) of title 5, United States Code, to pay an amount for its fair share of the cost of administration, such sums as the Secretary of Labor determines to be the cost of administration for employees of such fair share entities through September 30, 1996: *Provided further,* That of those funds transferred to this account from the fair share entities to pay the cost of administration, $11,383,000 shall be made available to the Secretary of Labor for expenditures relating to capital improvements in support of Federal Employees' Compensation Act administration, and the balance of such funds shall be paid into the Treasury as miscellaneous receipts: *Provided further,* That the Secretary may require that any person filing a notice of injury or a claim for benefits under Subchapter 5, U.S.C., chapter 81, or under subchapter 33, U.S.C. 901, et seq. (the Longshore and Harbor Workers' Compensation Act, as amended), provide as part of such notice and claim, such identifying information (including Social Security account number) as such regulations may prescribe.

BLACK LUNG DISABILITY TRUST FUND

(INCLUDING TRANSFER OF FUNDS)

For payments from the Black Lung Disability Trust Fund, $995,447,000, of which $949,494,000 shall be available until September 30, 1997, for payment of all benefits as authorized by section 9501(d) (1), (2), (4), and (7), of the Internal Revenue Code of 1954, as amended, and interest on advances as authorized by section 9501(c)(2) of that Act, and of which $26,045,000 shall be available for transfer to Employment Standards Administration, Salaries and Expenses, and $19,621,000 for transfer to Departmental Management, Salaries and Expenses, and $287,000 for transfer to Departmental Management, Office of Inspector General, for expenses of operation and administration of the Black Lung Benefits program as authorized by section 9501(d)(5)(A) of that Act: *Provided,* That in addition, such amounts as may be necessary may be charged to the subsequent year appropriation for the payment of compensation, interest, or other benefits for any period subsequent to August 15 of the current year: *Provided further,* That in addition such amounts shall be paid from this fund into miscellaneous receipts as the Secretary of the Treasury determines to be the administrative expenses of the Department of the Treasury for administering the fund during the current fiscal year, as authorized by section 9501(d)(5)(B) of that Act.

OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses for the Occupational Safety and Health Administration, $263,985,000 including not to exceed $65,319,000 which shall be the maximum amount available for grants to States under section 23(g) of the Occupational Safety and Health Act, which grants shall be no less than fifty percent of the costs of State occupational safety and health programs required to be incurred under plans approved by the Secretary under section 18 of the Occupational Safety and Health Act of 1970; and, in addition, notwithstanding 31 U.S.C. 3302, the Occupational Safety and Health Administration may retain up to $500,000 per fiscal year of training institute course tuition fees, otherwise authorized by law to be collected, and may utilize such sums for occupational safety and health training and education grants: *Provided,* That none of the funds appropriated under this paragraph shall be obligated or expended to prescribe, issue, administer, or enforce any standard, rule, regulation, or order under the Occupational Safety and Health Act of 1970 which is applicable to any person who is engaged in a farming operation which does not maintain a temporary labor camp and employs ten or fewer employees: *Provided further,* That no funds appropriated under this paragraph shall be obligated or expended to administer or enforce any standard, rule, regulation, or order under the Occupational Safety and Health Act of 1970 with respect to any employer of ten or fewer employees who is included within a category having an occupational injury lost workday case rate, at the most precise Standard Industrial Classification Code for which such data are published, less than the national average rate as such rates are most recently published by the Secretary, acting through the Bureau of Labor Statistics, in accordance with section 24 of that Act (29 U.S.C. 673), except—

(1) to provide, as authorized by such Act, consultation, technical assistance, educational and training services, and to conduct surveys and studies;

(2) to conduct an inspection or investigation in response to an employee complaint, to issue a citation for violations found during such inspection, and to assess a penalty for violations which are not corrected within a reasonable abatement period and for any willful violations found;

(3) to take any action authorized by such Act with respect to imminent dangers;

(4) to take any action authorized by such Act with respect to health hazards;

(5) to take any action authorized by such Act with respect to a report of an employment accident which is fatal to one or more employees or which results in hospitalization of two or more employees, and to take any action pursuant to such investigation authorized by such Act; and

(6) to take any action authorized by such Act with respect to complaints of discrimination against employees for exercising rights under such Act:

Provided further, That the foregoing proviso shall not apply to any person who is engaged in a farming operation which does not maintain a temporary labor camp and employs ten or fewer employees.

MINE SAFETY AND HEALTH ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses for the Mine Safety and Health Administration, $185,154,000, including purchase and bestowal of certificates and trophies in connection with mine rescue and first-aid work, and the hire of passenger motor vehicles; the Secretary is authorized to accept lands, buildings, equipment, and other contributions from public and private sources and to prosecute projects in cooperation with other agencies, Federal, State, or private; the Mine Safety and Health Administration is authorized to promote health and safety education and training in the mining community through cooperative programs with States, industry, and safety associations; and any funds available to the Department may be used, with the approval of the Secretary, to provide for the costs of mine rescue and survival operations in the event of a major disaster: *Provided,* That none of the funds appropriated under this paragraph shall be obligated or expended to carry out section 115 of the Federal Mine Safety and Health Act of 1977 or to carry out that portion of section 104(g)(1) of such Act relating to the enforcement of any training requirements, with respect to shell dredging, or with respect to any sand, gravel, surface stone, surface clay, colloidal phosphate, or surface limestone mine.

BUREAU OF LABOR STATISTICS

SALARIES AND EXPENSES

For necessary expenses for the Bureau of Labor Statistics, including advances or reimbursements to State, Federal, and local agencies and their employees for services rendered, $296,993,000, of which $11,549,000 shall be for expenses of revising the Consumer Price Index and shall remain available until September 30, 1997, together with not to exceed $50,220,000, which may be expended from the Employment Security Administration account in the Unemployment Trust Fund.

DEPARTMENTAL MANAGEMENT

SALARIES AND EXPENSES

For necessary expenses for Departmental Management, including the hire of three sedans, and including up to $4,056,000 for the President's Committee on Employment of People With Disabilities, $130,220,000; together with not to exceed $303,000, which may be expended from the Employment Security Administration account in the Unemployment Trust Fund.

WORKING CAPITAL FUND

The language under this heading in Public Law 85–67, as amended, is further amended by adding the following before the last period: ''*: Provided further,* That within the Working Capital Fund, there is established an Investment in Reinvention Fund (IRF), which shall be available to invest in projects of the Department designed to produce measurable improvements in agency efficiency and significant taxpayer savings. Notwithstanding any other provision of law, the Secretary of Labor may retain up to $3,900,000 of the unobligated balances in the Department's annual Salaries and Expenses accounts as of September 30, 1995, and transfer those amounts to the IRF to provide the initial capital for the IRF, to remain available until expended, to make loans to agencies of the Department for projects designed to enhance productivity and generate cost savings. Such loans shall be repaid to the IRF no later than September 30 of the fiscal year following the fiscal year in which the project is completed. Such repayments shall be deposited in the IRF, to be available without further appropriation action.''

ASSISTANT SECRETARY FOR VETERANS EMPLOYMENT AND TRAINING

Not to exceed $175,883,000 may be derived from the Employment Security Administration account in the Unemployment Trust Fund to carry out the provisions of 38 U.S.C. 4100–4110A and 4321–4327, and Public Law 103–353, and which shall be available for obligation by the States through December 31, 1996.

OFFICE OF INSPECTOR GENERAL

For salaries and expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, $44,426,000, together with not to exceed $3,615,000, which may be expended from the Employment Security Administration account in the Unemployment Trust Fund.

GENERAL PROVISIONS

SEC. 101. None of the funds appropriated in this title for the Job Corps shall be used to pay the compensation of an individual, either as direct costs or any proration as an indirect cost, at a rate in excess of $125,000.

SEC. 102. Section 427(c) of the Job Training Partnership Act, as amended, is repealed.

SEC. 103. No amount of funds appropriated in this Act for fiscal year 1996 may be used to implement, administer, or enforce any executive order, or other rule or order, that prohibits Federal contracts with, or requires the debarment of, or imposes other sanction on, a contractor on the basis that such contractor or organizational unit thereof has permanently replaced lawfully striking workers.

SEC. 104. None of the funds made available in this Act to the Department of Labor or the Pension Benefit Guaranty Corporation may be used—

(1) to implement or administer Interpretive Bulletin 94–1, issued by the Secretary of Labor on June 23, 1994 (59 Fed. Reg. 32606; 29 C.F.R. 2509.94–1),

(2) to establish or maintain, or to contract with (or otherwise provide assistance to) any other party to establish or maintain, any clearinghouse, database, or other listing which—

(A) makes available to employee benefit plans (as defined in section 3(3) of the Employee Retirement Income Security Act of 1974) information relating to the status of investments as economically targeted investments referred to in such Interpretive Bulletin,

(B) provides assistance to employee benefit plans (as so defined) or any other party to develop or evaluate investments as economically targeted investments referred to in such Interpretive Bulletin, or

(C) identifies investments with respect to which the Department or the Corporation will withhold from undertaking enforcement actions under such Act by reason of their status as economically targeted investments referred to in such Interpretive Bulletin,

(3) to administer or otherwise carry out the contract entered into by the Department of Labor designated ''Contract No. J–9–P–4–0060'' or any other similar contract entered into by the Department or the Corporation (except to the extent required by applicable law to provide for the immediate termination of such contract), or

(4) to promote economically targeted investments referred to in such Interpretive Bulletin, either by direct means, such as lecture or travel, or by indirect means.

SEC. 105. None of the funds made available in this Act may be used by the Occupational Safety and Health Administration directly or through section 23(g) of the Occupational Safety and Health Act for the development, promulgation or issuance of any proposed or final standard or guideline regarding ergonomic protection or recording and reporting occupational injuries and illnesses directly related thereto.

SEC. 106. Notwithstanding any other provision of law, no funds shall be expended by the Occupational Safety and Health Administration for the enforcement of the Fall Protection Standard published at subpart M of 29 CFR part 1926, until 30 days after a new standard has been promulgated by the Secretary of Labor (''the Secretary'').

The Secretary shall develop this standard no later than 180 days after the enactment of this Act. Until the publishing of the revised final rule, the Occupational Safety and Health Administration may only expend funds designated for the enforcement of an interim fall protection standard which adjusts all height requirements referenced at subpart M of 29 CFR part 1926 from 6 feet to 16 feet.

SEC. 107. None of the funds appropriated in this Act may be obligated or expended by the Department of Labor for the purposes of enforcement and the issuance of fines under Hazardous Occupation Order Number 12 (HO 12) with respect to the placement or loading of materials by a person under 18 years of age into a cardboard baler that is in compliance with the American National Standards Institute safety standard ANSI Z245.5 1990, and a compactor that is in compliance with the American National Standards Institute safety standard ANSI Z245.2 1992.

SEC. 108. None of the funds appropriated in this Act may be obligated or expended by the Department of Labor for the purposes of enforcement and the issuance of fines under Hazardous Occupation Order Number 2 (HO 2) with respect to incidental and occasional driving by minors under age 18, unless the Secretary finds that the operation of a motor vehicle is the primary duty of the minor's employment.

This title may be cited as the ''Department of Labor Appropriations Act, 1996''.

The CHAIRMAN. Pursuant to the rule, the gentleman from Illinois [Mr. PORTER] will be recognized for 45 minutes, and the gentleman from Wisconsin [Mr. OBEY] will be recognized for 45 minutes.

The Chair recognizes the gentleman from Illinois [Mr. PORTER].

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

Mr. Chairman, total discretionary funding for the Department of Labor is $8.4 billion. This is a reduction of $1.1 billion below fiscal year 1995's revised amount and a reduction of $3 billion below the President's budget request.

In addition, the bill includes $1.9 billion for entitlement spending in the Labor Department. This is a reduction of $583 million below fiscal year 1995 and $3 million below the budget request.

The budget includes substantial reductions in certain job training programs, including elimination of funding for summer jobs program, also previously rescinded because of the general lack of effectiveness. This decision reflects the need to prioritize programs and reduce spending, as well as the fact that the Committee on Economic and Educational Opportunities is in the process of consolidating these very programs.

We also believe that these job training programs under the Job Training Partnership Act are, on the whole, less than effective, in that taxpayer funding is not getting full value out of these funds. Job Corps funding, however, has increased $31 million over last year, which will allow funding for four new centers which were approved in prior years and are opening in 1996. No additional new centers were approved beyond the ones already approved in prior years.

The total for Job Corps is $1.1 billion. We know that this program is expensive, but we believe that in the majority of centers, it is more successful in dealing with the very disadvantaged population than are the other principal job training programs which we have reduced very substantially. The committee has made it clear that the Government is to take all necessary steps to straighten out those centers that are not performing up to standards. I might say Job Corps, Mr. Chairman, addresses the most at-risk youth in our society.

The bill directs more of the Community Service Employment for Older Americans funding to States rather than to national contractors. We think the States can do a better job in this area. The national contractors have been in this program for 25 to 30 years, and there is essentially no competition in the program. They are simply renewed each year, year after year, by the Department of Labor. This includes AARP, the National Council on Senior Citizens, and the National Council on Aging. We believe these matters should be handled more at the State level.

One-stop career centers are level funded at $100 million. We believe this is adequate to maintain this program at current levels until we see whether it is going to do what the administration says that it will do. This sounds like a good concept, but there are so many job training programs operating, according to GAO, 163 of them, that it is not at all clear that a new Federal grant program is going to coordinate and pull all of this together. Congress needs to take legislative action to clean up this maze of job training programs. We are hopeful that this will be

accomplished by the authorizing committee.

We fund State unemployment insurance administrative costs at roughly the same as the 1995 level. This bill includes $2.3 billion for States to administer the unemployment benefit program. We expect that the States will tighten their belts on administrative costs, just like the Federal agencies are doing in this bill.

The Bureau of Labor Statistics is funded at $347 million, a decrease of only 1.3 percent. We provide full funding for the revision of the consumer price index, and we expect the Bureau of Labor Statistics to give this a very high priority.

OSHA funding is reduced by 15 percent and shifted to emphasize compliance assistance. We increased funding by 19.2 percent over enforcement activities, where we cut funding by 33 percent for Federal enforcement and 7.5 percent for State enforcement.

□ 1545

Language is also included to prohibit OSHA from issuing a standard on ergonomic protection. This agency serves a useful public purpose, but it needs to arrange its priorities from being a policeman to a more cooperative and consulting role.

The bill also contains language to prevent implementation of the President's Executive order on striker replacements and to end pressure on pension funds to invest in economically targeted investments.

This language, along with other language included in the bill, was included at the request of the authorizing committee. The bill reduces administrative costs throughout the Department by cutting overall administrative budgets by 7.5 percent and the congressional and public affairs offices by 10 percent. The bill includes nearly $1.5 billion for Labor Department salaries and expense costs in 1996.

We believe that the Department can make do with that amount and still accomplish its essential duties under the law.

Overall, this bill substantially downsizes the Department of Labor. We think that we have reduced programs that do not work very well and have reduced overhead and administrative costs in a reasonable way. We have fully maintained the Job Corps. We have tried to redirect the priorities of the Occupational Safety and Health Administration. And we have provided adequate funding for the Department to carry out its essential responsibilities under the law.

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

Mr. OBEY. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, working people pay most of the taxes to support the activities of Government. Yet the activities of Government that are most being chopped by this bill are those that help workers, that help the children and the families of workers by way of education, training, and health.

Our Republican friends are evidently not satisfied that between 1980 and 1993 only 97 percent of all of the income growth that occurred in our country went to the wealthiest 20 percent of people in this society. The rest of the 80 percent in this society had to settle for sharing that tiny little 3 percent. And yet this bill will in fact make that situation worse.

They think workers have too much power in the marketplace. In my view that is a joke. Yet their bill goes ahead and guts the ability of the NLRB to enforce laws to protect workers on everything from wages and hours to the minimum wage. It savages the ability of OSHA to provide a safe and healthy workplace; $1 out of every $4 that were present a year ago to defend the interests of workers in this society will be gone under this bill, $1 out of $4.

This bill, for instance, provides a healthy appropriation for the National Institutes of Health. I applaud that. They deal with diseases that anybody can get, whether you are the CEO of a plant or the janitor at that same plant. But the National Institutes of Occupational Health and Safety is supposed to be that one agency which does the research, the medical research which is supposed to underlie the actions that OSHA then takes to protect the health of American workers.

That agency is savaged. All ability to train occupational health workers in that agency is ended. Its budget, the budget to provide the desperately needed research, is gutted. I think the majority party ought to be ashamed of itself.

Mr. Chairman, I yield 5 minutes to the gentlewoman from California [Ms. PELOSI], who will begin essentially our side of this 1½-hour discussion on title I, focused on the problems that it presents to American workers.

Ms. PELOSI. Mr. Chairman, I thank the ranking member for yielding time to me, and once again for being such an articulate spokesperson for America's workers and America's families.

There are many reasons to be against this bill. Many of them have been enumerated in the debate thus far, and we will hear more later.

But this part of the bill, title I, deals with the war on American workers that this legislation has declared. Indeed, regardless of comments to the contrary from the majority Republican side, this legislation cuts $10 billion, $10 billion in programs that relate to family planning in title 10, workers protections, health, education. The list goes on and on.

This section, title I, goes to, as I said, the war on American workers. The Republican majority with this bill says to the American worker, essentially: Get lost. When it comes to your safety in the workplace, your pension protections, your employment standards and collective bargaining and job security, forget it. That is what the majority is saying.

This takes place at a time when workers in America are menaced by corporate downsizing to increase profits, the bottom line for corporate America, globalization, putting many U.S. jobs offshore, and the technological advances which we all support. Those factors make it even harder to understand why the Republican majority would strike out at the American worker at this very difficult time in our economic history.

We hear a great deal about competitiveness, how can we compete with our European and our Japanese competitors when they respect their workers? The American workers are the most productive workers in the world. Yet our reward to them is to say, in this bill, the law of the jungle will prevail. Laissez-faire reigns. We are not interested in your progress.

This committee bill reverses decades of progress to protect American workers. Out of respect for those American workers, I offered an amendment to restore funding for seven critical worker protections. Unfortunately, this amendment is not in order under the rule. Therefore, I want to explain to Members the implication of these cuts on American workers.

A vote for this bill, and I think every Member should be very conscious of this when they put their card in the machine, a vote for this bill is a vote for a 33 percent cut in safety and health enforcement in our country. Currently, 6,000 Americans are injured on the job each day, and these injuries cost America more than $112 billion a year. So it does not even make economic sense to make this foolish cut. These preventable injuries have a direct impact on American families.

In addition to that, they have a cut of 25 percent in safety and health research. Are you ready for this, my colleagues? Even General Motors is opposing this cut. This research ultimately saves the Nation billions of dollars annually in medical costs. Of course, the health care costs borne by the industry directly impact on the price of product, making global competition an issue as well. That is why General Motors is opposing this cut. Why do we not?

There are also cuts in mine safety. This means fewer mines will be inspected, exposing more miners to injury.

There are other reductions proposed in pension protections. The reductions proposed in this bill place in jeopardy working families' pensions. These cutbacks will result in pension plan losses of at least $100 million, and the number of pension fraud cases pursued will decline by 20 percent.

Employment standards enforcement is cut by 25 percent. These reductions will mean that $25 million in back wages owed to some 50,000 workers will not be recovered.

Mr. Chairman, for the record, I am putting elaboration of all of this in, but in the interest of time I am just

going to proceed to collective bargaining. The collective bargaining protections are cut by 30 percent. This is absolutely appalling. The National Labor Relations Board was created in 1935 to bring order to labor disputes.

This bill cuts 30 percent of the funds for the NLRB and handcuffs the board's ability to enforce existing laws and safeguards on employees rights and employers protection. The NLRB guards against unfair labor practices both by employers and employees. This is a direct attack on the basic rights of both.

The dislocated worker assistance program is cut by 34 percent. This means that 193,000 workers who lose their jobs in 1996, through no fault of their own, will not receive training.

Rapid advancements in technology, defense downsizing, corporate restructuring, and intense global competition result in structural changes necessary for economical growth. This program works. The inspector general has reported that workers served by this program were reemployed, remained in the workforce, and regained their earning power. Continuing our investment in dislocated workers is essential.

The cuts in these seven programs for worker protection, along with a long list of legislation provisions—limiting the authority of agencies to enforce child labor laws, laws which protect workers' right to organize, and regulations to protect occupational safety; and language blocking the President's Executive order regarding striker replacements—constitute a war on the American worker.

Mr. Chairman, American workers are the engine of our economy. They must be treated with dignity and respect. They also deserve a safe workplace. Despite our budget challenges, we should not retreat on worker protection. Cuts that will result in increased workplace accidents and fatalities will cost our society. This is the wrong place to cut back. Shame.

Mr. Chairman, we will go into this more as we try to bring up other amendments. All I am saying here today is that, if Members in this Chamber care about the American worker, they will vote against this bill.

Mr. PORTER. Mr. Chairman, I yield 5 minutes to the gentleman from Bentonville, AR [Mr. HUTCHINSON], a member of the Economic and Educational Opportunities Committee.

Mr. HUTCHINSON. Mr. Chairman, I commend the gentleman on his leadership that he has displayed on this very fine appropriations bill. I also want to commend my chairman on the Subcommittee on Workforce Protections, the gentleman from North Carolina [Mr. BALLENGER], for the work that he has done on OSHA reform.

We have had a number of OSHA hearings in recent months in which we have heard repeatedly the kind of horror stories of OSHA overkill. So I am very glad to support this bill, particularly because of the OSHA provisions in which we reduce funding for enforcement, investigation and imposition of penalties by 33 percent while increasing compliance assistance by 20 percent, as we can see on this chart.

This bill simply redirects OSHA's current philosophy of assessing excessive fines and penalties to one where OSHA will be required to work with and assist small businesses in their efforts to promote health and safety in the workplace. So we reduce the funding by 33 percent on the enforcement side while increasing funding by 20 percent on compliance assistance.

Surely it is not too much to ask of the Occupational Safety and Health Administration to work with small businesses to ensure the health and safety of their employees. After all, that is why OSHA was created.

We heard so many stories, but this story was faxed to me, and it is very typical of the kinds of stories we heard on OSHA overkill in our hearings. This small businessman operated for 21 years. None of his employees ever had a lost-day injury, not one. No workmen's compensation claim was ever paid. Yet after 21 years, that OSHA inspector came in, filed 21 alleged violations.

He said the allegations were that he was exposing his employees to hazards such as not having a crane operators manual, and not having instructions on how to pour diesel fuel, and not having a list of hazards on how to handle gasoline, grease, and concrete.

I will make a long story short. That happened in 1991, 4 years. After he contested the allegations, after he contested the citations, 4 years later and hundreds of thousands of dollars in legal costs later, all of the citations were vacated.

Would it not make a lot more sense had that inspector simply said, you have got 30 days to make the corrections on where we see violations and where you are out of compliance? The small businessman makes those corrections, and we go on with a good, safe workplace, saving the taxpayers of America hundreds of thousands of dollars in litigation costs.

That is what this bill moves toward. It refocuses its priorities toward assisting businesses in having a safe workplace.

OSHA inspectors are simply misguided in their efforts to promote a safe workplace. In recent years, eight of the 10 most cited standards by OSHA have been paperwork violations. With OSHA, it is regulation, inspection, citation and fine, fine, fine, and we want to change that.

We have heard that the 11-percent cut overall in Labor–HHS appropriations, the sky is falling, you have heard apocalypse now. You has heard, as one speaker said, that it is a declaration of war on the children. There has been a lot of talk about hurting our children. They say they are worried about our children. I want to say I am worried about our children. My son, about a year from now, will be getting married to a wonderful, wonderful bride. A few years from now they will be starting a family. His first child will be my first grandchild, and I am worried about them. I am worried about the future we are giving them. I am worried about the $18,000 debt that that little grandchild will inherit, the day he is born or she is born.

I am concerned about the $187,000 that they will pay in taxes just to pay interest on the national debt. So, when we talk about the children and the impact of this bill upon the children, please think about that. Think about the burden that we are imposing. And you will hear, as we have heard, that the minority leader said this bill is a dagger aimed at the heart of the children. No, it is not. It is a dagger aimed at the heart of runaway social spending. You heard that it is a war on American workers. No, it is not. It is not a war on American workers. It is a war on job-killing deficit spending.

□ 1600

It is time we made the start. This bill does that. Let us pass a good Labor-HHS appropriation bill.

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

Mr. KENNEDY of Rhode Island. Mr. Chairman, I believe when 17 Rhode Islanders died on the job in 1992, that we are not doing enough to protect worker safety; but the Republicans in this bill are saying that we are doing enough. In fact, they are saying that we are doing too much to protect workers.

Just think about this for a moment, Mr. Chairman. When 6,000 workers die every year, and there is one worker-related fatality every 5 seconds in this country, the Republicans in this bill we say are spending too much money on worker safety. This is madness.

Since worker safety protections were put in place in order to address trenching fatalities, the number of workers killed has declined by 35 percent, and hundreds of trenching accidents have been prevented. In one instance, an OSHA inspector in a Cleveland construction site said that the workers had to wear fall protection gear while working on a scaffolding 70 feet above the ground. Four days later that scaffolding collapsed, 4 days later, while none of the workers were injured, because they were all wearing the protective gear that OSHA told them they should wear. This is the reason we need to protect it.

Mr. Chairman, since the agency was charged with protecting worker safety, and since it was put in place, overall workplace fatalities have declined 57 percent, so why is this bill cutting its budget by 33 percent? Obviously, as the Member just said, to save money. That is obvious. The question is, save money for what? Save money and lose jobs? Save money and lose lives? Save money so that the richest 1 percent of this country can get a $20,000 tax break? To me, that is deplorable, and we should not allow it.

Mr. ROBERTS. Mr. Chairman, I am pleased to yield 5 minutes to the gentleman from Hickory, NC [Mr.

BALLENGER], the chairman of the Subcommittee on Workforce Protections of the Committee on Economic and Education Opportunities.

Mr. BALLENGER. I thank the gentleman for yielding time to me.

Mr. Chairman, there has been a lot of talk about how if we make any cuts in OSHA enforcement we will directly endanger American workers. That kind of statement presumes that only the strong enforcement arm of OSHA stands between workers and serious injury and death. I think we all know that that's nonsense. Employers in this country have a lot more reasons than OSHA for providing safe workplaces. The fact of the matter is that once one cuts through the rhetoric, the evidence of an overall effect of OSHA in reducing injuries and deaths over the past 25 years is at best very limited.

It has been claimed that OSHA works because workplace fatality rates have decreased by more than 50 percent since the OSH Act was passed. In fact, workplace fatality rates have declined steadily since the end of World War II, and in fact the fatality rate decreased more during the 24 years prior to OSHA than it did in the 24 years after OSHA was created.

OSHA itself cites a 1993 study which, OSHA claims, ''confirmed that in the three years following an OSHA inspection and fine, injuries at the inspected worksite decline by as much as 22%.'' In fact, OSHA is trying to make that study's conclusions far more positive than the authors were. The authors of the study did estimate that in their sample of companies that had been inspected and fined there was a 22-percent decline in injuries over 3 years. The companies in the sample were very large manufacturing facilities; thus the number of injuries suffered was relatively high compared to all worksites in the United States. The authors did try to extrapolate their findings from this sample to all employers, and concluded that OSHA probably reduced overall injuries by about 2 percent. Indeed, nearly all economists' attempts to estimate the overall effect of OSHA on workplace injuries have concluded that the effect is between 0 and 3 percent.

Since OSHA began the Federal Government has spent over $4 billion directly in implementing and enforcing the OSH Act and directed that billions more be spent by American employers to comply. Why is there so little evidence that OSHA has had a significant effect on workplace safety and health?

If you talk to safety and health directors across this country, what you realize is that OSHA's preoccupation on enforcement is not only not effective, but often counterproductive. Let me just read a few comments from a safety and health director of a major printing company.

During the 1980's and my first five years with Donnelley, my department's focus was compliance based. During this time period, our accident rates and workers' compensation costs increased dramatically. During this time frame, we averaged about 10 OSHA inspections per year. None of the citations related to the main reasons our accidents were occurring. To use an analogy, all of our citations were for not putting a band-aid on a cut—none were for what was causing the cut. In the beginning of 1992, we returned to our historical focus of managing safety and not compliance. With the return to our historical focus on accident prevention, we achieved an accident rate reduction of 16%, a lost time accident rate reduction of 15% and a workers' compensation cost per claim reduction of 24% from 1991 through the end of 1994.

In my position, I spend approximately 50% of my time on OSHA compliance issues and our plant safety coordinators spend approximately 80% of their time on compliance activities. The majority of our resources are dedicated to paperwork and programs that are not the cause of our problems. OSHA could be a helpful resource in our efforts to prevent accidents, but the agency needs to be refocused.

The problem is that OSHA's emphasis has been on compliance with regulations, many of which have only indirect or minor relationship to safety. More reasonable regulations, combined with other strategies which focus on safety and health rather than punishment—expanded consultation services, incentives for good safety records, provision for private sector workplace reviews, more leeway for employee participation and safety committees, and directing that enforcement focus on serious health and safety concerns—will make OSHA more effective, as well as less onerous.

Reforms to OSHA are badly needed. We are trying to reform OSHA in my subcommittee. This appropriations bill is a realistic reflection of where OSHA is today. Don't be deceived by the talk about increased worker injuries. The evidence just doesn't support those claims.

Mr. OBEY. Mr. Chairman, I yield 4 minutes to the distinguished gentleman from New York [Mr. OWENS].

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

Mr. OWENS. Mr. Chairman, this bill is not merely about saving money. Very little money is saved in the reductions, the cuts on OSHA. This is about micromanaging the Department to achieve certain targeted objectives.

There is a conspiracy to wipe out OSHA. There is a conspiracy to destroy the effectiveness of OSHA. Thirty-three percent of the enforcement budget is cut, 33 percent is cut from an already small work force. With the number of inspectors that OSHA has presently, it would take them 86 years to inspect every business establishment in America one time, 86 years already. Now they are going to cut that by one-third. There is a conspiracy.

Mr. Chairman, that conspiracy is documented in a Washington Post article, two articles, which appeared July 23 and 24, and I intend to submit them in the Committee of the Whole for the RECORD, the entire two articles from the Washington Post. These articles expose the fact that there is a covert war to obliterate OSHA and MSHA. This conspiring has been underway since the beginning of the 1994 election campaign.

The Post article indicated that the down payment for the contract to assassinate OSHA was $65,000 in North Carolina. I am certain that similar war bonds for the destruction of OSHA and MSHA were being purchased in other States, also. They are specifically going after certain aspects of OSHA to please the business community. The world already knows how the Republican Party has turned over the Waco investigation to the NRA. That is well documented.

Thanks to this article in the Post, we now know that certain parts of what I call the Death and Injury Act in the authorizing committee was turned over to similar outside vested interests, and certain aspects of this appropriations bill have been turned over, to be written by outside interests.

Mr. Chairman, we are talking about life and death. We are talking about a bill which will go after the standards which protect the health and safety of American workers. Fifty-six thousand workers die per year. Ten thousand died last year directly on the job. The rest of them died as a result of complications suffered by conditions on the job or diseases contracted on the job, but 10,000 died directly.

In North Carolina, we know about the 25 people who were killed in one fire in a North Carolina plant that had not been inspected by OSHA. In Georgia, on March 17, 1994, Mr. Sangster, an employee of the Industrial Boiler Co., was killed while attempting to test fire a boiler. The boiler exploded and the left front door struck Mr. Sangster, killing him. There were quite a number of such deaths in the State of Georgia. I mention that because there are prominent Members of the State of Georgia delegation on the committee seeking to assassinate and destroy OSHA.

Also in Georgia, on April 18, 1994, a Mr. Powel, an employee of Harbert-Yeargin Co., was killed while in the process of erecting scaffolding. He bent over to pick up his hammer and his safety lantern got caught in an ungraded drive shaft. Mr. Powel was dragged into the shaft and killed.

In Pennsylvania, where the head of our authorizing committee that is out to assassinate and destroy OSHA resides, on December 13, 1993, a Mr. Rever, an employee of Hartlaub's Used Cars and Parts, was crushed to death. No safety chain assembly was being used, nor was the vehicle jacked and blocked as it is supposed to be to prevent the falling. As a result, when Mr. Rever used an impact wrench to remove parts, the van fell on him, crushing his head and chest.

Mr. Chairman, this is a life and death matter for American workers. Not only the members of labor unions but all American workers are affected. Since

OSHA has existed, the number of deaths and injuries have gone down. We must save OSHA from this micromanaging, and the authorizing language in this bill, which is part of the appropriations for appropriation, is part of the conspiracy to destroy it.

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

Mr. DOGGETT. Mr. Chairman, there are so many cuts on middle-class working Americans in this bill, it is hard to know where to start. However, one example is an organization called the National Institute for Occupational Safety and Health, including the Southwest Center at the University of Texas in Houston. That is not in my district, but what that center and other regional centers do affect people across this country in every congressional district.

This program is purely scientific. It is a research organization. It is headed by scientists, not by politicians, not by bureaucrats, but scientists who are trying to prevent injury and illness in the workplace, to protect people so there are not lawsuits, so there is not government interference, so there is not an accident or an illness to start with. It is that program that is about prevention, not prosecution, that is about research, not redtape, that gets slashed in this Republican proposal.

By cutting this proposal, what Republicans are doing to middle-class working Americans is to cut research to improve the protective clothing for our firefighters, to cut research to cut out the investigation of new ways to improve respirators for our pilots, to cut research in painful and debilitating illnesses, like asbestosis and lead poisoning, that affect workers in the workplace, to cut research about workers who get crushed by machinery, who get crushed in accidental rollovers of large equipment.

Additionally, the Republicans abolish vital training and education programs that produced 2,700 health and safety professionals last year. They proceed to kill continuing education programs that taught 150,000 working men and women last year about the dangers of injury and illness. The goal of all these programs is to prevent injury and illness before it occurs. Stop the testing, stop the training, close the labs, turn out the lights. That is what this program is all about.

Mr. LIVINGSTON. Mr. Chairman, I am pleased to yield 4 minutes to the distinguished gentleman from South Carolina [Mr. GRAHAM].

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

Mr. Chairman, I think the committee has struck a good balance with what we are trying to accomplish in this Congress, and what we are trying to accomplish in this Congress, in my opinion, is to fulfill the mandate of the November election. Unfortunately, some of my colleagues apparently believe that caring is equated and shown by how much commitment you have to fund bureaucracies in Washington, DC.

I would like to tell them the best I can that people in this country understand we can care without spending billions and billions of dollars on Federal bureaucracy. I care about safety in the workplace, but what I have been elected to do is reform government so we have a government that is efficient, that meets the needs of the people, and I think our OSHA structure does not meet the needs of the American businessman nor the American worker. When 8 out of 10 violations are paperwork violations, you can have a safe workplace but it may not be OSHA safe.

□ 1615

For every dollar that you take away from a small business or a large business, that is a dollar you take out of the pocket of an employee who works for that business.

Mr. Chairman, reality has finally come home to Congress. The reality is that we are broke up here. We are looking at ways to save money, but we want to do it in an efficient way without hurting people. We can care about the American worker without funding OSHA at the extent that people up here want it funded. There is not enough money in the printing press to satisfy the needs of some of the people that serve in this body to fund Washington, DC.

Mr. Chairman, I had a city councilman come up to me and talk about the EPA reforms that we are engaging in. He says, Congressman, what are you going to do if I dump raw sewage in the river? I said, well, the EPA is going to get you, because we have not changed that. That is still a bad thing to do. However, one thing you forget, Mr. City Councilman, is your citizens are going to throw you out of office.

People care in our community. One way to regulate what happens in the community is to have people involved without bureaucrats in Washington, DC always being involved. What we have done in this bill is we have reduced the enforcement gotcha provisions and we have replaced it with money to help people comply.

If you want to make your workplace safe, we are going to reinvent government so that you can come and talk with us and we will sit down and talk with you about how to make the workplace safe, rather than sending in a bunch of inspectors and take money out of your pocket because the paperwork does not add up. That is the new Congress, that is what I got elected to do.

One way to make sure nobody ever gets hurt is to do away with the ability to have a job in America. If we do not control our spending and the way we regulate in Washington, DC, we are not going to have any workplace injuries because nobody is going to have a job. That is what this Congress is about, trying to reinvent government with some reality in the way it is run in Washington, DC.

The working stiff, I heard that mentioned 20-something times in my committee. I serve on the Workplace Protection Subcommittee with Secretary Reich. Well, let me tell him this, that in my district the average income is $13,200. I am the first Republican to get elected in 120 years. I am the first person in my family to graduate college because my parents worked hard. Let me tell you, the working stiff has broke the code. Caring and funding Federal bureaucracies do not necessarily go together.

Mr. OBEY. Mr. Chairman, I yield 1 minute to the gentlewoman form California [Ms. WOOLSEY].

Ms. WOOLSEY. Mr. Chairman, this Congress has passed some bad legislation, but this bill is worse than I ever thought possible.

It actually signals the end of the Federal Government's obligation, to protect the health and safety of the workers of our Nation.

I am a member of the Economic and Educational Opportunities Committee, a committee I call the Opportunity to Cut Everything Committee and working families from across this country have told me they are frightened by the new majority's efforts to gut workplace health and safety rules and support.

These workers' families tell me they are willing to see some of their taxes go toward enforcing health and safety rules, so that their loved ones come home at night from work safe and sound.

Mr. Chairman, that's a reasonable tradeoff for our working families, and that's a sound investment for our Nation.

This bill, however, makes it clear that the GINGRICH Republicans would rather invest in a tax break for the fat cats, than invest in the health and safety of American workers.

I urge all Americans who care about the health and safety of their loved ones to tell their representatives to oppose this bill.

Mr. OBEY. Mr. Chairman, I yield 1 minute to the gentlewoman from Ohio [Ms. KAPTUR].

Ms. KAPTUR. Mr. Chairman, this bill does not trim, it literally guts Occupational Safety and Health by one-third and will adversely impact millions of workers across this country. This very morning an individual was killed in my district in an oil refinery. He was using high pressure hydroblasting equipment to clean refinery equipment, was hit by water sprayed at a pressure of in excess of 10,000 pounds per square inch, and was killed. This accident could have been prevented.

Mr. Chairman, 55,000 workers die in our country and another 60,000 are permanently disabled each year in work-related deaths and injuries. Just in my region in the last 6 months there have been 11 work-related fatalities, a record number, two electrocutions, a

fall from an elevated platform where no fall protection was used, an individual crushed by a forklift, a woman who was working on structural steel and was killed by a piece of that steel, a worker overcome by fumes while filling a rail car with CO_2. Let us stand up for people who work. Let us value life. Vote ''no'' on this bill.

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

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

Mr. PAYNE. Mr. Chairman, I am here to speak out against the 25-percent reduction to the National Institute for Occupational Safety and Health.

NIOSH is the only Federal agency charged with conducting research to identify the causes of work injuries and diseases and develop approaches by which workers can be protected. This is not to be confused with OSHA. OSHA does not conduct research, although they rely on it.

Every day 17 Americans die from work injuries and illnesses. Every week 67,000 workers are disabled by workplace injuries and illnesses. What is more disappointing is the fact that most of these illnesses and injuries are preventable.

NIOSH has been making a difference to working men and women. Research and studies conducted by NIOSH has led to a reduction in work-related injuries, however, we still have a long way to go.

In July 1991, a 47-year old female had her entire scalp from the back of the neck to the browline removed.

Other workers have needed amputation and on average about 16 workers have been killed annually in entanglements involving rotating drive lines on agricultural machinery.

In 1991, NIOSH eased public concern over an unknown hazard and a possible link between use of video display terminals and a cluster of miscarriages.

At that time, there were over 7 million women operating video display terminals [VDTs] and there had been widespread concern that the cause of the highly publicized clusters of miscarriages among workers were caused because of exposure to VDTs. But thanks to NIOSH, these stories have happy endings. NIOSH published the definitive report that found no connection between VDTs and miscarriages. The NIOSH relieved anxiety of both employers and workers.

We must continue to protect our nation's workers. Do not support these cuts.

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

Mr. FAWELL. Mr. Chairman, I certainly rise in support of this legislation.

I would like to make reference to several of the labor references which are in the legislation. We have heard a lot of talk about the fact that there are tragic cuts being made here, but people often overlook some of the labor legislation we have on our books which are wasting a great deal of money.

One reference I would like to make is the economically targeted investments which have come to light as of recently. There we have the Department of Labor that has entered into what they call economically targeted investment, being investments in projects selected primarily for the social benefits that they purport to generate rather than the financial return and safety that they would give to America's pensioners.

We are talking here about the ERISA law, which has been a tremendous success in this Nation, by the way, and it is private financing which is going into the private infrastructure in investments. It is all done voluntarily by employers under the ERISA law.

Under that law for the last 20 years we have had this tremendously effective private pension plan project in this land of ours, the fiduciaries of ERISA and the pension plans rely upon what is called the prudent man rule, which is a very simple, basic rule that is well understood by the fiduciary community, the investment community, in this land.

Along comes the Department of Labor, and they issue what is called an interpretation of the prudent man rule, which is Interpretive Bulletin-94 that was issued in February 1994, where they try to interpret what is a socially beneficial investment, basically. Then, they follow that up by contracting for more than $1 million to implement what they refer to as a clearinghouse.

This was done in September 1994. Indeed, they went ahead, without any congressional clearance, to give a contract to Hamilton Securities Advisory Services at a cost of over $1 million to design and develop and operate a clearinghouse for the promotion, basically, of these economically targeted investments.

But the word that the financial community gives to the Department of Labor is, do not waste these millions of dollars in that regard. Do not promote or encourage or push any specific class of investments. You do not have to do that, because we have a very effective working prudent man rule in this land which has worked very well in regard to what is a proper investment being made in the private pension community.

Of course, what the Department of Labor would like to do is to be able to look at that $3.5 trillion of pension funds which are out there, having been successfully invested, and they would like to, of course, steer those investments into what they deem to be socially correct, but that simply is not required. If economically targeted investments are just as sound as other investments, which is what the Department of Labor likes to say, then promoting them through a clearinghouse at a cost of over $1 million just to get it started is superfluous, because the market obviously will direct capital to them.

Mr. Chairman, another area where we are spending money, for instance, and do not have to do at all, is the Presidential Executive Order 12954 which prohibits Federal contractors from hiring permanent replacement workers in an economic strike. Now, the President ignored completely that for 60 years the established labor law in America was that the workers did, indeed, and do, indeed, have the right to strike.

Also, as a last resort which no employer wants to ever utilize, the employer has the right to hire permanent replacement workers in a economic strike if indeed he finds that he has no other course but to go out of business if he cannot take that particular course.

Now, it is amazing to me that the President would just go ahead and take this action when there is no implied right, no basis in law under the procurement law, which he claims is his basis, to be able to enact a law like this. Presidents cannot just simply declare what the law shall be. It is not only not based on any kind of law, but also it is unconstitutional.

Mr. Chairman, we should think on these things as we criticize what this new Congress is trying to do.

Mr. OBEY. Mr. Chairman, I yield 4 minutes to the distinguished gentleman from Missouri [Mr. CLAY].

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

Mr. CLAY. Mr. Chairman, let me tell my colleagues what the cut proposed in this bill to the budget of the Pension and Welfare Benefits Administration [PWBA] will mean to working people and their families.

It means that a New York woman who needed emergency surgery to correct problems related to her breast cancer would have faced bankruptcy to pay her hospitals bills.

It means that a group of Kansas City employees would have lost all the hard-earned money they contributed to their employer's profit sharing plan when the employer failed to forward their payroll deductions.

It means that more than 13,00 annuitants of terminated pension plans would not have been protected with a guarantee of more than $200 million when their insurance company failed and went into receivership. These are examples of the conscientious people the PWBA helps.

Mr. Chairman, this bill will seriously endanger the security of workers' pensions and health benefits. It will make hard earned pensions and benefits much more vulnerable to thieves and scoundrels. This bill could be called the ''Pension Grab Authorization Act.''

The Republicans propose to slash the budget for the Pension and Welfare Benefits Administration for fiscal year 1996. The PWBA is a lean, mean pension watchdog. In fact, a recent Brookings Institution report praised the PWBA as ''The most highly leveraged operation in the entire Federal government.'' On average a single employee of

the PWBA oversees $4.8 billion in assets. So while the Republicans talk about eliminating wasteful bureaucrats, they contradict themselves with this cut. And while the Republicans talk about protecting pensions, they contradict themselves with this cut.

Three trillion dollars in pension and health assets covering more than 200 million Americans are protected by the agency. This enormous amount of money is an inviting target for flim-flam artists and embezzlers.

Last year, the PWBA responded to 158,000 requests for assistance. And its cases resulted in 141 criminal indictments and restored $482 million in pension wealth to workers. But if the Republicans have their way, $100 million that belongs to workers won't be recovered. One out of five pension thieves the agency would have indicted will be able to commit fraud with no repercussions. And 30,000 requests for information and assistance from working families concerned about their health care and pension benefits won't be answered.

Mr. Chairman, despite their claims to the contrary, the Republicans are willing to jeopardize workers' hard-earned pensions and benefits by gutting the PWBA. Vote against this bill.

□ 1630

Mr. OBEY. Mr. Chairman, I yield 1 minute to the gentlewoman from Ohio [Ms. KAPTUR].

Ms. KAPTUR. Mr. Chairman, the massive crippling in this bill of the National Labor Relations Board is a punitive effort to restrict the agency responsible for ensuring the rights of workers to organize and bargain collectively.

This agency was created in 1935 to bring order and reduce violence in labor organization disputes. The agency has served our Nation for over 60 years, guarding against unfair labor practices by both employers and employees.

Mr. colleagues who want to gut the NLRB should consider whether or not they really want disputes to be settled back in the streets, because that is where we are heading. In fact, with these massive cuts, it is going to take over 1,000 days before decisions are rendered by the NLRB. By disabling this agency, this bill strikes a hard blow against working Americans.

Mr. Chairman, let us stand up for working families. Let us vote ''no'' on this bill.

Mr. PORTER. Mr. Chairman, I yield 5 minutes to the gentleman from Tucson, AZ [Mr. KOLBE], my colleague on the Committee on Appropriations.

Mr. KOLBE. Mr. Chairman, I rise to discuss the Labor-HHS-Education bill before us today. Although we are now on title I, my comments are more general in nature.

Chairman PORTER deserves credit for the outstanding job he has done in his subcommittee. He has been patient in the face of extremely difficult circumstances as one bad amendment after another was attached to his bill during the full Appropriations Committee consideration. Unfortunately, this bill has now become a tar baby. Through no fault of the chairman, the Labor-HHS-Education bill is now fatally flawed.

Let me enumerate some of the problems I have with this bill. First, it contains extremely restrictive language on a woman's right to choose. It prohibits from receiving Federal funds ob/gyn residency programs that provide abortion training. The message we are sending is that while abortion is legal in our country, we are not going to train physicians on how to safely perform this procedure. This is an unprecedented Government intrusion into medical education.

Second, this bill contains a provision which allows Federal funds to be available for abortion under Medicaid in the cases of life of the mother, rape, or incest. However, States are only required to provide abortions under Medicaid in the case of life of the mother.

This language was added during full committee consideration of the bill as a States' rights issue. I had an amendment, that was not made in order, which would have reinstated the current Hyde language that makes Medicaid abortions available in circumstances involving life of the mother, rape, or incest. But, it would relieve the States of any financial participation in cases of rape or incest if they choose not to fund them.

Last year, there were all of two Medicaid-funded abortions in the entire country in cases of rape and incest. This amendment was a fair compromise for Members who support States' rights, but who recognize that poor women who are pregnant as a result of a heinous crime like rape or incest should not be discriminated against in the process. Unfortunately, Members of this body will not have the chance to vote on the Kolbe-Pryce-Fowler amendment. I therefore will sponsor with Congresswomen LOWEY and MORELLA a motion to strike this language—though I would have preferred my reasonable alternative.

Third, the bill zeros out critical money for family planning services—though we have an opportunity to restore this when we take up the Greenwood amendment.

Finally, this bill includes a measure which provides for much needed Federal grant reform. I strongly support the substance of this measure which will curb Federal subsidies for political advocacy groups. I have serious reservations, however, about attaching this very complicated and large bill to an appropriations bill without the benefit of hearings or a markup in the authorizing committee.

I wish that I could stand here today and tell you I support this bill. It is in line with the budget resolution. It reduces overall spending by $6.8 billion over current funding levels and terminates 176 overlapping programs—helping to move us toward a balanced budget by 2002. The bill also increases funding for the National Institutes of Health, cuts the bureaucracy at the Department of Health and Human Services, maintains funding for community and migrant health centers and increases Pell grant levels. It reforms labor and OSHA rules that are in need of reform. Coming out of the subcommittee it was a good bill.

Unfortunately, with the changes made in the full committee, the bad outweighs the good in this bill and I must oppose it.

Mr. OBEY. Mr. Chairman, I yield 4 minutes to the gentleman from California [Mr. MILLER].

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

Mr. MILLER of California. Mr. Chairman, we can argue over the size of the budget cuts, but we also know that very often a budget cut of not a tremendous amount can cripple an agency, and that is unfortunately what our colleagues on the other side of the aisle intended to do when they sought the cuts against the National Labor Relations Board.

This is the arbiter of America's workplace. This is where employers and employees go to get a resolution to the conflicts that erupt in the workplace. This is where employers go to get issues resolved, and employees go so they can go back to work, they can go about their business, they can provide for their families, they can provide for their businesses and get on with life.

But what has happened is that they now seek to attack the National Labor Relations Act both through the budget and legislative language that would prevent the National Labor Relations Board from seeking an injunction if they find activities, by both unions and employers, which are so egregious that they prevent a fair election from taking place. They want to enjoin those actions. The National Labor Relations Board does not enjoin those actions; they go to the district court and they make a case.

Now they are changing the number of votes you will need on the board to go and get that injunction. Why? Because one of our colleagues is upset with the rendering of an injunction against Overnight Transportation Co., whose actions were so egregious that in 19 regions, action after action was sought against them because of what they were doing to their employees, withholding wage increases and promotions and the job opportunities of anybody who wanted to organize that workplace.

They made a determination that a fair election could not be conducted unless the injunction was offered.

What did our colleagues from Arkansas do? They wrote a letter and threatened the National Labor Relations Board and they said, ''If you issue this

injunction, we have the ability to take action against you,'' and they did. They cut their budget by 30 percent to cripple the agency.

Mr. Chairman, this means that businesses and worker organizations will be stymied in their efforts to reconcile the differences that exist in the workplace, but it also means that the National Labor Relations Board that uses injunctions in only 6 percent of the cases against unions and 2 percent of the cases against employees, but egregious cases they are, will now be rendered ineffective from doing that. That is the goal.

That is what is wrong with this legislation. Time and again, we see private agendas coming into appropriations bills to undermine the laws of this country. If you have a problem with the National Labor Relations Board, we have an Education and Labor Committee. We will deal with that just as we are dealing with OSHA.

But that is not what is going on in this legislation, Mr. Chairman. There is a private agenda, and there are campaign contributions, and threatening letters by Members of Congress to an agency. When that does not work, because they are an independent agency, we now see them being punished in the legislative process.

It is unconscionable that a nationwide independent agency like the National Labor Relations Board would be threatened and then stricken with these kinds of budget cuts and this kind of punitive action against them, when in fact they provide the basis on which workers and employers can get a fair shake about the terms and the conditions of working in that place of employment.

Mr. Chairman, we now believe we have the most productive workers in the world in any industry we point to, but what we do here is a deliberate attempt to go after those workers to stymie their ability, to get a decision rendered on a timely basis so that they can get on with providing for their families.

This legislation, time and again, strikes, through legislative language, on an appropriation against the protections that workers need, against the protection that employers need, so that they can conduct productive workplaces.

Mr. Chairman, I urge my colleagues to vote against the legislation.

Mr. OBEY. Mr. Chairman, I yield 1 minute to the gentleman from Kentucky [Mr. WARD].

Mr. WARD. Mr. Chairman, I want to tell this House about someone who took off work to travel all the way to Washington to argue against this bill. His name is Donnie McDonald. Donnie worked at the Canny Creek mine in Muhlenberg County, KY, from 1963 to 1989.

In 1974, Donnie was in an accident where a loaded coal rail car fell on him He lost his arm and was off work for 6 months. But he went back to work and worked for another 16 years.

Donnie says that because of the Mine Safety Administration his line of work is much safer today than it was in 1974 but he warns that we cannot go back to the kind of loose regulation we used to have in the mining industry. He says that the $15 million cuts that this bill will impose in Federal mine safety efforts will do just that and that we should defeat this bill.

Mr. PORTER. Mr. Chairman, I yield 2 minutes to the gentleman from Topeka, KS [Mr. BROWNBACK].

Mr. BROWNBACK. Mr. Chairman, I rise in strong support of the bill today.

The bill does a number of things that I think are very important and necessary. What it does immediately is, it makes tough choices and it does it now. It cuts $11.1 billion out of a $256 billion set of funding. It does so now and does not put off future decisions so that we do not have higher deficits into the future.

Mr. Chairman, I have heard a lot of talk on the floor recently about private agendas or that we need to help people out. We clearly do. I would contend the best way to do that is to pass bills like this one that cut back on Government funding. They cut back on Government programs so we can get to balance.

The cruelest thing we can do to the people of our Nation is to continue to add to this deficit. This bill terminates 170 programs, so we can get to balance, and it does so now. It is what we need to do.

Mr. Chairman, this is not a private agenda; this is a nation's agenda of balancing the budget, and that is what we have got to do. We have a nation's agenda of balancing the budget, and it involves making tough choices.

Mr. Chairman, the committee has done an excellent job of doing that. I commend them and rise in strong support of this bill.

□ 1645

Mr. OBEY. Mr. Chairman, I yield 2 minutes to the gentlewoman from Connecticut [Ms. DELAURO].

Ms. DELAURO. Mr. Chairman, I rise to strong opposition to this assault on working men and women made to pay for a tax cut for the wealthy. This bill doesn't just pull the rug out from under American workers, it pulls out the entire floor.

The deepest cut is made in crucial worker training and education programs that help displaced workers get back into the workforce. That cut is shortsighted and wrongheaded.

The American people are this country's greatest asset as we try to compete in a global economy. But, this bill puts people dead last. It puts working families dead last. It says—if you lose your job, you're on your own.

I know about the need for worker retraining. I live in a State that has lost more than 200,000 jobs over the last several years. Many of those jobs have been lost because of the defense build down. Many of those jobs aren't coming back.

And, the bad news just keeps coming for my State. We now face a plant closure at the AlliedSignal tank engine plant in Stratford, CT, in my district. The decision by the Army to close this facility will mean that we lose another 1,400 jobs. These workers in Connecticut, and workers like them all across the country, need our help.

Defense workers aren't looking for a handout. They're looking for a helping hand. After years of working to maintain our country's strong national defense, these workers are now being told that their skills are no longer needed. Their work helped us win the cold war, but now they are the ones being left in the cold.

The Republican leaders in this House say they are cutting across the board in order to balance the budget. They want us to believe that this is a shared sacrifice for a noble purpose.

But, this sacrifice is not shared and it is not noble. There is nothing noble in asking people who are out of work to pay for a tax cut for the wealthiest Americans.

Mr. Chairman, we have an obligation to help our displaced defense workers. We have an obligation to provide them with the training and education they need to get back on their feet. This bill fails our obligation to defense workers and that's why I will oppose it.

Mr. PORTER. Mr. Chairman, I yield 3 minutes to the gentleman from Lexington, NE [Mr. BARRETT], a member of the Committee on Economic and Educational Opportunities.

Mr. BARRETT of Nebraska. Mr. Chairman, I rise in support of the provision in H.R. 2127, that would prohibit the enforcement of President Clinton's Executive order, banning the use of permanent replacement workers on Federal contracts of $100,000 or more.

To put it simply, I believe that the President's Executive order is unconstitutional, and is a direct challenge to the prerogatives of the Congress to set labor law. The President's order—in the opinion of many—is nothing but a backroom deal to coddle favor with labor unions, and is a direct challenge to decades of well-established labor law which permits the use of permanent replacement workers.

Allowing employers to hire permanent replacement workers has been a long-standing right that employers have used, though sparingly, in order to countermand the union's use of the strike. I wouldn't say that either option in today's workplace is perfect, but it has provided a careful balance that has enabled neither side to claim an unfair advantage.

Instead of allowing this issue to be settled by Congress, the President has circumvented Congress and has allowed purely political goals to enter into the fray of employer-employee relations.

As a member of the Economic and Educational Opportunities Committee, I believe the committee has rightfully recognized the improper use of the

President's Executive order, by reporting out H.R. 1176, which would make the order null and void.

Mr. Chairman, the provision in H.R. 2127 preserves the right of Congress to set labor laws, and would reverse a dangerous precedent-setting Executive order. I urge my colleagues to vote against any amendment to strike these provisions.

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

Mr. WILLIAMS. Mr. Chairman, I encourage my colleagues and others to examine what we have just heard from the last speaker. This is a situation, or as Ross Perot used to say, here is the deal. You are an American worker, you are under contract, your employer violates the contract. What is left for you to do? Well, you probably try that cherished American right: You withhold your labor in protest.

Most Americans support that. Not these Republicans. They say if you go to that cherished American right of withholding your labor, you are fired, you're fired. You are a woman, kids at home, you are trying to make it, you have this job, you are fired, you lose health care. Same thing with a man, of course. You lose your position, you lose your retirement, you lose your tenure, you lose everything you put in that company, you are fired.

Somebody is permanently hired for your job, and you are not offered it back. You are fired. Why? Because you dared to withhold your labor, because the boss broke his part of your deal, his part of the contract. But you? You are fired.

Bill Clinton, President Clinton, said, well, we are not going to let you use Federal money to do that, to fire these people. If you have a job and the taxpayers are paying for it, you cannot fire these American citizens just because they withhold their labor under the law, legally withhold their labor. The Republicans say oh, yes, you can, you can fire them. That is extremism run nuts, and that is what is in this bill, extremism run nuts.

Mr. PORTER. Mr. Chairman, I yield 5 minutes to the gentleman from Mount Holly, NJ [Mr. SAXTON].

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

Mr. Chairman, if I said to all the folks here who are in this room that I wanted to talk to you for a couple of minutes about how pension fund managers invest pension moneys, I would see a bunch of people yawn and you would all think it was pretty boring, and you would be right. But if I said to you that I want to talk to you about your pension check when you retire, the size of it and the security of it, and to be sure that it would come every month, I am sure there would be a lot more interest.

But if I said to you and anybody else that could hear that the pension fund, total amount of pension fund moneys in our country, has grown since 1983 from a level of about $1.5 trillion to about $4.8 trillion today, you know, that is kind of hard to relate to. But if I said to you that particularly people who are beginning to think about retirement that that pot of money is where your paycheck is going to come from after you retire and that it should be protected with all due diligence, that would be interesting.

So let me talk about that for a minute, because the Clinton administration, particularly Secretary of Labor Robert Reich, has done some things over the last year which I think are very unsettling for people who are beginning to think about retirement, particularly if their savings for their old age are invested in private retirement funds, because you see, in June 1993, Secretary Reich reinterpreted the law that provides safeguards for those savings in private pension funds.

Secretary Reich calls the program economically targeted investments. What he is saying to the people that manage all of that money for us so that we can retire with it, ''We want to change the rules a little bit to permit you to do some things that you were not permitted to do before,'' because, before, they were considered to be too risky and, in my opinion, while nothing has changed to make the things that Secretary Reich would like us to do less risky, he wants us to go ahead and begin to invest in other kinds of things with other people's money that they are saving for their retirement. Now, I think it is a bad idea.

For years, what the gentleman from Illinois [Mr. FAWELL] refers to often as the ''prudent man'' rule was followed, and in the late 1960's and early 1970's, private pension funds began to have some problems, and so in 1974, and I think correctly, the Congress passed a law known as the Employee Retirement Income Security Act, which we refer to as ERISA. It says clearly that the people that manage those moneys in private pension funds must follow one rule, that those moneys must be invested for the sole purpose of providing benefits to the participant in the plan, the sole purpose. Secretary Reich would like us to do some other things with the money and is encouraging pension fund managers to do so, to invest in socially good programs, to make social investments, to invest in housing projects, to prop up a failing company if it means jobs for a community.

They are worthy goals, but if I want the moneys that I am investing for my old age in a private pension fund invested in those kinds of investments, then I will take my IRA fund and invest in some social good.

Most people do not choose to do that, and Secretary Reich, in my opinion, should not be encouraging pension fund managers to do that with my money either and the money of all the Americans, the 600,000 or so that I represent, and I think you will agree, Members on both sides of the aisle, that you do not want your constituents' money tampered with in an unsafe investment either.

This bill cuts back on funding that Secretary Reich and his staff are using for the purpose of encouraging pension fund managers to make these investments.

Now, we have lots of information that says that these are not good investments and they are not safe. For example, in one study at the University of Pennsylvania, Olivia Mitchell determined that the public pension funds which were required to make certain investments generated lower rates of interest, lower returns, and were less safe.

So I urge everyone to support this bill the way it is.

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

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

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

Mr. Chairman, we do not need to look at theories or predictions as to what will happen when OSHA is cut the way it is cut in this bill. I think OSHA is a agency in need of reform, and I am sure there are some bureaucrats in OSHA who are not necessary and who ought to go. That is not what this bill is going to do.

Make no mistake about it, this bill means fewer inspectors, fewer inspections, and more risks for workers. We do not need to theorize or guess what happens when you have too few inspectors or too few inspections.

We do not have to look to the future. We can look to September 1991, in Hamlet, NC, when the North Carolina Occupational Safety and Health Administration, with too few inspectors, too few inspections, underfunded, permitted a facility, a chicken packing plant that had committed egregious violations prior to September of 1991, to create a situation where 25 people burned to death. That is what we have to look for. That is why we should oppose this bill.

Mr. OBEY. Mr. Chairman, I yield 1 minute to the gentleman from Massachusetts [Mr. OLVER].

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

I want to tell this House today about someone who came to Washington to argue against this bill. This is the gentleman that I am speaking about. His name is Jim Hale. He is a resident of Chattanooga, TN.

He works in the construction industry. He is opposing this bill because his brother was killed 30 years ago at the age of 23 in a construction accident.

Jim will tell you that construction is a dangerous trade under the best of circumstances, and he will tell you that since he started working, it has become

much safer, that it is safer because Federal rules that require employers to take steps have made it safer in these last 30 years or so. Jim believes that his brother might be alive today, that his brother would have had an opportunity to get married and raise kids if the protections that we have today had been there in the 1960's, and he feels so strongly about that that he took off work and came here to oppose this legislation that takes us back to the 19th century.

□ 1700

Mr. OBEY. Mr. Chairman, I yield 1 minute to the gentleman from California [Mr. TUCKER].

Mr. TUCKER. Mr. Chairman, I thank the gentleman from Wisconsin [Mr. OBEY] for yielding this time to me.

Mr. Chairman, I rise today to say that the appropriations bill before us is fraught with cuts in programs that are important to the working men and women of this entire country, a 30-percent cut in the National Labor Relations Board, a 33-percent cut in OSHA, elimination of the summer youth employment program, and cuts in funding for job training for dislocated workers. The working men and women of this Nation deserve our gratitude and our thanks, Mr. Chairman, for a job well done. Instead we offer this bill which guts the very programs and protections we, as a Congress, created for them. We should reward them for their hard work, not punish them.

There is much more than just the labor provisions that are wrong with this bill. This bill is fraught with all kinds of problems, but the labor provisions are enough in and of themselves to say no to this bill, and, therefore, I urge my colleagues to say no to this bill.

Mr. OBEY. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, I know that there is a drive here to provide a great deal of deregulation in order to provide much more freedom in this society. That may very well be legitimate, but I think we ought to ask who is going to be free, what will they be free to do, and who will they do it to?

I want to give my colleagues some examples of who they will do it to. Take Jack Gray Transport, Inc. Truck drivers who worked in their facility in North Carolina began an organizing campaign in January of 1994, and they signed cards trying to recognize the union. In response their employer coercively interrogated those employees about their union activity, they threatened them with a loss of jobs if they did not sign a letter disavowing support for the union, and finally they laid off eight members of the organizing committee. Based on the facts, the district court used the injunctive relief at NLRB which is now available to prevent further action by that company, and they helped save those workers' jobs. That injunctive authority would be eliminated by this bill.

Krist Oil Co. in Michigan and Wisconsin. In 1993 a man by the name of Richard Johnson found out that their pay was being cut by being required to perform additional duties for insufficient compensation. They met at a park to discuss what appeared to them to be a wage crisis. They wrote a letter politely raising a number of questions. Two days later the company fired Mr. Johnson, in part, it conceded later, because of that letter. Cashiers Yvonne Mains and Jodi Creten were fired after presenting the complaints by their store employees to a supervisor during a meeting at one of their homes. Mains told the boss that the employees were considering contacting the union. The company wrote a letter notifying Mains of her termination because she was, quote, creating a mutinous situation, end of quote. Again the NLRB used their injunctive relief to provide those workers with help. That would be gone under this bill.

Wilen Manufacturing Co.: On June 2 of 1994 the union was certified on the day of the election itself. The employer interrogated employees about their election, about their election votes, and threatened them with discharge and other reprisals for voting for the union. The board sought 10(j) injunctive relief in order to prevent further damage to the workers.

One example of workers who are not protected:

On August 28, 1989, the Gary Enterprises company fired Jerry Whitaker for having previously filed an unfair labor practice charge with the Board. The Board decided in Mr. Whitaker's favor. The company ignored both the Board and the report. After being discharged, Whitaker had a hard time finding work, and finally took a job hauling logs. He had a heart condition, and frequently complained to his wife that the driving job was killing him. He was required to spend nights away from home, and had no money for lodgings. He slept in his truck. One morning, while the contempt case was pending before the court, Whitaker was found dead in his truck from a heart attack at age 55. The Board is still trying to collect the backpay owed to his estate by the company.

That is the kind of case that today could be considered for the injunctive relief which is being squeezed out of the law by the legislative provision in this bill.

People on that side of the aisle talk about OSHA as though it was created by a bunch of left-wing social engineers. The father of the OSHA statute was a man by the mane of Bill Steiger, a respected Republican Member of Congress from Wisconsin who, when I came to this House as a freshman, was my best friend here.

We have had some successes under OSHA. The fatality rate is down 57 percent for workers in this country, and OSHA has contributed to that in a very significant way.

Along with Silvio Conte I helped create at OSHA the first fine-free consultation service, and we provided for some narrow exemptions in the case of small business and small farms. We did that all on a bipartisan basis.

Mr. Chairman, I would urge our Republican friends not to walk away from a bipartisan commitment to OSHA, to OSHA enforcement and worker protection. I urge them not to make this issue a partisan issue. Vote against this bill because of these provisions.

Mr. BONILLA. Mr. Chairman, I yield 5 minutes to the gentleman from Pennsylvania [Mr. GOODLING].

Mr. GOODLING. Mr. Chairman, I yield to the gentleman from Illinois [Mr. FAWELL] for a response to the gentleman from Wisconsin [Mr. OBEY].

Mr. FAWELL. Mr. Chairman, I simply wanted to respond to the previous speaker when he indicated that the 10(j) injunction had been eliminated.

Now that just is not so. The 10(j) injunction will be alive and well. It will require the usual equitable grounds to be shown before one gets a preliminary injunction, because a preliminary injunction means they get the final determination ahead of time, but understandably they must be able to show a likelihood of success, an irrevocable and irreparable harm, and a balance of the hardships between the complainant and the respondent, and that the injunction relief is in accordance with public interest.

So, that is the accurate way of setting that forth.

Mr. GOODLING. Mr. Chairman, the American system of collective bargaining is based on the balancing of interest and risk, including the right to strike, the right to maintain business operations during a strike, if necessary, by hiring replacement workers. The executive order takes away this balance in the Federal contractor arena. Permanent replacement is not the same as being fired. Permanently replaced workers have a right to be recalled until they get equivalent employment, and they may vote in union elections for 12 months. But the issue in relationship to this legislation is who has the responsibility under our form of government to legislate, who writes the laws, who passes the laws. I do not think there is anybody in this Chamber, anybody in the Congress, anybody in the United States, that does not understand under our form of government we do that, not the executive branch, and what the President has done is usurped our power, and we should guard our power jealously. The separation of powers was put together very carefully, and we should make sure that we guard that.

So, the issue is who has the responsibility to legislate, who has the responsibility to pass laws, and the answer is very clearly we in the Congress of the United States.

Mr. OBEY. Mr. Chairman, I yield 4 minutes to the gentlewoman from California [Ms. PELOSI].

Ms. PELOSI. Mr. Chairman, I again thank the gentleman from Wisconsin [Mr. OBEY], the ranking member, for yielding this time to me and for his leadership on these workers' issues. I think it was perfectly appropriate that he closed his part of the debate on this in speaking about individuals and how this policy so cruelly affects them and speaking in their own words. I, too, want to bring to the attention of our colleagues and individual case of how people are affected by the cuts in this legislation. I want to tell the House about someone who traveled to Washington all the way from California to argue against this bill. Her name is Beverly Reagan, and she is a Republican. She votes Republican, but came here to fight against the passage of this bill.

Beverly is a food service worker. She works for private contractors at a U.S. Navy base. Repeatedly these contractors have won bids to operate food service facilities and then failed to make the pension and health insurance benefits that were required under the terms of the contract.

Beverly and her coworkers have had the experience of going to the doctor and finding that the health insurance that they thought was there to cover their expenses was not there at all. She is not alone. Tens of thousands of Americans find themselves in the same situation each year. And like Beverly, the only recourse they have is the Pension and Welfare Benefit Program in the Department of Labor.

This bill cuts that program.

I urge my colleagues to do what Beverly is asking and vote against this bill, protect the health benefits and pension plans of our constituents, and vote ''no'' on this legislation. This is only one of many cuts in the bill that deal harshly with the American worker. The cuts in these seven programs for worker protection, along with a long list of legislation provisions limiting the authority of agencies to enforce child labor laws, laws which protect workers' right to organize, and regulations to protect occupational safety, and language blocking the President's Executive order regarding striker replacements constitute a war on the American worker.

When I was interrupted by the gavel earlier, I was talking about this dislocated worker assistance program which I want to call to our colleagues' attention once again, which is being cut in this legislation by 34 percent. This means that 193,000 workers who lose their jobs in 1996 through no fault of their own will not receive training. Rapid advancements in technology, defense downsizing, corporate restructuring, and intense global competition result in structural changes necessary for economical growth. This program works. The inspector general has reported that workers served by this program ''were reemployed, remained in the workforce and regained their earning power.'' Continuing our investment in dislocated workers is essential.

Of all the cuts in this bill, it is so very difficult to understand why, with all of our talk of free trade, et cetera, we will not deliver on our promise to dislocated workers who are affected by that kind of change.

Mr. Chairman, American workers are the engine of our economy. They must be treated with dignity and respect. They also deserve a safe workplace. Despite our budget challenges, we should not retreat on worker protections. Cuts that will result in increased workplace accidents and fatalities will cost our society.

There is only one word to describe this, Mr. Chairman: Shame.

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

Mr. ENGEL. Mr. Chairman, I thank the gentleman from Wisconsin [Mr. OBEY] for yielding this time to me.

This entire bill just shows how mean-spirited and radical the Republicans have been with this proposal, and it really is for shame because from the moment this Congress began we have seen the majority try to hurt working men and women of America, we have seen them purge the name of Labor from the old Education and Labor Committee, we have seen them refuse to raise the minimum wage, we have seen them cut OSHA now here by about a third. More American workers are going to die and be injured on the job because of these OSHA cuts. We have seen them slice the National Labor Relations Board which monitors unfair labor practices. We see them slice money, cut money, for dislocated workers.

Why hypocrisy. We talk about getting people off the welfare rolls, and here we have workers that are losing their jobs, and we want to cut funding to help them locate new jobs; Davis-Bacon, which pays prevailing wage, that is cut.

So, we have a pattern here, and this bill fits that pattern.

In my 7 years in Congress this is the most disgraceful appropriations bill I have ever seen, and it ought to be defeated.

□ 1715

Mr. BONILLA. Mr. Chairman, I yield 5 minutes to the gentleman from Arkansas [Mr. DICKEY], a member of the Committee on Appropriations.

Mr. DICKEY. Mr. Chairman, I have a button here that I am not allowed to wear, but I will show it. It says, ''Why does the NLRB have 628 lawyers?''

Why does the NLRB have 628 lawyers? What happened in committee with the NLRB appropriation was something like this. The chairman came in with a 15 percent reduction in the NLRB budget. I did not think that was enough so I scurried around and got an amendment together, and I said 15 percent more is what is more like it. A total of $52 million in reductions. The $26 million that I put in that particular amendment was done only after I had tried to find some way to do otherwise.

First, when the NLRB came to our committee, I asked them, ''Please help us find a way to cut this particular department. Will you do that?'' The asnwer was no. I got the general counsel, the general counsel of the 628 lawyer law firm to come to the office, and I said, ''Will you help me? Will you tell me just what you can do to cut the expenses created by these 628 lawyers?'' The eighth largest law firm in the United States was in his jurisdiction, and I said, ''Can you help? He says, ''Oh, heaven sakes, I cannot do that because we have such a caseload.'' I said, ''Is there nothing we can do?'' He said, ''No, there is nothing we can do.''

Mr. Chairman, I said, ''OK, if they are going to stonewall us and say no to that and not help us, from their position of expertise, then we were going to have to cut blindly in some way to get their attention and help the American people and reach this deficit.''

Here is what they have at the NLRB, and maybe others can tell me if there is anyplace to cut. There are over 2,000 employees. I have mentioned that it is the eight largest law firm in the United States. They have 628 lawyers that they let loose on American business and industry. Each NLRB Commissioner has between 18 and 22 lawyers assigned to him or her.

Mr. Chairman, our Supreme Court Justices, with all of their responsibilities and load, only have five. So we have all the way from 18 to 22 for the NLRB Commissioners, each one have that many lawyers, and the Supreme Court Justices only have 5. They have a D.C. office building that pays rent of $21 million per year. It costs $21 million a year for rent to keep up a house for these lawyers, to keep them going.

In Los Angeles alone they have three different offices so they can have more lawyers closer to business and industry, to interrupt the business and to interrupt workloads and cost our economy untold amounts of money. Here these people are saying they do not have any room for cuts. They are not going to help us with this. There are 50 field offices.

Mr. Chairman, we went to the committee, and after some hour and a half, maybe 2 hours of listening to the committee members talking about title I for the children and Head Start for the children, this 15 percent was not sent back that we were going to cut in this amendment. It was not sent back to the deficit, it was not taken to any other programs except Head Start.

Mr. Chairman, we have 628 lawyers on this side and we have all these children in Head Start, and there are some persuasive arguments that Head Start, in fact, is needed. I said, ''We will take the $26 million from the lawyers and put it over here in Head Start. Will you vote for this particular provisio if that

is the case?'' Eight people on that committee said, yes, they would vote for that; that lawyers are not in the priority position when you compare them with children. We will take from lawyers and give to the children. The liberals on that committee, to the person, all five, said, no, we will vote for the lawyers. We will keep the $26 million in this burgeoning legal intrusive type of department, one that will not tell us what to cut. We would rather go with lawyers than children.

Mr. Chairman, I tell everyone this because it should give them an idea of how this particular Congress has existed for all these years. The argument about children, and the argument about Head Start was not the last time we found out that people were not sincere. We also had an amendment to transfer $135 million from the oldest American project of some sort, $135 million from that to Head Start. That was voted down also.

Mr. Chairman, what we are having here is a commitment to lawyers. Not everyone will understand it, if they are not businesspeople. Those who are business people will understand it. Lawyers are not deal makers, they are deal breakers. I say we vote for this and support the amendment and the economy.

The CHAIRMAN. All time for general debate on title I has expired.

The Chair will now recognize Members for amendments in title I.

AMENDMENT OFFERED BY MR. STOKES

Mr. STOKES. Mr. Chairman, I offer an amendment, number 70.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. STOKES: on page 2 line 15, strike $3,180,441,000 and insert $3,185,441,000, on line 16, strike $2,936,154,000 and insert $2,941,154,000, and on line 21 strike $95,000,000 and insert $100,000,000.

The CHAIRMAN. Pursuant to the unanimous-consent agreement of today, the gentleman from Ohio [Mr. STOKES] and a Member opposed will each be recognized for 20 minutes.

The chair recognizes the gentleman from Ohio [Mr. STOKES].

Mr. STOKES. Mr. Chairman, I yield myself 4 minutes.

Mr. Chairman, while the bill's $55 million, or 22-percent cut in school-to-work would devastate the viability of this initiative, my concerns extend well beyond this symbolic amendment to the broader devastating funding cuts in career and employment training.

Mr. Chairman, while global competition requires a highly trained workforce, while our technology driven and increasingly changing labor market requires a highly skilled work force, and while the American business community recognizes the importance of training, the majority on the committee have gutted funding for employment training.

No job training or re-employment initiative whether for our youth or older Americans was safe from the majority's budget ax. The 60 percent, or over $2 billion, cut in employment and related training means that 194,000 dislocated workers, individuals laid-off through no fault of their own, will be denied the re-employment and skills training services they desperately need to re-enter the work force; 80,000 Americans will no longer have access to the employment training they need to compete in the job market; 3 million individuals will be denied vocational education skills training they need to earn higher wages; over 275,000 young people will be denied the employment training they so desperately need; and over 600,000 youth will be denied summer jobs they need. It is important for us to realize that the unemployment rate for teens is three times that of the general population. And, for African-American teens, the rate is more than six times higher than that of the general population. In fact, the unemployment rate is approximately 40 percent.

Employment training works. Mr. Chairman, the real wages of American workers are declining and there is growing disparity between the rich and poor. Base closings and corporate downsizing are devastating American families. According to the Department of Labor, 2.5 million workers will be permanently laid off in 1995. Employment training is the key to better jobs and higher wages for the American people. Skills matter, job training pays off. Skilled high school graduates earn approximately 19 percent more than their nonskilled counterparts. Skilled college graduates earn over 40 percent more than their nonskilled counterparts.

Now is not the time to gut employment training. I ask my colleagues to restore the Nation's investment in the future of the American people. Overturn the $446 million cut in dislocated worker re-employment assistance, the $299 million cut in vocational education, the $55 million cut in school-to-work, and the over $300 million cuts in adult and youth employment training. And, my colleagues, overturn the majority's elimination of summer jobs for America's youth.

Mr. Chairman, H.R. 2127 is bad for our children, the elderly, families, and the country. I strongly urge my colleagues to join me in defeating H.R. 2127.

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

The CHAIRMAN. Does the gentleman from Illinois wish to be recognized in opposition to the amendment?

Mr. PORTER. Yes, Mr. Chairman.

The CHAIRMAN. The gentleman from Illinois [Mr. PORTER] is recognized for 20 minutes.

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

Mr. Chairman, the gentleman has raised the value of job training programs generally, and I would agree that there are some that do some good. There are others that do not at all.

For example, if we look at adult job training and we look at the Department's own reviews, they indicate the program is not very effective. The inspector general audit reports indicated only 53 percent of the participants in the adult job training obtained jobs. Furthermore, of the ones who got jobs, half said they found them without JTPA assistance. Last year the IG testified the program is being asked to address educational failures, physical dependencies, and emotional and physical disabilities with no demonstrated pattern of success. The IG said in testimony in 1993 that we continue to find phantom JTPA participants, bribery, and overbilling by consultants and contractors, abuses by brokers and other middlemen, and just plain stealing of JTPA funds by those who administer as well as participate in the program. In other words, there have been problems in the program.

Youth job training. Little evidence that the program is successfully training people for the future job market. The Department's own evaluation shows this program has been found to be unsuccessful in raising youth employment or earnings, and that it does not appear that JTPA youth training has had significant positive impacts.

The Summer Youth Employment Program. The program has not provided permanent skills training or education. It is basically an income supplement and the jobs are public sector jobs that do not meet critical needs. The Department's own reviews indicate that subsidized work experience ''has generally not had long-term positive effects on employment in earnings.''

The Displaced Worker Program. Effectiveness of short-term training has been questioned by departmental evaluations. According to the Department of Labor, short-term skills training has not been successful in producing earning gains for dislocated workers. Further, only a minority of displaced workers are likely to enter long-term training if the option is offered to them.

The School-to-Work Program that is the subject of the gentleman's amendment. Here we have seen a program that still, even with the cut, would receive nearly twice what it received in fiscal year 1994, and we had to make a cut here for budgetary reasons, obviously. This is a program that will be under intense pressure to turn the program into a permanent subsidy rather than a demonstration program, which it is, and I would simply have to rise and oppose the gentleman's amendment for that reason.

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

Mr. STOKES. Mr. Chairman, I am pleased to yield 2½ minutes to the gentleman from Missouri [Mr. CLAY], the ranking minority member of the Committee on Economic and Educational Opportunities.

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

□ 1730

Mr. CLAY. Mr. Chairman, I thank the gentleman for yielding the time.

Mr. Chairman, I rise in support of the amendment offered by the gentleman from Ohio [Mr. STOKES]. School-to-work is an initiative that should command broad-based bipartisan support. Of all of the provisions in this bill, the proposal to reduce job training for dislocated workers is among the dumbest. As a result of Republican priorities, 193,000 workers who lose their jobs through no fault of their own will not receive retraining in 1996.

This ill-conceived effort is ill-timed. Last month, the Base Closure and Realignment Commission recommended closing 132 military bases, disrupting 100,000 careers. In June, U.S. corporations announced more than 40,000 job cuts.

Let us look at some of the school-to-work success stories. Cassandra Floyd-Dade, of California, had been a clerk-typist at the Norton Air Force Base, earning $8.27 per hour. After being laid off, she entered classroom training to become a nurse. She completed her classwork with flying colors and passed the licensing exam. She now works at the Robert Ballard Rehabilitation Hospital, earning $12 an hour.

There is Susan Day. She was a nuclear technician at the Charleston Naval Shipyard. Before leaving the shipyard, she took advantage of training in business fundamentals. Then she and two of her friends opened a computer retail outlet in one of the most competitive fields in business today.

There is also Jeffrey Bartlett, who lost his job at the University of Minnesota in August of 1992. He collected unemployment benefits for 4 months before finding out about dislocated worker training. The services helped him with his job search and his computer skills. In August 1993, Jeff found a job at the Metropolitan Sports Commission. He has since moved on to become a facilities manager for a computer firm. His salary is now higher than it was when he lost his job at the University.

Mr. Chairman, training for dislocated workers actually works. It gives workers and their families renewed hope. Shame on those who want to cut it. Vote no on this bill.

Mr. PORTER. Mr. Chairman, I yield 3 minutes to the gentleman from Arkansas [Mr. DICKEY], a member of the subcommittee.

Mr. DICKEY. Mr. Chairman, I would like to make a case here that the Summer Job Program is obviously just a cash distribution system that our Government has set up. It is a 12–week program. I see it because I am in the restaurant business and we have a surge of business during the summer, and we go out and try to find people to work for us during that period of time, just the period of time that coincides with being out of school.

What we find is we find ourselves competing with the Federal Government and we cannot cut it. We cannot match it, because the Federal Government does not require anything of the people who they give money to other than you be at your home, we will come pick you up or come to the office somewhere around—come into the city hall, or whatever it might be, somewhere around 9 o'clock, and we are going to have you go out and stand in some ditch and act like you are doing something.

Now, what harm is what? What harm is that? First of all, let us look at it from the standpoint of our Government. It is wasting money. It is saying we want to give you sugar rather than protein and calcium. We do not want to give you any skills.

When I see someone is on a job program coming into my business with that on the resume, I say aha, we are going to have to undo what that person has learned from being a part of the welfare system and being a part of the cash distribution system that our Government gives, and then after we work that out, we are going to have to teach them what it is like to really try to satisfy customers, to really be accountable, and to really have some consequences from their actions.

That is what we are doing in this particular program. I cannot see in 12-week programs that we are doing anybody any good. We cannot find workers. We find people during the summer that we find we cannot satisfy the demand because workers are off doing those sort of things.

I just think what we need to do is, if nothing else, for the consideration of the kids, get us off this program, have the money brought back into the Government, and watch when people smile and say our tax dollars at least are not being wasted on a cash distribution system called the Summer Jobs Program.

Mr. STOKES. Mr. Chairman, I yield 1½ minutes to the gentleman from Michigan [Mr. LEVIN].

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

Mr. LEVIN. Mr. Chairman, I have been listening to the explanations for the majority position. Your bill is extremism run amuck. It rips whatever mask is left off of so-called concern about the people of this country.

I want to speak to the millions of Americans who will be permanently laid off in the next 2 years. To 46,000 of you, the Republican majority says ''Forget it, no training in employment services.'' To 84,000, the Republican majority says ''Tough luck, no training grants for you.'' And what does the Republican majority have for the kids of America? Your training grants are cut 80 percent; your summer jobs are eliminated.

I have seen training work in Michigan in the Transition Program, those laid off who were building tanks for this country, nowhere to turn. The transition center in Sterling Heights has helped these people get back on their feet. And you come here today and mock those programs. Shame on you.

Mr. PORTER. Mr. Chairman, I yield 5 minutes to the gentleman from Louisiana [Mr. LIVINGSTON], the chairman of the Committee on Appropriations.

Mr. LIVINGSTON. Mr. Chairman, I thank my friend for yielding me this time.

Mr. Chairman, I just heard the previous speaker say that the Republican position on the bill on the floor is extremism run amuck. After listening to him, I think his statement is hyperbole run amok. The fact of the matter is again we hear this Chicken Littleism. ''The sky is falling. Call Henny Penny. The world is going to come apart at the seams.''

My goodness; $270.9 billion is appropriated in this bill to help people. A major credit card, perhaps the biggest domestic credit card in the history of the free world, paid for by the courtesy of the American taxpayer, to help people in need.

Now, he says all the job programs are going to be eliminated. All the people that ever lose their job in the next year, move from one job to the other, are going to be without help.

My goodness, there are currently 163 separate programs for Federal employment training operations, across 15 departments and agencies, with 40 interdepartmental offices. That is according to the GAO. That is what the General Accounting Office says. For the youth at risk on which we hear the concerns of the gentleman from Ohio, there are 266 additional Federal programs across eight departments and agencies.

For JTPA, the training program that the gentleman talked about that sometimes works and sometimes does not, we would spend $3.3 billion; $1 billion on the JOB Program; another $1.1 billion on Job Corps.

Sooner or later we have to get some common sense. The fact of the matter is, the inner-cities are in deplorable condition because we have taxed the people who run businesses out of the cities and left the poor folks who just do not have the opportunity to gain employment to remain.

Now, it seems to me that common sense says that maybe we ought to stop doing the things the way we have been doing them over the years. Maybe we ought to be giving tax incentives to businesses to return to the cities, and let the real purveyor of wealth, the private sector, take over and generate the jobs to put poor kids in the inner-cities to work.

The gentleman has no more compassion for those out of work than I do. I will tell you that I have been working in summer jobs since I was 14 years old. I believe in summer jobs. I think that summer jobs are important for youngsters. They train them for skills that

they will need in later life. But the Government is not the employer of last resort.

The fact of the matter is, the only useful skills that employees acquire on the job emanate from the private sector. If we can encourage every business in America to go into the inner-city and hire one kid, then we will make a remarkably better gain toward reducing unemployment in this country than the current programs that the gentleman is complaining about that are being trimmed back.

We can consolidate. We can trim. We can scale back. We can save the taxpayer money. We can make the programs more efficient. And in the long run we can put more kids to work, give them more training, and give them better skills, so that they in turn will be productive citizens. And when they get a little bit older, maybe they will be rich enough to go out and hire other kids and put them to work.

The hue and cry, from the liberals who have shown us their policies that have failed day in and day out for the last 60 years, is just intolerable. It is hyperbole run amuck. The gentleman's amendment should be discarded.

Mr. STOKES. Mr. Chairman, I am pleased to yield 2 minutes to the gentleman from Wisconsin [Mr. OBEY], the distinguished ranking member of the full Committee on Appropriations.

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

Mr. Chairman, I would like to respond to my hyperventilating friend from Louisiana if I could. Let me simply say that we are resisting the cuts in worker training for one very simple reason: Because corporate profits are headed up, and wages are headed down, and we would like to see the two traveling upward together. That is why we are doing it.

There are millions of Americans who are going to be downsized out of their jobs this year. It would be kind of nice if we provided them the same thing every other industrialized society does, which is some decent job retraining. It would also be kind of nice if we did not ignore kids who are not going to college. That is the purpose of the School-to-Work Program, to take kids who are not going to college, who usually flounder around for 3 or 4 years in our society, unlike other societies who provide a good number of apprenticeship programs. We want to take those kids, put them in a program tying together their high school, their technical school, and employers, and give them a track into a decent job.

This bill cuts the guts out of most of these programs. We passed NAFTA last year and we passed GATT, and I did not vote for them. But what we told workers at the time was ''Look, don't worry; if you are going to lose your job, you will get some retraining help.''

Instead, what you are doing is cutting 34 percent out of training programs. There are going to be 193,000 American workers who cannot get help which they would have gotten previously under the displaced worker program.

Now, you talk about all of the duplicative programs in labor. The fact is, and you know it, the Secretary of Labor is already reorganizing those programs. He is consolidating a lot of them, and we said, five times now, we support the elimination of those programs in this bill. Write it down. We support the elimination of that duplication. What we do not support is cutting job training by one-third so you can provide a $20,000 tax cut for somebody making $300,000 a year. That goes too far.

□ 1745

Mr. STOKES. Mr. Chairman, I yield 1½ minutes to the gentleman from Texas, Mr. GENE GREEN, a member of the Economic and Educational Opportunities Committee.

Mr. GENE GREEN of Texas. Mr. Chairman, I thank the gentleman for yielding time to me.

I am proud to serve on the committee, the authorizing committee, and let me talk about some of the things that are being cut. The job training, 17 percent less than what was spent last year; dislocated workers, 31 percent less than what was spent last year; the school-to-work that our ranking member talked about, 22 percent. School-to-work is a program designed to be successful because it takes those young people who may graduate from high school and not have anything to do, but it gets them before they get there, so they can have that skill that they will be able to sell.

This bill takes away our future because it cuts the job training for the young people. It cuts the adult training for people who are laid off, the dislocated workers. It cuts the summer jobs for next year.

I know on the rescission bill we fought long and hard and had summer jobs restored for this year. That is great. But if our chairman of the committee, the gentleman from Louisiana [Mr. LIVINGSTON], said anything, we need more than the 1,000 jobs that we may have in Houston. We need 18,000.

I hope private business will step up like he said and do it. But that does not mean we need to cut out the summer jobs that are across the country that are provided by the summer youth program. In Houston we have 6,000 young people who would not be working this summer without that. If we pass this bill today, they will not have that job next summer.

We need to triple that amount but not to cut it from the Federal program.

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

Just to respond to the gentleman from Wisconsin, the School-to-Work Program was $50 million just 2 years ago. The figure in the bill is $95 million. That is almost a 100-percent increase in 2 years. The fact that we are not increasing it 400 percent is what is sticking in the gentleman's craw.

I have to say that with $3 billion remaining in the JTPA Program, I think we are making a very, very healthy commitment to America's workers and protecting them at the same time we are rationally and reasonably downsizing spending throughout Government.

Mr. Chairman, I yield 5 minutes to the gentleman from Texas [Mr. BONILLA], our colleague on the Appropriations Subcommittee.

Mr. BONILLA. Mr. Chairman, I would like to begin by saying that one of the most fortunate occurrences that I have been fortunate to be part of in the last 2½ years is the privilege of having worked with the gentleman from Ohio [Mr. STOKES] on the subcommittee. He is one of the most thoughtful and most sincere and a man with strong convictions and every day works very hard for the people of his district in trying to do the right thing for this country.

I rise, however, today in opposition to this amendment. I would like to make a couple of points in my remarks.

First of all, I would like to point out how strong the Republican support has been for TRIO programs, which will be debated in a later portion of this bill, but is a strong, strong job training program that leads to job training. It keeps kids in school, and it helps them get a degree in higher education and, therefore, be a contributing member of society as they enter the workforce.

We have also supported very strongly in this bill, to show our commitment towards job training, the Job Corps program. This bill provides 1.1 billion for the Job Corps program. Job Corps prepares our disadvantaged youth for the workforce. its strength lies in providing students with the skills to help them succeed later in life.

I have a Job Corps program in Laredo, TX, which is one of the most outstanding programs that is run in this country. It has done so for many years. The kids that you see come through that program turn out to be responsible, well-behaved members of society and go on to lead productive lives in the workforce. Laredo sets an example for the rest of the country. There are other programs in other parts of the country as well that are part of the Job Corps program that work very well.

Even though we are expanding Job Corps, we have also sent a clear message to those running Job Corps facilities across the country. That message is and says very strongly that, if you are mismanaged and will not be effective, we will change leadership or shut you down. We are closing two centers, and we instruct the Department of Labor to think about closing some of the chronic poor performers under the Job Corps program.

Two weeks ago the latest performance figures were released by the Department of Labor. They showed that 7

out of 10 Job Corps people found jobs or went on to further their education. This is a good, solid record. Oftentimes representatives from training programs have come before our committee that were part of the 163 job training programs that we have. Often they cannot cite success stories like the Job Corps training program can. The report also shows that students placed in jobs are earning good wages, with nearly half working on jobs related to the training they received while enrolled in the program; again, a good way to measure the success of Job Corps.

Job Corps is the only program of its kind serving at-risk youth. The alternatives, welfare, unemployment, or incarceration, are more costly and lack any short- or long-term benefits. Job Corps is an investment which continues to yield returns for businesses, communities, and the youth who go on to better their lives.

I am sure if Job Corps graduates like heavyweight champion George Foreman were here today, they would thank this Congress for its leadership in funding the Job Corps program.

Mr. STOKES. Mr. Chairman, I yield 1¾ minutes to the gentleman from Montana [Mr. WILLIAMS].

Mr. WILLIAMS. Mr. Chairman, this bill is not about change; it is about retreat. Anybody listening would be confused about whether we are spending more or less.

Here are letters from America's mayors, Republicans and Democrats that say, do not do it. Do not do this to job training. Do not do this to summer youth. Why? Because they know we are spending less. We are sending them less, Republicans and Democratic mayors alike.

If we are to remain competitive in the world marketplace, we need to make sure that our workers, yes, including the new workers that will come on into the workplace market, have the skills necessary to move ahead. This is a terrible bill.

For my State of Montana it would be devastating. We would reduce adult training funding in my State in this bill, reduce it by more than $1,500,000.

The bill will reduce youth training funds to go to my State by close to $4 million. It eliminates every single dollar of summer youth program for the State of Montana and for every other State in this country.

The chairman on the Republican side might say that is not a cut, to go from what we spend today to zero next summer. The chairman would be wrong.

Finally, let me tell Members this: I serve along with the good chairman, the gentleman from California [Mr. MCKEON], a Republican chairman, of the committee that has redesigned the Job Training Partnership Act. In a bipartisan way we agreed to a 20-percent cut in job training funds. That is not what this bill does. This bill cuts funds for youth 54 percent and for everyone else in this country 27 percent. On a bipartisan basis, the education authorizing committee has accepted 20 percent and no more. You are cutting beyond us.

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

Mr. STOKES. Mr. Chairman, I yield 1½ minutes to the gentleman from New York [Mr. RANGEL].

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

Mr. RANGEL. Mr. Chairman, let me thank the Republicans for their candor in how they intend to resolve some of the problems.

I wish the chairman of the Committee on Appropriations was on this floor because now I fully understand, having been born and raised and living in the inner city, that our problems were and have been today the fact that we taxed the rich too much. And if we relieve the rich of this burden of tax, they will come back to the inner cities where they fled.

What we are trying to do is to do for those who are held hostage in the inner city the same thing that we do for Americans no matter where they are born: to give them hope, to give them vision, to give them job training, to give them opportunity, to allow them to look forward to raising a family; and to be able to live the American dream.

You keep talking about how much money you are giving. Where do we get this idea of reducing the rate of increase? What we are saying is that if the poor are getting poorer and coming up in larger numbers, you do not cut back the resources that are necessary to give them the strength to get back on their feet to become Americans. What have you cut? Have you cut out communism, socialism, or any of the things that Americans want get rid of? No; you are honest enough to cut those things and stand up to the American people, summer jobs for our kids, school-to-work programs, one-stop employment centers—that is not welfare, my brothers and sisters—and drug treatment to have people be able to stand on their feet.

It is a shame what you are doing in order to make the rich even more rich.

Mr. STOKES. Mr. Chairman, I yield 45 seconds to the gentlewoman from Texas [Ms. JACKSON-LEE].

Ms. JACKSON-LEE. Mr. Chairman, I thank the gentleman from Ohio for his leadership. As I shred this sheet of paper this symbolizes the rights of Americans under this legislation. Under this bill, American workers simply have no rights. Passing this legislation results in a loss of money for Job Corps, and a loss of money for summer jobs. This legislation disregards the need of job training for dislocated workers. And simply, we are not listening to our constituents, for we are not listening to the school districts in Houston, the colleges in Houston that say school-to-work programs do work.

With a 22-percent cut, I do not know what we are saying to the American worker and to the young student who needs to have an opportunity. I certainly do not know what we are saying to those who are advocates of valuable social policy who are to now be gagged by this particular legislation so that they cannot speak out on issues dealing with those least able to access government.

Mr. Chairman, I would say that I rise to support the Stokes amendment because I do believe that the school-to-work program is a valuable tool in providing students real career options. I do believe that the Bill of Rights works, the Constitution works, and I do believe that we should support the Stokes amendment because we are doing nothing under this present legislation but eliminating the rights of Americans and taking away training and retraining opportunities for Americans.

Mr. STOKES. Mr. Chairman, would the Chair advise how much time remains on each side?

The CHAIRMAN. The gentleman from Ohio [Mr. STOKES] has 4½ minutes remaining, and the gentleman from Texas [Mr. BONILLA] has 6 minutes remaining.

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

Mr. BONILLA. Mr. Chairman, I yield 1 minute to the gentleman from Pennsylvania [Mr. GOODLING].

Mr. GOODLING. Mr. Chairman, the tragedy with the amendment is the fact that, and I suppose that is why it was presented, it gives 40 minutes of talk time. It gives no money to do all the things that Members are talking about doing in job training, et cetera.

When you look at the authority in relationship to the amount of money available, you cannot do any of those things. So basically, the amendment gives 40 minutes of talk, zero of dollars in relationship to doing the kind of things Members are talking about. I just want to make sure that everybody understands that.

Mr. STOKES. Mr. Chairman, I yield 1 minute to the gentleman from Maryland [Mr. WYNN].

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

Mr. Chairman, I just do not understand the reasoning of the Republicans. They say they want to fight welfare and put people to work. But they cut job training programs. They say they want to fight crime, they want to straighten out our young people, but then they cut summer jobs programs and school-to-work programs. I just do not understand.

They are cutting the vocational education program by $300 million or 27 percent. People ask me at town meetings, why do we not have apprenticeship programs like they have in Germany to give our kids technical skills? They say, Congressman, our jobs are going overseas. What are we doing to improve the skill level of our young people? Sad to say, I will have to tell them, the Republicans want to cut vocational training by 27 percent.

We talk about our young people. We say we ought to get our young people on the proper career tracks. But they cut the school-to-work program by 22 percent. I do not understand.

This puts seniors into a job environment that actually creates jobs. Then they talk about fighting crime, but they are cutting summer jobs. They are cutting almost 600,000 possible summer jobs, 7,000 jobs in my State of Maryland.

Mr. Chairman, I just do not understand their reasoning.

□ 1800

Mr. BONILLA. Mr. Chairman, I yield 1 minute to the gentleman from Arkansas [Mr. DICKEY], a member of the committee.

Mr. DICKEY. Mr. Chairman, I would like to respond to three different accusations that have been made. The middle class understands what the members are saying about who the rich are. It is anyone who works and pays taxes. It is the middle class that we are trying to help. If we are helping the middle class and we are helping other people, they want to be helped, and the heck with whether or not other people are being helped also, so they are not being fooled.

Better training comes for our young people in businesses, where they need to be accountable in their consequences. We do not need to start our kids on a welfare program by teaching them they are doing something when they are not. Abstract training is not any good. We know that.

One hundred sixty-one million dollars was attempted to be restored in the subcommittee for Head Start. We need to stop talking about this particular provision, because not one vote on those restorations came from the liberals on that subcommittee, not one vote. They voted to keep programs that they think of as higher priority than Head Start, so we ought to stop the talk.

Mr. STOKES. Mr. Chairman, I yield 45 seconds to the gentlewoman from California [Ms. WOOLSEY].

Ms. WOOLSEY. Mr. Chairman, I ask my colleagues, do they not know that before Congress passed the school-to-work program last Congress, America was the only industrialized country that did not have a national program to prepare young people to go directly from school into a job? That is why last Congress we crafted a bipartisan plan to give students who are not going to college the knowledge and skills they need to move directly from high school to high-skills, high-wage careers.

The school-to-work program gives all young people the chance to support themselves and their families, and to be able to participate in the American dream. The school-to-work program is a sound investment in the future of our youth and of our country. I urge my colleagues to support the Stokes amendment.

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

Mr. STOKES. Mr. Chairman, I would ask the Chair, do I have the right to close under my amendment?

The CHAIRMAN. The gentleman from Texas [Mr. BONILLA], who advocates the committee position, would have the right to close, and the gentleman from Texas is presently reserving the balance of his time.

Mr. STOKES. Mr. Chairman, may I inquire as to whether the gentleman from Texas has other speakers?

Mr. BONILLA. Mr. Chairman, we have no additional speakers at this time, and no objection if the gentleman from Ohio [Mr. STOKES] would like to close.

Mr. STOKES. I accept the gentleman's offer that I be able to close.

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

The CHAIRMAN. The gentleman from Ohio [Mr. STOKES] is recognized for 2 minutes and 45 seconds.

Mr. STOKES. Mr. Chairman, I appreciate the gesture on the part of the gentleman from Texas [Mr. BONILLA]. Let me say that it has been a pleasure to serve with him on this subcommittee, and there are many matters upon which he and I agree and upon which we have worked jointly.

In closing, Mr. Chairman, let me just respond to remarks made by the chairman of our subcommittee, the gentleman from Illinois [Mr. PORTER], where he made reference to consolidation and elimination of small programs. We agree to that. We also have agreed to the elimination and consolidation of these programs, but we also support funding of the training programs, because they work.

I want to just cite from the adult training program valuation: ''It is the only federally funded job training program that has undergone a major controlled evaluation. The national JTPA impact evaluation showed that participants earned 10 to 15 percent more than those who do not go through some form of education or training.''

Mr. Chairman, those of us who have seen unemployment in our cities, those of us who see in some cities black youth unemployed in excess of 50 percent, those of us who walk the streets in our districts and have people yell at us ''Hey, Stokes, how about a job,'' this is a meaningful way of us trying to provide an opportunity. We have told people over and over again that ''All you have to do is work hard in this society, work hard on the job, and you can become a success in life. You can have a part of the American dream.'' This is what we are asking for here today: Give these young people and give these adults in our society a part of the American dream.

When we talk about the middle class, we are not talking about a lot of Americans who will never be able to get into the working class without a chance to just work a job. We owe every American that opportunity. This amendment would provide the opportunity for us to do that.

The CHAIRMAN. All time has expired.

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

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

There was no objection.

The CHAIRMAN. Are there other amendments to title I?

AMENDMENT OFFERED BY MR. OBEY

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

the Chairman. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. OBEY: On page 18, strike lines 17 through 24.

On page 19 strike out all beginning on line 1 through line 14 on page 20.

On page 20 strike out lines 15 through 22.

On page 20 strike out all beginning on line 23 through line 12 on page 21.

On page 21 strike out lines 13 through 23.

On page 41 strike lines 6 through 8.

On page 51 strike out all beginning after ''1996'' on line 12 through line 18 on page 52.

On page 54 strike lines 6 through 18.

On page 58 strike all beginning after the word ''purposes'' on line 20 through page 60 line 8.

On page 69 strike lines 12 through 17.

On page 70 strike all beginning on line 17 through line 8 on page 71.

On page 71 strike all beginning on line 7 through line 15 on page 72.

Strike title VI of the bill beginning on page 76 line 1 through line 7 on page 88.

The CHAIRMAN. Pursuant to the unanimous-consent agreement of today the gentleman from Wisconsin [Mr. OBEY] will be recognized for 20 minutes in support of his amendment, and the gentleman from Texas [Mr. BONILLA] will be recognized for 20 minutes in opposition to the amendment.

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

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

Mr. Chairman, I have often had constituents ask me the following question: Why does Congress always seem to have so many riders attached to bills that have nothing whatsoever to do with what those bills are supposed to accomplish? If this bill passes, they are going to be asking a lot more of those questions, because this baby sets a new record in terms of illegitimate legislation on what is supposed to be a budget bill. There are 29 pages of legislative riders stuffed into this bill, which is supposed to be a budget bill to fund education and health care and social service and labor programs, 29 pages.

I want to tell the Members, there is a clear pattern emerging in this House. We saw it on the bill earlier this week, the HUD bill, on the environment, and we are seeing it all across the board on this bill. There are 17 different items that should not be here that were stuffed in because either Members have individual gripes with programs or

agencies, or else because the authorizing committee chairmen do not apparently have the courage to bring these bills before us out of their own committees, so that we can debate those policy issues and have amendments offered to them the way we can in the authorizing process, and we cannot do that in the appropriations process. Therefore, I think we are having a clear pattern.

Whether the issues affect women, whether they affect workers, whether they affect health, safety, or bargaining rights, they are rolling back basic law in a bill which is not supposed to write new law but only supposed to provide funding for budget items. I want to give the Members one example. Virtually every time I am in my district going through some plant or some business I run into somebody in an office, usually a woman at a typewriter, with a device on her wrist. I say, ''What is the problem?'' She says, ''I have carpal tunnel syndrome.''

OSHA is in the process of trying to develop a standard to protect workers from a malady which costs $20 billion a year, motion injuries, $20 billion a year. Yet, they are not going to be allowed, under a legislative rider attached to this bill, they are not even going to be allowed to collect data on those injuries. They are not even going to be allowed to prepare a possible standard, because the whiz kids on that side of the aisle have said, ''No way. We know better than the agency charged with the responsibility for enforcing the law.''

We have another provision which says that the President cannot weigh in and try to help workers who will see their jobs replaced when they go on strike by permanent strikers. I will tell a little story. Last year I was in my district. A company that I helped get an industrial park for, so they could develop their company in a new location in my district, that company decided they wanted their workers to have to work Sundays.

The workers had been willing in most cases to work Sundays, but they wanted to maintain the option, because some of them wanted a little room for family and a little room for church on Sundays. Therefore, they went on strike when they could not get the company to leave working Sundays on a voluntary basis. Three days after they went on strike, that company started advertising to hire permanent replacement workers.

Shame on people like that, shame on that company. Yet, what you do is ram a provision in this bill which says that the President cannot take any action whatsoever to help on that front.

Then there is the Istook amendment. This is the Constitution of the United States, article 1. Unless Members have read it, if they have not read it lately, let me read what it says: ''Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof, or abridging the freedom of speech or the press, or the right of the people peaceably to assemble and to petition the Government for a redress of grievances.'' Yet, we have the Istook amendment, which says that if you happen to get any kind of a Federal grant, even if you are using your own money, you have to zip your lip. You can no longer lobby the Government on matters of public policy.

Does it say that for defense contractors? Oh, no. Lockheed can continue to run full-page ads supporting this multi-billion dollar or that multi-billion dollar program. Do we try to stifle them? No. It is only the nonprofit organizations, who are trying to in many cases help people in this society who are at the lowest rung of the ladder.

Mr. Chairman, there are some people on the Republican side of the aisle who are offended by that. We already have laws on the books about illegal lobbying. That is clear. What they are trying to do in addition to that is to stifle freedom of expression and the right to redress one's own Government with one's own money. That is going too far. A lot of Republicans on this side of the aisle know that, as well as a lot of Democrats.

This bill has traditionally been a bipartisan bill. I appeal to my Republican friends on this side of the aisle, do not abandon that bipartisan tradition on this bill. They know this goes too far on a number of items, including these legislation items that have been attached and rammed through this bill, many times over the objection of the chairman himself.

Mr. Chairman, I would urge the Members, return this bill to the middle ground. Get rid of this stuff. If Members want to bring these legislative items up, have guts enough to do it through the right process. Have the right chairman from the right committee who has jurisdiction bring it up and debate it here, full-blown, so we can amend these crazy items, and possibly get them in a position where we can have both parties support them. If they are not willing to do that, I ask them to take out the junk. We also got it removed in the HUD bill last week. We lost by one vote. Let us hope we have a better result this time around.

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

Mr. BONILLA. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, we are opposed to this amendment presented by the gentleman from Wisconsin [Mr. OBEY]. It strips out a lot of hard work and a lot of issues that we attached to this bill that are going to do a lot to help the American people. I am proud of the guts that members of this committee on our side showed in trying to advance some of these issues. I will point out two, because there are other Members who have other issues to discuss as well.

The first I would like to discuss involves ergonomics. Ergonomics is one of these words that has small business in America shaking in its boots, because it is another tool, a potential tool that OSHA is going to use to impose unfair fines and unfair burdens and unfair paperwork on small business across this country. Ergonomics is a fancy term for designing jobs and tools to fit the physical and physiological limits of people.

In the private sector, there have been many efforts so far to improve productivity, to try to help the working environment so people are at work more often, have fewer absences, fewer injuries, and fewer illnesses. This is a great tribute to the commitment that the private sector and small business has to helping their employees. There is a myth that exists on the other side of the aisle that somehow employers are not interested in keeping workers on the job, keeping them safe, keeping them productive, and somehow that we are simply concerned about removing any worker safety that exists in this country.

OSHA was born many years ago as a good idea that now, like many cases, is a government program that is out of control. The pendulum has now swung too far in the wrong direction. We have OSHA now that is a four-letter word in the offices of many small businesses in this country.

Ergonomics is an overly ambitious, burdensome, and possibly the most expensive and far-reaching and intrusive regulation ever written by the Federal Government. We are not opposed, long-term, to implementing ergonomics rules in the workplace. We just say at this time that we cannot let OSHA move forward with an aggressive agenda, a burdensome agenda, with no scientific background, with no research to base their efforts on. We must give OSHA and those responsible for worker safety time to develop a thoughtful, scientific basis for implementing any kind of rules related to ergonomics. We are simply asking in this bill, which is part of this bill now we want to protect and therefore must work to defeat the Obey amendment, to preserve the ergonomics aspect of this bill.

□ 1815

Mr. Chairman, I would also like to address something in this bill that the amendment of the gentleman from Wisconsin [Mr. OBEY] is trying to strip, and that is the amendment I put in to prohibit funding of the office of the Surgeon General. I thought I was doing the current president and future Presidents a great service by eliminating funding for the Surgeon General.

How much time has the executive branch spent on this issue? How much time has the Senate spent on this issue, which has served to do nothing more than embarrass the White House in the last several months in trying to fill this job? The Surgeon General serves no role in terms of policymaking. It is simply a public relations job that the President has at his disposal.

You have a person walking around the country dressed in one of these uniforms, and it looks like they work on the Love Boat creating controversy all around America. So we do not need this anymore. We want to save the executive branch and the Senate a lot of grief and agony in the future by not allowing this to happen.

Mr. Chairman, I want to emphasize that we think advocating good health care policy is important, and this could be done by an assistant secretary out of Health and Human Services, or is a role that could be filled by the head of the Centers for Disease Control in Atlanta, or the private sector could provide leadership in this role via the American Medical Association, or many other groups that do a lot of work to advance good health care policy in this country. Therefore, eliminating the office of the Surgeon General is not in any way to say that we are not interested in advocating good health care policy.

Mr. Chairman, please vote against the Obey amendment, because it strips these two elements which are among a list of good reforms that the majority is trying to implement in this bill.

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

Mr. OBEY. Mr. Chairman, I yield 3 minutes to the gentleman from Colorado [Mr. SKAGGS].

Mr. SKAGGS. Mr. Chairman, one of the many, many virtues of the amendment offered by the gentleman from Wisconsin is that it would strike from this bill the incredibly ill-conceived provision generally referred to as the Istook amendment, which attempts to control speech and political advocacy in this country. It is often described as if the only objective were to keep Federal funds from being used for Federal lobbying. That is already essentially against the law.

This proposal would go far further than that innocent-sounding purpose and fundamentally put the Federal Government in the business of crippling the ability of anyone who is covered by this amendment to participate in the political life of this country.

Mr. Chairman, if it were to become law, large numbers, probably millions of Americans, would end up having to file, or participate in the filing, if you can conceive of this of a certified annual report detailing their political activity. Incredible.

The proponents of this amendment often trot out a picture of a pig eating Federal dollars. I guess that pig is supposed to represent farmers and small business people, the Girl Scouts, the Red Cross, the YMCA, the U.S. Catholic Conference, some of over 400 organizations that are opposing this provision. The proponents say their purpose is to keep these people and organizations from spending more than a minimal amount of money to affect Federal policy, but the real guts of this is to keep Americans from spending their own money, their own money, on political advocacy.

It flies in the face, as the gentleman who opened this debate indicated, of the first amendment, whether we are talking about university researchers, churches getting funds for day care centers, companies receiving help for displaced workers, gun clubs being allowed to do target practice on a Federal reservation, on and on and on, being swept into this incredible proposal.

Perhaps worst of all, this amendment would establish a big government, big brother system of political controls. It would bring about the creation of a national database of political activity, and if you can believe this, a master computer file in Washington, DC, covering everything from communications to contributions made by covered groups and their employees, managed by the Government of the United States.

Mr. Chairman, a shame, an absolute shame. How any of us who took an oath to uphold the Constitution could stand still for this kind of nonsense on the floor of the United States House of Representatives in a free land, especially those who've spoken over and over again about wanting to restrain the reach of the Federal Government, is absolutely incredible.

Mr. BONILLA. Mr. Chairman, I yield 2 minutes to the gentleman from Texas [Mr. COMBEST], the distinguished Chairman of the Permanent Select Committee on Intelligence.

Mr. COMBEST. Mr. Chairman, I thank my most able friend from Texas for yielding time to me.

Mr. Chairman, I rise today in strong opposition to the amendment offered by the gentleman from Wisconsin [Mr. OBEY]. In particular, I am concerned because it would strike a provision in this bill that denies funding for the Department of Labor to enforce the Hazardous Occupational Order H.O. 12, which prohibits teenagers from merely loading a baler.

I have been involved in this issue ever since these outdated restrictions were brought to my attention by grocers in my district who were fined by the Labor Department for violating H.O. 12. A fine of up to $10,000 can be issued every time a cardboard box is simply tossed into a silent, nonoperating baler by teenage employees under 18.

Unfortunately, efforts to change this regulation through the Labor Department fell on deaf ears and that is why we are here today arguing against this amendment.

Mr. Chairman, in typical bureaucratic form, it took 7 months for the Labor Department to respond to a letter signed by over 70 Members on both sides of the aisle that requested a revision of H.O. 12. The Labor Department did not even have substantial evidence to support the prohibition of teenagers to load nonoperating balers. In addition, in the last Congress, language was included in this very bill that instructed the Labor Department to do a review of H.O. 12.

If I remember correctly, in the last Congress the gentleman from Wisconsin and the gentleman from Ohio, the chairman of the committee and the subcommittee. The Labor Department then promised to issue a notice of proposed rulemaking by May. We have heard nothing yet.

Mr. Chairman, you will hear that this provision will undermine child safety, but that is a far cry from the truth. The Labor Department admits it only has 11 documented cases involving baler-related accidents, but in 6 of these there was operation of the baler, and under the provision in the bill, operation of the baler would still be illegal.

One case the Labor Department lists happened next to a baler when a piece of metal happened to fall that was leaning against it. In another documented case an individual had a paper cut when they picked up the box.

Mr. Chairman, this amendment should be defeated.

Mr. BONILLA. Mr. Chairman, I yield 4 minutes to the gentleman from Georgia [Mr. NORWOOD].

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

Mr. Chairman, I rise to strongly, strongly oppose this amendment on many grounds, but for the point of this debate, let us just talk about his language that strikes the provision to control OSHA and ergonomics. Now, what is ergonomics? Ergonomics is simply repetitive motion. It might occur from playing tennis, it might occur from skiing, it might occur from fly fishing, perhaps it even can occur from using a computer too long.

If we have ergonomics, what really does it do? Well, they call it repetitive strain injury. I think we can all agree that there is such a thing. All of us over 50 know that there is repetitive strain injury. But how pervasive is it? Well, do not bother to find out. There is no correct answer.

Mr. Chairman, OSHA estimates that such injuries account for 60 percent of all workplace illnesses. The Bureau of Labor Statistics says that that figure is 7 percent. The National Safety Council thinks, well, maybe it is 4 percent. Well, that is the problem, the reason repetitive strain injury is the workplace's most complicated and controversial problem.

Now, beyond the fact that we know that there is such a thing, there is little agreement on this subject. One problem is that no one can determine the scope of the phenomena. Remember, these divergent statistics are offered by OSHA and the National Safety Council, but another involves the question of cause and effect, a science that is very muddled at best when it involves RSI, repetitive strain injury.

For instance, two secretaries work the same hours every day. One develops stiffness in her fingers and the other does not. An assembly line worker suffers from crippling backaches. His colleague who works right beside him and

does the same thing whistles all through the day.

Now, did the employer's work cause the pain, or something else? What should an employer reasonably be expected to do about this? The way OSHA looked at the issue, every job would become a disorder waiting to happen. In its zeal to protect workers' health, the agency drafted a report identifying risk factors on the job from heavy lifting to working in cramped spaces. The 4-inch thick, 600-page document offers guidance to companies in reducing those risks. OSAH's regulations would have affected everyone who moves or works on the job.

Mr. Chairman, medical science cannot yet determine the cause. It affects everyone, and medical science cannot pinpoint the cause. This will not change the basic fact that there are not always clear causes or remedies for RSI. You cannot mandate a fix if the fix is not out there. However, we have an agency today who would mandate a fix. We have an agency today, and people in that agency, that we cannot allow to write ergonomic standards. We all want health and safety in the workplace, but this particular OSHA should not be allowed to do such a dangerous thing to the economy of this country and the consumers of every one of our districts.

Mr. OBEY. I yield 3 minutes to the gentleman from New Jersey [Mr. ANDREWS].

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

Mr. ANDREWS. Mr. Chairman, I thank my friend from Wisconsin for yielding time to me.

Mr. Chairman, this act is misnamed. It should be called the Special Interest Relief Act of 1995. One of the special interests that is no doubt dancing with glee over the contents of this act is the student loan industry, which has siphoned over $1 billion a year from the taxpayers of the United States of America, until 1993 when we adopted what I think was a good Republican idea called competition. In 1993 we said we would have two student loan systems compete with each other side-by-side. One was the expensive and complicated status quo system run by the banks, and the other was a new, more efficient system run through the college campuses called direct lending.

Everything that we have seen from around the country, Mr. Chairman, says, direct lending is winning. Students like it, universities like it, taxpayers like it, but the special interests who profit from the student loan system most certainly do not.

So what they have done in this bill is to cut off the competition at its knees. Language in this bill which would be removed by the Obey amendment says, direct lending will be effectively killed, dead and buried as a result of this. That is wrong. It is wrong for taxpayers because direct lending costs less than the bank-based system. It is wrong for students and administrators because around this country, a vast majority of them have said that they prefer the direct lending system. Perhaps most importantly, Mr. Chairman, it is wrong as a matter of process. It is wrong because it is based upon a CBO report which cooked the numbers.

Mr. Chairman, anyone who follows this issue and is familiar with it knows that the conclusion that somehow or another the direct loans cost more than guaranteed loans was a conclusion CBO was told to reach for reasons of political convenience, and it is also wrong, Mr. Chairman, because this debate and this issue is being tucked away in this appropriations bill.

Mr. Chairman, the special interests of the student loan industry know that they cannot win a fair fight on this issue, because they do not have the facts on their side. So what they have done is to load it up in this bill, tuck it away in a corner where a lot of other issues will take precedent and it will not see the light of day. The Obey amendment is a way to correct that and bring us into the light so that there can be a fair and balanced debate. For that and many other reasons I would urge my colleagues to do the right thing and vote ''yes'' on the Obey amendment.

□ 1830

PARLIAMENTARY INQUIRY

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

The CHAIRMAN (Mr. WALKER). The gentleman will state it.

Mr. OBEY. Mr. Chairman, as you know, the Chair is considering rolling some votes. The next amendment scheduled to be discussed, depending upon whether or not my amendment passes, is the Pelosi amendment, which, in contrast to my amendment, is only trying to remove some of the legislative language with respect to some labor problems or worker problems.

Mr. Chairman, my question is this: How do we proceed to the Pelosi amendment if we have not actually had a vote on my amendment; and should we not, therefore, vote on my amendment before we proceed to the Pelosi amendment?

The CHAIRMAN. The Chair has the authority to postpone the votes. The inconsistency of the amendments does not necessarily impact on the Chair's decision with regard to postponement.

Mr. OBEY. Mr. Chairman, further parliamentary inquiry.

Is it the Chair's intention to roll the vote on the Obey amendment now before us?

The CHAIRMAN. The Chair is at the present time considering that matter and leans toward postponement of votes.

Mr. OBEY. Mr. Chairman, since we are not at a point where the Chair has to make that decision, I would urge that the Chair make that decision in consultation with both sides, not rolling that specific vote, so that we could, if it fails, proceed to the Pelosi amendment; unless, of course, the committee wants to accept the amendment, in which case we do not have any need to go to the Pelosi amendment.

Mr. Chairman, in fairness to both sides, I think it would not make sense to vote on the Pelosi amendment, or spend the time debating it, if mine passed. I am not asking for a determination now, but I would urge the Chair to consider that problem.

The CHAIRMAN. The Chair will take the gentleman's point under advisement.

Mr. BONILLA. Mr. Chairman, I yield 3½ minutes to the distinguished gentleman from Texas [Mr. DELAY], the Republican whip.

Mr. DELAY. Mr. Chairman, I hope Members are watching this debate and paying very close attention to what the gentleman from Wisconsin [Mr. OBEY] is trying to do. It is a huge amendment that affects a lot of issues that are very important to a lot of Members.

Mr. Chairman, the gentleman is trying to remove legislative language that deals with striker replacement. In a situation where the President has, in my opinion, stepped way beyond the bounds of his authority by writing legislation through Executive order, we are trying to correct that.

The gentleman also strikes a provision in the bill that I think is very, very dangerous, if Members do not know about it and vote for this amendment, and that is the legislative language that prevents the raiding of pension funds by the Department of Labor, a position that has gotten a lot of people exercised about a new way of spending, designed by the Secretary of Labor, by going in and raiding pension funds.

The gentleman from Georgia [Mr. NORWOOD] has already talked about the ergonomic standards, another example of overzealous regulatory agencies trying to write regulations on an issue that the scientific community has no consensus on, yet they are trying to write regulations that would have a severe impact on jobs in this country.

The gentleman is also attempting to stop summer jobs. In this bill, we have language that prohibits the Labor Department from stopping individuals under the age of 18 from using cardboard balers in grocery stores. Right now, they are trying to stop high school kids who work summer jobs in grocery stores from operating the cardboard balers in those stores. The gentleman strikes that language.

Also, those that understand, particularly in light of the recent Surgeon General, we do not need a Surgeon General in this country. The gentleman strikes the language that does away with the Office of Surgeon General. We go on and on and on.

Mr. Chairman, the gentleman from Wisconsin [Mr. OBEY] even includes some of the abortion language, so those

Members who consider themselves pro-life had better look very carefully at this amendment, because it strikes the language that stops medical experimentation on human embryos outside the womb. I do not think anybody is offering a single amendment to strike that particular language.

I understand the point that the gentleman from Wisconsin [Mr. OBEY], the distinguished ranking member of the Committee on Appropriations, is making. The point is, he is upset with legislating on an appropriations bill.

Mr. Chairman, let me just say that in taking over the majority in the short period of time that we have had, we did not have time to legislate through the normal process; and we feel that it is very important to do these kinds of things to stop an overzealous administration from accomplishing some really bad things.

Mr. Chairman, I urge my colleagues to vote ''no'' on the Obey amendment.

Mr. OBEY. Mr. Chairman, I yield 3 minutes to the gentleman from California [Mr. MILLER].

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

Mr. MILLER of California. Mr. Chairman, we should support the Obey amendment because this legislation is just such an incredibly comprehensive raid on the rights of American workers.

Whether those American workers seek to have a bargaining position with their employer over their working hours, terms, wages and conditions, where that right is taken away because of the attempt here to overturn the President's Executive order; whether those workers seek to work in a safe workplace, where we see as serious a problem as the ergonomic standards being set aside in this bill; going even further, not letting OSHA collect the data. Apparently, the Republicans on this side do not know this when they see it.

Let me tell my colleagues, we see it every time we get on an airplane. We see a flight attendant with their hands in the braces; people that cannot do the job on the airplane, because their hands are in braces.

We see it on the assembly line and we also see it when almost 3 million claims are paid for the injuries that are suffered for this.

Mr. Chairman, the question is, do we stick our heads in the sand, as the Republican amendment would have us do, or do we go out and try to meet this problem? This is about whether or not our workers get to continue to be able to work without disability or whether they are sent home from the workplace and they are put on disability and they see that their ability to support their families is dramatically reduced.

This is about our families. This is about Americans. This is about people who go to work every day and do not want to be hurt, yet 2.7 million of them file claims and were paid. Mr. Chairman, we know the kind of workplace loss that that takes.

We see it in our own offices. There are people walking around this Capitol with braces on their hands, on their elbows and shoulders from that kind of work. Do we not owe it to them?

Mr. Chairman, we also know that employers and insurance companies recognize it. They are trying to develop a safer workplace. They are redesigning machine tools and redesigning the assets to the people working on the assembly lines.

Somehow the Republicans have just lost sight that these are people; these are families; these are bread winners; these are spouses; these are mothers; these are fathers; these are sons or daughters who are out there working.

Do they not deserve a safe workplace? The answer in this legislation is ''no'' from the Republican side of the aisle.

I think we have got to understand it extends even further in terms of the workers, where there is disagreement in the workplace between employer and employee. They make it much more difficult to go and get those conflicts resolved. What does that mean? That means it costs business more money, it costs workers wages and we do not get on doing what this country does very well, and that is produce goods and services, not only for this country, but for the international economy.

Mr. Chairman, why is this necessary? Because they will not deal with this through the authorization process as opposed to the appropriations process.

Mr. BONILLA. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Oklahoma [Mr. ISTOOK], a member of the Committee on Appropriations.

Mr. ISTOOK. Mr. Chairman, I find it interesting that some people object now, saying that we should not do other things on appropriations bills. I looked at last year's version of this very same piece of legislation when the other party was in power and there were in excess of 30 examples of what we call authorizing language on the appropriations bill.

Mr. Chairman, this is nothing new or unique; it is something that is common. But what is not common in this place, Mr. Chairman, is the type of outcry that we have heard from the special interests, because they realize they are threatened by this piece of legislation.

This piece of legislation defunds special interests. This bill is to stop the system of patronage, that has gone on through so much of the government bureaucracy, that hands money out to allies of the governing party and uses them to come back and lobby the taxpayers.

We have steps, not only by reducing the level of spending in this bill, but we have what we call the grants reform language, the stopping of welfare for lobbyists that goes to the heart of the problem.

Mr. Chairman, we will never get spending in this country under control if we do not stop using taxpayers' money for advocacy of political positions. This bill contains the language to correct it.

Mr. Chairman, I heard the gentleman from Colorado [Mr. SKAGGS], my friend, say, ''Oh, this is going to create a national database.'' My goodness, I hope the gentleman realizes that lobbyists already have to register. There is already a database. There is a database of grantees. There is nothing new in that.

Mr. Chairman, perhaps some people want to hide from public view the amount of money that is going to special interest groups. The President of the United States, yesterday, decried the special interests in Washington. Here we have a bill to take money away from them to make them stop taking advantage of the taxpayers and people treat it as though the sky is falling.

Mr. Chairman, this bill on so many fronts addresses the problems with how Washington operates, the way that taxpayers' money is used to fund giant bureaucracies in the private sector, as well as the government sector. This bill is to put a halt to that.

Mr. Chairman, the Obey amendment tries to gut this piece of legislation. It needs to be defeated and the bill as a whole needs to be passed.

Mr. OBEY. Mr. Chairman, I yield 30 seconds to the gentleman from Maryland [Mr. HOYER].

Mr. HOYER. Mr. Chairman, I rise in support of the Obey amendment and I want to make an observation to the gentleman from Oklahoma [Mr. ISTOOK], my friend with whom I serve on two of the subcommittees. The fact of the matter is, we have not had a bill since I have been a member of the Committee, January of 1983, in which this kind of language was protected. Not one in that 14 years. It was not protected last year or the year before that or the year before that or the year before that.

Mr. Chairman, what has happened not just in this bill, but in numerous bills, the authorizing committees have been ignored and we are trying to jam through legislative language on appropriations bills.

Mr. Chairman, we ought to reject it. Pass the Obey amendment.

Mr. BONILLA. Mr. Chairman, I yield 2 minutes to the gentleman from Missouri [Mr. TALENT].

Mr. TALENT. Mr. Chairman, I think this amendment highlights the philosophical differences between the parties. We believe in Americans and what they have built on their own. We think workers and employers, subject to reasonable rules and regulations, are pretty capable of creating jobs and economic growth and not helpless and unable to protect their own safety.

The other side believes that we are going to have massive problems, unless these people are minutely watched by

an agency whose record is largely unblemished by success, and I refer to the Occupational Safety and Health Administration.

Mr. Chairman, I want to talk specifically about the fall protection standard, which is in this bill and on which there were hearings in my subcommittee.

□ 1845

The fall protection standard OSHA recently applied to all work above 6 feet in height, it was at 16 feet, they applied it to all work above 16 feet, which means it applies to all residential remodeling, all residential roofing, and, Mr. Chairman, everybody in this business, management, labor, everybody hates it because the workers have to tie on these harnesses and these lanyards and move anchors. It is tremendously inefficient, and it is unnecessary, and they resent the Federal Government telling them, experts in this, what they have to do in order to protect themselves.

OSHA says if we get full compliance with this fall protection standard at 6 feet, and every roofing job and every remodeling job in America, and I guess they are going to have cars in every subdivision to watch people, if we get full compliance, it will save 20 lives every year. I asked the head of OSHA, ''How much does this increase the costs of these jobs?'' Because the evidence we have, again pretty much undisputed, was that it would increase the cost of labor on the jobs about 10 percent, because the workers have to move so much slower. What happens when you increase the cost of this work? What do homeowners do? They turn to fly-by-night contractors, to handymen, to people who do not know and understand safety on roof tops, or maybe they do the jobs themselves.

What happens if you get a bunch of people working on roof tops who do not know what they are doing?

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

Mr. Chairman, the issue is not whether you like the language on paper balers. The issue is not whether you like the language on erogonomics or whether you like the language on any other OSHA action. The issue is whether or not this language ought to be considered as a slipped-in provision in this bill with no chance for hearings, no chance for examination, or whether we ought to do it in a more orderly way.

One of the previous speakers said that I was trying to prevent jobs because we are taking out the language on paper balers. We are not trying to prevent jobs. We are trying to prevent the killing of kids. The fact is that it is true that some balers meet the new industry standards. But only one in five current machines meets all of the requirements, and 15- and 16-year-olds are sometimes not the most cautious of people. There have been six deaths because of paper baler machines, deaths of children.

The ergonomics standards, I do not, frankly, know what the standards ought to be, but I do not believe that the agency ought to be precluded from even developing data on the injuries associated with this problem, and that is what this language does.

Let me simply state, in response to the gentleman from Oklahoma [Mr. ISTOOK], about other labor-health bills providing legislative language. The difference is that every single one of those provisions was brought to this floor under an open rule, and if a single Member of Congress objected, they could strike it on a point of order. That meant the only provisions in the bill were noncontroversial, and they were not special interest sweet dreams, as these are.

Let me simply say that when you take, as you have done, 17 different legislative provisions and jam them into an appropriations bill, do not try to kid us. You know what you are doing. What you do is you circumvent the process. When you put it into an appropriation bill, what you do is you circumvent the normal congressional hearing process and the authorizing committees. You circumvent the process which is designed to make certain all of the parties who were impacted by a decision have an opportunity to comment on it before we, as the publics' Representatives, make a final decision and a final choice. What you are doing now when you slip it into an appropriation bill, you make sure that only certain special pleaders get taken care of. And the other folks who are affected by it? ''Sorry buddy, but you are not involved. We got it in before you even knew we were doing it. Your comments do not even get heard.'' That is not the way to do business when you are dealing with people's lives, when you are dealing with people's rights to have a safe and healthy workplace, when your dealing with the ability of families to save some money on student loans. That is not the way to do business. This is simply, pure and simple, a special interest end run of the normal legislative process. If you truly believe that some of this legislative language is correct, and some of it may very well be, then the way to deal with it is to have the proper committee bring it out under conditions which allow us to amend that language and change it. You cannot legislate, supposedly, on an appropriations bill, so we cannot do that here. Except you have slipped in these items so we cannot get at them through the normal point of order process. You know that these are special interest proposals. You know, if, for instance, you are going to subject a woman to fewer choices because she is a victim of rape or incest, it would be nice if she at least had a chance to comment on it. They have not, not the way you have brought this here.

Strip out all of this language. Bring it here before us in the correct process. Some of it may pass. Some of it may fail. But at least you will give everybody in the process a square deal.

Mr. BONILLA. Mr. Chairman, I yield the remainder of my time, 2 minutes, to the gentleman from Indiana [Mr. MCINTOSH], a great champion of free enterprise and small business.

Mr. MCINTOSH. Mr. Chairman, I rise in opposition to the amendment. I think the American people have sent us here to get our work done. They are tired of us saying we cannot do it on this bill, we cannot do it on this vehicle. We have to go through this hearing. They sent us here last fall to change the very nature of this city and of this Government.

This bill takes a giant step in the right direction to accomplish that. It says to the agencies we are not going to continue giving you money to spend on regulations that do not make sense. It says to the President, ''We think you have politicized the Surgeon General's office, and we are not going to give you more money to finance that operation.'' It says to the lobbyists here in Washington, ''We are going to cut off your taxpaper funding, no more welfare for lobbyists under this Congress.''

The time to act is now, Mr. Chairman. The American people want these measures. They sent us here to do this work.

The committees and the Committee on Appropriations and subcommittees have worked hard to fashion this bill and to craft these provisions in a way that reflects the will and the interests of all of the committees here in Congress. This is an effort to stop us from doing what the American voters sent us here to do, to change America, to cut back on regulations, to end welfare for lobbyists, to send a signal that it is no longer business as usual.

We are going to do what the people sent us here to do and fundamentally change the nature of this Government. I rise in strong opposition to this amendment. Support the committee bill as it is written, because it does move in the direction of changing this Government for the better and for the American people.

Mr. EWING. Mr. Chairman, I rise in strong opposition to this amendment, which would strike section 107 of the bill, which prohibits funding for the enforcement of Hazardous Occupation Order 12, relating to paper balers.

The language in section 107 is based on H.R. 1114, legislation which has 119 bipartisan cosponsors. It would reform a Labor Department regulation which has been on the books since the 1950's and is very outdated. The regulation prohibits teenagers from working around paper balers in grocery stores, despite the fact that modern paper balers cannot cause injury while they are being loaded. The Department has been passing out fines up to $10,000 to small grocery stores for allowing teenage employees to simply toss an empty box into a nonoperating baler, even though they are safe. As a result, many grocers have stopped hiring teenagers.

Our language would simply allow teenagers to load paper balers and compactors, but would not allow them to operate or unload the

machines. Additionally, they could only load the modern machines which have the strict safety standards established by the American National Standards Institute.

This is a jobs issue as well as a safety issue. This small change will encourage supermarkets to start hiring teenagers again without the fear of huge fines. It will also make the workplace safer for all grocery store workers by providing an incentive for grocers to get rid of any old machines which are still in use and replace them with the modern, safe machines.

Congressman LARRY COMBEST and I have been working for well over 2 years to get the Labor Department to modify this regulation, and they have resisted our requests. Last year the Democratic Congress included language in this appropriations bill directing the Labor Department to review H.O. 12. In response, the Department told Congress that it would issue a ''Notice of Proposed Rulemaking'' on H.O. 12 by May of this year. As of today that Notice has still not been issued. That is why we strongly support the language contained in this bill.

The language in the bill is strongly supported by the Food Marketing Institute, which represents grocery stores in every congressional district.

Mr. Chairman, I include for the RECORD a letter from the Food Marketing Institute concerning this amendment.

I strongly urge my colleagues to support the committee bill.

FOOD MARKETING INSTITUTE,
Washington, DC, August 3, 1995.

Hon. TOM EWING,
House of Representatives, Washington, DC.

DEAR CONGRESSMAN EWING: The Food Marketing Institute (FMI) on behalf of the nation's supermarket industry, wishes to express our strong opposition to the amendment that will be offered by Representative Nancy Pelosi to the FY 1996 Labor/HHS Appropriations bill (H.R. 2127).

Among other things, this amendment will allow the Department of Labor (DOL) to continue issuing huge fines against grocery stores for situations when there is clearly no risk of injury to 16 and 17 year old employees. As you well know, the amendment seeks to preserve as is, Hazardous Occupation Order Number 12 (HO 12), a relic of a regulation that has remained unchanged since its adoption in 1954.

Similar to the important principles embodied in H.R. 1114 that you and Congressman Larry Combest are sponsoring, the language in the FY 1996 Labor/HHS Appropriations bill calls for common-sense reform to HO 12. This important language rejects the status quo and embraces safety standards that have been issued by the American National Standards Institute (ANSI) for cardboard balers and compactors. As provided for in H.R. 1114 and in the FY 1996 Labor/HHS Appropriation bill, employees who are 16 or 17 years of age would be permitted to place materials into a baler or compactor that cannot be operated during the loading phase because the equipment complies with current ANSI standards.

FMI strongly endorses H.R. 1114 and the common-sense reform relating to HO 12 as specified in H.R. 2127. A vote against the striking amendment achieves the following: Fairness to employers because fines will not be assessed for situations in which there is no risk of injury to workers; enhanced safety in the workplace as supermarkets upgrade or purchase new equipment that meets the ANSI standards; and finally, job opportunities for young people, as grocery stores will once again be encouraged to hire teenagers.

Sincerely,

HARRY SULLIVAN,
Senior Vice President and General Counsel.

Mr. FAZIO of California. Mr. Chairman, I agree with Mr. OBEY. If he's said it once, he's said it a thousand times: This legislative language has no place in an appropriations bill.

The issues that this bill touches—from abortion to workers' rights—are complicated and controversial. They should be considered out in the open in the committee with primary jurisdiction. If the Majority is proud of this legislation, its members should have the opportunity to hold public hearings to discuss these matters with the public. If this legislation—and that's just what it is—is so important, it should stand on its own, and not hide behind the cover of an appropriations bill.

That said, I rise in support of Mr. OBEY's amendment to strike the pages and pages of legislative language in this bill.

This inclusion is more than unnecessary and a waste of our time. It is malicious. It targets the most vulnerable in our communities, women who have been assaulted by rapists, and children who have been victims of incest. In some cases, this bill rescinds years of legal precedent. In this bill, court decisions in labor cases are overruled.

The demolition does not end here. The supporters are attempting to give political pay back to their conservative supporters. Let me give you two examples.

The language in this bill about gender equity in college sports is unfair to our daughters. Title IX enforcement ensures that our sons and daughters have an equal chance to take part in sports while they are in school. The language in this bill would halt Title IX enforcement. Intercollegiate athletic opportunities for female students—hampered as they already are—would be limited even more. My daughters—each one a better athlete than her father—have been denied the access that I had to college sports. Halting enforcement of Title IX when there is still so much work to do is simply wrong.

The other example that I find intolerable as well as ironic addresses the training of obstetricians and gynecologists. Supporters of this language will say that it protects those who have moral and religious reservations about abortion from discrimination. But the Accreditation Council for Graduate Medical Education—the independent, organization of medical professionals who set the standards for medical education—does not mandate abortion training. Anyone, either an individual or an institution, with a legal, moral, or religious objection to such training is not required to participate.

I would argue that the language in this bill serves a different purpose. It serves to restrict academic freedom. It serves to restrict knowledge about a legal medical procedure its supporters find personally unacceptable. In an ironic twist, in order to satisfy the personal priorities of many proponents of small government, they have inserted this language which represents an unprecedented intrusion into the actions of a private organization.

To repeat, this language has no place in an appropriations bill. Vote with Mr. OBEY to strike all of these unnecessary and outrageous provisions.

Mr. Chairman, I rise in support of Mr. Obey's amendment to strike the pages and pages of legislative language in this bill. Legislative language has no place in an appropriations bill.

This bill addresses complex and controversial issues—from abortion to workers' rights. The American people demand and expect that these issues be subject to full Congressional scrutiny—out in the open—in the committee of jurisdiction.

Yet, the Republican back-door strategy is designed to circumvent this process.

This is wrong. Their legislative language deserves to stand on its own. These provisions deserves to rise or fall on their own merits, not on the basis of some legislative shenanigans.

My Republican colleagues speak highly of this bill. They are clearly proud of their efforts.

Yet, one could reasonably conclude—based upon the Republican decision to insert legislative language in this bill—that they seek to avoid a direct confrontation over this language.

Their motivation is clear. Many of these provisions reflect the most radical and extreme elements of Republican agenda.

This language targets the most vulnerable members of our society: rape victims and the victims of incest. In some cases, this bill rescinds years of legal precedent. It over-rules a number of significant court decisions in the area of labor relations.

This is a simple instance of political pay-back. My colleagues are advancing the interests of narrow, special-interests and right-wing conservative supporters.

Here are just two examples:

Language in this bill addressing gender equity in college sports is outrageously unfair. Currently, title IX enforcement ensures that our sons and daughters have an equal opportunity to participate in sports while at school.

Language in this bill would halt title IX enforcement, and intercollegiate athletic opportunities for female students—already limited—would be further scaled-back.

My own daughters—each one a better athlete than their father—have been denied the same access that I had to college athletics—support, facilities, scholarships, * * * the list is long. Undermining title IX—while so much inequity remains—is simply wrong.

Let me present another, more pernicious example of legislative meddling:

Language in this bill interferes with the training of obstetricians and gynecologists. While seeking to protect from discrimination, those with moral and religious reservations about abortion, this language actually serves to restrict academic and personal freedom. This language ignores the facts.

The Accreditation Council for Graduate Medical Education—the independent, organization of medical professionals that sets the standards for medical education—does not mandate abortion training.

Anyone, either an individual or an institution, with a legal, moral, or religious objection to such training is not required to participate.

This language has the intended consequence of restricting knowledge about a

legal medical procedure that some find personally unacceptable.

In an ironic twist, in order to satisfy the personal priorities of many proponents of small government, they have inserted this language which represents an unprecedented intrusion into the actions of a private organization.

In closing, let me repeat what Mr. Obey has stated so forcefully: This language has no place in an appropriations bill.

Vote with Mr. Obey to strike all of these unnecessary and outrageous provisions.

The CHAIRMAN. All time has expired.

The question is on the amendment offered by the gentleman from Wisconsin [Mr. OBEY].

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

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

The CHAIRMAN. Pursuant to the order of the House, further proceedings on the amendment offered by the gentleman from Wisconsin [Mr. OBEY] will be postponed.

Are there further amendments to title I?

AMENDMENTS OFFERED BY MS. PELOSI

Ms. PELOSI. Mr. Chairman, I offer three amendments en bloc.

The CHAIRMAN. The Clerk will designate the amendments en bloc.

The text of the amendments en bloc are as follows:

Amendments en bloc offered by Ms. PELOSI:

Amendment No. 60: Page 20, strike lines 15 through 22 (relating to OSHA ergonomic protection standards).

Amendment No. 61: Page 58, line 20, strike the colon and all that follows through ''Act'' on page 59, line 8 (relating to NLRB and salting).

Amendment No. 62: Page 59, line 8, strike the colon and all that follows through ''evidence'' on page 60, line 8 (relating to NLRB section 10(j) authority).

The CHAIRMAN. Pursuant to the order of the House, the gentlewoman from California [Ms. PELOSI] will be recognized for 10 minutes, and the gentleman from Texas [Mr. DELAY] will be recognized for 10 minutes.

The Chair recognizes the gentlewoman from California [Ms. PELOSI].

PARLIAMENTARY INQUIRY

Ms. PELOSI. Mr. Chairman, parliamentary inquiry.

The CHAIRMAN. The gentlewoman will state her parliamentary inquiry.

Ms. PELOSI. Mr. Chairman, I thought we were 20–20.

The CHAIRMAN. The amendment offered by the gentlewoman from California is 20 minutes total, 20 minutes on each side.

Ms. PELOSI. That is for all three, the en bloc?

The CHAIRMAN. The en bloc amendments specified under the unanimous-consent request was for 20 minutes, 10 minutes on each side.

The Chair recognizes the gentlewoman from California [Ms. PELOSI].

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

Mr. Chairman, in light of the fact that I only have 10 minutes and I though I had 20, I will take less time, obviously.

My en bloc amendment addresses three shortsighted riders to the Labor-HHS bill regarding worker protection. It deletes the ergonomics rider and can save American corporations $20 billion a year in workers' compensation costs. It eliminates one of the chief causes of a debilitating work-related disorder.

My amendment reverses the effects of this misguided rider which falls under OSHA. In addition to that, I have two amendments which address the NLRB.

As we know, earlier today we discussed some of the cuts in NLRB, a 30-percent cut.

The rules prevent me from introducing an amendment which would restore these cuts. Instead, I am addressing some of the legislative language in the bill that addresses the NLRB, two provisions in particular, the 10(j) provision and salting.

Section 10(j) of the National Labor Relations Act gives the NLRB the power to go into Federal court against an employer or a union to get the court to issue an order for interim relief. This is a very preliminary step. Such orders, for example, can require an employer or union to stop committing additional violations and to reinstate employees fired to chill organizing or withdraw illegal bargaining demands.

Mr. Chairman, what is important to note about this is when these 10(j)'s are issued, most of the time the overwhelming percentage of the time, the issue is dealt with expeditiously and in only a small minority of cases does it go to the next step.

This legislation in this bill would say that in order for the NLRB to go to Federal court against an employer or union, it would require a four-fifths vote of the NLRB, 80 percent. You talk about minority rule, 20-percent rules, a veto power of one person on the NLRB, so I think that in a sense of fairness, our colleagues would recognize that this is silly legislative language.

In fact, had this legislation been in effect at the time of the baseball strike, on which the NLRB voted 3 to 2, we would never have been able to proceed to the resolution of that strike. I think that the figures there speak for themselves.

Mr. Chairman, I have so much more to say on these issues, but will not, in the interest of time,

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

PARLIAMENTARY INQUIRY

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

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. DELAY. Mr. Chairman, could I, under the rules, transfer the management of the opposition to another Member by unanimous consent?

The CHAIRMAN. The gentleman, by unanimous consent, could do that.

Mr. DELAY. Mr. Chairman, I ask unanimous consent to allow the gentleman from North Carolina [Mr. BALLENGER] to control the time in opposition.

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

There was no objection.

The CHAIRMAN. The gentleman from North Carolina will be recognized to control the time in opposition to the Pelosi en bloc amendments.

Mr. BALLENGER. Mr. Chairman, I yield 5 minutes to the gentleman from Illinois [Mr. FAWELL], a member of the committee.

Mr. FAWELL. Mr. Chairman, I am going to try to, in the 5 minutes I have, make reference to the National Labor Relations Act provisions which are involved in this particular amendment.

First of all, in regard to the 10(j) injunction, I think that is oftentimes misunderstood, but basically all that this bill is doing is to, in effect, require uniform standards in regard to the issuance of a preliminary injunction. Nobody, obviously, should be against something like that.

We are also setting forth that the basic equity principles that always apply in all other areas of our civil law in regard to the issuance of a preliminary injunction would apply here.

Here again, when we talk about a preliminary injunction, we are talking about a very extraordinary remedy, and you must understand that where ordinarily speaking—and any of my lawyer colleagues listening in on this would agree—that you do not get a preliminary injunction just as a matter of course, which is what the NLRB has been doing for the last 2 years. You have got to show a likelihood of success, you have got to show irreparable damage that would be done if the preliminary injunction were not granted. You would have to show a balance of hardships between the complainant and the respondent, and you have to show the public interest is something that demands it. That is what is being requested here.

In the last few years, we have had a great increase in the use of the 10(j) injunction, and both the new chairman, Mr. Gould, and the general counsel, Mr. Feinstein, have made a number of speeches where they have said that they are going to increase the use greatly and, indeed, they have.

Since 1947, when the Taft-Hartley law first authorized this kind of an injunction, it was used on average over the years no more than 30 or 50 times per year.

□ 1900

Now we are getting it at something like 160 over a 16-month period or roughly 10 times for each of the 16 months, and all of this means that what we have, as far as the small business person is concerned, a very costly and a very intimidating result because he is dragged into Federal court to try to defend himself, and then all too often we have, without these provisions

applying as would ordinarily apply, we have an injunction that is issued against the respondent. The small business person especially cannot stand that cost, and it is an intimidating procedure to go through, and oftentimes we get what is called a settlement, but it is not really a settlement. There is nothing to worry about here if my colleagues understand that these kinds of preliminary injunctions should never be issued anyway unless there are these extraordinary circumstances.

In regard to the so-called salting issue, this involves unions that are sending paid or professional union agents and union members into nonunion workplaces under the guise of seeking employment, and the question raised in a number of appellate court cases is whether the union paid and employed applicants for a job can be classified as an employee who would meet the definition of employee under the National Labor Relations Act.

So the issue basically is simply this: Should the NLRB's general counsel proceed to investigate and prosecute unfair labor practice charges against employers who refuse to hire an applicant who is employed by a union full-time and under the control and the supervision of the union and there basically to organize?

In the most recent case, which is now before the Supreme Court, the Supreme Court stated, and I quote, ''union members who apply for jobs so that they can organize workers are not employees under the protection of the National Labor Relations Act,'' so what is being suggested here is that they should not spend all that money that is necessary to prosecute and to investigate business people. We should not be spending all this money when we have a Supreme Court case which will very soon make a decision. As soon as that decision is made, then this particular ban in regard to spending would be lifted.

So I think in both of these areas we have some very commonsense suggestions.

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

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

Mr. OWENS. Mr. Chairman, 10(j) injunction processes allow the NLRB, the National Labor Relations Board, to do the job they set up to do. They operated for the last 60 years, done a great job for labor relations in America, but in their zeal to destroy organized labor and their zeal to destroy the workers of this Nation, the Republicans, the majority, has moved in this appropriations bill in a way which is abusive, abuses their power and makes a mockery of the democratic process. It trivializes the institutions that we have built for the last 60 years.

The 10(j) process, when it was not in existence, caused the National Labor Relations Board to be impotent in cases which were life-and-death matters. I am going to give my colleagues one extreme example.

In August 1989 the company fired employee Jerry Whitaker for having previously filed an unfair labor practice charge with the Board. The Board ordered the company to reinstate Whitaker, and the Fourth Circuit Court of Appeals enforced the Board's order in 1992. The company ignored both the Board and the court. This is Gary Enterprises ignored the court and the Board, and the Board was forced to bring a contempt case and forced the company to comply. After being discharged, Mr. Whitaker, while he is waiting for this process to take place, had to find work. He could not find work. He finally found work hauling logs. He had to sleep in his car. He had a heart condition, and one morning while a contempt case was still pending before the court, Mr. Whitaker was found dead in his truck from a heart attack at age 55. The Board is still trying to collect the back pay owed to Mr. Whitaker's estate by the company. This is the kind of case that today would be considered for a 10(j) injunction. It could not happen today. The use of the 10(j) injunction today successfully could have put Mr. Whitaker back to work promptly, reduced the back pay owed by the company, and possibly saved and prolonged Jerry Whitaker's life.

This is a life-or-death matter, and we are using a shortcut process in the appropriations process to deal with it.

Mr. BALLENGER. Mr. Chairman, I yield 1 minute to the gentleman from Geogia [Mr. NORWOOD], a member of the committee.

Mr. NORWOOD. Mr. Chairman, I appreciate the gentleman from North Carolina [Mr. BALLENGER] yielding this time to me.

Mr. Chairman, I rise to oppose this amendment on the same grounds that I opposed the Obey amendment 10 minutes ago. We must not allow OSHA to write an ergonomic standard about a medical condition they know nothing about. We do not even know for sure how many repetitive-strain injuries occur in this country. How can we say that it costs $20 billion when we are not sure exactly who has a repetitive-strain injury? How is it two employess can do the exact same thing, and one of them has a strain injury, and one does not?

Mr. Chairman, OSHA cannot write this standard yet. They do not have the ability, medical science does not have the ability, to determine when a person has a repetitive-strain injury.

I ask, ''Is your sore elbow sore from tennis, or is it sore from work? Is your sore ankle from skiing, or is it sore from work?''

Mr. Chairman, we do not have the ability yet to understand this. Vote against this amendment.

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

Mr. Chairman, responding to the previous speaker, it is interesting to hear our colleagues talk about needing a scientific basis for OSHA before proceeding with further ergonomic regulations. We do have that scientific basis with NIOSH, and these same colleagues want to cut $32.9 million of our safety and health research [NIOSH] which is the foundation for the OSHA work.

Mr.Chairman, I also would like to point out to our colleagues who are railing against the ergonomics regulation that a letter received in our offices that came from the Office of Inspector General, the House of Representatives. The letter says that among the provisions we recommend the Chief Administrative Officer develop proposals for the approval of the Committee on House Oversight to phase out nonfunctioning furnishings with ergonomic modern furnishings over the next 9 years.

Let us take the advice of the administration of this House and have ergonomics considerations for people outside as well as in the Congress.

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

Mr. BECERRA. Mr. Chairman, I thank the gentlewoman from California [Ms. PELOSI] for yielding this time to me.

Mr. Chairman, my father has never skied in his life, my father has never played tennis in his life. I doubt he even wore a pair of skis or touched a tennis racquet in his life. But for more than 50 years he did work with a pick and shovel, and now my father has tendons in his hands which are contracted and tendons in his hands which are hardened.

Pick and shovel and constantly stooping down, that is what my father did in building the great Nation that we have in America.

Now was it repetitive action that caused those tendons to contract and harden? I do not know, but we should have information to determine if in fact that is what caused my father's tendons to contract and harden. But this legislation does not even allow OSHA to collect the information to make that determination.

Whether or not we should have standards now, I will not make that judgment, but we should at least be allowed to collect the information needed to make that judgment. This bill under the Republican leadership would not allow it to happen.

I will go back and tell my father what the Republican Congress wishes to do on this particular issue.

Mr. BALLENGER. Mr. Chairman, I yield 2 minutes to the gentleman from Michigan [Mr. HOEKSTRA].

Mr. HOEKSTRA. Mr. Chairman, I thank the gentleman from North Carolina [Mr. BALLENGER] for yielding this time to me.

Mr. Chairman, I rise in opposition to the Pelosi amendment to strike the OSHA ergonomic provision, the provision on the 10(j) injunctions, and the provision regarding the processing of

salting charges by the NLRB. We have talked about these issues in our Committee on Economic and Educational Opportunities. We concur with the work that has gone on here in the Committee on Appropriations. These provisions included in the bill simply are statements by the Committee on Appropriations that these are areas which are not a priority for the expenditure of resources.

Mr. Chairman, we are in a time of making difficult choices. The ergonomic provision would prevent OSHA from issuing an overly expensive regulation as indicated by the draft proposal already issued. When there are other demands on OSHA, we should focus OSHA's limited resources on reducing fatalities and workplace accidents rather than on developing regulations to protect workers from repetitive injuries and other ergonomic hazards, regulations which will cost jobs, create paperwork, and will not work.

What we need to do in the area of repetitive-motion injuries is use common sense and not look for a bureaucratic paperwork maze to solve our problems.

The provision on 10(j) injunctions requires the Board to pursue injunctive relief to be guided by uniform standard in determining when injunctive relief would be appropriate. It would also allow parties impacted by injunctive relief a opportunity, an opportunity to present their cases to the Board to open up the process. These seem to me to be matters of simple fairness and due process.

The provision on salting merely requires the NLRB to suspend processing of charges until the Supreme Court has made a determination of whether or not these employees are covered under the National Labor Relations Act. It does not make sense for the NLRB to expend resources in an area where it might ultimately be determined that the NLRB has no jurisdiction.

Ms. PELOSI. Mr. Chairman, I yield 1 minute to the gentleman from Massachusetts [Mr. OLVER].

Mr. OLVER. Mr. Chairman, the labor title of this legislation really is not about money. It is all about legislating a return to the labor philosophy of the 19th century just as we are entering the 21st century. The amendment by the gentleman from Wisconsin [Mr. OBEY] corrects some of the worst of those features, but, pending that, the amendment that the gentlewoman from California [Ms. PELOSI] has offered removes some of the limitations on the NLRB's actions, but it also allows OSHA to set standards protecting workers from repetitive-motion injuries, and that is clearly going to be one of the largest of the issues of the communication and information revolution that we are going to be having in the 21st century.

So, this is an extremely important amendment that we adopt and make certain that we go ahead with the ability to deal with ergonomic standards now and on into the future that is part of the communications information revolution of the 21st century.

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

Mr. Chairman, this Congress passed a number of regulatory reforms which have benefited America's employee community as much as its employer community. We have said that we cannot protect the safety of the employees without destroying their jobs. We can reduce the risk without reducing employment. This is why we passed risk assessment, cost-benefit, and a regulatory moratorium.

OSHA has said that in developing ergonomic standards it wants to do business as usual, no matter what Congress says. Cumulative trauma disorders represent less than 4 percent of the workplace illnesses, but to drive this 4 percent higher, OSHA arbitrarily decided to include back pain, which would increase the figure to 28 percent. But there is a great controversy in the scientific community over whether such back pain can be attributed to workplace causes.

In Australia, when an ergonomic standard was adopted in the 1980's, injury rates increased. Workers' compensation costs increased as much as 40 percent in some industries, and a single company lost more than $15 million in 5 years due to increased production costs.

As Tom Leamon, vice president and research director for Liberty Mutual Insurance, a company which has worked with OSHA to try to develop a standard, has concluded:

> I've spent a long time trying to make jobs better and lighter, but there is amazingly little evidence to support a mandatory standard.

□ 1915

Ms. PELOSI. Mr. Chairman, how much time is remaining?

The CHAIRMAN. The gentlewoman from California has 2½ minutes remaining.

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

In that time I want to urge our colleagues to support this amendment which supports American workers, and to give to the people in America concerned about ergonomics the same opportunity that the leadership of this House of Representatives wants to give to the workers in the Congress of the United States.

I believe that the calling for a four-fifths majority for 10(j) injunction is really antidemocratic. I urge our colleagues to vote for fairness and against that proposal in the appropriations bill. Please vote for the Pelosi amendment to support American workers and to treat them with the same fairness in regard to ergonomics we wish to have in this Congress.

With that, Mr. Chairman, I yield the balance of my time to the gentleman from Wisconsin [Mr. OBEY], the ranking member of the committee.

Mr. OBEY. Mr. Chairman, how much time remains?

The CHAIRMAN. The gentlewoman from California has 2 minutes remaining.

Mr. OBEY. Mr. Chairman, there are a lot of people here that seem to laugh at OSHA as a pointy-headed agency. I want to tell you a story. The first day I ever served on this subcommittee, I walked into the hearing and I heard a witness saying that 40 percent of the workers, shipyard workers, who had worked with asbestos in World War II, had died of cancer. That got my attention because I used to work with asbestos.

What I found out, after I started to dig into it is, that Manville Corp. knew since 1939 that their product killed people. They knew that workers like me were at risk. They did not bother to tell anybody. It is only the protection you get from an agency like OSHA that assures that people eventually find out what threatens their health in the workplace.

Mr. Chairman, the issue is not whether you like individual OSHA standards or not. Frankly, none of us are qualified to determine exactly what those standards should be because those should be scientific not political judgments. All I am saying with this amendment tonight, on these labor issues, on these worker health related and worker rights related issues, all we are saying is leave the choice to the people who are supposed to be objective about it. Do not turn each and every one of these choices into political decisions.

The gentleman from North Carolina [Mr. BALLENGER] smiles. With all due respect, he is not objective on this issue and neither can I. We have both had our personal experiences. That is why we established these agencies, so they can make neutral judgments based on the best possible scientific information and based on the best possible legal evidence.

If we want to toss this into the political arena and have worker health decided by a bunch of politicians based on which special interest got to them last, vote against the Pelosi amendment. If we think workers deserve better, vote for it.

Mr. FAZIO of California. Mr. Chairman, I rise in support of the amendment submitted by my colleague from California, Congresswoman PELOSI—an amendment which will restore some equilibrium to the relationship between American workers and employers.

By reducing funding for and restricting the operations of the National Labor Relations Board [NLRB], this bill damages one of the most important tools that we have in this country for ensuring that fairness and balance remain in the collective-bargaining process.

The NLRB ensures that American workers do not lose their legal right to choose whether or not they will be represented by a union, and it keeps both unions and employers from interfering with the organizing and collective-bargaining process. The NLRB is an independent agency and acts only in response to charges—charges that can be initiated by either employers or employees.

Impeding the work of the NLRB just makes it harder for middle-income workers and their families. By striking at the very heart of labor-management cooperation and teamwork, erosion of the NLRB lays the groundwork for making millions of American workers more vulnerable to the whims of employers who want to avoid the rules of fair labor practice. By undermining the collective-bargaining system, we pave the way for unfair labor practices, and contribute to the disintegration of the American middle class. Without the protection of the NLRB—safeguards that ensure that both workers and managers engage fully in the collective-bargaining process—we are on the road back to the days when workers had no security. We cannot backslide to the days when the relationship between employers and employees was ruled solely by management. I urge my colleagues to support fairness and balance for American workers, families, and companies by supporting Congresswoman PELOSI's amendment.

Mr. NADLER. Mr. Chairman, I rise to express my support for this amendment and my strongest opposition to the provisions in this bill which seek to limit the responsibilities and enforcement authority of the National Labor Relations Board.

The NLRB measures in this bill chip away at the basic organizing rights of American workers.

This attack on the NLRB could mean the closing of half of the NLRB field offices—an obvious attempt to dismantle the ability of the NLRB to halt flagrantly unfair labor practices by employers and to provide necessary worker protections.

The NLRB now takes over a year to resolve unfair labor practice cases. Ten percent of the cases are not resolved for 3 to 7 years. In the meantime, workers who have been improperly fired for union organizing activities remain out of work. Is it any wonder many workers are intimidated from being involved in organizing? The Republican leadership, by cutting NLRB funds by 30 percent, even in the face of this backlog, shows its true intent to make the rights of American workers, enshrined in the National Labor Relations Act of 1935, to choose freely whether to join a union, a fiction.

This provision is a direct attack on the democratic rights of workers. It is an attack on their right to organize, and on their basic right to a fair, safe and healthy workplace. It is an attack on every working American.

Mr. Chairman, I urge my colleagues to ensure the basic rights of America's working men and women and support this very important amendment.

The CHAIRMAN. All time has expired.

The question is on the amendment by the gentlewoman from California [Ms. PELOSI].

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

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

The CHAIRMAN. Pursuant to the order of the House today, further proceedings on the amendment offered by the gentlewoman from California [Ms. PELOSI] will be postponed.

AMENDMENT OFFERED BY MR. CRAPO

Mr. CRAPO. Mr. Chairman, I offer an amendment made in order by the rule.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part 2, amendment number 2–3, offered by Mr. CRAPO: Page 88, after line 7, add the following new title:

TITLE VII—DEFICIT REDUCTION LOCK-BOX

SEC. 701. SHORT TITLE.

This title may be cited as the ''Deficit Reduction Lock-box Act of 1995''.

SEC. 702. DEFICIT REDUCTION LOCK-BOX ACCOUNT.

(a) ESTABLISHMENT OF ACCOUNT.—Title III of the Congressional Budget Act of 1974 is amended by adding at the end the following new section:

''DEFICIT REDUCTION LOCK-BOX ACCOUNT

''SEC. 314. (a) ESTABLISHMENT OF ACCOUNT.—There is established in the Congressional Budget Office an account to be known as the 'Deficit Reduction Lock-box Account'. The Account shall be divided into subaccounts corresponding to the subcommittees of the Committees on Appropriations. Each subaccount shall consist of three entries: the 'House Lock-box Balance'; the 'Senate Lock-box Balance'; and the 'Joint House-Senate Lock-box Balance'.

''(b) CONTENTS OF ACCOUNT.—Each entry in a subaccount shall consist only of amounts credited to it under subsection (c). No entry of a negative amount shall be made.

''(c) CREDIT OF AMOUNTS TO ACCOUNT.—(1) The Director of the Congressional Budget Office (hereinafter in this section referred to as the 'Director') shall, upon the engrossment of any appropriation bill by the House of Representatives and upon the engrossment of that bill by the Senate, credit to the applicable subaccount balance of that House amounts of new budget authority and outlays equal to the net amounts of reductions in new budget authority and in outlays resulting from amendments agreed to by that House to that bill.

''(2) The Director shall, upon the engrossment of Senate amendments to any appropriation bill, credit to the applicable Joint House-Senate Lock-box Balance the amounts of new budget authority and outlays equal to—

''(A) an amount equal to one-half of the sum of (i) the amount of new budget authority in the House Lock-box Balance plus (ii) the amount of new budget authority in the Senate Lock-box Balance for that bill; and

''(B) an amount equal to one-half of the sum of (i) the amount of outlays in the House Lock-box Balance plus (ii) the amount of outlays in the Senate Lock-box Balance for that bill, under section 314(c), as calculated by the Director of the Congressional Budget Office.

''(d) CALCULATION OF LOCK-BOX SAVINGS IN SENATE.—For purposes of calculating under this section the net amounts of reductions in new budget authority and in outlays resulting from amendments agreed to by the Senate on an appropriation bill, the amendments reported to the Senate by its Committee on Appropriations shall be considered to be part of the original text of the bill.

''(e) DEFINITION.—As used in this section, the term 'appropriation bill' means any general or special appropriation bill, and any bill or joint resolution making supplemental, deficiency, or continuing appropriations through the end of a fiscal year.''.

(b) CONFORMING AMENDMENT.—The table of contents set forth in section 1(b) of the Congressional Budget and Impoundment Control Act of 1974 is amended by inserting after the item relating to section 313 the following new item:

''Sec. 314. Deficit reduction lock-box account.''

SEC. 703. TALLY DURING HOUSE CONSIDERATION.

There shall be available to Members in the House of Representatives during consideration of any appropriations bill by the House a running tally of the amendments adopted reflecting increases and decreases of budget authority in the bill as reported.

SEC. 704. DOWNWARD ADJUSTMENT OF 602(a) ALLOCATIONS AND SECTION 602(b) SUBALLOCATIONS.

(a) ALLOCATIONS.—Section 602(a) of the Congressional Budget Act of 1974 is amended by adding at the end of the following new paragraph:

''(5) Upon the engrossment of Senate amendments to any appropriation bill (as defined in section 314(d)) for a fiscal year, the amounts allocated under paragraph (1) or (2) to the Committee on Appropriations of each House upon the adoption of the most recent concurrent resolution on the budget for that fiscal year shall be adjusted downward by the amounts credited to the applicable Joint House-Senate Lock-box Balance under section 314(c)(2), as calculated by the Director of the Congressional Budget Office, and the revised levels of budget authority and outlays shall be submitted to each House by the chairman of the Committee on the Budget of that House and shall be printed in the Congressional Record.''.

(b) SUBALLOCATIONS.—Section 602(b)(1) of the Congressional Budget Act of 1974 is amended by adding at the end of the following new sentence: ''Whenever an adjustment is made under subsection (a)(5) to an allocation under that subsection, the Director of the Congressional Budget Office shall make downward adjustments in the most recent suballocations of new budget authority and outlays under subparagraph (A) to the appropriate subcommittees of that committee in the total amounts of those adjustments under section 314(c)(2). The revised suballoctions shall be submitted to each House by the chairman of the Committee on Appropriations of that House and shall be printed in the Congressional Record.''.

SEC. 705. PERIODIC REPORTING OF ACCOUNT STATEMENTS.

Section 308(b)(1) of the Congressional Budget Act of 1974 is amended by adding at the end the following new sentence: ''Such reports shall also include an up-to-date tabulation of the amounts contained in the account and each subaccount established by section 314(a).''.

SEC. 706. DOWNWARD ADJUSTMENT OF DISCRETIONARY SPENDING LIMITS.

The discretionary spending limit for new budget authority for any fiscal year set forth in section 601(a)(2) of the Congressional Budget Act of 1974, as adjusted in strict conformance with section 251 of the Balanced Budget and Emergency Deficit Control Act of 1985, shall be reduced by the amount of the adjustment to the section 602(a) allocations made under section 602(a)(5) of the Congressional Budget Act of 1974, as calculated by the Director of the Office of Management and Budget. The adjusted discretionary spending limit for outlays for that fiscal year, as set forth in such section 601(a)(2), shall be reduced as a result of the reduction of such budget authority, as calculated by the Director of the Office of Management and Budget based upon programmatic and other assumptions set forth in the joint explanatory statement of managers accompanying the conference report on that bill. Reductions (if any) shall occur upon the enactment of all regular appropriation bills for

a fiscal year or a resolution making continuing appropriations through the end of that fiscal year. This adjustment shall be reflected in reports under sections 254(g) and 254(h) of the Balanced Budget and Emergency Deficit Control Act of 1985.

SEC. 707. EFFECTIVE DATE.

(a) IN GENERAL.—This title shall apply to all appropriation bills making appropriations for fiscal year 1996 or any subsequent fiscal year.

(b) FY96 APPLICATION.—In the case of any appropriation bill for fiscal year 1996 engrossed by the House of Representatives on or after the date this bill was engrossed by the House of Representatives and before the date of enactment of this bill, the Director of the Congressional Budget Office, the Director of the Office of Management and Budget, and the Committees on Appropriations and the Committees on the Budget of the House of Representatives and of the Senate shall, within 10 calendar days after that date of enactment of this Act, carry out the duties required by this title and amendments made by it that occur after the date this Act was engrossed by the House of Representatives.

(c) FY96 ALLOCATIONS.—The duties of the Director of the Congressional Budget Office and of the Committees on Budget and on Appropriations of the House of Representatives pursuant to this title and the amendments made by it regarding appropriation bills for fiscal year 1996 shall be based upon the revised section 602(a) alloations in effect on the date this Act was engrossed by the House of Representatives.

(d) DEFINITION.—As used in this section, the term ''appropriation bill'' means any general or special appropriation bill, and any bill or joint resolution making supplemental, deficiency, or continuing appropriations through the end of a fiscal year.

The CHAIRMAN. Under the unanimous-consent agreement, the gentleman from Idaho [Mr. CRAPO] will be recognized for 20 minutes and the gentleman from Wisconsin [Mr. OBEY] will be recognized in opposition for 20 minutes.

The Chair recognizes the gentleman from Idaho [Mr. CRAPO].

Mr. CRAPO. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, we have finally made it to where the lock-box amendment is now getting an opportunity to be debated and voted on the floor. It has been nearly 2 years since a bipartisan group has been working to try to get this critical budget reform brought forward, and I want to thank the gentleman from Oklahoma [Mr. BREWSTER], and the gentlewoman from California [Ms. HARMAN], from the Democratic side, for their support and continued effort to try to bring this issue forward.

Mr. Chairman, I also want to thank the gentleman from California, Mr. ROYCE, the gentleman from New Jersey, Mr. ZIMMER, the gentlemen from Florida, Mr. FOLEY and Mr. GOSS, the gentleman from Michigan, Mr. UPTON, the gentleman from Oklahoma, Mr. LARGENT, the gentleman from Wisconsin, Mr. NEUMANN, the gentleman from New York, Mr. SOLOMON, for their strong effort on the Republican side to be sure that this important reform comes forward.

In a nutshell, Mr. Chairman, what does this amendment do? It corrects one of the basic problems in our budget process. Right now, as we vote to reduce spending, to try to balance our budget, and we reduce spending in a particular program, project or line item of our budget, all that happens is that particular program or project is eliminated. The money allocated to that project is not eliminated. It simply goes into the conference committee so that those in the conference committee can reallocate it to their special projects.

Mr. Chairman, it is important for us to have a system where when we make a cut that counts, and that when we talk about deficit reduction on this floor, our cuts reduce the deficit. This bill does just that. It takes those cuts and puts them into a lock box and makes certain when this bill is conferenced, those lock-box items are used to reduce the statutory as well as the budgetary limits on our spending.

I encourage the support of the Members of this body for this critical reform and think that we are now going to take one of the major steps in this Congress for budgetary reform.

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

Mr. OBEY. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, the idea behind the lockbox is that, supposedly, when savings are made on the floor in bills that are brought out of the Appropriations Committee, that that money, instead of being used for another purpose, is locked up in a box and used for deficit reduction. Sounds great.

I think we ought to go through the history of the lockbox in this Congress. The first time that it was raised as a major issue was on the rescissions bill, when major reductions in the existing fiscal year's budget were being considered by this House. In that bill, in committee, the gentleman from Pennsylvania [Mr. MURTHA] tried to offer an amendment assuring that every dollar that was cut in that bill be used for deficit reduction, not for tax cuts. That amendment was defeated.

We then came to the floor, and our Republican friends in the majority had a change of heart. Essentially, they were looking for votes. What they said was, ''All right, I tell you what. We will support the Murtha amendment.'' They supported the Murtha amendment and they also supported the Brewster amendment, which said ''No money for tax cuts, just use it for deficit reduction.''

One day after it was adopted, Mr. Chairman, the Republican chairman of the Committee on the Budget said, ''Oh, that was just a game to get the votes to pass the rescissions bill.'' They dumped it in Congress and came back with a hugely modified provision which allowed only the first year's savings to go for deficit reduction, and they allowed all of the out-year savings, billions and billions of dollars, over 90 percent of the savings in the bill, to be used for their tax cut.

Guess who gets most of that tax cut, Mr. Chairman? The folks at the top of the heap. Folks making $100,000 a year or more.

We then tried to help the gentleman from Utah [Mr. ORTON] and others, the gentlewoman from California [Ms. HARMAN] another, who wanted to have the lockbox attached to other appropriation bills as they moved through here. Bill after bill, ''Sorry, kiddo, no way.'' It was not done.

Mr. Chairman, now, when we have the last of the major appropriation bills before us, or almost the last, all of a sudden the lockbox is attached to this bill. Why? Because our Republican friends are desperately looking for some Democratic votes for this turkey of a bill on final passage. I want to assure our friends on the Republican side of the aisle, I do not think that there are very many people on our side of the aisle naive enough to think that this lockbox provision is going to be sweet enough to make them vote for this labor, health appropriation bill.

Let us not be fooled, Mr. Chairman. There are $9 billion or more in cuts in this bill from last year, but none of those dollars are going to go in a box for deficit reduction. Those babies are all going to be used to help finance that nice fat $20,000 tax cut for somebody making $300,000 a year and all of the other tax cuts associated with it.

I would simply suggest, Mr. Chairman, lockbox has been spectacularly manipulated politically for the past 7 months. I find it ironic that the only bill that you wind up debating this on is this bill which contains funding for the poorest people in this country and for middle class working people.

It did not apply when the Klug-Obey amendment passed to eliminate a fat subsidy for the nuclear power industry. Oh, no. You would not apply the lockbox to that. You would not apply the lockbox to pork projects when we had the public works bill before us. Oh, no. You would not apply it to the transportation bill when we had transportation pork out here. Oh, no. Now that it affects education, health, labor, however, now you are going to say, well, let us save the money.

Mr. Chairman, I do not think there will be any amendments adopted which cut this bill anyway. What that means is that this is an empty gesture from the majority party. It is a desperate effort to pick up a few votes on our side. Frankly, I do not care how people vote on this amendment, because it is so meaningless, but I hope it does not divert Members from the fact that if anyone really cares about a fair balancing of budget priorities in this country, they will vote against the underlying bill when the opportunity presents itself.

Mr. CRAPO. Mr. Chairman, I yield 2 minutes to the gentleman from Ohio [Mr. KASICH].

Mr. KASICH. Mr. Chairman, I want to say to those who have been following the progress of the Republican revolution, this amendment today on the

lockbox is critically important. There are a lot of people all over this country, we call them C–SPAN junkies, and many of them are as informed as any group of people you can find within this country, but they did not know, many of them, that if you actually cut spending on an appropriations bill, the money does not go to reduce the deficit; that the money, instead, will go for another spending program. This has been the practice now for about 40-plus years.

The Republicans have now been in the majority since January. This is now August. We have essentially been in charge a very limited period of time. Within this very short period of time, however, we are actually, today, going to pass the first official lockbox bill on the House floor, so that as we cut spending, instead of using Washington rules and using it to spend on something else, this actually is going to reduce spending and we will use it to reduce the deficit.

You know what that is, Mr. Chairman? That is Main-Street-USA common sense. People on the other side criticize us for the way in which we have got lockbox to the floor. I say wait a minute. The minority had 40 years to do it, why did they not do it? They response is, ''Well, if we would have just had one more week to be in control, we would have got it done.'' That is kind of a joke around here. We could give them another 40 years and it probably would not have been done because this means real spending cuts, real reductions in the deficit, and it means common sense, USA, a Main-Street-America idea.

The beauty of this, Mr. Chairman, is it is on this bill and we are going to permanently extend the lockbox for as long as the Republicans, joined by some Democrats who have stuck their necks out, in order to get a lockbox and save this country's fiscal future.

Mr. CRAPO. Mr. Chairman, I yield 2 minutes to the gentlewoman from California [Ms. HARMAN].

Ms. HARMAN. Mr. Chairman, I thank the gentleman for yielding me time, and I commend him for his effective leadership on this issue.

First of all, I agree that Mr. OBEY that the lockbox should have been passed a lot sooner. Had we had a lockbox at the beginning of this Congress, $479 million in cuts from 11 appropriations bills would have been in it. Instead, today, the lockbox, sadly, is still empty. It will be empty at the end of this bill, because, as has been pointed out, we do not expect to cut money from this bill.

Nonetheless, Mr. Chairman, we start today on a very good footing with a bipartisan lockbox amendment that many of us have worked on for years. Had it been adopted in the last Congress it could have included more than $600 million in cuts adopted to appropriations bills.

I would like to commend the many freshmen on the other side whose involvement was critical in moving the amendment as quickly as it did move. Let me not forget my colleague, the gentleman from Oklahoma [Mr. BREWSTER], sitting to right whose formidable presence and leadership on this issue made a big contribution. I also thank Rules Committee Chairman TERRY SOLOMON and PORTER GOSS for their concerted efforts to report H.R. 1162.

Let me say, Mr. Chairman, that a reasonable person would believe a cut in a cut, but not here in Congress. Money cut from one appropriation bill is simply shifted to another.

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Lockbox will stop this practice and make a cut in spending a cut in the deficit. The lockbox, as I have said, has many fathers, but I am its mother, and as a mother, I would like to say how proud I am that after a very long gestation the baby will be born.

Congratulations again to all the bipartisan group that worked on this. I offer my strong support for the Crapo amendment.

Mr. CRAPO. Mr. Chairman, I yield 2 minutes to the gentleman from California [Mr. ROYCE].

Mr. ROYCE. Mr. Chairman, I rise in support of this bipartisan effort to make our cuts, the cuts that we make on this House floor, count. What this bill would do would be to ensure that spending cuts to appropriations bills will be designated directly to deficit reduction. They will not disappear in conference to be respent later.

This reform, I should share with Members, is supported by such bipartisan groups as the Concord Coalition. It is supported by Citizens Against Government Waste, Citizens for a Sound Economy, and the National Taxpayers Union. The amendment makes a statutory change to the Budget Act of 1974, and would require that all net savings below the budgeted 602(b) allocation, whether from amendments on the floor or in committee, will go toward debt reduction and not for other spending projects.

In the case of this bill, the committee is already $320 million under its 602(b) budget authority allocation, and the net amount of savings and any more savings adopted on the floor of this House will be credited to the deficit reduction lockbox. The lockbox provision applies to this bill and to any other general or special appropriations bill or measure which follows, including supplemental appropriations, deficiency appropriations, and continuing resolutions upon their engrossment by either house.

I want to share with Members that had this passed last year, we would have saved $659 million that we cut on this floor, but was later respent rather than go to deficit reduction.

Mr. Chairman, this provision is supported by the American people. They desperately want and need deficit reduction. Interest on the national debt is now the third highest item in the federal budget, and a child born today will have to pay, on average, taxes of $187,000 over his or her lifetime just to cover their share of interest on the national debt. That does not include the off-budget impact of the national debt itself, which causes higher interest rates on everything from homes to cars.

Please support the amendment.

Mr. CRAPO. Mr. Chairman, I yield 2 minutes to the gentleman from Florida [Mr. GOSS].

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

Mr. GOSS. Mr. Chairman, as somewhat of a technician in the effort to devise a lockbox mechanism that could work and still meet the legitimate need of flexibility for those who must write our spending bills, I am pleased to rise in strong support of this lockbox proposal. Our Rules Committee—members and staff—worked long hours to ensure that lockbox would be more than just a catchy phrase—that it would be a powerful and workable budgetary tool to help us meet and maintain our commitment to a balanced budget. And I believe we have succeeded in that effort.

When the House and the Senate vote to save money in spending bills, those savings should not be spent elsewhere, they should be credited toward deficit reduction.

On its face, this appears to be a simple matter—and the principle, that a cut should be a cut, truly is simple. But given the complexities of our current budget process, this simple principle becomes complicated in its application and one can get hopelessly mired in arcane commentary on such things as 602(a) allocations, 602(b) suballocations, statutory spending limits, and the like. These are beltway terms but they are important to understanding the minutia of how this thing will work.

As chairman of the Rules Committee's Subcommittee on Legislative and Budget Process, I am deeply committed to reforming our entire budget process—it is complicated, it is cumbersome, it is confusing, it is often redundant, and it is generally geared toward spending and preserving the status quo.

While we proceed on the larger reform effort, there is no reason not to move forward now on this one important piece of the budget process reform puzzle. I urge strong support for this lockbox proposal.

Mr. OBEY. Mr. Chairman, I yield 2 minutes to the gentleman from California [Mr. BECERRA].

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

Mr. Chairman, I do not think there is anyone in this House that is not pleased to see us with a lockbox amendment finally before us so that when we do see cuts being made, we

know they are not just going to be for naught, because the money that will have been saved will go on to other programs within that particular agency.

If I may, I would like to propound a question to the sponsor of the amendment and tell the gentleman that I noticed something. This is an amendment that was made in order by the Committee on Rules. It was printed up. Unlike many amendments that were not included within the Committee on Rules report, this one was. As I understand it, this amendment applies to all the cuts and savings that will be made henceforth.

But as the gentlewoman from California mentioned, there were $400 million worth of cuts that have been made in the previously passed appropriations bills over the last couple of weeks, but those $400 million will not be put into this lockbox. They will be used for other purposes, which I imagine include a tax cut for the very wealthy.

So I would ask the gentleman, when he went to the Committee on Rules, if he had asked the Committee on Rules to make this lockbox amendment applicable retroactively to the appropriations bills which we have passed over the last 2 weeks?

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

Mr. BECERRA. I yield to the gentleman from Idaho.

Mr. CRAPO. Mr. Chairman, I appreciate the gentleman yielding.

I agree that we have been trying to get this lockbox amendment put into the process much earlier, and it should have been, so we could have caught some of the savings we already voted on. We did ask for retroactivity. We found there were some significant technical problems with that. The amendment has been written to give as much retroactivity as we can within the process that we are working in. I have to say it is not going to catch all of that which has now gone under the bridge.

Mr. BECERRA. Mr. Chairman, reclaiming my time, I thank the gentleman for this response, because that worries me, because I know this committee can do quite a bit, technical or not, to make sure we save the money. It is unfortunate we did not take the opportunity to do so.

Mr. CRAPO. Mr. Chairman, I yield 2 minutes to my good friend, the gentleman from New York [Mr. SOLOMON], the chairman of the Committee on Rules, who has been of great assistance in this bill.

Mr. SOLOMON. Mr. Chairman, I took the well on this side of the aisle to look straight at two people sitting over here, because this truly is a bipartisan effort, and it is so badly needed. You know, there is nothing more disheartening for any Member of Congress than to stand up here and have the guts and the courage to vote for cuts of programs, some good program, but you have to do it. You have to get this deficit under control. And then, after you have cast that tough vote, to see the moneys not go toward lowering the deficit. That is so discouraging. The American people are just so disturbed with that.

Finally we have a lockbox that is going to correct that. That means when the gentleman from Oklahoma [Mr. BREWSTER] or the gentlewoman from California [Ms. HARMAN] or the gentleman from Idaho [Mr. CRAPO] or all of the rest of us, when we have the courage to come out here and vote for those cuts, it means now they are going to lower the deficit, and we are going to get this deficit under control.

I think this is a great day. I am just so excited I can hardly stand it. I want to jump up and down. Come over here and vote for this. I want to give the gentleman from Idaho [Mr. CRAPO] great credit, because for 2 years the gentleman has pursued this. Now we are going to get it. Pass it overwhelmingly. I thank the gentleman for the American people.

Mr. OBEY. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, I tried to listen to the previous speech with a straight face. I just want to say that it was my impression that just last night the gentleman from Texas [Mr. FROST] tried to, in the Committee on Rules, amend this proposal so that the lockbox could be applied to all of the appropriations bills which had passed the House in this section, and that in fact he was turned down. It seems to me that that fact indicates the basic disingenuousness of the situation in which we find ourselves.

Mr. SOLOMON. Mr. Chairman, will my good friend yield?

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

Mr. SOLOMON. Mr. Chairman, I would just say that there is nothing we would rather do than make this retroactive, to make it affect everything. But the gentleman knows after you pass these bills, and the gentleman from Wisconsin, DAVID OBEY, is one of the smartest Members of this body, once we had made those cuts and then the 602(b) allocations has been redistributed, where had they been redistributed to? Mostly to NASA, which people felt we had to reinstate some of the cuts, and mostly to veterans affairs. We could not do that.

Mr. OBEY. Mr. Chairman, reclaiming my time, I would simply say that I did not see that side of the aisle getting any double hernias trying to do heavy lifting in order to get the lockbox adopted on the rescissions bill. In fact, I saw them after they accepted the Brewster amendment, the rescission bill in this House, applying the lockbox principle to all of the savings, both near year and outyear in the rescissions bill. I did then see them swallow a process in which all of the outyear dollars were diverted for the tax cut, rather then for deficit reduction.

I find it interesting that the lockbox will be used to provide tax cuts for somebody making $200,000 a year, but we will also pretend we are going to make additional savings in this bill for people at the lower end of the economic scale, when in fact we know that all of the savings you are going to have in this bill have already been made, they have already been cut, and, again, they are being used to justify a tax cut.

Mr. CRAPO. Mr. Chairman, I yield 1 minute to the gentleman from Oklahoma [Mr. LARGENT].

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

Mr. Chairman, I would like to say if the only argument that we have to overcome in order to pass this lockbox is simply that it is not good timing, that I look forward to an overwhelming vote on the lockbox, because that is no argument against voting for the lockbox. I am encouraged by that. It is fun to take the field with so little opposition.

For the last month, we have been going at the annual ritual of offering amendments to reduce spending in the Federal budget. As a freshman and a freshman of the Committee on the Budget, to find out only hours later that we really did not reduce spending, we merely reallocated it, was really frustrating. I can tell you that in all sincerity we have been working morning, noon and night to try to get this lockbox retroactive, to get it passed as quickly as possible, and get it passed as a freestanding bill, which we are still committed to do, in order to make this lockbox truly effective right now. We want to make it effective yesterday and last month.

This is the best we can do, and I am glad to see that we should expect overwhelming bipartisan support.

Mr. CRAPO. Mr. Chairman, I yield 1½ minutes to the gentleman from New Jersey [Mr. ZIMMER].

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

Mr. Chairman, I do agree it would have been an excellent idea to have enacted the lockbox earlier. In fact, it would have been an excellent idea to have enacted the lockbox shortly after the gentleman from Idaho introduced the legislation along with the gentlewoman from California in the 103d Congress. Think of all the money we could have saved if it had been passed under the previous majority.

But, fortunately, we have today for the first time a meaningful lockbox amendment before us, and it will establish that the budget allocations that we so solemnly adopt each year will be not floors, but ceilings. It will make it clear that we can reduce spending below those allocations and have those spending cuts stick. Budget cuts can go straight to deficit reduction, so we can reduce the amount we add to the national debt every single day until that blessed day when we finally reach a balanced budget.

Those of us who have been fighting to cut the budget over the years have felt

sometimes like Sisyphus, the mythical character who would roll a rock up a hill only to see it roll back down again. Every cut would be reallocated and respent.

□ 1945

And more than that, the effort to make the spending reductions in the first place would be undermined because everybody here knew that the reductions were not real cuts in spending, so why bother to make enemies by voting not to find programs.

What we are doing is truth in packaging. What we are doing is authenticity in Government. We are making good on our promise to be fiscally responsible. Vote for the amendment.

Mr. OBEY. Mr. Chairman, I yield 2 minutes 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 rise in support of the Crapo amendment. I commend the gentleman, and also the gentlewoman from California [Ms. HARMAN] and the gentleman from Oklahoma [Mr. BREWSTER] for the bulldogged work that they have provided this year to see that we have a chance to vote on this tonight.

I have had an interest in the lockbox idea for several years myself. In fact, Tim Penny, the gentleman from Ohio [Mr. KASICH], and I included in our commonsense budget reform bill last year, but this provision was one of only four of our provisions that the House did not approve.

This amendment would simply guarantee that spending cuts we approve as part of any appropriation bills could be designated for deficit reduction, a novel idea.

Having watched year after year after year spending cuts voted in the House never ever, ever becoming true spending cuts, to say that we are a little bit excited about the possibility this time in spite of the fact that this is the second time this year we have done this, perhaps this time we are going serious and that this will not only pass tonight but that it will receive the full and complete support which it deserves and see that it in fact becomes the law of this House. This is a commonsense legislative effort.

When Congress votes for cuts, we should not deceive the American public or ourselves about what those cuts mean. Citizens assume a cut means a reduction in the deficit, not just a reshuffling of funds as has always been the case. With this change, budget savings will be placed in the lockbox, locked in for deficit reduction, without loopholes. These spending cuts should be initiated automatically unless otherwise specifically designated or transferred, which can be done.

I commend the gentlewoman from California [Ms. HARMAN], the gentleman from Oklahoma [Mr. BREWSTER], and the gentleman from Idaho [Mr. CRAPO] for the effort, the leadership that they have shown in seeing that we have an opportunity tonight to vote for this amendment.

Mr. CRAPO. Mr. Chairman, I yield 1½ minutes to the gentleman from Florida [Mr. FOLEY].

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

Mr. FOLEY. Mr. Chairman, I am delighted to join the gentleman from Idaho [Mr. CRAPO] in this effort. I also commend the gentlewoman from California [Ms. HARMAN] and the gentleman from Oklahoma [Mr. BREWSTER] on their leadership on this issue.

The American public is telling us to quit spending their money, quit wasting their dollars. This is a mechanism by which we can start locking up some of those savings and putting them towards deficit reduction.

Simply put, I cut a project the other day $25 million. I found out hours later that that money, that $25 million, was swept off the table and spent somewhere else. It frustrated this Floridian to know that all of that effort was in vain because somebody else spent the dollars.

Let me tell my colleagues, the gentleman from Oklahoma [Mr. LARGENT] spoke eloquently on the freshman class. I want to read you from the Fort Lauderdale Sun-Sentinel an editorial, ''Applaud House Foley, for 'revolt' '':

> Congress has played the old shell-and-pea game with the appropriations process for years, shifting federal money from shell to shell with so much speed and dexterity that the befuddled taxpayer soon loses track of the pea.
>
> Foley and many of his colleagues in the Class of 1994 were sent to Congress partly because they pledged to get serious about reducing the deficit. In this instance at least, they seem determined to make good on their pledge. Foley's prominent role on this important issue may not endear him to the House leadership, but it should earn him some deserved points with the people he was elected to serve.

My colleagues, we were sent here from districts across America to serve the taxpayers, not the leadership of this Congress.

Mr. OBEY. Mr. Chairman, I yield 2 minutes to the gentleman from Oklahoma [Mr. BREWSTER].

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

Mr. BREWSTER. Mr. Chairman, today first I want to thank my good friend from Idaho, Mr. CRAPO. We have worked on this project for 3 years, were joined by the gentlewoman from California [Ms. HARMAN] last year, and it has been a long road. But we finally reached the point of getting a vote.

Mr. Chairman, I rise today in support of the lockbox amendment to H.R. 2127. Many Members on both sides of the aisle have worked tirelessly to get to this point. We have many times seen amendments come up on the floor. We have made difficult votes to make cuts in those bills out there and then seen that money spent later by the Committee on Appropriations on other programs. That is just not right. Since I came here in 1991, I have been astounded that those kinds of things continued to happen.

I committed myself to make sure this practice would not continue. Today we have a vote on the lockbox amendment. This lockbox represents the most substantive change in the way this place does business that has occurred in many decades.

The gentlewoman from California [Ms. HARMAN] and I have appeared before the Committee on Rules on every appropriations bill this year. I am sure the gentleman from New York [Mr. SOLOMON] is tired of seeing us there.

As we testified for the Brewster-Harman lockbox to be made in order, savings were slipping away and being used by the Committee on Appropriations elsewhere. Although a lockbox amendment does not capture the $480 million in cuts the House has already made this year, it symbolizes our commitment toward deficit reduction.

I thank the gentleman from New York [Mr. SOLOMON] and the gentleman from Florida [Mr. GOSS] for bringing this issue before the House today and agreeing to also debate H.R. 1162 as a stand-alone bill after the August recess. I think this twofold process is important for the House to work its will on the lockbox issue and to better ensure that the lockbox becomes law as soon as possible.

Our constituents sent a message to Congress last November to reduce the deficit. Let us be honest to our constituents. Let us make sure a cut is really a cut, not additional spending for someone else. I urge my colleagues to vote for the lockbox amendment.

Mr. CRAPO. Mr. Chairman, I yield 1 minute to the gentleman from Florida [Mr. STEARNS].

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

Mr. STEARNS. Mr. Chairman, let me ask this question: If you asked the American people, do we need to change the way Congress works, I think you would get a large percentage that would say yes.

There is another question. Shortly we are going to see on this voting board around here the votes on this amendment. The American people are going to look to see who votes against this very simple amendment for a lockbox. That is the other question. Let us show the American taxpayers that we are serious, very serious about reducing the deficit. Supporting this amendment should make it clear that we are going to put our money where our mouths are. In other words, we will ensure that any savings realized in the appropriations bill will automatically go into a lockbox and not be spent in another way.

Such a trust fund is long overdue, my colleagues. If we show the folks back home that we are truly committed to

reducing the deficit, it will be easier for our citizens to accept some of the other tough choices we are asking them to accept.

Again, I want to compliment my colleagues for offering this amendment. I am proud to be an original cosponsor. I support the amendment.

Mr. OBEY. Mr. Chairman, I yield 2 minutes to the gentleman from Minnesota [Mr. MINGE].

Mr. MINGE. Mr. Chairman, first, I will start by complimenting my Republican colleagues for what I think is an excellent proposal and also those Members on the Democratic side who have been so active in proposing and advocating and bringing this to the floor for a vote.

The lockbox principle is important; it is very important. One can simply say, a cut is not a cut unless we have the lockbox principle in place, because as others have explained, it is altogether too easy to take the cut, reallocate it among other programs, and undermine or defeat the entire effort that took place to save money and to reduce the deficit and ultimately to balance this budget.

There are aspects of this which remain troubling, and I trust that we will deal with these aspects in the weeks to come.

One that is most significant, in my opinion, is the unfortunate tension that exists in our Federal Government, the tension between the House and the Senate and between the White House and Congress. And what we find is that some of these bills and provisions are lost in that process. As a consequence, our efforts here to insert the lockbox principle in this appropriations bill may not survive the entire conference process and the possibility of a veto and work with the White House subsequently.

I urge the Committee on Rules and the Members of this body to work aggressively to not just pass this but to also make sure that if this does not pass and is not ultimately signed by the President that we, in fact, have a lockbox that this body will observe as its own internal operating procedure so that we, in fact, as the U.S. House of Representatives, are committed to deficit reduction and we do not abuse the cuts that are made and reallocate these funds for other programs.

Mr. CRAPO. Mr. Chairman, I yield 1 minute to the gentleman from Michigan [Mr. UPTON].

Mr. UPTON. Mr. Chairman, I ran for Congress to fight spending and to reduce the deficit. What has been more frustrating than ever has been when we have been able to get amendments on this House floor to cut spending, more times than not we have lost those battles. But in the times that we have actually been successful in cutting spending, something happens. The folks in the gallery, the folks at home may cheer watching C–SPAN, but ultimately when the bill goes to the Senate and those bills come back from conference, the spending level is at the same if not even higher.

This lockbox changes things. Thanks to a bipartisan approach from the very beginning, we have been able, I think, to change history with that we are going to be doing tonight. Because in the future when we cut spending for whatever project it might be, defense, nondefense, foreign aid, I do not care, the spending is going to come down and we are going to win and the taxpayers are going to win big time.

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

Mr. BARRETT of Wisconsin. Mr. Chairman, I rise in strong support of the Crapo-Harman-Brewster lockbox amendment. It is an amendment that I think is long overdue.

I have to admit that I was sitting in my office listening to the debate and hearing many of my colleagues from the other side of the aisle get up and talk about their shock, their shock and amazement that the cuts that they thought that they had voted for were not going to deficit reduction but were going back into be spent again by the appropriators. This shock was unbelievable to them.

What I find ironic is that we have had this debate for 7 months this year, and over and over again we have said, If we are going to truly address the deficit reduction problem, we have to have cuts made on this floor apply to deficit reduction. And time and time and time again we have been shot down. We have been unable to have those cuts go to deficit reduction.

I think it is wonderful that we have it in this bill. Of course, there are not going to be many cuts in this bill. It is ironic that we did not have this provision in the bill that dealt with transportation spending, that dealt with highway projects, that dealt with true pork, because that is the place where we should have been making cuts and having those cuts go to deficit reduction.

I am happy it is here now, but when I hear my colleagues talk about their shock, it makes me think, maybe it is not as shocking as they pretend that it is.

Mr. CRAPO. Mr. Chairman, I yield 1 minute to the gentleman from Ohio [Mr. HOKE].

Mr. HOKE. Mr. Chairman, we have done a lot, we have gone a long way to reform this Congress. But one of the things that we have not done is, we have not really tackled a systemic problem that needs systemic and systematic reform.

One of the problems we have got in the Congress is that we really have three parties. We have got Republicans; we have Democrats; and then we have appropriators. And sometimes the appropriators forget which party they originally came from.

The reason that it creates such a problem is that the appropriators run this place in a different way, knowing that if we do in fact get to the floor and make a cut, that when we make that cut, it will not matter. They can reprogram it however they want anyhow afterward, because it will not actually cut the budget in a way that goes to the deficit but it will simply be available to be used in another program in that particular appropriations bill.

That is wrong. It is part of what gives a certain kind of arrogance to the appropriations process that, frankly, becomes problematic to the rest of the Members.

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

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

Mr. Chairman, I appreciate the opportunity that we have had to have this critical debate. As the gentleman from Oklahoma [Mr. BREWSTER] said, we have been fighting for a long time to get this issue to the floor, and I again want to say thank you to the gentleman from Oklahoma [Mr. BREWSTER] and the gentlewoman from California [Ms. HARMAN] for their strong help in getting this moved forward. This has been a bipartisan effort.

For those on the Republican side whom I mentioned earlier, we have fought long and hard to bring this critical reform forward, and now, tonight, we are going to have a vote on one of the most important reforms of our budget process that we have seen in years.

Mr. Chairman, as the previous speakers have said, we now have an opportunity to make our budget process real, so that when we vote, when those C–SPAN viewers see across the bottom of the screen that the debate is on whether to cut spending or to spend money on a certain project, then it is true that we are truly talking about making our cuts count. We now have the opportunity to create the lockbox; to create a true system in which when we vote on this floor to cut spending, spending is cut.

Mr. Chairman, I again want to say that this vote, this bill, has support of the Concord Coalition, the U.S. Chamber of Commerce, the Citizens Against Government Waste, the Citizens For a Sound Economy, and the National Taxpayers Union. Those who are interested in our budget process, in protecting the fiscal stability of our budget system, in protecting against the increasing taxes that we have seen across the country, are all standing up tonight, watching the vote here on this floor.

Mr. Chairman, one final point. I think it is very important that we have a strong vote tonight, so that we can send a signal to the other body that we are serious, that this reform was put into this appropriations bill because we expect to see it back, we expect it to come out of conference, and we expect it to be delivered to the President for

his signature. That kind of a vote is what we need to see tonight to send a strong signal. I think that the debate today has shown that there is that kind of support, and I am encouraged that we pass the lockbox.

Mr. CLINGER. Mr. Chairman, I rise in strong support of the gentleman's amendment and would like to commend him for his tireless work in bringing the lockbox amendment before the House.

The concept of this proposal is so simple, so basic, and so common sense, that only in Washington could we have missed it for so many years.

In essence, the term ''lockbox'' simply means that a dollar saved is a dollar saved—that when Congress votes to cut funding for a program, the money won't be spent.

Most taxpayers—and maybe even most Members of Congress—believe that when Congress agrees to eliminate $5 billion in funding for the space station or $7 billion for the super collider, that the money remains in the Treasury. But, in fact, under current law, those tax dollars go back to the pot and can be reallocated, or spent, later that same year.

A ludicrous concept at any time, the practice is simply unsupportable in this era of $200 billion deficits and ongoing struggles to balance the budget by the year 2002.

When the American people voted last November 8, they sent us a message. The message was one of smaller Government, less costly Federal programs, and overall fiscal responsibility. Our ability to meet these demands hinges upon two factors.

First, we must engage in plain old-fashioned tough decisionmaking. We must determine which programs merit continuing, which can be privatized, and which should be eliminated altogether. My committee, the Committee on Government Reform and Oversight, is serving as overall House coordinator of this government-wide downsizing effort and is a strong champion of substantial Federal reform.

But even as we go about our business and make the hard choices on departmental restructuring and program eliminations, we recognize the need for a second type of fundamental reform. That is reform of the legislative process itself—reform which compels fiscal responsibility by promoting saving and making spending harder.

The Crapo lockbox amendment offers just such a change. It permits lawmakers to choose saving over spending, and allows us, for the very first time to honestly tell our constituents that a dollar saved is a dollar saved.

The amendment is long overdue, and should be supported. I urge my colleagues to vote ''aye.''

Ms. ESHOO. Mr. Chairman, I rise in strong support of the Crapo amendment which establishes a deficit reduction lockbox and finally makes our cuts count.

When I was first elected to Congress, one of my first priorities was to reduce and eliminate the deficit. I became a cosponsor of the Deficit Reduction Lockbox Act then and have again cosponsored the bill in the 104th Congress.

Why is this bill necessary? Every time we vote to cut spending in appropriations bills, these funds can be reallocated to other programs rather than being used for deficit reduction.

Mr. Chairman, we must get our House in order before we reorder anything else.

I worked hard to keep my own congressional office budget as low as possible both to save money and set an example of accountability to my constituents.

I was one of the rock-bottom, low spenders in my class, returning the unspent dollars of my office account back to the Federal Treasury for deficit reduction.

It's an outrage that we cannot do the same with our annual appropriations. This amendment will bring some accountability and common sense into our appropriations process, rebuild the confidence of the American people in what we do, and I urge my colleagues to support it.

The CHAIRMAN. All time has expired.

The question is on the amendment offered by the gentleman from Idaho [Mr. CRAPO].

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

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

The CHAIRMAN. Pursuant to the order of the House today, further proceedings on the amendment offered by the gentleman from Idaho [Mr. CRAPO] will be postponed.

Are there additional amendments to title I, or are there amendments made in order under the rule?

Mr. PORTER. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I yield to gentleman from New Jersey [Mr. SAXTON].

Mr. SAXTON. Mr. Chairman, the Labor, HHS, Education Committee report contains language that highlights the need for a Comprehensive Scientific Research Program addressing characteristics of extra-societal groups. Many Americans are concerned and puzzled by the conduct of individuals involved in events such as the bombing of the Murrah Federal Building in Oklahoma City, the Sarin attack in the Tokyo subway and the extreme hold that David Koresh had on his followers. The National Institute of Mental Health is particularly suited to examine such concerns in a scientific manner.

The current state of understanding of such groups is extremely limited. Through efforts by the National Institute of Mental Health, we hope to increase our understanding of characteristics of such groups which are associated with increased potential for terrorism, violence or other criminal behavior; the manner in which such groups recruit individuals and influence their behavior sufficiently to move them toward terrorism, violence, and other criminality; the causes behind members leaving such groups; and mental health effects of membership in such groups.

I want to clarify the committee report language. The committee language discusses the need for increased understanding of such extra-societal groups, but does not specifically request information on the above mentioned causes and characteristics to the extent the National Institute of Mental Health concludes that these concerns can be addressed scientifically, based on present knowledge and additional research.

I ask the subcommittee chairman if the intent of the committee language includes addressing the concerns I just mentioned?

Mr. PORTER. Reclaiming my time, it is important to note that one of the major goals of this bill is to provide for maximum flexibility within the National Institutes of Health as a whole and, in this particular case, within the National Institute of Mental Health.

With that in mind, yes, the committee recognizes that the intent of this request to the National Institute of Mental Health includes addressing the specific concerns that you mentioned in their research.

Mr. SAXTON. Mr. Chairman, I appreciate the willingness of the chairman of the subcommittee to include this language in the report. This program of research is vital to effective and strategic planning of dealings with terrorism, violence and other criminality associated with certain organizations.

Mr. PORTER. Mr. Chairman, I yield to the gentleman of Ohio [Mr. SAWYER].

Mr. SAWYER. Mr. Chairman I have sought this time to enter into a brief colloquy with the distinguished subcommittee chairman, Mr. PORTER, concerning title III of H.R. 2127.

Mr. Chairman, last year, after many months of bipartisan discussions and negotiations, Congress reauthorized the Elementary and Secondary Education Act, including the title I program for educational disadvantaged children.

One fundamental element in determining how to allocate title I dollars was the accuracy of the data itself. Because reliable poverty numbers for areas below the national level were only available every 10 years from the census, title I funds were being distributed on the basis of data that was as much as 13 years out of date.

Therefore, Congress decided that these critical program dollars should be allocated using poverty estimates that were updated every 2 years. Equally important, the funds would be allocated based on school district-level numbers, to ensure maximum targeting of shrinking dollars to those students most in need.

Congress recognized that producing poverty data for small geographic areas between censuses was a complex scientific task. That is why, as part of the reauthorization bill, it directed the National Academy of Sciences to conduct a 4-year review of the Census Bureau's efforts to produce updated poverty numbers for States, counties, cities, and eventually school districts.

The Academy study would have two important purposes. First, it would provide an objective, scientific review of the Census Bureau's methodology, and be able to recommend alternative approaches as the project moved forward.

Second, it would help the Congress determine the reliability of the updated poverty numbers at various geographic levels, and for various purposes. Without the Academy's review, I am not at all sure that Congress will have confidence in the numbers that the Census Bureau publishes.

Unfortunately, the Department of Education has not yet been able to fund the National Academy's study, due to a substantial rescission in the Department's evaluation funds.

Mr. Chairman, I am enormously pleased and grateful that the committee has included specific funding in this appropriations measure for the Department to obtain updated, school district-level poverty data from the Census Bureau. Those funds should allow the Bureau to proceed with its program as planned.

But I am afraid that failure to proceed with the National Academy study at the same time may render the Bureau's hard work irrelevant in the end, if Congress does not have confidence in the accuracy and soundness of the resulting numbers for purposes of the title I program.

Therefore, I would ask if you agree that the Department of Education should be able to use a portion of the $3.5 million set aside in this bill for updated, small area poverty data, for the National Academy study that Congress directed under the Improving America's Schools Act?

Mr. PORTER. I thank the gentleman from Ohio [Mr. SAWYER] for bringing this important matter to the committee's attention.

As a member of the committee on Economic and Educational Opportunities, Mr. SAWYER was instrumental in bringing the problem of outdated poverty numbers to the attention of this body and in developing the solution that we are funding in this appropriations measure.

I agree with the gentleman from Ohio that the National Academy study is an important part of the effort to ensure that we have accurate and timely poverty data on which to base the allocation of title I funds.

Therefore, I support the gentleman's point that a portion of the $3.5 million, as the Department deems appropriate, could be used to fund the National Academy study of the Census Bureau's poverty estimates program.

Mr. SAWYER. I thank the gentleman from Illinois for his assistance in this very important effort.

Mr. PORTER. Mr. Chairman, I yield to the gentleman from Virginia [Mr. MORAN].

Mr. MORAN. Mr. Chairman, I rise to inquire about the coordination of disease prevention and health promotion activities at the Federal level. H.R. 2127 eliminates explicit funding for the activities carried out by the Office of Disease Prevention and Health Promotion, including the aggressive implementation of the national prevention strategy, Healthy People 2000. Although the activities of this office are to be continued at the Secretary's discretion, no moneys were transferred to carry out this mandate.

I would like to clarify with the chairman his intent on maintaining disease prevention and health promotion as an integral part of our national health policy and ensuring coordination of the array of Federal efforts in this domain.

I understand the budget constraints that you faced in putting together this legislation and appreciate the considerable flexibility that this bill gives the Secretary of Health. I also appreciate the increased funding for specific, categorical prevention programs supported by the Centers for Disease Control and Prevention, such as for breast and cervical cancer screening. However, I am concerned that we are abdicating a strong Federal leadership role in orchestrating and coordinating prevention policy.

Would the chairman agree that a strong emphasis on disease prevention and health promotion must be part of our national health strategy?

Mr. PORTER. Mr. Chairman, I very definitely, do agree.

Mr. MORAN. Would the chairman further agree that it is the Office of the Secretary is best suited to coordinate all prevention activities in the various health-related agencies?

Mr. PORTER. Yes, I do.

Mr. MORAN. And so you would clarify your intent to ensure that funds are available for orchestrating disease prevention policy at the Federal level.

AMENDMENT OFFERED BY MR. GREENWOOD

Mr. GREENWOOD. 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. GREENWOOD:

Page 22, line 13, insert ''X,'' after ''VIII,''.

Page 23, line 8, insert before the period the following: *'': Provided further,* That of the funds made available under this heading, $193,349,000 shall be for the program under title X of the Public Health Service Act to provide for voluntary family planning projects: *Provided further,* That amounts provided to said projects under such title shall not be expended for abortions, that all pregnancy counseling shall be nondirective, and that such amounts shall not be expended for any activity (including the publication or distribution of literature) that in any way tends to promote public support or opposition to any legislative proposal or candidate for public office''.

The CHAIRMAN. Pursuant to the rule, the gentleman from Pennsylvania [Mr. GREENWOOD] will be recognized for 15 minutes, and a Member opposed will be recognized for 15 minutes. Does any Member rise in opposition?

Mr. LIVINGSTON. Mr. Chairman, I rise in opposition.

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

AMENDMENT OFFERED BY MR. LIVINGSTON AS A SUBSTITUTE FOR THE AMENDMENT OFFERED BY MR. GREENWOOD.

Mr. LIVINGSTON. Mr. Chairman, I offer an amendment, amendment No. 2, as a substitute for the amendment.

The CHAIRMAN. The Clerk will designate the amendment offered as a substitute for the amendment

The text of the amendment offered as a substitute for the amendment is as follows:

Part 2, amendment No. 2–2 offered by Mr. LIVINGSTON as a substitute for the amendment offered by Mr. GREENWOOD:

On page 23, after line 8, insert the following new paragraph:

''Funding for the Title X categorical program is terminated and $193,349,000 is transferred to the Maternal and Child Health block grant and Community and Migrant Health Centers programs. Of the $193,349,000 amount, $116,349,000 is transferred to the Maternal and Child Health block grant program and $77,000,000 is transferred to the Community and Migrant Health Centers program. The additional funds transferred to these two programs are available through programs that also provide comprehensive health services to women and children.''.

The CHAIRMAN. Under the rule, the amendment offered as a substitute for the amendment by the gentleman from Louisiana [Mr. LIVINGSTON] is also a 30-minute amendment, with 15 minutes being controlled by the gentleman from Louisiana and 15 minutes by a Member in opposition.

Does the gentleman from Pennsylvania [Mr. GREENWOOD], take the time in opposition?

Mr. GREENWOOD. I do, Mr. Chairman.

The CHAIRMAN. The gentleman from Louisiana [Mr. LIVINGSTON] will be recognized for 30 minutes, and the gentleman from Pennsylvania [Mr. GREENWOOD] will be recognized for 30 minutes, and the time will be fungible.

The Chair recognizes the gentleman from Pennsylvania [Mr. GREENWOOD].

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

Mr. Chairman, 25 years ago legislation sponsored by then-Congressman George Bush, signed into law by then-President Richard Nixon, established an American family planning program. It has been one of the most successful programs in the history of our Nation, and its success is for simple reasons. Family planning prevents unplanned pregnancies. And when you prevent unplanned pregnancies, you prevent abortions, and we all support that, and every American supports that goal.

Preventing unplanned pregnancies prevents welfare dependency. It allows poor working women who have no health insurance to have access to contraception, to birth control, to the kind of counseling and health services they need, so that they can plan their families and stay off of the welfare rolls.

Mr. Chairman, this program has not been controversial. It is supported by 70 percent of Americans for good reason. But lately it has become controversial. The Committee on House

Appropriations chose to zero out, after 25 years, to eliminate entirely the title X family planning bill.

Mr. Chairman, my amendment is straightforward. My amendment restores the title X family planning program. It is also very simple in these regards. It makes it clear, in black and white, that not a penny of these funds can be used to provide abortion services. That would be controversial. These funds are not for that purpose. It makes it clear that all counseling must be nondirective. Counselors in these programs may not suggest that a client choose abortion, but would simply lay out the legal options under the State laws that are applied. My amendment makes clear that not a penny of these funds can be used to advocate either in favor or against pending legislation at any level, nor for or against any candidate for public office.

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This is strictly a birth control, family planning debate.

Now we have an agreement that we have reached that makes the Livingston-Smith amendment to my amendment in order as a substitute. We have agreed to do that for the purposes of a fair debate. But let me tell my colleagues what the Livingston-Smith amendment does.

The Livingston-Smith amendment kills title X family planning. It is just that simple. The program is gone, and at least in 781 counties across the United States there would be no family planning services at all, at all.

What we have to do is we have to defeat the Livingston-Smith amendment and then vote in favor of the Greenwood amendment.

The opponents will say all they choose to do is block-grant these funds into existing programs. They are wrong; that is not what their amendment does because those programs are already written into law in ways that prohibit these funds from being available for family planning. For the most part perhaps 30 percent of the funds might be available, and in many States not a dime will be available to help women with their family planning needs.

The opponents will say that this is about abortion. It is not about abortion. This debate is not about abortion. This debate is about family planning. Ninety-eight percent of the recipients of these funds perform zero abortions, zero abortions, and of the small 2 percent that do provide abortions, half of those happen to be hospitals where abortions are performed.

I say to my colleagues if they support family planning, a 25-year-old, successful, noncontroversial, mainstream program, then I ask them tonight to stand up, vote against the Smith amendment, the Livingston-Smith amendment, and vote for the Greenwood amendment.

Mr. LIVINGSTON. Mr. Chairman, I yield myself 6 minutes.

Mr. Chairman, I thank the gentleman from Pennsylvania [Mr. GREENWOOD] for his participation in what will be a meaningful debate, however I might say that while the Livingston-Smith amendment kills title X, it certainly does not kill family planning.

The fact is that the Livingston-Smith amendment transfers the entire $193.3 million for title X, which the Greenwood amendment would hope to restore, the same amount allocated in fiscal year 1995, and it maintains that amount and places the entire $193.3 million into the maternal and child health care block grant and the community migrant health centers program, divided between them. About 60 percent of title X funding or $116.3 million would be transferred to the maternal and child health block grant, and the remaining 40 percent or $77 million will be transferred to the community and migrant health centers program.

Mr. Chairman, the most important thing is that this amendment does not, does not, eliminate or cut one single dollar in funding for family planning programs. What it does do is transfer the funding from a separate categorical family planning program centralized here in Washington into two other comprehensive health care programs for low-income women and children. Both of these programs already provide family planning services, so this amendment does not cut family planning, does not eliminate family planning, and even if I were to eliminate the funding as opposed to transferring it to other programs, family planning funds already provided by the Federal Government would still be considerable.

Family planning funds and services are already provided under Medicaid, under the maternal and child health block grant program today, and the social services block grant and the community and migrant health centers program. In fact, the total conservative estimate that the Federal Government will spend on domestic family planning services in fiscal year 1995 is over $750 million, three-quarters of a billion dollars, and that is if we eliminate this funding, which we do not do. We transfer every single dollar of it. But, in 1994 alone approximately 2.6 million Medicaid-eligible people receive family planning services totaling over $580 million apart from this program. This is in addition to the millions of dollars available from State and private resources.

Under the Livingston-Smith amendment the same private and public nonprofit institutions, the same ones that currently receive title X family planning funds, can apply for funds for family planning under the maternal and child health block grant and the Community and Migrant Health Centers program. Under the maternal and child health care block grant program the decision as to what entities will receive funds will be left strictly to the State and local authorities. Now that is what opponents may not like, but it localizes the decisionmaking.

Under the community and migrant health centers categorical program the decision will be left to well over 150 community and migrant health centers in every State and territory who are allowed under present law to provide family planning services or, under present law, can contract out to other public and private organizations for family planning services. These community and migrant health centers already do contract out for other services.

According to HHS' own budget justifications, over 115 centers have contracting procedures with outside groups and have contracted out for other managed health care services. The maternal and child health care block grant program serves currently 13 million low-income women and children, age 19 and under, and infants. The Federal law leaves the discretion to States and localities as to what services to spend. Forty percent of those funds can be used for various services including family planning. The Library of Congress has documented that States can and do use their funds for family planning. But the Federal law guarantees the States provide services to, quote, assure mothers and children, and particularly those low-income mothers and children, access to quality maternal and child health services, unquote, and they determine that the low-income mothers and children are those with family incomes below 100 percent of the Federal poverty guidelines.

The HHS officials have cited the maternal and child care health block grant as a model of the Federal-State partnership in that it provides the maximum flexibility to the States to achieve what they determine is best for their citizens. Under the community and migrant health centers program, comprehensive health care services, including family planning, are already provided to over 7.6 million low-income and medically underserved people. These centers are all community based, and 61 percent of the people receiving services under this program are of minority ethnicity. Sixty-six percent of the users of community and migrant health centers are below the poverty level.

I say to my colleagues, if you believe that we should continue to streamline programs, downsize and operate more comprehensive, efficient health care programs for our needy, if you want to get the dollars to those who need it most and take it away from the Beltway bandits, then I urge you to support the Livingston-Smith amendment.

Mr. GREENWOOD. Mr. Chairman, I yield 3½ minutes to the gentlewoman from New York [Mrs. LOWEY].

Mrs. LOWEY. Mr. Chairman, I rise in strong support of the Greenwood-Lowey amendment to restore funds to our Nation's family planning programs.

The amendment would restore $193 million to the bill for the network of family planning services provided through the title X program.

Those who oppose this amendment and support the Livingston-Smith amendment say that they are not cutting family planning, they are just putting the money somewhere else. They contend that family planning services will continue as before. Well, my colleagues, this is simply untrue. Here are the facts:

By law the maternal and child health program will be able to spend only the $34 million it would receive under this bill for family planning. That is a cut in family planning services of 72 percent. The rest of the title X funds that go to community health centers may or may not be used for family planning. We simply do not now if community health centers will use these new funds for family planning or for other very crucial health services.

Here is what we can be sure of. Without a designated source of Federal funds for family planning Congress' commitment to the prevention of unwanted pregnancies, to the prevention of out-of-wedlock births, is merely empty rhetoric. If we fail tonight to restore funds for family planning, we are reneging on our commitment to reduce this epidemic.

My colleagues, let us be clear about why title X was eliminated in committee. Title X is on the Christian Coalition's hit list, and I quote. They call it the notorious family planning program. Despite the fact that title X funds are not and may not be used for abortions, the Christian Coalition has chosen to make this a fight over the right to choose. I frankly just do not understand it.

We may disagree in this body about the right to choose, but why can we not work together to support a program to prevent unwanted pregnancies? Can we not work together, my colleagues, to prevent abortions?

To my colleagues who do not believe that government should be in the business of family planning, failure to restore title X funds today would affect more than just family planning services. Title X clinics provide over 4 million American women with their primary health care. If we fail to restore title X family planning funds today, the health of millions of American women will be jeopardized. Eliminating title X would cut out pap smears and exams for cervical and breast cancer. It would cut prenatal and postnatal care.

Earlier this year the House passed a welfare reform bill which stated that reduction of out-of-wedlock births was an important Government interest. How can this body claim it wants to decrease out-of-wedlock births while at the same time eliminating the cornerstone of our Nation's family planning efforts? Family planning services prevent abortions, prevent teenage pregnancies, help keep women off welfare. Let us work together, my colleagues, to maintain our Nation's commitment to family planning.

Mr. Chairman, I urge my colleagues to vote ''yes'' on the Greenwood-Lowey amendment and ''no'' on the Livingston-Smith amendment. I urge my colleagues to save the Nation's family planning program.

Mr. LIVINGSTON. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Texas [Mr. DELAY], the majority whip.

Mr. DELAY. Mr. Chairman, the title 10 family planning program was created in the 1970's with the expressed mission to decrease teen pregnancy. Mr. Chairman, that mission has failed. I repeat, title X has bee an abject failure.

Unfortunately, more money does not solve our country's social ills. The increase in funding for title 10 over the past 25 years has actually paralleled a dramatic increase in teen pregnancy, between 1970 and 1992, the teen pregnancy rate has increased 23 percent. In addition, when title 10 began, 3 in 10 teen births were out of wedlock. Today, 7 out of 10 teen births occur outside of marriage.

The increase in funding not only correlates an increase in teen pregnancy, but also in teen abortions, the transmission of sexually transmitted disease and the HIV virus.

In addition, title 10 gives a $33 million subsidy to Planned Parenthood, the Nation's largest abortion provider, which also provides contraceptive services and abortion counseling without parental consent or knowledge.

I have to say, as a father, the idea of some other adult counseling my daughter to have an abortion, without my knowledge or consent, makes me sick to my stomach.

Mr. Chairman, title 10 has never been evaluated and has yet to show any success, and in this bill the amendment offered by the gentleman from Louisiana [Mr. LIVINGSTON] directs the $193 million back to the States, and, if my colleagues do not believe in block grants, I understand it, but they can compete for this money through the block grant system. This is in addition to the $560 million we already spent in 1995 for family planning services through Medicaid and social services block grants.

Vote ''no'' on Greenwood and ''yes'' on Livingston.

□ 2030

Mr. GREENWOOD. Mr. Chairman, I yield 2 minutes to the gentlewoman from Maryland [Mrs. MORELLA].

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

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

Mr. Chairman, I rise in strong support of the Greenwood/Lowey amendment to restore funding for the title X family planning program.

To eliminate this Federal program when we are trying to curtail dependence on welfare; when we are trying to reduce the number of abortions and unwanted pregnancies; when we are trying to reduce the number of breast and cervical cancer deaths; when we are trying to reduce the number of sexually transmitted diseases, including HIV; when we are trying to increase access to health care for low-income individuals—flies in the face of common sense.

The elimination of title X as a categorical program could be devastating to the availability of family planning services to women, particularly low-income women. While the funding designated for title X has been divided between the maternal and child health block grant, and the community and migrant health centers, there is no requirement that these additional dollars be used for family planning services. States would be given the option of using the dollars for any purpose allowed under the block grant.

Even more damaging is the fact that the maternal and child health block grant includes a number of set-asides: The result being that the maximum amount of the $116 million transferred to that program that could be actually used for family planning services would be $34 million—that is a cut of $83.6 million. Thus, this provision would not be a simple transfer of money for family planning—it would represent a drastic cut.

The title X program currently serves 4 million women—and some men—through more than 4,000 title X clinics across the country, with preference given to low-income women. In Maryland, 20 of our 23 counties have title X clinics only; there are no community health centers or MCH funded health department clinics currently providing family planning services in those 20 counties. And, 94 percent of the women served at title X clinics in Maryland were served in those same counties.

Title X clinics provide contraceptive services, including natural family planning methods and supplies, infertility services, and basic gynecologic care. The clinics also provide screening services for STD's—some test for HIV—breast and cervical cancer, hypertension and diabetes. Training is also provided for nurse practitioners and other clinic personnel.

The program is clearly prohibited from using any funds for abortion services. Title X clinics do not provide abortion services.

The Greenwood-Lowey amendment specifically includes language clearly stating that no title X funding can be used for abortions. Mr. Speaker, title X prevents abortions. How can we on the one hand talk about the need to prevent unwanted pregnancies, and then vote to eliminate funding devoted to family planning services.

It is estimated that for every dollar spent on family planning services saves an estimated $4.40 in medical, welfare, and nutritional services provided by Federal and State governments. If title

X services were not provided, between 1.2 million and 2.1 million unintended pregnancies would occur each year, rather than the 400,000 occurring today.

The Greenwood-Lowey amendment restores funding for this critical program, and it restores common sense. Vote for the Greenwood-Lowey amendment and against the Smith amendment.

Mr. LIVINGSTON. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from New Jersey [Mr. SMITH].

(Mr. SMITH of New Jersey asked and was given permission to revise and extend his remarks.)

Mr. SMITH of New Jersey. Mr. Chairman, I thank my good friend for yielding me time. Mr. Chairman, today I rise in strong support of the Livingston-Smith compromise which makes needed reforms in the Nation's family planning effort.

This vote, Mr. Chairman, is not about ending Federal family planning assistance. It is about defunding the abortion industry, restoring State and local control, and redirecting funds to organizations which recognize that the worst problems of teenage children cannot be solved by shutting their parents out of the process.

Make no mistake about it, the Livingston-Smith compromise does not end Federal family planning assistance. Instead, it redirects to the States a little over 25 percent of what the Federal Government spends on family planning programs—that's the $193 million we spend on title X—through block grants them and lets States decide how and where to best use these needed funds. As many of my colleagues know, the Federal Government will spend in excess of $745 million on family planning programs this year alone. The lion's share of the Federal spending on family planning is through Medicaid—the Nation's program for the poor—which is expected to spend in excess of $525 million on family planning for poor women in fiscal year 1995. The Livingston compromise leaves this money and this program as is—untouched. The argument that the Federal Government is abandoning family planning support for poor women is simply not true.

It's a red herring.

The truth is that under Chairman LIVINGSTON's proposal, the Federal funds now used for title X are redirected on a dollar-for-dollar basis to the Maternal and Child Health block grant, as well as the Consolidated Health Centers program. Each of these programs already provides primary health services and preventive services, including family planning, to low-income people. Under the Livingston-Smith compromise the Maternal and Child Health Block Grant program will receive an infusion of more than $116 million which they can target to family planning programs while the Consolidated Health Center program will receive an additional $77 million that can be targeted for family planning initiatives across the country.

Federal family planning assistance is not eliminated. But duplication of effort and administrative costs are. Right off the bat, the Livingston-Smith amendment will free up $3 million from overhead costs and allow that money to go to direct services. And as this Congress has searched for ways to bring the Federal budget under control, programs that are unauthorized have naturally been subject to particular scrutiny. The title X program hasn't been authorized in 10 years.

The Livingston-Smith compromise will provide greater power to the States to administer their own family planning programs. As we have seen with many other areas of Government spending, the State governments are closer to the problem and can more effectively channel funds so that the greatest number of persons—in each State—are served in the most efficient and most effective way possible. Who is more capable of delivering services to the people, the States or the Federal Government?

Part of the answer to this question includes a long, hard look at the title X program, its pet recipients and its record of controversy and failure. Most of us agree that the purpose of Federal involvement in family planning efforts is to reduce the number of children born outside of wedlock, particularly to teenagers.

Yet, since 1972, teen pregnancy has skyrocketed from about 50 pregnancies per 1,000 teenage girls to about 100 pregnancies per 1,000 girls in 1990. This is a staggering increase of 100 percent—in a time span of less than two decades.

As with many other social problems, we are slowly making the realization that throwing more money at the problem is not the answer. The problem with title X is not the amount of money, but who spends it and how.

The largest single recipient of title X funds is a private organization—the Planned Parenthood Federation of America, Inc. And its no coincidence that Planned Parenthood is the largest abortion provider in the United States today. Planned Parenthood organizations perform or refer for over 215,000 abortions each year. This is an organization that believes in giving out contraceptives to children, and performing abortions on them, without their parents being informed. Planned Parenthood proudly boasts of lobbying to overturn State laws that require informed consent before women undergo abortions, and which require parents to be notified before minors have abortions.

The ideology of Planned Parenthood is one that undermines parental authority. Unbelievably, title X regulations actually prohibit grantees from informing parents about treatment of and drugs that are given to teens, if the teenager in question requests that the parents be left in the dark. This bizarre requirement in the title X program has actually prevented some States from receiving title X funds because they have laws on the books which require parents to be informed about medical treatment given to their children. For example, the State of Utah was denied title X funds in the past because of the State's parental notification requirements.

And here's another coincidence. The Office of Population Affairs, which overseas the title X program, is headed by an abortionist from California who performed abortions for Planned Parenthood for over 20 years. This is the Clinton administration's idea of a family planning expert.

Mr. Chairman, I hope no one will be fooled by the language on abortion that is contained in the Greenwood amendment. The intent of the amendment is to nullify the Livingston compromise and take the $116 million in new moneys from the Community Health Centers in order to re-fund title X, Planned Parenthood, and the abortion industry.

The Greenwood amendment sounds like it has restrictions on funding of abortion, but it doesn't. It merely restates current law and policy with respect to title X recipients and abortion funding, counseling, and lobbying with Federal funds.

The Greenwood amendment provides no further protections than current law. Everyone on both sides of the abortion debate knows that the current restrictions on abortion funding do not really restrict. The proabortion side knows that they don't work and that's why the proabortion side supports the Greenwood amendment. The pro-life side knows the current restrictions don't work and that's why we oppose the Greenwood amendment. Money is fungible, and when more than $34 million in title X funds goes to the Nation's leading provider of abortions, we are subsidizing the abortion industry. Consider this: Planned Parenthood's records show that it is an organization which favors abortion over childbirth. In 1993, for example, Planned Parenthood clinics directly provided 134,277 abortions, but only provided prenatal care to 9,943 women—a staggering 13.5 to 1 ratio of planned abortions to planned births. With this record it cannot be denied that whenever tax dollars go to Planned Parenthood they prop up the abortion industry.

Supporters of the Greenwood amendment will say it prohibits title X funds from being used to pay for abortions. But abortion funding is already prohibited under the Hyde amendment. And yet, title X funds regularly go to support organizations and clinics which perform abortions as a method of birth control.

And they will argue that the Greenwood amendment says that title X funds cannot be used for lobbying for or against candidates or legislation. But this too is already in current law. And it has never stopped title X recipients from lobbying for abortion on demand and continued title X funding.

Just this month, a pro-life Member got hold of an ''Action Alert'' from Planned Parenthood of Central Florida—which receives title X funding—opposing the Livingston compromise. The alert urges PP supporters to write and call the Member and ''express your outrage.'' It also encourages people to go to town hall meetings and ''to clap or boo even if you don't

want to speak.'' It concludes: ''We need to let him know we are watching him . . .''

We should not be surprised that the Planned Parenthood Federation is opposed to the changes proposed to title X by Chairman LIVINGSTON. It is not often that a private organization can ride the gravy train and receive tens of millions of dollars in public funding each year, all from a program that is administered by one of its own.

Finally Mr. Chairman, it is important to note that under the Livingston/Smith amendment, Planned Parenthood can and presumably will apply to receive funding from the States, which would receive the title X funds that are redirected to the Maternal and Child Health block grant, and the Community and Migrant Health Centers program. But there will be no more sweetheart deals from the Federal Government. Planned Parenthood will have to compete on a level field with other service providers, many of whom are less ideological, less controversial, and more effective at providing family planning services other than abortions.

Mr. Chairman, I would ask my colleagues to consider what we would gain by restoring funding for the title X program. Billions more dollars for an unauthorized program which has a solid record of failure in reducing teen pregnancy? more funding for organizations like Planned Parenthood which undermine parental authority and perform or arrange hundreds of thousands of abortions every year? is that what the American taxpayers really want?

Our choice today is not about whether we should continue to support family planning. It is about whether we should continue supporting a failed and controversial Federal program, or give the money to the States, and let them experiment with different approaches to solve these persistent and tenacious problems.

I urge my colleagues to support the compromise worked out by our distinguished colleague, Mr. LIVINGSTON.

Mr. GREENWOOD. Mr. Chairman, I yield 1 minute to the gentleman from Illinois [Mr. DURBIN].

Mr. DURBIN. Mr. Chairman, in 1970, President Nixon signed into law the Title X Family Planning Program to provide disadvantaged women with the means to avoid unintended pregnancies. No one would have imagined 25 years later, tonight, what we are trying to do.

In a country where our health bills are skyrocketing, the abolition of title X will deny preventive health care to millions of American women. In a world where too many unwanted kids become the victims of neglect and abuse, abolishing title X will result in more unintended pregnancies. In a Nation where we should work to keep abortion safe, legal, and rare, abolishing title X will result in more than 500,000 more abortions each year. At a time when we should encourage women to do the responsible thing in planning the size of their families, the abolishing of title X will slam the door on over 1 million women each year who turned to title X for family planning services.

Mr. Chairman, the abolishing of title X means more misery, more abused children, more abortions, and more American women locked in poverty.

Mr. LIVINGSTON. Mr. Chairman, how much time remains on both sides?

The CHAIRMAN. The gentleman from Louisiana [Mr. LIVINGSTON] has 19 minutes remaining, and the gentleman from Pennsylvania [Mr. GREENWOOD] has 19 minutes remaining.

Mr. LIVINGSTON. Mr. Chairman, I am delighted to yield 2 minutes to the gentlewoman from Nevada [Mrs. VUCANOVICH].

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

Mr. Chairman, I rise in opposition to the amendment offered by Congressman GREENWOOD, which would decrease the appropriation for the maternal and child health block grant by $16.3 million and decrease the consolidated health centers block grant by $77 million in order to fund the unauthorized title X program. I do strongly support the Livingston-Smith amendment and wish to speak on its behalf.

Since 1970 this program has never had an official impartial evaluation of its effectiveness, while its funding has continued to increase. However, we do know that the teenage pregnancy rate has doubled, out of wedlock births have increased, the teenage abortion rate has more than doubled, and sexually transmitted diseases among teenagers have increased to where one in four sexually active teenagers will be infected by a sexually transmitted disease every year.

In addition, Mr. Chairman, while title X prohibits the use of these funds for abortion, many of the clinics perform abortions as well as provide family planning services. This arrangement implies that abortion is just another family planning method. No one supports abortion as a method of family planning.

This program is a disaster. The Livingston-Smith amendment would terminate funding for title X and transfer all of the money to the maternal and child health block grant in community and migrant health centers programs. Services such as preventive and family planning health care for women would be better funded under a block grant. Preventive health care is also provided to pregnant women, infants, children, and adolescents. Health care and support services are also provided to families in rural and underserved areas and to children with chronic health conditions.

Mr. Chairman, it would be irresponsible of us to again fund an ineffective program that has not even been authorized since 1985. We have an obligation to the American people to fund programs that work and provide real family planning assistance. I urge my colleagues to vote yes on the Livingston-Smith amendment.

Mr. GREENWOOD. Mr. Chairman, I yield 2 minutes to the gentleman from Illinois [Mr. PORTER], the chairman of the subcommittee.

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

All during the 1980s, never was title X a target. On a bipartisan basis, even though from 1985 on the program was unauthorized, people on both sides of the aisle supported funding for family planning. There was an issue on the gag rule that was debated furiously, but not for a minute was there a question about funding of title X itself.

Mr. Chairman, now, somehow, the agenda has changed. Suddenly people are jumping up who were supporters of title X and saying how terrible a program it is. I heard a minute ago one of the Members say that he would be very, very concerned that his daughter was going to be counseled to have an abortion.

No one has ever been counseled to have an abortion by a title X clinic. It is against the law to do that. Never has a dollar been spent on abortion by a title X clinic. It is against the law to do that. GAO has repeatedly, over and over again, certified that no money is spent for abortion by title X clinics, yet here we are with some kind of new agenda.

Mr. Chairman, this is a program that helps poor women avoid unwanted pregnancies through contraception. Through contraception. Abortion is not a legitimate family planning method. Nobody thinks that, but, good God, here we are about to destroy, and make no mistake, this is an attempt to destroy title X family planning, a program that has served poor women for all of these years, sponsored originally in this House by George Bush, I might say, when he was a Member of Congress. The agenda has completely changed and it is a bad, bad agenda.

Mrs. ROUKEMA. Mr. Chairman, will the gentleman yield?

Mr. PORTER. I yield to the gentlewoman from New Jersey.

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

Mrs. ROUKEMA. Mr. Chairman, I want to associate myself with the gentleman's remarks. This is not about abortions, this is about education and stopping unwanted pregnancies.

Mr. Chairman, I rise in strong support of the amendment offered by my friend from Pennsylvania, Mr. GREENWOOD, and would like to thank him for his hard work on this issue of family planning which is so very important to the health of women and their families throughout the country.

Mr. Chairman, let us get one thing straight about the Greenwood amendment: it provides funding for family planning services, and not abortions, as critics of this program argue. To make this a debate on abortion is to, once again, distort the truth—a misfortune that now seems to permeate every abortion debate. By attempting to link family planning funds to providing abortions, it would appear to me that many of my colleagues don't want to educate young women about the responsibilities and consequences of becoming pregnant without obtaining abortions. Let me repeat, under the

Public Health Service Act, title X funds cannot be used in programs that perform abortions.

What the Greenwood amendment would do is to help reduce the number of unintended pregnancies. Under title X, grantees such as State and local health departments, hospitals, family planning clinics, and organizations such as planned parenthood raise awareness among low-income women and adolescents about comprehensive reproductive services and the prevention of teenage pregnancy and sexually transmitted diseases.

In 1995 alone, it is estimated that over 4,000 family planning clinics will provide basic infertility and gynecological services and screenings for sexually transmitted diseases and other health problems to more than 4 million low-income women.

Mr. Chairman, critics of family planning like to cast a black eye on family planning by pointing their fingers at organizations such as planned parenthood. Well, let me tell you something Mr. Chairman. In case you didn't know, opponents of family planning don't like planned parenthood anyway because of its pro-choice position. And, as evidenced in this bill, they will do anything they can to destroy its and any other organizations or clinics ability to function if they either perform or promote abortion. And, as I have said already, even though title X funds can't be used for abortions, critics say that that's not good enough. Well, I say to them, enough is enough.

Mr. Chairman, let me conclude by saying that I find it rather ironic that many of those same Members who so strongly supported punitive welfare provisions denying benefits to mothers under the age of 18 who had more children or to mothers who had children out of wedlock, would oppose the very funding that would help prevent such births. Because, if we refuse to address issues related to family planning, then many of the other costs associated with our present welfare system that we are attempting to control in the welfare bill we recently passed will continue to rise.

Mr. Chairman, I applaud those pro-life Members who support family planning and who recognize how vital its services are. But, unfortunately, for many other abortion opponents, there is no common ground. For them, it is all or nothing. As we have already seen and as we will see again with Congressman LOWEY's amendment, even rape and incest is too much to consider. Opponents insist on taking it one step further, and that is what the Smith amendment does.

If we adopt the Smith amendment, then there is a real possibility that no family planning services will be provided at all, especially since under current law the maternal and child health block grant earmarks most of the funds for non-family planning related services. If this were to happen, then my State of New Jersey would lose the over $5 million that it receives to provide family planning services to 106,000 low-income women. And, I refuse to accept this.

I urge my colleagues not to let this happen. Vote no on the Smith amendment. Support the Greenwood amendment.

Mr. PORTER. Mr. Chairman, let me say to the gentlewoman that someone said it is not something they can quantify. I would say that this means 798,000 unintended pregnancies to unmarried women.

Mr. LIVINGSTON. Mr. Chairman, I am pleased to yield 1 minute to the gentleman from Florida [Mr. STEARNS].

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

Mr. STEARNS. Mr. Chairman, I would say to my colleague from Illinois that the reason we have not really looked at this program is we did not have the majority here to do anything. The funding for this program just increased exponentially under the Democrats, and the only reason we have not taken the time to look at this program carefully is because we never had the votes.

Now let us talk about what the real problem is. This all comes down to a debate on, and I think it basically could be thought of this way, do you want young women to be counseled for abortions without parental consent, without informed consent? Do you want your Federal Government to spend your money to do that? Do you want this same agency that is getting your taxpayer dollars to go out and lobby, lobby through the Supreme Court, using your tax dollars, to fight for more abortions? That is what it all comes down to.

Obviously, Mr. Chairman, I rise in opposition to the Greenwood amendment to appropriate $193 million for title X.

The Federal family planning program, title X, was enacted in 1970. Before 1970, people will say, what happened? As the whip has said, the gentleman from Texas [Mr. DELAY] has mentioned that since title X, we have had no studies to show that it has worked, that it has done any of the things they have talked about. At this point it has ballooned into such a program that well-to-do families are using it.

Mr. Chairman, I ask the Members to support the Smith amendment.

□ 2045

Mr. GREENWOOD. Mr. Chairman, I yield one minute to the gentleman from California [Mr. MINETA].

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

Mr. MINETA. Mr. Chairman, I rise in very strong support of the Greenwood-Lowey amendment to restore title X funds to provide for voluntary family planning projects. Title X funds support clinics that provide 5 million low-income women with access to affordable, basic health care services, including access to all major methods of family planning. In my State of California, the working poor are caught without health insurance. Consequently, one out of five women of reproductive age are uninsured. For any of these women, title X services are essential to allow them to make informed personal decisions regarding their own health and well-being.

Furthermore, family planning is essential to preventing unintended pregnancies. The title X program is estimated to avert 1.2 unintended pregnancies every year. No title X funds are spent on abortions. Rather than supporting abortions, title X family planning prevents abortion.

Mr. Chairman, I therefore strongly support the Greenwood-Lowey amendment and urge my colleagues to vote for it.

Mr. LIVINGSTON. Mr. Chairman, I am pleased to yield 1 minute to the gentleman from Oregon [Mr. BUNN], a distinguished member of the Committee on Appropriations.

Mr. BUNN of Oregon. Mr. Chairman, I rise in opposition to the Greenwood amendment and support for the Livingston-Smith amendment.

Mr. Chairman, I listened as an earlier speaker said that he could not imagine that 25 years ago we would picture this happening. I cannot imagine that it takes 25 years of failure before we decide to fix the problem.

We all know the abortion rate and the illegitimacy rate have increased. Do we need to go another 5 years of failure before we fix it or 10 or 20 years? We also had an earlier speaker say that title X provides basic medical services. It provides some services. It does not provide the kind of services that the maternal and child health block grants will. It does not provide the kind of programs that the community and migrant health centers are all about.

I think it is important to note this does not make family planning go away. Family planning is covered under the maternal and child health block grant, Medicaid, social services block grants and State moneys. I wanted to emphasize that this change does set a priority. It sets a priority, for example, with the community and migrant health centers to provide physician care, dental care, hearing care, prenatal care, and, yes, family planning services.

Mr. GREENWOOD. Mr. Chairman, I yield 2 minutes to the gentleman from California [Mr. RIGGS].

Mr. RIGGS. Mr. Chairman, I thank the gentleman for yielding, and I thank him for his initiative in this area.

Mr. Chairman, I rise in strong support of the gentleman's amendment and in opposition to the amendment by the gentleman from New Jersey [Mr. SMITH], whom I have the deepest respect for.

However, this issue is not really about abortion politics. At least it should not be. It is whether the Federal Government ought to be involved in family planning and pregnancy prevention efforts. It seems to me the proponents of the Smith amendment are really driving a wedge in an area where we ought to be able to find middle ground and build some form of bipartisan consensus, and that is the overall goal in this Chamber ought to be preventing unwanted abortions by preventing unwanted pregnancies.

I will admit there are elements of the title X program that I would like to see

reviewed and revised through the reauthorization process. I am certainly willing to consider means testing the program. However, I strongly submit that you can be both pro-choice and pro-life and support the title X family planning area. Let us tonight indicate to our fellow Americans that we are capable of reaching bipartisan consensus. Let us preserve the title X family program. Support the Greenwood amendment and, unfortunately, reject the language included in the appropriations bill.

Mr. LIVINGSTON. Mr. Chairman, I am pleased to yield 1 minute to the gentleman from California [Mr. DORNAN], the distinguished candidate for President.

Mr. DORNAN. Mr. Chairman, no commercials. I did not ask for that. No commercials.

Mr. Chairman, Planned Parenthood is what we are debating here tonight. Money is fungible, and title X funding must be abolished. It has been nothing but an annual subsidy for the largest abortion provider on the plant Earth with the sole exception of the Chinese oppressive communist government. They promote abortion, they lobby for abortion, and they litigate about abortion.

How many Members saw the movie, TV movie, this last few months glorifying Margaret Sanger, the very first president of Planned Parenthood, still praised by its rank and file members? A young talented actress, Dana Delaney, Irish, one time I guess practicing Catholic, played her in this glorification piece.

Here is a few Sanger quotes, and I will fade out. She believed that Negroes, as she used the term, and Southern Europeans were mentally inferior to native born Americans. She said the Jewish were feebleminded, human weeds, and a menace to society. The poor were sinister forces of the hordes of irresponsibility and imbecility. She argued that organized attempts to help the poor were the surest sign that our civilization has bred, is breeding, and is perpetuating constantly increasing numbers of defectives, delinquents, and dependents.

Mr. GREENWOOD. Mr. Chairman, I yield 1 minute to the gentleman from California [Mr. WAXMAN], with the comment that 85 percent of these funds never go to Planned Parenthood.

Mr. WAXMAN. Mr. Chairman, let us be clear what the Smith-Livingston amendment is all about. It is not to improve family planning around this country. It is not for women to get better access to primary care, which they now get under the existing title X program, which, for the most part, is distributed through State funds for the States to operate.

What this is is ideological; it is a payback to the religious right, who hate the idea that some people feel free to engage in sex outside of marriage because of contraception.

Well, let us understand something: Many of the women who go to clinics are married and they do not want to have a child, and they want contraception for that reason. Let us understand something else: That many of the people who are going to be denied family planning services are still going to have sex. But what they are also going to have is unintended pregnancies.

What is the answer we get from those who oppose this program? Well, what they suggest, those who claim they are against abortion, is end this program, which will lead to more abortion.

Mr. Chairman, I urge a defeat of the Smith-Livingston amendment.

Mr. LIVINGSTON. Mr. Chairman, I am pleased to yield 2 minutes to the gentlewoman from Washington [Mrs. SMITH].

Mrs. SMITH of Washington. Mr. Chairman, I want to first stand and commend the genius of the chairman of the committee. It looked to me like it was a no-win when I heard both sides of this issue, and then the committee came out with a compromise, which is the genius of the committee chair.

It did not make me so happy, because I have, after 30-some years of being pro-abortion, I decided that I could not stay in that position and became pro-life. And it did not make the other side so happy, but it really probably did what the American people would like. And what it did is it left most of the family planning money, in fact, all of it for welfare women, poor women, all the access points still there. It just said a little tiny part called title X was going to be block granted back to the States where we could mix it with programs I helped start in our State, called the prenatal health program, and we could mix it with that and have some more money for those type of things and let the states make choices.

It sounded like a great genius. Then I found out there was all this controversy. Still could have abortion? Decide they did not like it, still does not like it. But what was happening, then I started getting letters and figured out what it was all about.

Planned Parenthood gets 21 percent of the money in title X. And Planned Parenthood is a political lobby that is very big in campaigns, both sides. So it became an issue of they would have to go to the States and compete for this money, where States values and people's values would have to be reflected.

I am not so sure I would want to compete for it. I would just as soon get rid of title X. I think it failed. I think we need to figure out how to prevent pregnancies and do family planning a different way. Title X has not worked real well. I did not get my way, but I am willing to take this compromise and say okay, this place is a place of compromise.

So I urge Members to vote for the Smith amendment and against the Greenwood amendment.

Mr. GREENWOOD. Mr. Chairman, I yield 1 minute to the gentlewoman from Connecticut [Mrs. KENNELLY].

Mrs. KENNELLY. Mr. Chairman, wonders never cease. Only a few months ago, this body voted to deny assistance to unwed teenage mothers and their children. Tonight we are voting on an amendment that would eliminate a program that actually prevents teenage pregnancies, family planning.

I agree with a letter sent by 35 Republicans to our Speaker, Mr. GINGRICH. This debate does not need to be divisive, it should not be politicized. Family planning is an important national health issue. Without family planning, thousands of additional low income women will go on the welfare rolls. Title X focuses on preventing unplanned pregnancy in the first place.

In fact, publicly funding public planning services such as Planned Parenthood has prevented 1.2 million pregnancies in a year. Let us not turn our back on common sense. Family planning is important so every child is a wanted child.

Please support the Greenwood-Lowey amendment.

Mr. LIVINGSTON. Mr. Chairman, I yield 1 minute to the gentleman from Nebraska [Mr. CHRISTENSEN].

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

Mr. CHRISTENSEN. Mr. Chairman, I thank the gentleman from Louisiana for yielding me the time.

Mr. Chairman, this amendment is the camel's nose under the tent.

It purports to refund title X but exclude abortion from the services title X and its clinics provide.

Well Mr. Chairman, we've been there, seen this and done that before.

During the Reagan and Bush administrations Title X clinics were prohibited from providing abortion counseling, but Planned Parenthood clinics continued to provide abortion counseling anyway as well as abortion on demand, even though they were receiving title X funds.

With the stroke of a pen, President Clinton made title X funds taken from the pockets of hard-working Americans available to provide abortions and abortion counseling.

Mr. Chairman, when it comes to title X it's not enough to say ''you can't''. The time has come to say—''you will never again.''

I urge my colleagues to vote no on the Greenwood amendment.

Mr. GREENWOOD. Mr. Chairman, I yield 1 minute to the gentlewoman from Colorado [Mrs. SCHROEDER].

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

Mr. Chairman, I must say I cannot believe what Richard Nixon would think if he were here tonight to watch this program that he really tried to utilize to build a bridge, to build a bridge over an issue that people hate. We all hate the abortion issue. But people constantly say the solution is family planning, and title X is family planning, and states are allowed to get title X funds. But if you flip it the way they are trying to go, what you are really

going to say is states are going to be able to take the funds and decide not to spend them for family planning if they opt to do that.

That is wrong. The recipients of this planning, family planning in title X, are women, tax paying American Women. We have heard all sorts of outrageous charges on this floor that title X has caused teen pregnancy. Please, no. Title 10 funds are given under state funds and they are not given without family permission and whatever the state law says.

Mr. Chairman, let us be sensible. Let us vote for the Greenwood-Lowey amendment.

Mr. LIVINGSTON. Mr. Chairman, I yield 2 minutes to the gentlewoman from California [Mrs. SEASTRAND].

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

Mr. Chairman, I rise in opposition to the Greenwood amendment and in support of the Smith amendment on title X.

Mr. Chairman, I want to say right off the bat that elimination of title X as a government program does not mean the elimination of family planning services for the poor. What title X supporters fail to tell the American people is that its funding level is maintained in this bill. $193 million in family planning assistance—the same level as fiscal year 1995—remains available through block grants. All current recipients of title X funding will still be able to apply for funds from their States.

What we are doing in this bill is recognizing the inefficiencies of title X as a federal program. Title X was established in 1970 as a way to reduce unintended pregnancies by providing services to low-income, poor women. In fact the program was originally designed to help poor couples—not individuals—plan their families.

Over its 25 years title X has mushroomed into a model of government inefficiency and been a contributing factor to the steady increases in areas where we were supposed to see dramatic reductions: single-parent families; illegitimacy; sexually transmitted diseases; and despite the assertions of its supporters, abortions. The program is another example of where the hand of Federal Government—well intended as it may have been—has compounded a problem.

Block granting these funds allow us to do away with a costly and inefficient government bureaucracy that has failed to direct services exclusively to those in need. We are giving States the flexibility they need to ensure that services are going directly to those who need them.

This Smith amendment is perfectly consistent with Republican efforts in this Congress to move power and money away from Washington, DC and into the hands of States and communities where it belongs.

I urge my colleagues to support the Smith amendment.

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Mr. GREENWOOD. Mr. Chairman, I yield 1 minute to the gentlewoman from New York [Mrs. MALONEY].

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

Mr. Chairman, I rise in support of the Greenwood-Lowey amendment. Many referred to 1992 as the year of the woman. Today, Mr. Chairman, we face a Congress far more hostile to women's rights and health than any I remember.

It is hard to understand why anyone would want to cut the Nation's principal family planning program, one that through preventive medicine saves $5 for every dollar spent. If family planning is cut, 4 million women, most of whom are young and low-income, will lose their only health care.

How can anyone oppose such an essential program? Whose better interests are being served? Certainly not those of American women. Once again, the radical right's agenda is put ahead of a good government. Protect American women. Vote to keep funding for title X. Save the Nation's family planning program.

Mr. LIVINGSTON. Mr. Chairman, I yield 1 minute to the gentleman from Florida [Mr. WELDON].

Mr. WELDON of Florida. Mr. Chairman, prior to coming to this body, I was a practicing physician. So I used to see a lot of this stuff on a daily basis. I have to say this program was initiated with the intent of helping to deal with the terrible problem of unwanted pregnancies. The unwanted pregnancy rate has skyrocketed. The abortion rate has skyrocketed. Teenage pregnancy has skyrocketed. This is a dismal failure.

I saw an amazing statistic yesterday: The U.S. people get more upset about wasteful government spending than they get upset about violent criminals being let out of jail prematurely. That is the thing that gets them more upset than anything else. Here we are today arguing about whether or not we should continue to fund a program that has been a dismal failure.

The abortion rate is up. The teen pregnancy rate is up. The venereal disease rate is up. That is why this program was initiated, and it has not worked. Now we are asked today to continue its funding. I support the Smith-Livingston amendment. Oppose Greenwood.

Mr. GREENWOOD. Mr. Chairman, I yield 2 minutes to the gentleman from Iowa [Mr. GANSKE], a new Member, our physician.

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

Mr. GANSKE. Mr. Chairman, I rise in support of the Greenwood amendment.

Let me make myself perfectly clear. I have been strongly and consistently anti-abortion. I will base my vote on this amendment on my view of the best way to decrease the incidence of abortion.

I do feel there are too many abortions and do not believe abortion is an acceptable method of birth control or should be used to select the sex of a baby. And I firmly believe that abstinence is the best choice for unwed couples.

But I recognize that abstinence is not always practiced, and, in its place, contraception is far preferable to abortion.

Let me give some facts. We can never know how many abortions have been prevented in Iowa and around the country because young couples have had access to family planning services. But I do know that title X funds support 67 clinics in Iowa, provided family planning services to nearly 75,000 women in 1994. In my district alone, two-thirds of the 18,000 women receiving these services were at or below 150 percent of the poverty line. Without the assistance of title X services, they may be unable to obtain the family planning necessary to prevent unwanted pregnancies which may end in abortion. Title X funds provide support for 10 family planning clinics in my District four in Polk County, one in Pottawattamie County, one in Montgomery County, one in Harrison County, one in Shelby County, one in Audubon County, and one in Dallas County. Only one of the four sites in Polk County performs abortion services, and they do that without any title X funds.

If the Greenwood amendment fails, the funds transferred to the Maternal and Child Health Block Grant will not provide any family planning in Iowa. That is because the State has determined that none of the MCH funds should be used for that purpose.

The loss of title X funds in Iowa would leave a Community Health Center in my district of 1,800 sq miles, to provide family planning to the nearly 13,000 women at or below 150 percent of the poverty line. This clinic had 1,500 visits for family planning last year. The program's director, Dr. Bery Engebretsen told me today it would be impossible for the clinic to handle the approximately 36,000 visits needed to make up for the closure of the title X sites.

Dr. Engebretsen also said, ''without adequate access to birth control, I expect the rate of abortion will increase in the Fourth District.''

The Greenwood amendment recognizes the importance of separating family planning from abortion. It makes clear that none of these funds may be used to perform or counsel on abortion. These safeguards are important to ensure that the title X funds are used for family planning, not the termination of a pregnancy.

Mr. Chairman, I am strongly anti-abortion. And I believe that a vote against the Greenwood amendment would betray my goal of reducing the incidence of abortion in America. We

cannot eliminate effective family planning without inviting a dangerous increase in the number of unwanted pregnancies, too many of which end in an abortion.

Mr. Chairman, I know that every one of us, whether we are pro-life or pro-choice, is anti-abortion. Ask yourself this simple question before voting. ''Will the elimination of title X funding increase the incidence of abortion in your district?'' I think the answer is yes. And that is why I support the Greenwood amendment. I urge all of my colleagues to do the same.

Mr. LIVINGSTON. Mr. Chairman, I yield such time as he may consume to the gentleman from Missouri [Mr. EMERSON].

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

Mr. EMERSON. Mr. Chairman, I rise in opposition to the Greenwood amendment and in support of the Livingston-Smith language.

Mr. Chairman, I rise today in opposition to Mr. GREENWOOD's amendment.

Each year as we review funding for title X, abortion supporters manage to cloud the debate, claiming that women will not receive complete medical care if title X is defunded. Let me remind you that title X is not the only source of family planning assistance available to women who are economically disadvantaged. Each year hundreds of millions of dollars from private and State resources and the Federal Government through Medicaid, the Social Services Block Grant, the Maternal and Child Health Block Grant and several other smaller programs are allocated for this type of health services.

I cannot support Mr. GREENWOOD's amendment which would essentially reinstate the hypocritical title X program. By hypocrical I am referring to the clause in title X that states, ''none of the funds appropriated under this title shall be used in programs where abortion is a method of family planning,'' however, last year title X allocated $33 million of its $193 million to planned parenthood, the single largest abortion provider and advocate for legal abortion on demand in the United States.

Plainly and simply, if Mr. GREENWOOD's amendment is passed title X funds will be retained at present levels. Under these levels millions of taxpayer dollars will be funneled to abortion providers and advocates. Abortion is not family planning. It is family cancellation. As we all know planning is something you do before the fact. Abortion happens after the fact. I cannot support spending my fellow citizens tax dollars on a program that promotes abortion and I urge my colleagues to oppose Mr. GREENWOOD's amendment.

Mr. LIVINGSTON. Mr. Chairman, I yield such time as he may consume to the gentleman from Oklahoma [Mr. ISTOOK].

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

Mr. ISTOOK. Mr. Chairman, I rise in support of the Livingston and Smith language and in opposition to the Greenwood language.

Mr. Chairman, I oppose the Greenwood amendment, and support the proposals of Mr. LIVINGSTON and Mr. SMITH.

The current title X programs hurt America's families; they undercut America's families and our values.

How?

Because current title X programs promote teenage promiscuity and other sex outside of marriage. American history since title X was adopted shows that abortions are up, and out-of-wedlock births are also up dramatically. Why? Because the Federal Government, with taxpayers' money, is subsidizing sex outside of marriage.

Let's look just at the teenagers who are subsidized by title X: One-third of those who use title X are juveniles. Minors. Children. Teenagers. Over 1 million young people each year, who the law says are too young to vote, too young to enter a contract, often too young to have their ears pierced without a parent's permission, can go to a government family planning clinic, without knowledge of parents or family. There they don't get instruction in the moral and other consequences of sex outside marriage. Instead, they get free birth control pills, condoms, and other contraception, and treatment for sexually-transmitted diseases: AIDS, syphilis, gonorrhea, and other forms of venereal diseases. And their parents are never told.

No wonder America's families find it hard to guide their children, when the government offers their children an end-run around the family on this, the most intimate of family issues. As a father of five, I don't want government using my tax dollars to undercut what I teach my children about morality.

And these teens are not all poor, not by a long shot. That's because title X ignores the family's income, and looks only at the teenagers'. Thus, even children from wealthy families qualify for private government help in maintaining their sexual conduct. Our tax dollars are used to by-pass Mom, and by-pass Dad, and by-pass the entire family. In their place, a federally-paid worker tells our youth it's OK, you can sleep around all you want with your boyfriend or girlfriend, regardless of what your family has taught you. The Federal worker won't focus on the fact that it's wrong. They don't give you love and moral guidance. They just give this young person more birth control, and treatment for V-D if they catch something.

Title X in this insidious fashion undercuts America's families and promotes teenage promiscuity. Is this what we want to do with $193-million a year of our tax dollars?? I do not believe this is what America wants, or what our families want. I urge defeat of the Greenwood amendment, and adoption of the Livingston and Smith language.

Mr. LIVINGSTON. Mr. Chairman, I yield 2 minutes to the gentleman from Mississippi [Mr. WICKER] a distinguished member of the Committee on Appropriations.

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

Mr. WICKER. Mr. Chairman, I thank the chairman for the time.

The question before us tonight is clear. Should we let the title X program, which has been a failure by any objective measure, simply continue to exist? Or should we attempt to reprogram these scarce Federal tax dollars where they might provide a better service and value to our Nation?

The title X program was created with the best of intentions, but it has proven to be a dismal failure. It was supposed to reduce unplanned pregnancies among teenagers, but teenage pregnancy has risen dramatically. It was supposed to educate teenagers to prevent the number of abortions, but teenage abortion has doubled since the inception of the title X program.

Now, it is hard for some Members to admit that one of their social engineering schemes may be a failure, but title X is a failure. It is time we admitted that fact.

It is also important for us to stress that title X funds will be transferred under the Livingston amendment to block grants for the States. They will be used by individual States who will be able to set priorities for the use of these funds to benefit their citizens. No longer will these funds be a Washington setaside for Planned Parenthood and like-minded groups.

Planned Parenthood itself received approximately $35 million in 1995, approximately 19 percent of the entire program services budget for title X programs.

All the ills designed to be addressed by the title X program have increased. We have a national epidemic of out-of-wedlock births, teenage pregnancy, sexually transmitted diseases and abortion. It is time to let the States attempt to devise their own solutions. For all of these reasons, I urge a yes vote on the Livingston substitute and a no vote on the Greenwood amendment.

Mr. GREENWOOD. Mr. Chairman, I yield such time as she may consume to the gentlewoman from Kansas [Mrs. MEYERS].

(Mrs. MEYERS of Kansas asked and was given permission to revise and extend her remarks.)

Mrs. MEYERS of Kansas. Mr. Chairman, I rise in strong support of the Greenwood amendment.

I rise in support of Mr. Greenwood's amendment to restore title X family planning grants to the Department of Health and Human Services. After consulting with Kansas health officials, I am gravely concerned that ending title X and rolling the money into the Maternal and Child Health Block Grant and Migrant and Community Health Care Centers will seriously reduce family planning access for working low-income women across this Nation.

The Maternal and Child Health Block Grant has a four-part mission, none of which has to do with providing basic routine gynecological care or birth control to women. The Maternal and Child Health block grant's mission is a

laudable one: (A) to ensure mothers and children access to maternal and child health services; (B) to reduce infant mortality; (C) to rehabilitate blind and disabled children; (D) to promote community-based care for disabled children.

But because of these four specific earmarks there are very few dollars left for family planning. This is not block granting—the Smith amendment simply destroys a successful and tremendously important program which allows women control over their reproductive lives.

Mr. GREENWOOD. Mr. Chairman, I yield such time as he may consume to the gentleman from Massachusetts [Mr. TORKILDSEN].

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

Mr. TORKILDSEN. Mr. Chairman, I rise in strong support of the Greenwood amendment and in opposition to the Smith amendment.

Mr. Chairman, I support title 10 funding and the Greenwood amendment. I commend my colleague from Pennsylvania for his leadership and patience in bringing his amendment to the floor.

This issue is about family planning—not abortion. Title 10 is the only program that exclusively addresses the health of women in this country. It helps keep women off of welfare, and helps prevent abortions.

A facility in my district, HealthQuarters, is the only source of health care for thousands of women. Seventy percent of these women are well below the Federal poverty level. They have no health insurance—public or private.

The number of middle-aged women using family planning facilities is growing because these women are in desperate need of cancer screening, and they can't afford to pay a doctor for preventative care. The block grant approach proposed in this bill simply won't meet these needs because it is impossible to replace the nationwide network of 4,200 family planning facilities already in place. Community health centers simply don't exist in many parts of this country.

Even more onerous is the fact that these block grants provide no language explicitly directing States to use the funding for family planning services. Transferring funds to the Maternal Child Health Block Grant will mean an over 80-percent cut for family planning. This bill is a black hole for women searching for effective family planning and accessible, affordable care.

Eliminating title 10 is not the message this Congress and this majority should be sending to American women or American men. Family planning is clearly an integral part of healthy, successful families. Moreover, it allows poor women to take responsible control over their lives.

My colleagues, it is here that we must draw the line. It is here that we must rise above the rancorous political debate surrounding abortion, because this is not abortion. Let's not lose sight of the fact that title 10 is originally Republican legislation. I urge my colleagues to remember the tradition of a young Congressman from Texas named George Bush, who helped to pass the founding legislation, and the Republican President, Richard Nixon, who signed it into law.

Vote for responsible, healthy families. Support title 10. Vote for the Greenwood amendment.

Mr. GREENWOOD. Mr. Chairman, I yield such time as he may consume to the gentleman from Illinois [Mr. FAWELL].

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

Mr. FAWELL. Mr. Chairman, I rise in support of the Greenwood amendment.

Mr. GREENWOOD. Mr. Chairman, I yield such time as he may consume to the gentleman from New Jersey [Mr. FRELINGHUYSEN].

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

Mr. FRELINGHUYSEN. Mr. Chairman, I rise in strong support of the Greenwood amendment.

Mr. Chairman, I believe that the title X family planning program is a national priority. We have done a disservice by transferring these monies to other areas with no guarantee that these vital services will continue.

Title X provides basic health care services for millions of low-income women.

Without title X, my state of New Jersey will lose $5.3 million in designated family planning funding and over 106,000 New Jersey women will lose access to contraception, pre-natal care, and other basic health services like cervical and breast cancer screenings.

This debate is about whether or not we believe it is a national priority to provide low-income women with family planning information, education and services.

Mr. Chairman, I respectfully submit that it is a national priority.

The most recent data estimates each year in the United States, there are 3.1 million unintended pregnancies, 1.5 million abortions, and 1 million teenage pregnancies.

This is a national crisis.

Congressman GREENWOOD'S amendment simply restores direct funding for title X family planning programs and I urge its passage.

Mr. GREENWOOD. Mr. Chairman, I yield such time as he may consume to the gentleman from New Hampshire [Mr. BASS].

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

Mr. BASS. Mr. Chairman, I rise in strong support of the Greenwood amendment.

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

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

Mr. BOEHLERT. Mr. Chairman, I rise in strong support of the Greenwood amendment.

Mr. GREENWOOD. Mr. Chairman, I yield such time as she may consume to the gentlewoman from California [Ms. HARMAN].

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

Ms. HARMAN. Mr. Chairman, I rise in strong support of the Greenwood amendment, salute the distinguished record of Planned Parenthood in preventing unwanted pregnancies.

Mr. Chairman, I rise in strong support of restoring funds to the title X Family Planning Program. I commend my colleague Mr. GREENWOOD for offering this important amendment, and am pleased that this amendment has bipartisan support.

The Title X Family Planning Program has a history of bipartisan support. It was enacted with broad bipartisan support in 1970, enjoying support from cosponsor former President George Bush. President Richard Nixon signed it into law. It has been reauthorized six times since 1970, always receiving bipartisan congressional support.

Unfortunately, choice opponents who don't understand the important role that title X serves seek to eliminate title X. Instead, they have launched an ideological war against Planned Parenthood and in their zeal they may succeed in ending an invaluable program. In fact, title X does something that many on both sides of the choice debate would agree is an important goal: it reduces unwanted pregnancy and makes abortion rare.

Like so many other provisions that we have seen during this year's appropriations process, this provision to eliminate title X is part of an anti-choice agenda designed to roll back a woman's right to choose. But this vote isn't even about choice—it's about ensuring quality health care for women.

No title X funds go toward abortion; clinics have always been prohibited from using title X funds for abortions. What title X does do is provide quality health care for low-income women, many of whom would not receive health care otherwise. In addition to providing a full range of reproductive health services for low income women, title X clinics screen women for breast an cervical cancer, sexually transmitted infections and hypertension. Title X's family planning services have reduced unwanted pregnancies by an estimated 1.2 million.

It is terribly ironic that anti-choice Members seek to eliminate a program that provides quality health care and is a proven success at preventing abortion. Support this bipartisan effort to restore funding to title X, a critically important program to American women that encourages responsible family planning choices.

Mr. GREENWOOD. Mr. Chairman, I yield such time as he may consume to the gentleman from Connecticut [Mr. SHAYS].

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

Mr. SHAYS. Mr. Chairman, I rise in support of the Greenwood amendment.

Mr. Chairman, I rise today in strong support of the Greenwood amendment to restore funding for the title X program and in opposition to the Smith amendment to restore the bill's language which would block grant these funds.

It is unfortunate that some Members of Congress insist on continuing their assault on a woman's right to choose to have an abortion and her right to comprehensive family planning services at the same time. Certainly these two agendas seem at odds with one another.

While I support a woman's right to choose to have an abortion, like many of my colleagues, I am very troubled by the number of abortions taking place in our country. I feel it is important to concentrate more resources toward educating our young people about the

consequences of sexual activity. I have consistently supported the reauthorization of the title X program, which funds family planning clinics, because I feel it offers women necessary family planning information, including methods of avoiding unwanted pregnancy.

I believe withholding or reducing funding for title X programs denies poor women in particular information about the full range of available medical options. This could cause them to make uninformed decisions and deprive them of needed medical services.

Current provisions in the bill that would block grant title X funds with other health programs will, in fact, reduce the amount of money that will be devoted to the vital purpose of family planning.

Our party talks about the need for encouraging responsibility and taking control of one's life and that is exactly what this program aims to teach young women. We cannot abandon these women by eliminating this program at a time when this Congress has repeatedly sent the message that abortion is not an available option.

If we are truly serious about eliminating the need for abortion in our country, as well as many of the related social problems caused by unintended pregnancy, we must reaffirm our commitment to the title X program and support the Greenwood amendment.

Mr. GREENWOOD. Mr. Chairman, I yield 1 minute to the gentleman from Oregon [Mr. WYDEN].

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

Mr. WYDEN. Mr. Chairman, the authors of this appropriations bill should call their legislation the Barefoot and Pregnant Act of 1995. I must say that I find this appropriations bill particularly odd because so many of our colleagues have talked about citizen empowerment throughout this Congress. Well, cutting family planning takes power from women because it strips them of their most personal choice, the right to plan their own family.

Cut family planning and it will be harder to achieve our national goals of reducing the number of abortions and encouraging more personal responsibility. Cut family planning, and our Nation takes another step towards two-tiered medicine, where the wealthy can get access to the services they need and the poor go without.

Support the gentleman from Pennsylvania [Mr. GREENWOOD].

PARLIAMENTARY INQUIRY

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

The CHAIRMAN. The gentleman will state it.

Mr. LIVINGSTON. Mr. Chairman, who has the right to close?

The CHAIRMAN. The gentleman from Louisiana [Mr. LIVINGSTON], a member of the committee, will have the right to close.

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

(Ms. JACKSON-LEE asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE. Mr. Chairman, I rise in support of the Greenwood amendment, offering great support for not going back but going forward with family planning.

Mr. GREENWOOD. Mr. Chairman, I yield such time as he may consume to the gentleman from Texas [Mr. BENTSEN].

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

Mr. BENTSEN. Mr. Chairman, I rise in strong support of the Greenwood amendment.

Mr. BENTSEN. Mr. Chairman, George Orwell is alive and well in the Halls of Congress. This may be 1995, but it sure feels like 1984, when big brother can dictate what health services women have access to and then use double-speak to hide the impact of what is being done.

The termination of title X family planning programs is just plain wrong. We must fix this wrong by approving the Greenwood amendment. This amendment would provide $193 million for title X programs to ensure that women have access to health care services, including reproductive health care. Women should have the ability, no matter what their income is, to receive appropriate health care services.

Family planning works and should be continued. In Houston, many women regularly visit title X clinics to see doctors. This may be the only place that low-income women get health care. For many women, health care is not affordable and not a priority when they are struggling to pay for food and shelter. Title X is the safety net for these low-income women and should not be eliminated.

Family planning is not about abortion. This debate is about giving women access to health care services. The Republicans want to eliminate these services in order to pay for tax cuts for the wealthy. Family planning is cost-effective and necessary. We must not permit the Republican majority to eliminate these vital reproductive health services.

The women of America should have access to family planning services so that they, not the Government, can make the decisions about their health care. The Greenwood amendment ensures that low-income women have the same access as other women, which is fair and responsible. I strongly urge my colleagues to support the Greenwood amendment and oppose the Smith amendment.

Mr. GREENWOOD. Mr. Chairman, I yield 1 minute to the gentleman from California [Mr. BILBRAY].

Mr. BILBRAY. Mr. Chairman, for the last 10 years, I have had the privilege of administering many Federal programs for and to the people, 2½ million, in San Diego County. I am sure my colleagues on the other side of the aisle are sick and tired of hearing me point out all the terrible bad regulations that do not work. I will continue to do so. They will continue to be sick of it. But I think there is a responsibility here to point out the ones that do work.

I have to regretfully oppose the amendment of my dear friend, the gentleman from Louisiana, because if there is any program that I really believe did work, especially as somebody who desperately wanted to see abortions become a thing of the past, title X was the one thing as a local administrator that I was able to do, to avoid something that I felt very strongly about and that is trying to keep abortion out of the formula, as options for birth control.

I have to join with the gentleman from Pennsylvania [Mr. GREENWOOD] and support him because a dose of reality that I came here to try to bring to the Democratic Party also must be brought to both sides.

Mr. LIVINGSTON. Mr. Chairman, I yield such time as he may consume to the gentleman from North Carolina [Mr. TAYLOR].

(Mr. TAYLOR of North Carolina asked and was given permission to revise and extend his remarks.)

Mr. TAYLOR of North Carolina. Mr. Chairman, I rise in support of the Livingston-Smith amendment.

Mr. Chairman, I rise in strong support of this bill's provision to transfer funds from title X to State health programs, and in support of the Livingston-Smith amendment.

We have heard some Members argue that we need to fund title X to ensure that money is available for family planning. Mr. Chairman this simply is not the case.

As we all know, the title X funds are being redirected to the maternal and child health block grant and community and migrant health centers. The fact is, these State health programs have always been able to use money for family planning, and will still be able to do so.

Under this bill, family planning will simply have to compete with other health needs when States set their funding priorities. Competition on a fair basis is a very reasonable approach. Funds can be used for the most serious health needs in each State, and family planning can be a part of that.

Mr. Chairman, I think it is also important to point out that this bill ensures that money for health needs will go to those who are truly poor. Instead of going to affluent or middle-class teens as it does in title X, the funds in the State programs will be used for the poor, and that group is the one that we are really trying to help here.

And let's talk a little bit about what title X was intended to do when it was brought about, as opposed to what it has actually accomplished. Since we introduced title X in 1970:

The teenage out-of-wedlock birth rate has doubled.

Sexually transmitted diseases among teens is at an all-time high.

The teen-age abortion rate has more than doubled.

These figures indicate many things, but success is not one of them.

Mr. Chairman, let's be honest with ourselves. Title X has not achieved its goals. The States are in a better position to understand the particular needs of their areas, so let us give them the opportunity and the money to do so.

The maternal and child health block grant and community and migrant health centers are a proven success—let these organizations determine the greatest health needs within their State.

Mr. Chairman, this Congress has demonstrated a remarkable commitment to put an end to failed or low priority Government programs. TItle X is one of these failed programs, which is why I strongly urge my fellow members to vote for the Livingston-Smith amendment.

Mr. LIVINGSTON. Mr. Chairman, I yield 1 minute to the gentlewoman from Utah [Mrs. WALDHOLTZ], one of our most stalwart Members, a pregnant lady with shoes on.

Mrs. WALDHOLTZ. Mr. Chairman, this pregnant Member's shoes are firmly on. While my shoes are firmly on, I am proud to rise in strong support of the Livingston amendment and oppose the Greenwood amendment.

I was reluctant to come and speak on this issue because I have been careful not to politicize my pregnancy. But I came to share with you a phone call from a mother in my home district of Salt Lake City yesterday who wanted me to tell the story of her 16-year-old daughter who went to Planned Parenthood when she suspected she was pregnant and when the clinic personnel told her she was pregnant, the only option this 16 year old was offered was an abortion. Four times this young girl said no, that is not what I want to do. She finally left the clinic with no more help than when she had entered it, to go home and talk to her mother.

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Her mother called me yesterday and said please, support the Smith amendment, let us get this money into a block grant where our States and communities can have a hand in helping with family planning. I do not want any more 16 year olds to go through what my 16 year old did.

Mr. Chairman, I am asking Members to listen to that mother from Salt Lake City and support the Smith amendment.

Mr. GREENWOOD. Mr. Chairman, this proud father of two fine young men and two beautiful little girls yields 2 minutes to the gentlewoman from California [Ms. WATERS].

Ms. WATERS. Mr. Chairman, I rise in support of the Greenwood-Lowey amendment to restore funds to title X. I rise in support of this amendment because I want Members to understand most of us, all of us, want to prevent pregnancies. We do not like the fact that younger and younger people are bringing babies into the world and we want to do something about it. Some people like to throw these statistics at us day in and day out and say, ''Why don't you stop it?'' If we had a magic wand, perhaps we could wave it and stop it.

Mr. Chairman, these young people are sexually active. They are not just kids from one community. All communities. Your children. Children from the Christian Coalition, children all over America. We have to do something about preventing pregnancies.

You cannot wipe out title X. You go too far. This is extreme. I want Members to know, most of their constituents do not support wiping out family planning. If we are ever to get a handle on this, Government must be involved.

Mr. LIVINGSTON. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Virginia [Mr. BLILEY], chairman of the Committee on Commerce.

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

Mr. BLILEY. Mr. Chairman, I rise in opposition to the Greenwood amendment and in support of the Livingston/Smith substitute.

Supporters of the Greenwood amendment would like for everyone to believe that by transferring funds from the Family Planning Program to the maternal and child health block and the community health centers we are eliminating family planning services for poor women. Nothing could be further from the truth. Both of these programs, in addition to the Medicaid program provide family planning services to women. But what these programs provide that family planning does not is comprehensive health care services.

I am convinced that transferring these funds will result in better health care for women.

The maternal and child health block is provided to States to improve the health status of mothers and children. States are required to use at least 30 percent for preventive and primary care services for children, 30 percent for services for children with special needs and 40 percent for other appropriate maternal and child health services. These services include prenatal care, well-child care, dental care, immunization, family planning, and vision and hearing screening services.

Community health centers are located throughout the country in areas where there are significant barriers to primary health care. In addition to providing primary care, health centers also link with services such as WIC, welfare, Medicaid eligibility, substance abuse, and other social services.

The health centers program provides comprehensive, perinatal care for women and their infants. The program also has provided perinatal care services to pregnant adolescents who comprise approximately 21 percent of pregnant women served in the program. According to the administration's own statistics the program in fiscal year 1993: provided perinatal care to 185,530 women; arranged or provided for the delivery of 104,344 babies to women receiving these services; enrolled 79,572 women in prenatal care in the first trimester of pregnancy; and served 38,898 pregnant teens.

The Family Planning Program on the other hand only provides family planning services including contraception, infertility services, basic gynecological care, and referral for other services. In fact, in March 1992 the administration released a guidance on a title 10 regulation. The guidance clarified that the purpose of the title 10 program is to provide prepregnancy family planning services, not services to pregnant women.

We can only guess how many women, especially adolescents never make it to a health care center for prenatal care after being told by the family planning clinic that they are pregnant.

In terms of health care for both mother and child, it makes more sense for a woman to go to one location for all her health care services, both family planning and prenatal care. Such an arrangement would be much more likely if these funds are transferred to the MCH block and the CHC program.

Do not be misled by the rhetoric my fellow colleagues. Family planning services will remain available to women with the Livingston-Smith amendment. In fact, better health care will be available to women. I urge my colleagues to join me in opposing the Greenwood amendment and in strong support of the Livingston-Smith amendment.

Mr. GREENWOOD. Mr. Chairman, woefully, only $34 million of the $116 million will ever find its way to family planning.

Mr. Chairman, I yield 1 minute to the gentlewoman from Connecticut [Ms. DELAURO].

Ms. DELAURO. Mr. Chairman, I rise in strong support of the Greenwood amendment and opposition to the Smith substitute. The Greenwood amendment would protect access to safe and affordable health care for women by restoring vital family planning funding.

Low-income and uninsured working women of all ages depend on the basic health care and family planning services provided by community clinics. These clinics rely on Federal funds. Without community clinics, millions of women would be denied access to potentially life-saving services such as screening for breast cancer, cervical cancer, hypertension, pap smears, and routine clinical exams. For many women, especially young women, community clinics are their only source for basic health care.

This debate is not about choice. Current law clearly states that no title X funds may be used for abortions. It is about women's health.

Combat the Republican attack on women's health; support the Greenwood amendment to help women in need.

Mr. LIVINGSTON. Mr. Chairman, I yield 1 minute to the distinguished doctor from Oklahoma [Mr. COBURN].

Mr. COBURN. Mr. Chairman, I rise to oppose the Greenwood amendment. I think what we need to ask ourselves is, everybody has made a lot of claims about what title X has and has not done. There is not a scientific study that will evaluate it. But there is a retrospective study based on economics.

Mr. Chairman, what we do know is since 1970, we have had a rise in teenage pregnancies, a rise in abortion. We now have a sexually transmitted disease epidemic that is out of control and unheard of anywhere in the western world. What we also are told is that there has not been a study of effectiveness.

We have one study that we can look at that will tell us what is going on, and it is a study that will be published

next month out of the University of California by a Ph.D. economist. It says the following things: That those States which spend less money on family planning have less of those three things. They have less teenage pregnancy, less abortion, less sexually transmitted disease. It also says that the States with the highest amount of money will have the most abortion, will have the most teenage pregnancy, and the most sexually transmitted disease.

Mr. Chairman, I urge Members' support for the Livingston-Smith amendment.

PARLIAMENTARY INQUIRY

Mrs. SCHROEDER. Mr. Chairman, I have a parliamentary inquiry.

The CHAIRMAN. The gentlewoman will state it.

Mrs. SCHROEDER. Mr. Chairman, I keep hearing that title X has caused pregnancies.

The CHAIRMAN. The gentlewoman is not stating a parliamentary inquiry.

Mr. GREENWOOD. Mr. Chairman, I yield 1 minute to the gentlewoman from New York [Ms. SLAUGHTER].

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

Mr. Chairman, I rise in support of the bipartisan amendment to restore funding for title X Family Planning, a program that last year served more than 4 million women in 4,000 clinics.

Let me make clear that title X does not fund abortions; the law will not allow it. What title X does fund, in addition to family planning services, is gynecological exams and Pap smear tests; mammograms, clinical breast exams and education in breast self-exam; screening for high blood pressure; and screening for sexually transmitted diseases, as well as education and counseling on how to avoid and prevent such diseases.

Title X clinics provide critical health and family planning services for millions of women who can't afford private insurance, but don't qualify for Medicaid. These are women working in low-paying service-sector jobs that don't provide health coverage. What does eliminating title X say to these working women? It says, ''Too bad if you can't afford a mammogram or pelvic exam. We hope you don't get breast or cervical cancer, but we're not going to do anything to help you detect or prevent it.'' I cannot conceive of a crueler message that this Congress could send to American women.

With an allocation that works out to just 75 cents per person each year, title X is one of the best bargains around. I urge colleagues to vote in support of protecting this critical program.

Mr. LIVINGSTON. Mr. Chairman, I yield 1 minute to the gentleman from Georgia [Mr. KINGSTON], a distinguished member of the Committee on Appropriations.

Mr. KINGSTON. Mr. Chairman, I think we have to put this in perspective. What we are arguing here is not ending family planning, it is saying who is going to run it, the Federal Government or the State government, and who has done a good job.

Let us look at the Federal plan. 1970 when title X began, teen pregnancy rate, 22 percent. 1992, up to 44 percent. Teenage births out of marriage, 1970, 30 percent. In 1991, 70 percent. The abortion rate in 1970, 19 percent; in 1990, 40 percent. Sexually transmitted disease. Now it is up to one out of four sexually active teenagers. Three million teenagers a year get sexually transmitted disease.

Mr. Chairman, it is not working on the Federal level. Let us let the locals take over. If this group was in charge of gun control, they would give all the 15-year olds in America loaded pistols and say, only shoot to graze. Let us be honest. It is not working. Support the Livingston-Smith alternative; let the local people run the family planning.

Mr. GREENWOOD. Mr. Chairman, I yield 1 minute to the gentleman from Texas [Mr. DOGGETT].

Mr. DOGGETT. Mr. Chairman, this is a debate about Elizabeth. Elizabeth, a young woman in Austin, TX, who makes use of the services of Planned Parenthood of Austin. It is a debate about Elizabeth and about thousands of other women across this country who should have the right to turn to agencies like Planned Parenthood. What type of birth control they use or whether they choose to use any birth control at all is none of my business, and it is none of the business of this Committee on Appropriations. She ought to be able to make the decision for herself.

Mr. Chairman, what this is all about is the agenda of an extremist coalition that thinks they can put an end to planned parenthood and to deny choice to people like Elizabeth to choose the type of family planning that they think they ought to have.

Mr. Chairman, I want to preserve her choice. I want to preserve her choice not to have an abortion because she has effective family planning through an agency that is providing quality health care services. This is a chance to speak up for Elizabeth and for women across this Nation to have the choice of effective family planning that they choose, and not this Congress.

Mr. GREENWOOD. Mr. Chairman, I yield 1½ minutes to the gentlewoman from New York [Ms. MOLINARI].

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

Mr. Chairman, title X and family planning works. In 1995, over 5 million low-income and uninsured women were served in clinics. In addition to family planning services, they provided screening for breast and cervical cancer. Where are these women going to go? It works. Eighty-three percent of women receiving Federal family planning services rely on clinics funded by title X. And where are these women now going to go? Every public dollar spent on family planning saves $4.40 that would otherwise be spent on medical and welfare costs, saving taxpayers $2 billion annually. Family planning works to save lives and to save money.

Let us be honest. If we are against abortion, if we are against escalating welfare costs, we must be a society that stands for family planning. We must give women a place to go.

Mr. GREENWOOD. Mr. Chairman, I yield 1 minute to the gentlewoman from Connecticut [Mrs. JOHNSON].

(Mrs. JOHNSON of Connecticut asked and was given permission to revise and extend her remarks.)

Mrs. JOHNSON of Connecticut. Mr. Chairman, I rise in strong support of the Greenwood amendment and in strong opposition to the Smith amendment.

Mr. Chairman, do not be deceived. The Smith amendment is not an innocent block grant proposal. It cuts Federal support for women's health services and pregnancy prevention by two-thirds. In just the maternal and child health block grant section, it cuts funding from $116 million to $34 million as a result of the mandatory set-asides in that program.

The Smith amendment cuts the money and cuts access to health care services for uninsured low-income women. It eliminates services in 25 counties nationwide.

In my district I have not one community health center and all that maternal child health money goes to the five big cities. In Connecticut 30 percent of all women now receiving pap smears, routine health services, and yes, pregnancy prevention services, will no longer have access to them.

Mr. Chairman, I urge opposition to the Smith amendment and support for the Greenwood amendment.

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

Mr. Chairman, I want to commend the House, those who agree with me, those who oppose us, for what I think has been a high-toned, important debate for this country. Let me close with this, Mr. Chairman. This is not now, never has been, never will be, a debate about abortion. It is a debate about family planning. It is a debate about public health. It is a debate about the right of women in this country, poor women, to plan their families, and we should all stand up for that.

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

□ 2130

Mr. LIVINGSTON. Mr. Chairman, I yield the balance of my time to the very distinguished gentleman from Illinois [Mr. HYDE].

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

Mr. HYDE. Mr. Chairman, I am filling in for the gentleman from Georgia [Mr. GINGRICH], who was supposed to close, but he is tied up somewhere, so here I am.

This debate is not about family planning. This debate is about who will deliver the family planning.

On welfare, on grants to fight crime, the Republicans have taken the position that Washington can not do it as well as the localities can, that States ought not to be administrative districts of the Federal Government, and so we have sought to return to local government, to local agencies, the funds that heretofore have been disbursed by the all powerful Washington bureaucracy.

Now I tell my colleagues what this debate is about. It is about a $33 million Federal earmark to the largest purveyor of abortions in the world, Planned Parenthood, and they are fighting because that is big money, but under our proposal they can still line up with other agencies out in the States and compete for those dollars. After all, Medicare today spends well over one-half billion dollars on family planning.

Who is sounding the death knell of family planning? Community health centers, social services block grants, maternal and child health block grants, and Medicare. They serve 13 million women, and children, and adolescents who need medical care, as well.

Mr. Chairman, let me in the time left simply say family planning is a good thing. I am for family planning, always have been. I am against a big Federal earmark. I am for letting the States handle it as we are doing in welfare reform and in crime grants.

Ms. ESHOO. Mr. Chairman, if 1992 was the year of the woman, then 1995 must be the year of the assault on women.

A good example of the continuing offensive against women in this country is the elimination of title X family planning money in this bill.

Title X was enacted with broad bipartisan support in 1970. This program provides critical services to low-income women and uninsured working women. In addition to family planning services, title X clinics provide screening for breast and cervical cancer, sexually transmitted diseases, and hypertension. For many women, it provides the only basic health care they receive.

While some in this body are pro-choice and others are anti-choice, none of us are pro-abortion. Yet this bill eliminates the one program which effectively prevents unwanted pregnancies and abortions.

In fact, for less than ½ of 1 percent of the entire Federal budget, this program averts 1.2 million unintended pregnancies, 516,000 abortions and 344,000 out-of-wedlock births each year.

I find it interesting that this prevention program has come under attack only after its termination was urged by the Christian coalition in its ''Contract with the American Family.''

Mr. Chairman, we can't allow special interests to run this Congress. I urge my colleagues to vote against this mean-spirited attack on American women. We have come too far to let demagogic extremists reverse our gains.

Mr. FAZIO of Califorina. Mr. Chairman, I rise in support of the amendment offered by the gentleman from Pennsylvania [Mr. GREENWOOD]. This amendment would restore separate, discrete funding for the Federal family planning—or ''Title X''—program.

What many of Title X's opponents fail—or refuse—to recognize is that the scope of this program goes far beyond family planning. The Title X program also provides other preventive health care services to approximately 4 million low-income women and teenagers at 4,000 clinics across America. It provides infertility services, as well as counseling, screening, and referral for basic gynecologic care, breast and cervical cancer, hypertension, diabetes, anemia, kidney dysfunction, sexually transmitted diseases, and HIV. Without Title X, millions of American women would have no other accessible, affordable source for quality, comprehensive health care services. It is the only source of health care for 83 percent of its clients and for many of them it is the single entry point into the entire health care system.

California has received Title X funds since the Public Health Services Act was passed in 1970. Last year, more than 350,000 low-income women received health care services at California's Title X clinics. Yet, because of inadequate funding, the program serves fewer than half of those currently eligible for services. Although funding for Title X has declined by over 70 percent since 1980, health care costs have soared, and the number of women of reproductive age who are in need of these services has increased.

Title X services prevent 1.2 million pregnancies in the United States each year. When we support contraceptive services—Both care and supplies—we thwart unwanted pregnancies and, ultimately, the need for abortion. By reducing unintended births, we also decrease welfare dependency. Each public dollar spent to provide family planning services saves more than four dollars that would otherwise be spent on medical care, welfare benefits and other social services.

Mr. GREENWOOD's amendment restores accessible, high-quality, affordable health care to women who could not otherwise afford to have it. I encourage my colleagues on both sides of the aisle to support passage of this pro-life, pro-health amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Louisiana [Mr. LIVINGSTON] as a substitute for the amendment offered by the gentleman from Pennsylvania [Mr. GREENWOOD].

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

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

The CHAIRMAN. Pursuant to the order of the House of today, further proceedings on the amendment offered by the gentleman from Louisiana [Mr. LIVINGSTON] as a substitute for the amendment offered by the gentleman from Pennsylvania [Mr. GREENWOOD] will be postponed.

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The CHAIRMAN. Pursuant to the order of the House of today, proceedings will now resume on those amendments on which further proceedings were postponed, in the following order: amendment No. 36 offered by the gentleman from Wisconsin [Mr. OBEY]; amendments Nos. 60, 61, and 62 en bloc offered by the gentlewoman from California [Ms. PELOSI]; amendment No. 2–3 offered by the gentleman from Idaho [Mr. CRAPO]; substitute amendment No. 2–2 offered by the gentleman from Louisiana [Mr. LIVINGSTON]; and then possibly on the underlying amendment No. 2–1 offered by the gentleman from Pennsylvania [Mr. GREENWOOD].

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

AMENDMENT NO. 36 OFFERED BY MR. OBEY

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Wisconsin [Mr. OBEY] on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 155, noes 270, not voting 9, as follows:

[Roll No. 611]

AYES—155

Abercrombie	Fattah	Maloney
Ackerman	Fazio	Markey
Baesler	Fields (LA)	Martinez
Baldacci	Filner	Matsui
Barrett (WI)	Flake	McCarthy
Becerra	Foglietta	McDermott
Beilenson	Ford	McHale
Bentsen	Frank (MA)	McKinney
Berman	Frost	Meehan
Bishop	Furse	Meek
Bonior	Gejdenson	Menendez
Borski	Gephardt	Mfume
Boucher	Gibbons	Miller (CA)
Brown (CA)	Gilman	Mineta
Brown (FL)	Gonzalez	Minge
Brown (OH)	Green	Mink
Bryant (TX)	Gutierrez	Moran
Cardin	Harman	Nadler
Chapman	Hastings (FL)	Neal
Clay	Hefner	Obey
Clayton	Hilliard	Olver
Clyburn	Hinchey	Owens
Coleman	Horn	Pallone
Collins (IL)	Hoyer	Pastor
Collins (MI)	Jackson-Lee	Payne (NJ)
Conyers	Jacobs	Payne (VA)
Coyne	Jefferson	Pelosi
Danner	Johnson (CT)	Peterson (FL)
DeFazio	Johnson (SD)	Peterson (MN)
DeLauro	Johnson, E. B.	Pomeroy
Dellums	Johnston	Rangel
Deutsch	Kaptur	Reed
Dicks	Kennedy (MA)	Richardson
Dingell	Kennedy (RI)	Rivers
Dixon	Kennelly	Rose
Doggett	Kleczka	Roybal-Allard
Dooley	Lantos	Rush
Durbin	Lazio	Sabo
Edwards	Levin	Sanders
Engel	Lewis (GA)	Sawyer
Eshoo	Lofgren	Schroeder
Evans	Lowey	Schumer
Farr	Luther	Scott

Serrano
Skaggs
Slaughter
Spratt
Stark
Stokes
Studds
Thompson
Torres
Torricelli
Towns
Traficant
Tucker
Velazquez
Vento
Visclosky
Ward
Waters
Watt (NC)
Waxman
Williams
Wise
Woolsey
Wyden
Wynn
Yates

NOES—270

Allard
Archer
Armey
Bachus
Baker (CA)
Baker (LA)
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bereuter
Bevill
Bilbray
Bilirakis
Bliley
Blute
Boehlert
Boehner
Bonilla
Bono
Brewster
Browder
Brownback
Bryant (TN)
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Castle
Chabot
Chambliss
Chenoweth
Christensen
Clement
Clinger
Coble
Coburn
Collins (GA)
Combest
Condit
Cooley
Costello
Cox
Cramer
Crane
Crapo
Cremeans
Cubin
Cunningham
Davis
de la Garza
Deal
DeLay
Diaz-Balart
Dickey
Doolittle
Dornan
Doyle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Ensign
Everett
Ewing
Fawell
Fields (TX)
Flanagan
Foley
Forbes
Fowler
Fox
Franks (CT)
Franks (NJ)
Frelinghuysen
Frisa
Funderburk
Gallegly
Ganske
Geren
Gilchrest
Gillmor
Goodlatte
Goodling
Gordon
Goss
Graham
Greenwood
Gunderson
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hancock
Hansen
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Heineman
Herger
Hilleary
Hobson
Hoekstra
Hoke
Holden
Hostettler
Houghton
Hunter
Hutchinson
Hyde
Inglis
Istook
Johnson, Sam
Jones
Kanjorski
Kasich
Kelly
Kildee
Kim
King
Kingston
Klink
Klug
Knollenberg
Kolbe
LaFalce
LaHood
Largent
Latham
LaTourette
Laughlin
Leach
Lewis (CA)
Lewis (KY)
Lightfoot
Lincoln
Linder
Lipinski
Livingston
LoBiondo
Longley
Lucas
Manton
Manzullo
Martini
Mascara
McCollum
McCrery
McDade
McHugh
McInnis
McIntosh
McKeon
McNulty
Metcalf
Meyers
Mica
Miller (FL)
Molinari
Mollohan
Montgomery
Moorhead
Morella
Murtha
Myers
Myrick
Nethercutt
Neumann
Ney
Norwood
Nussle
Oberstar
Ortiz
Orton
Oxley
Packard
Parker
Paxon
Petri
Pickett
Pombo
Porter
Portman
Poshard
Pryce
Quillen
Quinn
Radanovich
Rahall
Ramstad
Regula
Riggs
Roberts
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Roth
Roukema
Royce
Salmon
Sanford
Saxton
Scarborough
Schaefer
Schiff
Seastrand
Sensenbrenner
Shadegg
Shaw
Shays
Shuster
Sisisky
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Souder
Spence
Stearns
Stenholm
Stockman
Stump
Stupak
Talent
Tanner
Tate
Tauzin
Taylor (MS)
Taylor (NC)
Tejeda
Thomas
Thornberry
Thornton
Tiahrt
Torkildsen
Upton
Volkmer
Vucanovich
Waldholtz
Walker
Walsh
Wamp
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wilson
Wolf
Young (FL)
Zeliff
Zimmer

NOT VOTING—9

Andrews
Bateman
Chrysler
Gekas
Moakley
Reynolds
Solomon
Thurman
Young (AK)

□ 2153

Messrs. BARCIA, HOEKSTRA, KILDEE, RAHALL, and LAFALCE changed their vote from ''aye'' to ''no.''

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

So the amendment was rejected.

The result of the vote was announced as above recorded.

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN. Pursuant to the order of the House today, the Chair announces he will reduce to a minimum of five minutes the period of time within which a vote by electronic device will be taken on each amendment on which the Chair has postponed further proceedings.

AMENDMENTS EN BLOC OFFERED BY MS. PELOSI

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendments en bloc offered by the gentlewoman from California [Ms. PELOSI] on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendments en bloc.

The Clerk redesignated the amendments en bloc.

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 197, noes 229, not voting 8, as follows:

[Roll No. 612]

AYES—197

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

NOES—229

Allard
Archer
Armey
Bachus
Baesler
Baker (CA)
Baker (LA)
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bereuter
Bilbray
Bilirakis
Bliley
Blute
Boehner
Bonilla
Bono
Brewster
Brownback
Bryant (TN)
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Castle
Chabot
Chambliss
Chenoweth
Christensen
Clinger
Coble
Coburn
Collins (GA)
Combest
Cooley
Cox
Crane
Crapo
Cremeans
Cubin
Cunningham
Davis
de la Garza
Deal
DeLay
Dickey
Dooley
Doolittle
Dornan
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
Ensign
Everett
Ewing
Fawell
Fields (TX)
Flanagan
Foley
Forbes
Fowler
Fox
Franks (CT)
Franks (NJ)
Frelinghuysen
Frisa
Funderburk
Gallegly
Ganske
Gekas
Geren
Gilchrest
Gillmor
Goodlatte
Goodling
Goss
Graham
Greenwood
Gunderson
Gutknecht
Hall (TX)
Hancock
Hansen
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Heineman
Herger
Hilleary
Hobson
Hoekstra
Hoke
Hostettler
Houghton
Hunter
Hutchinson
Hyde
Inglis
Istook
Johnson (CT)
Johnson, Sam
Jones
Kasich
Kelly
Kim
Kingston
Klug
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Laughlin
Leach
Lewis (CA)
Lewis (KY)
Lightfoot
Linder
Livingston
LoBiondo
Longley
Lucas
Manzullo
Martini
McCollum
McCrery
McInnis
McIntosh
McKeon
Metcalf
Meyers
Mica
Miller (FL)
Molinari
Montgomery
Moorhead
Morella
Myers
Myrick
Nethercutt
Neumann
Ney
Norwood
Nussle
Ortiz
Oxley
Packard
Parker
Paxon
Pickett
Pombo
Porter
Portman
Pryce
Quillen
Radanovich
Ramstad
Regula
Riggs
Roberts
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Roth
Roukema
Royce
Salmon
Sanford
Saxton
Scarborough
Schaefer
Schiff
Seastrand
Sensenbrenner
Shadegg
Shaw
Shays
Shuster
Skeen
Smith (MI)
Smith (TX)
Smith (WA)
Souder
Spence
Stearns
Stenholm
Stockman
Stump
Talent
Tanner
Tate
Tauzin
Taylor (MS)
Taylor (NC)

Tejeda
Thomas
Thornberry
Tiahrt
Upton
Vucanovich
Waldholtz
Walker
Wamp
Watts (OK)
Weldon (FL)
Weller
White
Whitfield
Wicker
Wolf
Young (FL)
Zeliff
Zimmer

NOT VOTING—8

Andrews
Bateman
Chrysler
Moakley
Reynolds
Solomon
Thurman
Young (AK)

□ 2203

So the amendments en bloc were rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. CRAPO

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Idaho [Mr. CRAPO], on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate this amendment.

The Clerk redesignated the amendment.

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 373, noes 52, not voting 9, as follows:

[Roll No. 613]

AYES—373

Ackerman
Allard
Archer
Armey
Bachus
Baesler
Baker (LA)
Baldacci
Ballenger
Barcia
Barr
Barrett (WI)
Bartlett
Barton
Bass
Becerra
Bentsen
Bereuter
Bevill
Bilbray
Bilirakis
Bishop
Blute
Boehlert
Boehner
Bonilla
Bono
Borski
Boucher
Brewster
Browder
Brown (CA)
Brown (OH)
Brownback
Bryant (TN)
Bryant (TX)
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cardin
Castle
Chabot
Chambliss
Chapman
Chenoweth
Christensen
Clement
Clinger
Clyburn
Coble
Coburn
Coleman
Collins (GA)
Combest
Condit
Cooley
Costello
Cox
Cramer
Crane
Crapo
Cremeans
Cubin
Cunningham
Danner
Davis
de la Garza
Deal
DeFazio
DeLauro
DeLay
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Doggett
Dooley
Doolittle
Dornan
Doyle
Dreier
Duncan
Dunn
Durbin
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Ensign
Eshoo
Everett
Ewing
Farr
Fattah
Fawell
Fields (LA)
Fields (TX)
Filner
Flake
Flanagan
Foley
Forbes
Ford
Fowler
Fox
Frank (MA)
Franks (CT)
Franks (NJ)
Frelinghuysen
Frisa
Frost
Funderburk
Furse
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Geren
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goodlatte
Goodling
Gordon
Goss
Graham
Green
Greenwood
Gunderson
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hancock
Hansen
Harman
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Hefner
Heineman
Herger
Hilleary
Hobson
Hoekstra
Hoke
Holden
Horn
Hostettler
Houghton
Hoyer
Hunter
Hutchinson
Hyde
Inglis
Istook
Jackson-Lee
Jacobs
Jefferson
Johnson (CT)
Johnson (SD)
Johnson, E. B.
Johnson, Sam
Johnston
Jones
Kanjorski
Kaptur
Kasich
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kim
King
Kingston
Kleczka
Klink
Klug
Kolbe
LaFalce
LaHood
Lantos
Largent
Latham
LaTourette
Laughlin
Lazio
Leach
Levin
Lewis (KY)
Lightfoot
Lincoln
Linder
Lipinski
LoBiondo
Lofgren
Longley
Lowey
Lucas
Luther
Maloney
Manton
Manzullo
Markey
Martini
Mascara
Matsui
McCarthy
McCollum
McCrery
McHale
McHugh
McInnis
McIntosh
McKeon
McKinney
McNulty
Meehan
Menendez
Metcalf
Meyers
Mfume
Mica
Miller (CA)
Miller (FL)
Mineta
Minge
Molinari
Montgomery
Moorhead
Moran
Morella
Murtha
Myrick
Neal
Nethercutt
Neumann
Ney
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Orton
Oxley
Packard
Pallone
Parker
Pastor
Paxon
Payne (VA)
Pelosi
Peterson (FL)
Peterson (MN)
Petri
Pickett
Pombo
Pomeroy
Porter
Portman
Poshard
Pryce
Quillen
Quinn
Radanovich
Ramstad
Rangel
Reed
Regula
Richardson
Riggs
Rivers
Roberts
Roemer
Rohrabacher
Ros-Lehtinen
Rose
Roth
Roukema
Royce
Salmon
Sanders
Sanford
Sawyer
Saxton
Scarborough
Schaefer
Schiff
Schroeder
Schumer
Scott
Seastrand
Sensenbrenner
Shadegg
Shaw
Shays
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Spratt
Stearns
Stenholm
Stockman
Stokes
Stump
Stupak
Talent
Tanner
Tate
Tauzin
Taylor (MS)
Taylor (NC)
Tejeda
Thomas
Thompson
Thornberry
Thornton
Tiahrt
Torkildsen
Torricelli
Traficant
Tucker
Upton
Visclosky
Volkmer
Waldholtz
Walker
Walsh
Wamp
Ward
Watt (NC)
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wilson
Wise
Wolf
Wyden
Wynn
Young (FL)
Zeliff
Zimmer

NOES—52

Abercrombie
Baker (CA)
Beilenson
Berman
Bonior
Brown (FL)
Clay
Clayton
Collins (IL)
Collins (MI)
Conyers
Coyne
Dellums
Dixon
Evans
Fazio
Foglietta
Hastings (FL)
Hilliard
Hinchey
Knollenberg
Lewis (CA)
Lewis (GA)
Livingston
Martinez
McDade
McDermott
Meek
Mink
Mollohan
Myers
Nadler
Owens
Payne (NJ)
Rahall
Rogers
Roybal-Allard
Rush
Sabo
Serrano
Stark
Studds
Torres
Towns
Velazquez
Vento
Vucanovich
Waters
Waxman
Williams
Woolsey
Yates

NOT VOTING—9

Andrews
Barrett (NE)
Bateman
Bliley
Chrysler
Moakley
Reynolds
Thurman
Young (AK)

□ 2210

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

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. LIVINGSTON AS A SUBSTITUTE FOR THE AMENDMENT OFFERED BY MR. GREENWOOD

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Louisiana [Mr. LIVINGSTON] as a substitute for the amendment offered by the gentleman from Pennsylvania [Mr. GREENWOOD], on which further proceedings were postponed and which the noes prevailed by a voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 207, noes 221, not voting 7, as follows:

[Roll No. 614]

AYES—207

Allard
Archer
Armey
Bachus
Baker (CA)
Baker (LA)
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bevill
Bilirakis
Bliley
Boehner
Bonilla
Bono
Brewster
Brownback
Bryant (TN)
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Chabot
Chambliss
Chenoweth
Christensen
Coble
Coburn
Collins (GA)
Combest
Cooley
Costello
Cox
Crane
Crapo
Cremeans
Cubin
Cunningham
Deal
DeLay
Diaz-Balart
Dickey
Doolittle
Dornan
Dreier
Duncan
Ehlers
Emerson
English
Ensign
Everett
Ewing
Fields (TX)
Flanagan
Forbes
Fox
Frisa
Funderburk
Gallegly
Gillmor
Gingrich
Goodlatte
Goodling
Goss
Graham
Gutknecht
Hall (OH)
Hall (TX)
Hancock
Hansen
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Heineman
Herger
Hilleary
Hoekstra
Hoke
Holden
Hostettler
Hunter
Hutchinson
Hyde
Inglis
Istook
Johnson, Sam
Jones
Kasich
Kildee
Kim
King
Kingston
Knollenberg
LaFalce
LaHood
Largent
Latham
LaTourette
Laughlin
Lewis (KY)
Lightfoot
Linder
Lipinski
Livingston
LoBiondo
Lucas
Manton
Manzullo
Mascara
McCollum
McCrery
McDade
McHugh
McIntosh
McKeon
Metcalf
Mica
Miller (FL)
Mollohan
Montgomery
Moorhead
Murtha
Myers
Myrick
Nethercutt
Neumann
Ney
Norwood
Nussle
Oberstar
Ortiz
Orton
Oxley
Packard
Parker
Paxon
Peterson (MN)
Petri
Pombo
Portman
Poshard
Quillen
Quinn
Radanovich
Rahall
Roberts
Rogers
Rohrabacher
Ros-Lehtinen
Roth
Royce
Salmon
Sanford
Saxton
Scarborough
Schaefer
Seastrand
Sensenbrenner
Shadegg
Shuster
Skeen

Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Stearns
Stenholm
Stockman
Stump
Stupak
Talent
Tate
Tauzin
Taylor (MS)
Taylor (NC)
Tejeda
Thornberry
Tiahrt
Tucker
Volkmer
Vucanovich
Waldholtz
Walker
Walsh
Wamp
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wolf
Young (FL)

NOES—221

Abercrombie
Ackerman
Baesler
Baldacci
Barrett (WI)
Bass
Becerra
Beilenson
Bentsen
Bereuter
Berman
Bilbray
Bishop
Blute
Boehlert
Bonior
Borski
Boucher
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Bryant (TX)
Cardin
Castle
Chapman
Clay
Clayton
Clement
Clinger
Clyburn
Coleman
Collins (IL)
Collins (MI)
Condit
Conyers
Coyne
Cramer
Danner
Davis
de la Garza
DeFazio
DeLauro
Dellums
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Dunn
Durbin
Edwards
Ehrlich
Engel
Eshoo
Evans
Farr
Fattah
Fawell
Fazio
Fields (LA)
Filner
Flake
Foglietta
Foley
Ford
Fowler
Frank (MA)
Franks (CT)
Franks (NJ)
Frelinghuysen
Frost
Furse
Ganske
Gejdenson
Gekas
Gephardt
Geren
Gibbons
Gilchrest
Gilman
Gonzalez
Gordon
Green
Greenwood
Gunderson
Gutierrez
Hamilton
Harman
Hastings (FL)
Hefner
Hilliard
Hinchey
Hobson
Horn
Houghton
Hoyer
Jackson-Lee
Jacobs
Jefferson
Johnson (CT)
Johnson (SD)
Johnson, E. B.
Johnston
Kanjorski
Kaptur
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kleczka
Klink
Klug
Kolbe
Lantos
Lazio
Leach
Levin
Lewis (CA)
Lewis (GA)
Lincoln
Lofgren
Longley
Lowey
Luther
Maloney
Markey
Martinez
Martini
Matsui
McCarthy
McDermott
McHale
McInnis
McKinney
McNulty
Meehan
Meek
Menendez
Meyers
Mfume
Miller (CA)
Mineta
Minge
Mink
Molinari
Moran
Morella
Nadler
Neal
Obey
Olver
Owens
Pallone
Pastor
Payne (NJ)
Payne (VA)
Pelosi
Peterson (FL)
Pickett
Pomeroy
Porter
Pryce
Ramstad
Rangel
Reed
Regula
Richardson
Riggs
Rivers
Roemer
Rose
Roukema
Roybal-Allard
Rush
Sabo
Sanders
Sawyer
Schiff
Schroeder
Schumer
Scott
Serrano
Shaw
Shays
Sisisky
Skaggs
Slaughter
Spratt
Stark
Stokes
Studds
Tanner
Thomas
Thompson
Thornton
Torkildsen
Torres
Torricelli
Towns
Traficant
Upton
Velazquez
Vento
Visclosky
Ward
Waters
Watt (NC)
Waxman
White
Williams
Wilson
Wise
Woolsey
Wyden
Wynn
Yates
Zeliff
Zimmer

NOT VOTING—7

Andrews
Bateman
Chrysler
Moakley
Reynolds
Thurman
Young (AK)

☐ 2217

So the amendment offered as a substitute for the amendment was rejected.

The result of the vote was announced as above recorded.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania [Mr. GREENWOOD].

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

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

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 224, noes 204, not voting 7, as follows:

[Roll No. 615]

AYES—224

Abercrombie
Ackerman
Baesler
Baldacci
Barrett (WI)
Bass
Beilenson
Bentsen
Bereuter
Berman
Bilbray
Bishop
Blute
Boehlert
Bonior
Borski
Boucher
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Bryant (TX)
Cardin
Castle
Chapman
Clay
Clayton
Clement
Clinger
Clyburn
Coleman
Collins (IL)
Collins (MI)
Condit
Conyers
Coyne
Cramer
Danner
Davis
de la Garza
DeFazio
DeLauro
Dellums
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Dunn
Durbin
Edwards
Ehlers
Ehrlich
Engel
Eshoo
Evans
Farr
Fattah
Fawell
Fazio
Fields (LA)
Filner
Flake
Foglietta
Foley
Ford
Fowler
Fox
Frank (MA)
Franks (CT)
Franks (NJ)
Frelinghuysen
Frost
Furse
Ganske
Gejdenson
Gekas
Gephardt
Geren
Gibbons
Gilchrest
Gilman
Gonzalez
Goodling
Gordon
Green
Greenwood
Gunderson
Gutierrez
Hamilton
Harman
Hastings (FL)
Hefner
Hilliard
Hinchey
Hobson
Horn
Houghton
Hoyer
Jackson-Lee
Jacobs
Jefferson
Johnson (CT)
Johnson (SD)
Johnson, E.B.
Johnston
Kanjorski
Kaptur
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kleczka
Klink
Klug
Kolbe
Lantos
Lazio
Leach
Levin
Lewis (CA)
Lewis (GA)
Lincoln
Lofgren
Longley
Lowey
Luther
Maloney
Markey
Martinez
Martini
Matsui
McCarthy
McDermott
McHale
McInnis
McKinney
McNulty
Meehan
Meek
Menendez
Meyers
Mfume
Miller (CA)
Mineta
Minge
Mink
Molinari
Moran
Morella
Nadler
Neal
Oberstar
Obey
Olver
Owens
Pallone
Pastor
Payne (NJ)
Payne (VA)
Pelosi
Peterson (FL)
Pickett
Pomeroy
Porter
Pryce
Ramstad
Rangel
Reed
Regula
Richardson
Riggs
Rivers
Roemer
Rose
Roukema
Roybal-Allard
Rush
Sabo
Sanders
Sawyer
Schiff
Schroeder
Schumer
Scott
Serrano
Shaw
Shays
Sisisky
Skaggs
Slaughter
Spratt
Stark
Stokes
Studds
Tanner
Thomas
Thompson
Thornton
Torkildsen
Torres
Torricelli
Towns
Traficant
Upton
Velazquez
Vento
Visclosky
Ward
Waters
Watt (NC)
Waxman
Weldon (PA)
White
Williams
Wilson
Wise
Woolsey
Wyden
Wynn
Zeliff
Zimmer

NOES—204

Allard
Archer
Armey
Bachus
Baker (CA)
Baker (LA)
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Becerra
Bevill
Bilirakis
Bliley
Boehner
Bonilla
Bono
Brewster
Brownback
Bryant (TN)
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Chabot
Chambliss
Chenoweth
Christensen
Coble
Coburn
Collins (GA)
Combest
Cooley
Costello
Cox
Crane
Crapo
Cremeans
Cubin
Cunningham
Deal
DeLay
Diaz-Balart
Dickey
Doolittle
Dornan
Dreier
Duncan
Emerson
English
Ensign
Everett
Ewing
Fields (TX)
Flanagan
Forbes
Frisa
Funderburk
Gallegly
Gillmor
Gingrich
Goodlatte
Goss
Graham
Gutknecht
Hall (OH)
Hall (TX)
Hancock
Hansen
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Heineman
Herger
Hilleary
Hoekstra
Hoke
Holden
Hostettler
Hunter
Hutchinson
Hyde
Inglis
Istook
Johnson, Sam
Jones
Kasich
Kildee
Kim
King
Kingston
Knollenberg
LaFalce
LaHood
Largent
Latham
LaTourette
Laughlin
Lewis (KY)
Lightfoot
Linder
Lipinski
Livingston
LoBiondo
Lucas
Manton
Manzullo
Mascara
McCollum
McCrery
McDade
McHugh
McIntosh
McKeon
Metcalf
Mica
Miller (FL)
Mollohan
Montgomery
Moorhead
Murtha
Myers
Myrick
Nethercutt
Neumann
Ney
Norwood
Nussle
Ortiz
Orton
Oxley
Packard
Parker
Paxon
Peterson (MN)
Petri
Pombo
Portman
Poshard
Quillen
Quinn
Radanovich
Rahall
Roberts
Rogers
Rohrabacher
Ros-Lehtinen
Roth
Royce
Salmon
Sanford
Saxton
Scarborough
Schaefer
Seastrand
Sensenbrenner
Shadegg
Shuster
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Stearns
Stenholm
Stockman
Stump
Stupak
Talent
Tate
Tauzin
Taylor (MS)
Taylor (NC)
Tejeda
Thornberry
Tiahrt
Tucker
Volkmer
Vucanovich
Waldholtz
Walker
Walsh
Wamp
Watts (OK)
Weldon (FL)
Weller
Whitfield
Wicker
Wolf
Yates
Young (FL)

NOT VOTING—7

Andrews
Bateman
Chrysler
Moakley
Reynolds
Thurman
Young (AK)

☐ 2224

So the amendment was agreed to.

The result of the vote was announced as above recorded.

The CHAIRMAN. Are there additional amendments to title I?

If not, the Clerk will designate title II.

The text of title II is as follows:

TITLE II—DEPARTMENT OF HEALTH AND HUMAN SERVICES

HEALTH RESOURCES AND SERVICES ADMINISTRATION

HEALTH RESOURCES AND SERVICES

For carrying out titles II, III, VII, VIII, XIX, and XXVI of the Public Health Service Act, title V of the Social Security Act, and

the Health Care Quality Improvement Act of 1986, as amended, $2,927,122,000, of which $411,000 shall remain available until expended for interest subsidies on loan guarantees made prior to fiscal year 1981 under part B of title VII of the Public Health Service Act: *Provided,* That the Division of Federal Occupational Health may utilize personal services contracting to employ professional management/administrative, and occupational health professionals: *Provided further,* That of the funds made available under this heading, $933,000 shall be available until expended for facilities renovations at the Gillis W. Long Hansen's Disease Center: *Provided further,* That in addition to fees authorized by section 427(b) of the Health Care Quality Improvement Act of 1986, fees shall be collected for the full disclosure of information under the Act sufficient to recover the full costs of operating the National Practitioner Data Bank, and shall remain available until expended to carry out that Act.

MEDICAL FACILITIES GUARANTEE AND LOAN FUND

FEDERAL INTEREST SUBSIDIES FOR MEDICAL FACILITIES

For carrying out subsections (d) and (e) of section 1602 of the Public Health Service Act, $8,000,000, together with any amounts received by the Secretary in connection with loans and loan guarantees under title VI of the Public Health Service Act, to be available without fiscal year limitation for the payment of interest subsidies. During the fiscal year, no commitments for direct loans or loan guarantees shall be made.

HEALTH EDUCATION ASSISTANCE LOANS PROGRAM

For the cost of guaranteed loans, such sums as may be necessary to carry out the purpose of the program, as authorized by title VII of the Public Health Service Act, as amended: *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 total loan principal any part of which is to be guaranteed at not to exceed $210,000,000. In addition, for administrative expenses to carry out the guaranteed loan program, $2,703,000.

VACCINE INJURY COMPENSATION PROGRAM TRUST FUND

For payments from the Vaccine Injury Compensation Program Trust Fund, such sums as may be necessary for claims associated with vaccine-related injury or death with respect to vaccines administered after September 30, 1988, pursuant to subtitle 2 of title XXI of the Public Health Service Act, to remain available until expended: *Provided,* That for necessary administrative expenses, not to exceed $3,000,000 shall be available from the Trust Fund to the Secretary of Health and Human Services.

VACCINE INJURY COMPENSATION

For payment of claims resolved by the United States Court of Federal Claims related to the administration of vaccines before October 1, 1988, $110,000,000, to remain available until expended.

CENTERS FOR DISEASE CONTROL AND PREVENTION

DISEASE CONTROL, RESEARCH, AND TRAINING

To carry out titles II, III, VII, XI, XV, XVII, and XIX of the Public Health Service Act, sections 101, 102, 103, 201, 202, and 203 of the Federal Mine Safety and Health Act of 1977, and sections 20 and 22 of the Occupational Safety and Health Act of 1970; including insurance of official motor vehicles in foreign countries; and hire, maintenance, and operation of aircraft, $2,085,831,000, of which $4,353,000 shall remain available until expended for equipment and construction and renovation of facilities, and in addition, such sums as may be derived from authorized user fees, which shall be credited to this account: *Provided,* That in addition to amounts provided herein, up to $27,862,000 shall be available from amounts available under section 241 of the Public Health Service Act, to carry out the National Center for Health Statistics surveys.

In addition, $39,100,000, to be derived from the Violent Crime Reduction Trust Fund, for carrying out sections 40151, 40261, and 40293 of Public Law 103–322.

NATIONAL INSTITUTES OF HEALTH

NATIONAL CANCER INSTITUTE

For carrying out section 301 and title IV of the Public Health Service Act with respect to cancer, $2,251,084,000.

NATIONAL HEART, LUNG, AND BLOOD INSTITUTE

For carrying out section 301 and title IV of the Public Health Service Act with respect to cardiovascular, lung, and blood diseases, and blood and blood products, $1,355,866,000.

NATIONAL INSTITUTE OF DENTAL RESEARCH

For carrying out section 301 and title IV of the Public Health Service Act with respect to dental disease, $183,196,000.

NATIONAL INSTITUTE OF DIABETES AND DIGESTIVE AND KIDNEY DISEASES

For carrying out section 301 and title IV of the Public Health Service Act with respect to diabetes and digestive and kidney diseases, $771,252,000.

NATIONAL INSTITUTE OF NEUROLOGICAL DISORDERS AND STROKE

For carrying out section 301 and title IV of the Public Health Service Act with respect to neurological disorders and stroke, $681,534,000.

NATIONAL INSTITUTE OF ALLERGY AND INFECTIOUS DISEASES

For carrying out section 301 and title IV of the Public Health Service Act with respect to allergy and infectious diseases, $1,169,628,000.

NATIONAL INSTITUTE OF GENERAL MEDICAL SCIENCES

For carrying out section 301 and title IV of the Public Health Service Act with respect to general medical sciences, $946,971,000.

NATIONAL INSTITUTE OF CHILD HEALTH AND HUMAN DEVELOPMENT

For carrying out section 301 and title IV of the Public Health Service Act with respect to child health and human development, $595,162,000.

NATIONAL EYE INSTITUTE

For carrying out section 301 and title IV of the Public Health Service Act with respect to eye diseases and visual disorders, $314,185,000.

NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH SCIENCES

For carrying out sections 301 and 311 and title IV of the Public Health Service Act with respect to environmental health sciences, $288,898,000.

NATIONAL INSTITUTE ON AGING

For carrying out section 301 and title IV of the Public Health Service Act with respect to aging, $453,917,000.

NATIONAL INSTITUTE OF ARTHRITIS AND MUSCULOSKELETAL AND SKIN DISEASES

For carrying out section 301 and title IV of the Public Health Service Act with respect to arthritis, and musculoskeletal and skin diseases, $241,828,000.

NATIONAL INSTITUTE ON DEAFNESS AND OTHER COMMUNICATION DISORDERS

For carrying out section 301 and title IV of the Public Health Service Act with respect to deafness and other communication disorders, $176,502,000.

NATIONAL INSTITUTE OF NURSING RESEARCH

For carrying out section 301 and title IV of the Public Health Service Act with respect to nursing research, $55,831,000.

NATIONAL INSTITUTE ON ALCOHOL ABUSE AND ALCOHOLISM

For carrying out section 301 and title IV of the Public Health Service Act with respect to alcohol abuse and alcoholism, $198,607,000.

NATIONAL INSTITUTE ON DRUG ABUSE

For carrying out section 301 and title IV of the Public Health Service Act with respect to drug abuse, $458,441,000.

NATIONAL INSTITUTE OF MENTAL HEALTH

For carrying out section 301 and title IV of the Public Health Service Act with respect to mental health, $661,328,000.

NATIONAL CENTER FOR RESEARCH RESOURCES

For carrying out section 301 and title IV of the Public Health Service Act with respect to research resources and general research support grants, $390,339,000: *Provided,* That none of these funds shall be used to pay recipients of the general research support grants program any amount for indirect expenses in connection with such grants.

NATIONAL CENTER FOR HUMAN GENOME RESEARCH

For carrying out section 301 and title IV of the Public Health Service Act with respect to human genome research, $170,041,000.

JOHN E. FOGARTY INTERNATIONAL CENTER

For carrying out the activities at the John E. Fogarty International Center, $25,313,000.

NATIONAL LIBRARY OF MEDICINE

For carrying out section 301 and title IV of the Public Health Service Act with respect to health information communications, $141,439,000, of which $4,000,000 shall be available until expended for improvement of information systems: *Provided,* That in fiscal year 1996, the Library may enter into personal services contracts for the provision of services in facilities owned, operated, or constructed under the jurisdiction of the National Institutes of Health.

OFFICE OF THE DIRECTOR

(INCLUDING TRANSFER OF FUNDS)

For carrying out the responsibilities of the Office of the Director, National Institutes of Health, $261,488,000: *Provided,* That funding shall be available for the purchase of not to exceed five passenger motor vehicles for replacement only: *Provided further,* That the Director may direct up to 1 percent of the total amount made available in this Act to all National Institutes of Health appropriations to activities the Director may so designate: *Provided further,* That no such appropriation shall be increased or decreased by more than 1 percent by any such transfers and that the Congress is promptly notified of the transfer.

BUILDINGS AND FACILITIES

For the study of, construction of, and acquisition of equipment for, facilities of or used by the National Institutes of Health, including the acquisition of real property, $146,151,000, to remain available until expended.

SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES ADMINISTRATION

SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES

For carrying out titles V and XIX of the Public Health Service Act with respect to substance abuse and mental health services, the Protection and Advocacy for Mentally Ill Individuals Act of 1986, and section 301 of the Public Health Service Act with respect to program management, $1,788,946,000.

RETIREMENT PAY AND MEDICAL BENEFITS FOR COMMISSIONED OFFICERS

For retirement pay and medical benefits of Public Health Service Commissioned Officers as authorized by law, and for payments under the Retired Serviceman's Family Protection Plan and Survivor Benefit Plan and for medical care of dependents and retired personnel under the Dependents' Medical Care Act (10 U.S.C. ch. 55), and for payments pursuant to section 229(b) of the Social Security Act (42 U.S.C. 429(b)), such amounts as may be required during the current fiscal year.

AGENCY FOR HEALTH CARE POLICY AND RESEARCH

HEALTH CARE POLICY AND RESEARCH

For carrying out titles III and IX of the Public Health Service Act, and part A of title XI of the Social Security Act, $85,423,000, together with not to exceed $5,796,000 to be transferred from the Federal Hospital Insurance and the Federal Supplementary Medical Insurance Trust Funds, as authorized by sections 1142 and 201(g) of the Social Security Act; in addition, amounts received from Freedom of Information Act fees, reimbursable and interagency agreements, and the sale of data tapes shall be credited to this appropriation and shall remain available until expended: *Provided*, That the amount made available pursuant to section 926(b) of the Public Health Service Act shall not exceed $34,284,000.

HEALTH CARE FINANCING ADMINISTRATION

GRANTS TO STATES FOR MEDICAID

For carrying out, except as otherwise provided, titles XI and XIX of the Social Security Act, $55,094,355,000, to remain available until expended.

For making, after May 31, 1996, payments to States under title XIX of the Social Security Act for the last quarter of fiscal year 1996 for unanticipated costs, incurred for the current fiscal year, such sums as may be necessary.

For making payments to States under title XIX of the Social Security Act for the first quarter of fiscal year 1997, $26,155,350,000, to remain available until expended.

Payment under title XIX may be made for any quarter with respect to a State plan or plan amendment in effect during such quarter, if submitted in or prior to such quarter and approved in that or any subsequent quarter.

PAYMENTS TO HEALTH CARE TRUST FUNDS

For payment to the Federal Hospital Insurance and the Federal Supplementary Medical Insurance Trust Funds, as provided under sections 217(g) and 1844 of the Social Security Act, sections 103(c) and 111(d) of the Social Security Amendments of 1965, section 278(d) of Public Law 97–248, and for administrative expenses incurred pursuant to section 201(g) of the Social Security Act, $63,313,000,000.

PROGRAM MANAGEMENT

For carrying out, except as otherwise provided, titles XI, XVIII, and XIX of the Social Security Act, and title XIII of the Public Health Service Act, the Clinical Laboratory Improvement Amendments of 1988, and section 4005(e) of Public Law 100–203, not to exceed $2,136,824,000, together with all funds collected in accordance with section 353 of the Public Health Service Act, the latter funds to remain available until expended; the $2,136,824,000, to be transferred to this appropriation as authorized by section 201(g) of the Social Security Act, from the Federal Hospital Insurance and the Federal Supplementary Medical Insurance Trust Funds: *Provided*, That all funds derived in accordance with 31 U.S.C. 9701 from organizations established under title XIII of the Public Health Service Act are to be credited to this appropriation.

HEALTH MAINTENANCE ORGANIZATION LOAN AND LOAN GUARANTEE FUND

For carrying out subsections (d) and (e) of section 1308 of the Public Health Service Act, any amounts received by the Secretary in connection with loans and loan guarantees under title XIII of the Public Health Service Act, to be available without fiscal year limitation for the payment of outstanding obligations. During fiscal year 1996, no commitments for direct loans or loan guarantees shall be made.

ADMINISTRATION FOR CHILDREN AND FAMILIES

FAMILY SUPPORT PAYMENTS TO STATES

For making payments to States or other non-Federal entities, except as otherwise provided, under titles I, IV–A (other than section 402(g)(6)) and D, X, XI, XIV, and XVI of the Social Security Act, and the Act of July 5, 1960 (24 U.S.C. ch. 9), $13,614,307,000, to remain available until expended.

For making, after May 31 of the current fiscal year, payments to States or other non-Federal entities under titles I, IV–A and D, X, XI, XIV, and XVI of the Social Security Act, for the last three months of the current year for unanticipated costs, incurred for the current fiscal year, such sums as may be necessary.

For making payments to States or other non-Federal entities under titles I, IV–A (other than section 402(g)(6)) and D, X, XI, XIV, and XVI of the Social Security Act and the Act of July 5, 1960 (24 U.S.C. ch. 9) for the first quarter of fiscal year 1997, $4,800,000,000, to remain available until expended.

JOB OPPORTUNITIES AND BASIC SKILLS

For carrying out aid to families with dependent children work programs, as authorized by part F of title IV of the Social Security Act, $1,000,000,000.

LOW INCOME HOME ENERGY ASSISTANCE

(RESCISSION)

Of the funds made available beginning on October 1, 1995 under this heading in Public Law 103–333, $1,000,000,000 are hereby rescinded.

REFUGEE AND ENTRANT ASSISTANCE

For making payments for refugee and entrant assistance activities authorized by title IV of the Immigration and Nationality Act and section 501 of the Refugee Education Assistance Act of 1980 (Public Law 96–422), $411,781,000: *Provided*, That funds appropriated pursuant to section 414(a) of the Immigration and Nationality Act under Public Law 103–112 for fiscal year 1994 shall be available for the costs of assistance provided and other activities conducted in such year and in fiscal years 1995 and 1996.

CHILD CARE AND DEVELOPMENT BLOCK GRANT

For carrying out sections 658A through 658R of the Omnibus Budget Reconciliation Act of 1981 (The Child Care and Development Block Grant Act of 1990), $934,642,000, which shall be available for obligation under the same statutory terms and conditions applicable in the prior fiscal year.

SOCIAL SERVICES BLOCK GRANT

For making grants to States pursuant to section 2002 of the Social Security Act, $2,800,000,000.

CHILDREN AND FAMILIES SERVICES PROGRAMS

For carrying out, except as otherwise provided, the Runaway and Homeless Youth Act, the Developmental Disabilities Assistance and Bill of Rights Act, the Head Start Act, the Child Abuse Prevention and Treatment Act, the Family Violence Prevention and Services Act, the Native American Programs Act of 1974, title II of Public Law 95–266 (adoption opportunities), the Temporary Child Care for Children with Disabilities and Crisis Nurseries Act of 1986, the Abandoned Infants Assistance Act of 1988, and part B(1) of title IV of the Social Security Act; for making payments under the Community Services Block Grant Act; and for necessary administrative expenses to carry out said Acts and titles I, IV, X, XI, XIV, XVI, and XX of the Social Security Act, the Act of July 5, 1960 (24 U.S.C. ch. 9), the Omnibus Budget Reconciliation Act of 1981, title IV of the Immigration and Nationality Act, section 501 of the Refugee Education Assistance Act of 1980, and section 126 and titles IV and V of Public Law 100–485, $4,543,343,000.

In addition, $800,000, to be derived from the Violent Crime Reduction Trust Fund, for carrying out sections 40211 and 40251 of Public Law 103–322.

FAMILY PRESERVATION AND SUPPORT

For carrying out section 430 of the Social Security Act, $225,000,000.

PAYMENTS TO STATES FOR FOSTER CARE AND ADOPTION ASSISTANCE

For making payments to States or other non-Federal entities, under title IV–E of the Social Security Act, $4,307,842,000.

ADMINISTRATION ON AGING

AGING SERVICES PROGRAMS

For carrying out, to the extent not otherwise provided, the Older Americans Act of 1965, as amended, $778,246,000.

OFFICE OF THE SECRETARY

GENERAL DEPARTMENTAL MANAGEMENT

For necessary expenses, not otherwise provided, for general departmental management, including hire of six medium sedans, and for carrying out titles III and XX of the Public Health Service Act, $116,826,000, together with $6,813,000, to be transferred and expended as authorized by section 201(g)(1) of the Social Security Act from the Hospital Insurance Trust Fund and the Supplemental Medical Insurance Trust Fund.

OFFICE OF INSPECTOR GENERAL

For expenses necessary for the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, $56,333,000, together with not to exceed $17,623,000, to be transferred and expended as authorized by section 201(g)(1) of the Social Security Act from the Hospital Insurance Trust Fund and the Supplemental Medical Insurance Trust Fund.

OFFICE FOR CIVIL RIGHTS

For expenses necessary for the Office for Civil Rights, $10,249,000, together with not to exceed $3,251,000, to be transferred and expended as authorized by section 201(g)(1) of the Social Security Act from the Hospital Insurance Trust Fund and the Supplemental Medical Insurance Trust Fund.

POLICY RESEARCH

For carrying out, to the extent not otherwise provided, research studies under section 1110 of the Social Security Act, $9,000,000.

GENERAL PROVISIONS

SEC. 201. Funds appropriated in this title shall be available for not to exceed $37,000 for official reception and representation expenses when specifically approved by the Secretary.

SEC. 202. The Secretary shall make available through assignment not more than 60 employees of the Public Health Service to assist in child survival activities and to work in AIDS programs through and with funds provided by the Agency for International Development, the United Nations International Children's Emergency Fund or the World Health Organization.

SEC. 203. None of the funds appropriated under this Act may be used to implement section 399L(b) of the Public Health Service Act or section 1503 of the National Institutes of Health Revitalization Act of 1993, Public Law 103–43.

SEC. 204. None of the funds made available by this Act may be used to withhold payment to any State under the Child Abuse Prevention and Treatment Act by reason of a determination that the State is not in compliance with section 1340.2(d)(2)(ii) of title 45 of the Code of Federal Regulations. This provision expires upon the date of enactment of the reauthorization of the Child Abuse Prevention and Treatment Act or upon September 30, 1996, whichever occurs first.

SEC. 205. None of the funds appropriated in this title for the National Institutes of Health and the Substance Abuse and Mental Health Services Administration shall be used to pay the salary of an individual, through a grant or other extramural mechanism, at a rate in excess of $125,000 per year.

SEC. 206. Taps and other assessments made by any office located in the Department of Health and Human Services shall be treated as a reprogramming of funds except that this provision shall not apply to assessments required by authorizing legislation, or related to working capital funds or other fee-for-service activities.

(TRANSFER OF FUNDS)

SEC. 207. Of the funds appropriated or otherwise made available for the Department of Health and Human Services, General Departmental Management, for fiscal year 1996, the Secretary of Health and Human Services shall transfer to the Office of the Inspector General such sums as may be necessary for any expenses with respect to the provision of security protection for the Secretary of Health and Human Services.

SEC. 208. None of the funds appropriated in this Act may be obligated or expended for the Federal Council on Aging under the Older Americans Act or the Advisory Board on Child Abuse and Neglect under the Child Abuse Prevention and Treatment Act.

SEC. 209. None of the funds appropriated in this or any other Act may be obligated or expended for the position of Surgeon General of the Public Health Service.

This title may be cited as the ''Department of Health and Human Services Appropriations Act, 1996''.

Mr. PORTER. 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. EMERSON) having assumed the chair, Mr. WALKER, 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. 2127) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies, for the fiscal year ending September 30, 1996, and for other purposes, had come to no resolution thereon.

GENERAL LEAVE

Mr. PORTER. Mr. 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. 2127, and that I may include tabular and extraneous material.

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

There was no objection.

EXTENDING AUTHORITIES UNDER THE MIDDLE EAST PEACE FACILITATION ACT

Mr. GILMAN. Mr. Speaker, I ask unanimous consent to that the Committee on International Relations be discharged from further consideration of the bill (H.R. 2161) to extend authorities under the Middle East Peace Facilitation Act of 1994 until October 1, 1995, and for other purposes, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

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

Mr. HAMILTON. Mr. Speaker, reserving the right to object, I do not intend to object, but I do want to state a continuing concern I have about our approach to this legislation.

□ 2230

Mr. Speaker, the existing law of the Middle East Peace Facilitation Act now expires August 15 of this year. On June 29 we took up a bill extending the law for 45 days. Now we are back doing the same thing again, extending the law only until October 1, 1995.

Mr. Speaker, I would much prefer that the House be taking up at least a 6-month extension at this time, and I regret that we are not. At this time especially, I think we should be sending a signal of very strong support to the parties in the Middle East peace process. This short-term extension I think has the opposite effect. It creates an unstable environment and makes a hard job for the Israelis and the Palestinians involved in the peace process even more difficult.

Mr. Speaker, having expressed that concern, since this bill is the only option before us right now.

My concerns have only increased about using this kind of approach on a bill critical to the Middle East peace process. If the act is allowed to expire, all funds for direct and multilateral assistance to the Palestinian authority will be cut off. Representatives of the Palestinian authority will not be able to maintain an office in the United States. Engaging in diplomatic activities relating to the peace process here in Washington would be impossible.

In short, allowing this law to expire could seriously jeopardize a fragile, but steadily progressing, Middle East peace process.

As I understand it, our reasons for extending this act for only 45 days at a time are related neither to Palestinians nor to Israelis. Instead, this act is being used in the other body as some kind of bargaining chip in negotiations on unrelated bills. I think this is a serious and potentially dangerous mistake.

On June 29 on the House floor, I expressed my hope that the next time we extended this law, we would do so for a longer period of time. Chairman GILMAN said we were taking up only a short term extension because we would conference a more substantive Middle East Peace Facilitation Act prior to the summer recess. We have not. In fact, we have not yet even considered such a bill in committee.

Difficult negotiations between Israel and the Palestinians continue and an interim agreement is possible soon. Terrorism also continues to raise its ugly head. The Palestinian authority is moving to control violence but there is always room for more effort.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore (Mr. EMERSON). Is there objection to the request of the gentleman from New York?

Mr. ENGEL. Mr. Speaker, reserving the right to object, I will not object, but we are now extending it a second time for another 45 days, and I guess my feeling is a little bit different than my colleague from Indiana. I believe that we cannot indefinitely have these extensions without holding Mr. Arafat's feet to the fire. I have submitted a bill along with the gentleman from New Jersey [Mr. SAXTON], the gentleman from New York [Mr. SCHUMER], and the gentleman from Texas [Mr. DELAY], which clearly lays out reasons and the threshold for Mr. Arafat and the PLO to comply with before there can be a continuation of funding for the PLO.

I would like to ask the Chairman if he can give me assurances that our bill will be marked up at committee, because I think there are many, many different feelings and opinions on the committee, and I think we should have the opportunity. I just want to say, I think it is especially critical because it seems pretty obvious to me that in the Senate, the State Department authorization bill is dead. So I think it is even more critical that we in the House come together and mark up my bill so that we can have a resolution of this issue, and I would like to just ask the Chairman if he would agree to mark up the bill.

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

Mr. ENGEL. Further reserving the right to object, Mr. Speaker, I yield to the gentleman from New York.

Mr. GILMAN. Mr. Speaker, we certainly will take the gentleman's thoughts into consideration and we will be reviewing the request as we return to committee following the recess.

Mr. ENGEL. Mr. Speaker, I would like to just reiterate that I think it is critical that we do have a markup of the bill, that we hold hearings and have a markup of the bill. With the chairman's assurances that he will take a look at this, and I hope with the assurances that we will mark up the bill.

Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the bill, as follows:

H.R. 2161

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

SECTION 1. EXTENSION OF AUTHORITIES.

(a) IN GENERAL.—Section 583(a) of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (Public Law 103–236), as amended by Public Law 104–17, is amended by striking ''August 15, 1995,'' and inserting ''October 1, 1995,''.

(b) CONSULTATION.—For purposes of any exercise of the authority provided in section 583(a) of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (Public Law 103–236) prior to August 16, 1995, the written policy justification dated June 1, 1995, and submitted to the Congress in accordance with section 583(b)(1) of such Act, and the consultations associated with such policy justification, shall be deemed to satisfy the requirements of section 583(b)(1) of such Act.

The SPEAKER pro tempore. The gentleman from New York [Mr. GILMAN] is recognized for 1 hour.

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

Mr. Speaker, H.R. 2161 temporarily extends the Middle East Peace Facilitation Act of 1994, which otherwise will expire on August 15, 1995.

That act was previously extended by Public Law 104–17, which we passed in June. H.R. 2161 extends the Act until October 1, 1995, and further provides that the consultations with the Congress that took place in June prior to the President's last exercise of the authority provided by the Act will suffice for purposes of a further exercise of that authority prior to August 16.

In consultation with our Senate colleagues, we have decided to extend the Middle East Peace Facilitation Act only through October 1 because we hope to complete action by that date on legislation that will include a longer term extension of the authorities of the act, along with strengthened requirements for compliance with commitments that were voluntarily assumed.

I urge my colleagues to agree to the adoption of H.R. 2161.

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

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, was read the third time, and passed, and a motion to reconsider was laid on the table.

LEGISLATIVE PROGRAM

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

Mr. GEPHARDT. Mr. Speaker, I wish to inquire of the distinguished majority leader the schedule for the rest of the evening.

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

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

Mr. ARMEY. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, we are about to begin debate on the rule for the Telco bill. There will be a vote on the rule in about an hour. After that vote, which should be the last vote of the evening, we will do the general debate on Telco for about 90 minutes. We will then consider a Bliley amendment for 30 minutes, a Stupak amendment for 10 minutes, and a Cox amendment for 20 minutes, and all those votes will be rolled until tomorrow morning. So all Members should be alert for a vote in about an hour, and those Members who are interested in being involved in the general debate on Telco or those amendments mentioned should be prepared to continue working on the floor until we complete that work.

Mr. GEPHARDT. Mr. Speaker, what bill will be up in the morning at what time?

Mr. ARMEY. In the morning when we reconvene, we will reconvene on Labor-HHS, and hope to finish that bill tomorrow.

PROVIDING FOR CONSIDERATION OF H.R. 1555, COMMUNICATIONS ACT OF 1995

Mr. LINDER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 207 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 207

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. 1555) to promote competition and reduce regulation in order to secure lower prices and higher quality services for American telecommunications consumers and encourage the rapid deployment of new telecommunications technologies. The first reading of the bill shall be dispensed with. Points of order against consideration of the bill for failure to comply with section 302(f) of the Congressional Budget Act of 1974 are waived. General debate shall be confined to the bill and shall not exceed ninety minutes equally divided among and controlled by the chairmen and ranking minority members of the Committee on Commerce and the Committee on the Judiciary. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on Commerce now printed in the bill. The committee amendment in the nature of a substitute shall be considered as read. Points of order against the committee amendment in the nature of a substitute for failure to comply with clause 5(a) of rule XXI and section 302(f) of the Congressional Budget Act of 1974 are waived. Before consideration of any other amendment it shall be in order to consider the amendment printed in part 1 of the report of the Committee on Rules accompanying this resolution. That amendment may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for thirty minutes equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. If that amendment is adopted, the provisions of the bill, as amended, shall be considered as the original bill for the purpose of further amendment under the five-minute rule. No further amendment shall be in order except those printed in part 2 of the report of the Committee on Rules. Each amendment printed in part 2 of the report may be considered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment except as specified in the report, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against amendments printed in the report of the Committee on Rules are waived. The chairman of the Committee of the Whole may postpone until a time during further consideration in the Committee of the Whole a request for a recorded vote on any amendment. The chairman of the Committee of the Whole may reduce to not less than five minutes the time for voting by electronic device on any postponed question that immediately follows another vote by electronic device without intervening business, provided that the time for voting by electronic device on the first in any series of questions shall be not less than fifteen minutes. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. After passage of H.R. 1555, it shall be in order to take from the Speaker's table the bill S. 652 and to consider the Senate bill in the House. All points of order against the Senate bill and against its consideration are waived. It shall be in order to move to strike all after the enacting clause of the Senate bill and to insert in lieu thereof the provisions of H.R. 1555 as passed by the House. All points of order against that motion are waived. If the motion is adopted and the Senate bill, as amended, is passed, then it shall be in order to move that the House insist on its amendments to S. 652 and request a conference with the Senate thereon.

The SPEAKER pro tempore. The gentleman from Georgia [Mr. LINDER] is recognized for 1 hour.

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

House Resolution 207 is a modified closed rule providing for the consideration of H.R. 1555, the Communications Act of 1995, and allowing 90 minutes of general debate to be equally divided between the chairman and ranking minority member of the Commerce and Judiciary Committees. The rule waives section 302(f) of the Budget Act against consideration of the bill. The rule also makes in order as an original bill for

the purpose of amendment, the amendment in the nature of a substitute recommended by the Committee on Commerce and provides that the amendment be considered as read. House Resolution 207 also waives clause 5(a) of rule XXI—prohibiting appropriation in an authorization bill—and section 302(f) of the Budget Act—against the committee amendment in the nature of a substitute.

House Resolution 207 provides first for the consideration of the amendment printed in Part 1 of the Rules Committee report. This amendment, which will be offered by Commerce Committee Chairman BLILEY, is debatable for 30 minutes, equally divided between a proponent and an opponent, and provides that the amendment be considered as read. The manager's amendment shall not be subject to amendment or to a demand for a division of the question in the House or the Committee of the whole.

After general debate and the consideration of the manger's amendment, the provisions of the bill, as amended, shall be considered as the original bill for the purpose of further amendment under the 5-minute rule. House Resolution 207 makes in order only the amendments printed in part 2 of the Rules Committee report in the order specified, by the Members designated in the report, debatable for the time specified in the report to be equally divided between a proponent and an opponent of the amendment.

The rule waives all points of order against amendments printed in the report, and provides that these amendments shall not be subject to division of the question in the House or Committee of the Whole nor subject to amendment unless otherwise specified in the report.

This rule allows the chair to postpone votes in the Committee of the Whole and reduce votes to 5 minutes, if those votes follow a 15-minute vote. Finally, this resolution provides one motion to recommit, with or without instructions, as in the right of the minority.

Following final passage of H.R. 1555, the rule provides for the immediate consideration of S. 652 and waives all points of order against the bill. The rule allows for a motion to strike all after the enacting clause of S. 652 and insert H.R. 1555 as passed by the House and waives all points of order against that motion. Finally, it is in order for the House to insist on its amendments to S. 652 and request a conference with the Senate.

I would also ask for unanimous consent to add any extraneous materials for inclusion in the CONGRESSIONAL RECORD.

Mr. Speaker, H.R. 1555 is a complex piece of legislation, and the final product that passes the House has been designed to ensure that the United States maintains the lead on the information superhighway as we move into the 21st century. The House has worked to create a balanced bill which equalizes the diverse competitive forces in the telecommunications industry. The complexity and balance of this legislation requires a structured rule, because it is conceivable that a simply constructed amendment would attract enough votes, on the face of it, to upset the balance of the bill.

Let me take this opportunity to commend the diligent work of Chairman BLILEY, Chairman FIELDS, and Chairman HYDE, and also recognize ranking minority members JOHN DINGELL and JOHN CONYERS, for their service in guiding this fair balanced legislation to the House floor.

The overriding goal of telecommunication reform legislation must be to encourage the competition that will produce innovative technologies for every American household and provide benefits to the American consumer in the form of lower prices and enhanced services. The House Telecommunications bill will promote competition in the market for local telephone service by requiring local telephone companies to offer competitors access to parts of their networks, drive competition in the multichannel video market by empowering telephone companies to provide video programming, and maintain and encourage the competitiveness of over the air broadcast stations. The American people will be amazed by the wide array of technological changes that will soon be available in their homes.

The massive barriers to competition and the restrictions that were necessary less than a decade ago to protect segments of the U.S. economy have served their purpose. We have achieved great advances and lead the world in telecommunications services. However, productive societies strengthen and nourish the spirit of innovation and competition, and I believe that H.R. 1555 will provide customers with more choices in new products and result in tremendous benefits to all consumers.

In order to achieve further balance and deregulation in H.R. 1555, the rule will allow the House an opportunity to debate a manager's amendment to be offered by Commerce Committee Chairman BLILEY. This amendment represents a compromise that will accelerate the transition to a fully competitive telecommunications marketplace. This amendment is not a part of the base text, it will be debated thoroughly, and it will be judged by a vote on the floor of the House.

Following the consideration of the manager's amendment, the rule allows for the consideration of a number of divisive amendments that focus on cable television price controls, re-regulating cable broadcast ownership, and provisions for regulation of violence and gratuitous sexual images on local television that may be constrained by technology.

The Rules Committee has made seven amendments in order in part 2 of the Rules report, including five minority amendments, a bipartisan amendment, and one majority amendment. A number of the amendments offered to the Rules Committee were duplicative, some were withdrawn and some were incorporated into the manager's amendment. In addition, some amendments have already been included in the Senate bill, and it is important to note that there will be room for negotiation in conference.

The rule makes in order an amendment—to be debated for 20 minutes—offered by Representatives COX and WYDEN which would ensure that online service providers who take steps to clean up the Internet are not subject to additional liability for being Good Samaritans. The rule also makes in order an amendment—to be debated for 10 minutes—offered by Representative STUPAK which involves local governments and charges for public rights of way.

The rule also allows for an amendment offered by the ranking minority member of the Judiciary Committee, Mr. CONYERS, which would enhance the role of the Justice Department with regard to the Bell Companies applying for authorization to enter currently prohibited lines of business. The chairmen of the Commerce and Judiciary Committees have worked diligently to reconcile this issue, and it was decided that the Department of Justice should receive a consultative role. Nonetheless, the rule permits Members the opportunity to vote on this measure.

We have also been extremely responsive to the requests of the ranking minority member of the Commerce Subcommittee on Telecommunications and Finance, Mr. MARKEY, by allowing all three of the amendments he requested. Mr. MARKEY has a different, more regulatory view of the future of the telecommunications industry, and he has been afforded every opportunity to revise the bill by offering three rather controversial amendments. The first amendment—to be debated for 30 minutes—would amend the bill by changing the standard for unreasonable rates and imposing rate controls on the cable industry. While the goal of this legislation is to reduce regulations, the rule will reverse the deregulatory cable provisions in H.R. 1555.

The second amendment—to be considered for 30 minutes—would retain the current broadcast cable ownership rule and scale back the audience reach cap in H.R. 1555 from 50 to 35 percent. While I believe that this amendment would selectively weaken the broadcast deregulation provisions in the bill, this is an issue that concerns many Members of this House and deserves a full and open debate.

There will be a substantive debate over provisions for regulating certain violent and sexual images on television through technological constraints. While there is evidence that the increasing amount of violent and sexual content on television has an adverse

impact on our society and especially children, the House has two options to consider in this debate. Mr. MARKEY has been granted the opportunity to offer an amendment requiring the establishment of a television rating code and the manufacture of certain televisions, which many fear will require a government-controlled rating system. The House will also have the opportunity to vote for a substitute offered by Representative COBURN that utilizes a private industry approach that does not impose strict, Washington-based mandates which raise difficult first amendment questions.

Mr. Speaker, I believe that this legislation will be remembered as the most deregulatory legislation in history. The goal of this legislation is to create wide open competition between the various telecommunications industries, and this legislation in its final form will undoubtedly encourage a new era of opportunity for every company involved in the telecommunications industry and many companies heretofore unheard of.

Those nations that have achieved the most impressive growth in the past have not been those with rigid government controls, nor those that are the most affluent in natural resources. The most extraordinary development has come in those nations that have put their trust in the power and potential of the marketplace. This bill states that government authority and mandates are not beneficial to economic development, and it will help assure this Nation's prosperity well into the 21st century.

The resolution that was favorably reported out of the Rules Committee is a fair rule that will allow for thorough consideration on a number of amendments. I urge my colleagues to support the rule so that we may proceed with consideration of the merits of this extraordinarily important legislation.

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

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

[As of August 2, 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	41	72
Modified Closed [3]	49	47	14	24
Closed [4]	9	9	2	4
Totals:	104	100	57	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 August 2, 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	PQ: 217–202 (7/21/95)
H. Res. 197 (7/21/95)	O	H.R. 70	Exports of Alaskan Crude Oil	A: voice vote (7/24/95)
H. Res. 198 (7/21/95)	O	H.R. 2076	Commerce, State Approps. FY 1996	A: voice vote (7/25/95)
H. Res. 201 (7/25/95)	O	H.R. 2099	VA/HUD Approps. FY 1996	A: 230–189 (7/25/95)
H. Res. 204 (7/28/95)	MC	S. 21	Terminating U.S. Arms Embargo on Bosnia	A: voice vote (8/1/95)
H. Res. 205 (7/28/95)	O	H.R. 2126	Defense Approps. FY 1996	A: 409–1 (7/31/95)
H. Res. 207 (8/1/95)	MC	H.R. 1555	Communications Act of 1995	

SPECIAL RULES REPORTED BY THE RULES COMMITTEE, 104TH CONGRESS—Continued

[As of August 2, 1995]

H. Res. No. (Date rept.)	Rule type	Bill No.	Subject	Disposition of rule
H. Res. 208 (8/1/95)	O	H.R. 2127	Labor, HHS Approps. FY 1996	A: 233–104 (8/2/95)

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

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

□ 2245

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

Mr. Speaker, we oppose this modified closed rule for the consideration of this landmark deregulatory telecommunications legislation for several reasons.

First, there is no legitimate need—there is no compelling reaon—for us to consider H.R. 1555, during one of the busiest weeks we have experienced this year. There is absolutely no urgency at all attached to the passage of this bill before we adjourn.

Quite simply, we ought not to be debating this rule and this bill tonight. There are many more good reasons to put this legislation over until our return in September than there are for taking it up now.

Debating landmark legislation, which completely rewrites our existing communications laws, in the dead of night, squeezed carefully between major appropriations bills that should have first priority, is outrageous on its face.

We feel strongly that a bill with the enormous economic, political, and cultural consequences for the Nation as does H.R. 1555, should receive far more time for consideration than this bill will be allowed.

Second, there is not enough time allowed to properly consider the several very major amendments that have been made in order. For example, we shall have only 30 minutes to consider the Markey-Shays amendment to increase cable consumer protection in H.R. 1555, an amendment which seeks to guard consumers against unfair monopolistic pricing.

The sponsors of the amendment testified that H.R. 1555, as written, completely unravels the protections that cable consumers currently enjoy, and that their amendment is needed to ensure that competition exists before all regulation is eliminated. This is a very substantive amendment, dealing with an industry that affects the great majority of Americans. It certainly deserves more time for serious debate then we are giving it tonight.

Mr. Speaker, perhaps the most troubling part of the bill is its treatment of media ownership, and its promotion of mergers and concentration of power. The bill would remove all limits on the number of radio stations a single company could own, and would raise the ceiling on the number of television households a single broadcaster is allowed to serve.

It would also remove longstanding restrictions that have prevented television broadcasters from owning radio stations, newspapers, and cable systems in the same market.

Thus Mr. MARKEY'S amendment limiting the number of television stations that one media company could reach to 35 percent of the Nation's households, and prohibiting a broadcaster from owning a cable system in a market where it owns a television station, is especially important—and, since it could lead to a single person or a single company's owning an enormous number of television stations or media outlets in the country, this is an issue too that deserves far more than the 30 minutes the rule allows for it to be discussed and debated.

As the New York Times editorialized today, the bill ''would for the first time allow a single company to buy a community's newspaper, cable service, television station and, in rural areas, its telephone company. It threatens to hand over to one company control of the community's source of news and entertainment.''

Finally, Mr. Speaker, we also oppose the rule because it does not allow Members to address all the major questions that should be involved in this debate. This rule limits to 6, the number of amendments that may be offered.

We fully understand and respect the need to structure the rule for this enormously complex and technical bill; but we do believe that, in limiting the time devoted to this bill, the majority incorrectly prevented the consideration of significant amendments that address legitimate questions.

When the Rules Committee met late yesterday on this rule, we sought to make those amendments in order. I would add that we did not seek to make every one of the 30 to 40 amendments submitted in order—as I have already mentioned, we understand the need to structure this rule.

But the committee defeated, by a bipartisan vote of 5 to 6, our request to make in order the amendment submitted by Mr. MORAN that prohibits the FCC from undertaking the rulemaking that could preempt local governments from regulating the construction of cellular towers. The Members of the House should have the opportunity to vote on this amendment—and Mr. MORAN deserves to have the opportunity to offer it.

The amendment addresses the very important concerns of localities who believe this issue is properly within the jurisdiction of local zoning laws. It is endorsed by the National Association of Counties, the National League of Cities, the U.S. Conference of Mayors, and the American Planning Association. Many local jurisdictions have contacted us this week in favor of this amendment, and we feel the committee made a mistake, Mr. Speaker, by not allowing it to be discussed on the floor.

We attempted unsuccessfully to make in order the amendment offered by the gentleman from Texas [Mr. HALL], eliminating the ban on joint marketing of long distance service and Bell operating company-supplied local exchange service. Mr. HALL deserves time to explain his amendment and let the Members decide for themselves whose interests are best served by his amendment.

The majority also denied making in order the Orton-Morella affordable access amendment, which adds affordability to the requirement for preserving access for elementary and secondary students to the information highway.

The amendment is strongly supported by education agencies and organizations, and we feel that the sponsors deserved the chance to present their arguments for the amendment to the House. We should not have acquiesced to the arguments of industry representatives that these affordable access requirements should not be debated because the implications are not known. That is why we have debates—so that both sides can explain their position. Unfortunately, in these cases, we were able to hear only one side.

So, Mr. Speaker, we believe our Members have legitimate amendments that should have been made in order by this rule, and we regret the decision to shut them out of this important debate.

With respect to the amendments that were made in order, Mr. Speaker, we are very disturbed that the commitment to ensure a vote on Mr. MARKEY's V-chip amendment was not properly honored. While his amendment is in order, the Coburn substitute, which is much weaker, will be voted on first; if it is adopted, Mr. MARKEY is denied the right to have an up or down vote on his very important amendment.

Members should be allowed a clean vote on the Markey amendment, which is by far the stronger of the two. Whether or not parents are given the ability to block violent television shows so their young children cannot watch them is an important issue, and we should not allow the vote to be represented as something it is not. The rule is very unfair in that respect.

Mr. Speaker, H.R. 1555 is a very complex piece of legislation; very few Members understand the implications of this bill, and I would suggest that we might very well come to regret its consideration in this hurried and inadequate manner.

We all know that changes need to be made in our 60 year old communications law. But we should be concerned about the process under which this bill is being brought to the floor tonight. Not only has a manager's amendment been developed out of the public's eye, but it was done after the committee with jurisdiction overwhelmingly reported quite a different bill.

We should all be concerned about the process under which a bill with huge economic consequences and implications for consumers and business interests is being rushed through the House. The testimony of over 40 Members before the Rules Committee demonstrates the complexities involved in this legislation.

Mr. Speaker, we hope that the final version of this bill does balance the introduction of competitive markets, with measures designed to protect consumers. We have heard from all sides involved, and every industry has valid points to make. I do hope, however, that we do not lose sight of the consumer in this process, and of the need to protect the people from potential monopoly abuses.

Mr. Speaker, we oppose the rule—not only because it is restrictive, but because it does not go far enough in ensuring that enough time is given to this important debate, and because it does not protect the right of Members to offer amendments pertaining to all of the major issues of this very complicated piece of legislation.

Mr. LINDER. Mr. Speaker, I yield 1 minute to the gentleman from New York [Mr. SOLOMON], the chairman of the Committee on Rules.

Mr. SOLOMON. Mr. Speaker, let me just say to the gentleman from California [Mr. BEILENSON] I really am surprised at his testimony here. As my colleague knows, first of all we have 8–½ hours allocated for this piece of legislation. We extended that for another hour to take into consideration the gentleman from Michigan [Mr. CONYERS], our good friend, because he is a ranking Member, and he was entitled to his major amendment.

Mr. BEILENSON. Of course he was.

Mr. SOLOMON. Now we expanded it for 1 hour. That meant we were spending 9½ hours on this bill. It puts us here until 2:30 in the morning today, and many of us will stay here while many of our colleagues leave, and we will finish that part of the bill.

Now, if we had made in order all of those amendments that the gentleman just read off, we would be 19 hours. I figured out the time, 19 hours.

Now the gentleman knows we are going to be here until 6 o'clock in the morning tomorrow night and into Friday, and my colleague and other Members have asked me from the gentleman's side of the aisle to tighten things down, let us take care of the major amendments. We negotiated with the majority, we negotiated with the gentleman from Michigan [Mr. DINGELL], we negotiated with the gentleman's Democratic leadership. Everyone was happy, and all of a sudden we come on this floor here now and nobody is happy.

□ 2400

Let us stick to our points. If we make a deal upstairs in the Rules Committee, let us live by it.●

Mr. LINDER. Mr. Speaker, I would like to inquire as to how much time is remaining on both sides.

The SPEAKER pro tempore (Mr. EMERSON). The gentleman from Georgia [Mr. LINDER] has 17½ minutes remaining and the gentleman from California [Mr. BEILENSON] has 22½ minutes remaining.

Mr. BEILENSON. Mr. Speaker, I yield 5 minutes to the distinguished gentleman from Michigan [Mr. BONIOR], the minority whip.

Mr. BONIOR. Mr. Speaker, I regret that I will have a different view than my good friend the gentleman from Texas [Mr. BEILENSON]. I rise in support of this rule. It makes in order the key amendments that the gentleman from Massachusetts [Mr. MARKEY] and the gentleman from Michigan [Mr. CONYERS] and others have asked for.

Mr. Speaker, I also would have liked to have seen more debate on these amendments, but, on balanced, I think it is a fair rule and I urge my colleagues to support it.

If we are going to make technology work for our economy and for our country, and especially for our families, our laws have to keep pace with the changing times, and I believe the bill before us today will help bring this country into the 21st century. From the beginning, Mr. Speaker, telecommunication reform has been about one thing, it has been about competition.

We all know the more competition we have will lead to better products, better prices, better services and the better use of technology for everybody. Above all, competition helps create more jobs and better jobs for our economy. Studies show that this bill will help create 3.4 million additional jobs over the next 10 years and lay the groundwork for technology that will help to create millions more.

Let us be honest, Mr. Speaker, this is not a perfect bill before us today. There are lots of improvements that can be made, and I want to suggest a couple of them to you tonight.

First, we have an important amendment on the V-chip. Studies tell us that by the time the average child finishes elementary school he or she will have seen 8,000 murders and 100,000 acts of violence on the television. Most parents do all they can to keep their kids away from violent programming, but in this age of two-job parents and 200 channel televisions, parents need some help. Fortunately, we do have technology today that will help. The V-chip is a small computer chip that, for about 17 cents, can be inserted into a TV set and it allows the parents to block out violent programming.

This V-chip, Mr. Speaker, is based on some very simple principles: That parents raise children, not government, not advertisers, and not network executives, and parents should be the ones to choose what kinds of shows come into their homes.

Second, I believe we should do all we can to keep our airwaves from falling into the hands of the wealthy and the powerful. Current law limits the number of television stations, one per person or media company can reach, to 25 percent of the Nation's households. That rule was established to promote the free exchange of diverse views and ideas. The bill before us today, however, would literally allow one person, in any given area, to own two television stations, unlimited number of radio stations, the local newspaper and local cable systems. Instead of the 25 percent limit under this bill, Rupert Murdock could literally own media outlets that reach to over half of America's households, Mr. Speaker. In other words, this bill allows Mr. Murdock to control what 50 percent of American households read, hear, and see, and that is outrageous.

Mr. Speaker, the gentleman from Massachusetts [Mr. MARKEY] will offer an amendment to set that limit to 35 percent, and, frankly, I don't think this amendment goes far enough. I believe we need to address broader issues, such as who controls our networks, who controls our newspapers, and who controls our radios.

In conclusion, Mr. Speaker, I would suggest that we would have liked to have seen a tougher amendment, but I urge my colleagues to support the Markey amendment on concentration, and, Mr. Speaker, this bill has been around a long time. It has been a long time in coming, and I urge my colleagues to support the rule.

Mr. LINDER. Mr. speaker, I yield such time as he may consume to the gentleman from Florida [Mr. GOSS], my colleague on the Rules Committee.

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

Mr. GOSS. Mr. Speaker, I want to thank the gentleman from Georgia [Mr. LINDER] and congratulate him for his fine work on an extremely complex rule that took a lot of work to get done, and the gentleman from New York [Mr. SOLOMON] as well, and I am delighted there is support on both sides of the aisle, for it deserves it.

Mr. Speaker, I urge support for the rule also, and I will use my time to indulge in a colloquy with the gentleman from Virginia [Mr. BLILEY], the honorable chairman of the Committee on Commerce, because two points have come up in discussion today regarding local government authority which I think can be clarified and need to be clarified.

Chairman BLILEY was Mayor BLILEY of Richmond, and this gentleman was mayor of a much smaller town, but they were both local governments and

there was a great concern among some of our local governments about some issues here, particularly two, as I have said. I want to address the issue of zoning.

Mr. Speaker, as to the cellular industry expanding into the next century, there will be a need for an estimated 100,000 new transmission poles to be constructed throughout the country, I am told. I want to make sure that nothing in H.R. 1555 preempts the ability of local officials to determine the placement and construction of these new towers. Land use has always been, and I believe should continue to be, in the domain of the authorities in the areas directly affected.

I must say I appreciate that communities cannot prohibit access to the new facilities, and I agree they should not be allowed to, but it is important that cities and counties be able to enforce their zoning and building codes. That is the first point.

Similarly, Mr. Speaker, I want to clarify that the bill does not restrict the ability of local governments to derive revenues for the use of public rights-of-way so long as the fees are set in a nondiscriminatory way.

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

Mr. GOSS. I am happy to yield to the gentleman from Virginia, the distinguished chairman of the Committee on Commerce.

Mr. BLILEY. Mr. Speaker, I thank the gentleman for yielding. I want to commend the gentleman and his colleagues and the chairman of the Committee on Rules for this rule. I wholeheartedly support it.

Let me say this, I was president of the Virginia Municipal League as well as being Mayor of Richmond, and I was on the board of directors of the National League of Cities. When legislation came to this body in a previous Congress for a taking of Mansassas Battlefield, I voted against it because the supervisors of Prince William County had made that decision. I have resisted attempts by people to get me involved in the Civil War preservation of Brandywine Station in Culpeper County for the same reasons.

Nothing is in this bill that prevents a locality, and I will do everything in conference to make sure this is absolutely clear, prevents a local subdivision from determining where a cellular pole should be located, but we do want to make sure that this technology is available across the country, that we do not allow a community to say we are not going to have any cellular pole in our locality. That is wrong. Nor are we going to say they can delay these people forever. But the location will be determined by the local governing body.

The second point you raise, about the charges for right-of-way, the councils, the supervisors and the mayor can make any charge they want provided they do not charge the cable company one fee and they charge a telephone company a lower fee for the same right-of-way. They should not discriminate, and that is all we say. Charge what you will, but make it equitable between the parties. Do not discriminate in favor of one or the other.

Mr. GOSS. Mr. Speaker, reclaiming my time, I thank the gentleman for that very clear explanation.

Mr. BLILEY. If the gentleman would continue to yield, the gentlewoman from Maryland has raised a point with me about access for schools to this new technology. Let me assure the gentlewoman that I know there is a provision on this in the Senate bill, and I will work with her and work with the other body to see that it is preserved and the intent of what she would have offered had she been able to is carried out in the final legislation.

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

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

Mr. GOODLATTE. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I have heard from a number of my local constituents, and I know the chairman is very strongly supportive of the rights of localities and strongly supportive of decentralized government. We have had some conversations about the process here, and I wonder if I may get a clarification.

Is my understanding correct that the gentleman is committed in the conference process to offer new language that will make it crystal clear that localities will have the authority to determine where these poles are placed in their community so long as they do not exclude the placement of poles altogether, do not unnecessarily delay the process for that purpose, do not favor one competitor over another and do not attempt to regulate on the basis of radio frequency emissions which is clearly a Federal issue? Is that an accurate statement of your intention?

Mr. GOSS. I am happy to yield to the distinguished chairman.

Mr. BLILEY. That is indeed, and I will certainly work to that end.

Mr. GOODLATTE. Thank you and I look forward to working with the chairman.

Mr. BEILENSON. Mr. Speaker, I yield 1 minute to the gentleman from Texas [Mr. DOGGETT].

Mr. DOGGETT. Mr. Speaker, if this bill really deserves a full and open debate, as the gentleman from Georgia has suggested, then why are we taking it up at midnight?

Mr. Speaker, this is a bill that affects the telephone in every house and every workplace in this country. It is a bill that affects every television viewer in this country and a wide array of other telecommunications services, and when does this Congress consider it? At midnight, after a full day of debate on an appropriations bill.

Regardless of your view on this bill, and I think it has some merit, regardless of your view on the substance of the bill, this sorry procedure ought to be voted down along with this rule. What an incredible testament to this new Republican leadership that they could take a bill of this vital important to the people of America and not take it up until midnight.

You can roll the votes. That just means there will not be anybody here listening to the debate. You can roll them all night long, as you plan to do. The real question is whether you will roll the American consumer.

Mr. LINDER. Mr. Speaker, I yield 1 minute to the gentleman from Texas [Mr. BARTON].

Mr. BARTON of Texas. Mr. Speaker, I want to rise in support of the rule. I think this is a good rule.

Mr. Speaker, I want to point out to my colleagues that if this were a software package that would be version 5 or 6. We have been working on this issue for the last 5 years in the Congress. We had a bill pass the House; we never went to conference with the Senate last year.

There is one amendment that has been made in order, a bipartisan amendment, the Stupak-Barton amendment, that deals directly with local access, local control of rights-of-way for the cities that is very bipartisan in nature, and I would urge support of that amendment if we can reach agreement on it, which we are still working on that.

So this is a good rule, I want to thank the Committee on Rules for making Stupak-Barton in order, and I would urge Members to vote for the rule.

Mr. BEILENSON. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Michigan [Mr. DINGELL], the ranking member of the committee.

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

□ 2315

Mr. DINGELL. Mr. Speaker, I rise in support of the rule. I urge my colleagues to vote for it. H.R. 1555 is a complex bill. It deals with a complex industry. It comprises a substantial portion of the American economy.

There are a lot of controversies in this legislation, and it should not be dealt with cavalierly. It is a matter of some regret to me we are proceeding late at night and that we have not had more time for this. But, nonetheless, the bill that would be put on the floor by the rule resolves many important questions, and it pulls out of a courtroom, where one judge, a couple of law clerks, a gaggle of Justice Department lawyers, and several hotel floors of AT&T lawyers, have been making the entirety of telecommunications policy for the United States since the breakup.

The breakup of AT&T was initiated by its president, Mr. Charley Brown, and it was done because he had gotten tired of having MCI sue him instead of

competing with him because of antitrust violations by AT&T. The crafting of that agreement led to a situation where the entirety of the telecommunications policies of the United States were dealt with in a closed courtroom, where no other party could participate.

This legislation resolves that question. Now, does it do so perfectly? Probably not. But I will remind my colleagues that this bill will resolve a conflict between the very rich and the very wealthy, and that fairness under those circumstances is impossible to achieve.

I will discuss later how there is competition in the long distance services of the United States and how the rates of AT&T, MCI, and Sprint fly in perfect formation. They fly like the formation of the nuts and bolts in an aircraft, all tied together by invisible forces, which has led to a situation where they all make money and nobody gets into that because of the behavior of Judge Green and his law clerks and a gaggle of Justice Department lawyers and three floors of AT&T lawyers, who have been foreclosing the participation of any other person in or outside of the telecommunications industry.

The bill, is it perfect? No. But it is far better than the situation we have, and it is a good enough bill. I would urge my colleagues to vote for it.

The rule, is it what I would have written? Of course not. But it does get the House to the business of addressing an important national question, and that is the question of what will be our telecommunications policy, and will it be decided by the Congress, and will it be decided by the regulatory system, or will it be decided in a court of star chamber, in which no other citizen can participate.

I urge my colleagues to vote aye on the rule.

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

Mr. PAXON. Mr. Speaker, I rise in support of the rule for H.R. 1555, the Communications Act of 1995.

The last time Congress considered communications legislation, the year was 1934. Radio was still in its infancy and commercial television broadcasting was still years away.

In those six decades dizzying changes in technology and markets have made our Nation's current telecommunications statutes totally outdated.

Over the last decade as Congress has debated telecommunications reform legislation, the private sector hasn't waited—instead they have moved aggressively, for example implementing a completely new, alternative phone system—cellular service—and they are now on the verge of creating yet another form of wireless communication.

Because of these rapid innovations in the marketplace, it is impossible and counterproductive for Congress to control micro manage the Nation's telecommunications future.

Instead, H.R. 1555 seeks to break down restrictive barriers, repeal outdated regulations and provide a fair and level playing field for all competitors.

As the Commerce Committee worked on drafting this legislation, we were of the opinion that competition is better than regulation. In areas where regulations are necessary, such as the transition rules while opening the local phone loop, regulations must be fair, reasonable, flexible, and sunset as quickly as possible.

In earlier decades it was perhaps logical for the Federal Government to establish communications monopolies to serve the Nation. However, we've now reached a stage in communications in which regulation is not only inefficient, but is actually a hindrance to the innovation and expansion which benefits the consumer.

For example—for the first time our policy is to move toward competition in local phone service and in cable television. We will also witness greatly expanded competition in long distance and in radio and television broadcasting.

Mr. Speaker, I also want to take this opportunity to speak about the process that produced this important legislation.

H.R. 1555 is the result of many months of hard work by all members, both Democrat and Republican, of the Commerce Committee and innumerable hours by committee and personal staff.

This bill does not favor one company or one industry at the expense of another. Chairman BLILEY, subcommittee Chairman FIELDS and Ranking Member DINGELL worked hard to produce legislation providing a fair and level playing field that will allow all companies to compete in a myriad of communication services.

Mr. Speaker, I urge my colleagues to support this rule, support the manager's amendment, and support final passage of H.R. 1555.

Mr. BEILENSON. Mr. Speaker, I yield 2 minutes to the gentleman from Virginia [Mr. MORAN].

Mr. MORAN. Mr. Speaker, I thank my friend from California for yielding me this time.

Mr. Speaker, I rise in opposition to the rule, and I will share with my colleagues two good reasons to vote against this rule: You know, 90 percent of America's parents have been asking us to give them greater control over what their children are seeing on television, the sex and the violence and the profanity. Enough is enough they say. They look to us to give them some relief.

More than 50 colleagues, both Republicans and Democrats, cosponsored legislation to use the technology that exists today to empower parents to control what their children are viewing on television. Pennies is all it would cost to add it to every new television set.

We have worked on this for months, and now, at the last minute, we have an amendment that was put together by the broadcast industry, which really is a sham, whose only objective is to kill the V-chip amendment. This rule makes it in order that if this amendment wins, and all it does is to encourage the broadcast industry to address this problem, if that amendment wins, we do not even get a vote on ours.

The second reason is a real sleeper in this bill, and that is with regard to the siting of these control towers. There are about 20,000 of them around the country now. There are going to be about 100,000. Our amendment said on private property, if you try to site a commercial tower, then the people that own that property have a right to go to their local zoning board.

Of course they have the right. Imagine if somebody tries to put a 150 foot tower on your property, and you object, and they tell you, ''Well, the Congress gave us the authority to put it on. It is a Federal law. It supersedes local zoning authority.'' That is the last thing we want to be doing.

So I would urge a ''no'' vote on this rule.

Mr. LINDER. Mr. Speaker, for purposes of debate only, I yield 2 minutes to the gentleman from Indiana [Mr. BURTON].

Mr. BEILENSON. Mr. Speaker, I yield 1 minute to the gentleman from Indiana.

The SPEAKER pro tempore (Mr. EMERSON). The gentleman from Indiana is recognized for 3 minutes.

Mr. BURTON of Indiana. Mr. Speaker, I know that this bill has a great deal of merit and a lot of hard work has gone into it, and I think the rule, with a few exceptions, is a pretty good rule. But when I appeared before the Committee on Rules a couple of days ago, I specifically asked the chairman of the committee if we were going to get a freestanding up or down vote on this amendment.

I think there might have been a misunderstanding. I would not accuse the chairman of the committee of misleading anybody. But there definitely was a commitment, in my opinion, that we would have a straight, clear vote on the V chip amendment.

The problem is that we now have, as the gentleman from Virginia [Mr. MORAN] said, a perfecting amendment which will gut our ability to have an up or down vote on whether or not parents in this country will be able to block out sexually explicit programs and violent programs that they do not want their kids to see.

This legislation that we are trying to get passed would be very, very helpful to parents who are working. There are going to be 2 to 3 hundred channels in most homes in the not too distant future. The only technology we have now will block out one or two or three programs, and parents are not going to take the time to go through and specifically block out program after program. But the technology we are talking about will allow them to block out whole categories of violence and sexually explicit programs. The amendment

that is going to be offered as a preferential amendment to mine would stop that and just create a study commission.

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

Mr. BURTON of Indiana. I yield to the gentleman from Ohio.

Mr. OXLEY. Mr. Chairman, I would just point out, I had an amendment offered on the V chip that was not made in order. I am supporting the rule. I hope those Members who had their amendment made in order would have the courtesy to support the rule.

Mr. BURTON of Indiana. Mr. Speaker, reclaiming my time, the reason I am not supporting the rule is simply because I was told we would have a straight up or down vote.

Let me just get to the crux of the problem. The American people, 90 percent of the families, as has been said, want the ability to protect their kids against violence and sexually explicit material. We have a way to do it, and we are not being given an up or down vote on that issue.

Now, we hope that the amendment that is going to supposedly perfect mine, which does not do anything, will be defeated. I urge my colleagues to defeat it so we can get a straight up or down vote on that, because I am confident that Republicans and Democrats alike, if given the chance, will give the American people what they want, and that is the ability to protect their kids against violence and sexually explicit programs. To do otherwise, I think is a sin.

Mr. BEILENSON. Mr. Speaker, I yield such time as he may consume to the gentleman from Florida [Mr. HASTINGS].

(Mr. HASTINGS of Florida asked and was given permission to revise and extend his remarks.)

Mr. HASTINGS of Florida. Mr. Speaker, I rise in support of H.R. 1555. This vital legislation makes long-overdue changes to current communications laws by eliminating the legal barriers that prevent true competition.

I am particularly pleased that H.R. 1555 will break down barriers to telecommunications for people with disabilities by requiring that carriers and manufacturers of telecommunications equipment make their network services and equipment accessible to and usable by people with disabilities. The time is past for all persons to have access to telecommunications services.

H.R. 1555 assigns to the FCC the regulatory functions of ensuring that the Bell companies have complied with all of the conditions that we have imposed on their entry into long distance. This bill requires the Bell companies to interconnect with their competitors and to provide to them the features, functions, and capabilities of the Bell companies' networks that the new entrants need to compete. It also contains other checks and balances to ensure that competition in local and long distance grows.

The Justice Department still has the role that was granted to it under the Sherman and Clayton Acts and other antitrust laws. Their role is to enforce the antitrust laws and ensure that all companies comply with the requirements of the bill.

The Department of Justice enforces the antitrust laws of this country. It is a role that they have performed well. The Department of Justice is not and should not be a regulating agency: it is an enforcement agency.

Mr. Speaker, it is time to open our telecommunications market to true competition. This legislation is long overdue. I encourage my colleagues to support H.R. 1555.

Mr. BEILENSON. Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania [Mr. HOLDEN].

Mr. HOLDEN. Mr. Speaker, I rise to express my opposition with the process which was used for this important legislation. This bill will impact the life of every American—whether they talk on the telephone, listen to the radio, watch television, or send a fax. Even more significantly, it will impact technologies that have not yet been imagined and will be developed in the next century.

So how does the House of Representatives deal with this bill? By debating it into the dark of night under a rule which allows for almost no amendments. This process is seriously flawed.

The primary goal of this bill is supposed to be to increase competition through deregulation. Unfortunately, the bill as amended by the manager's amendment, falls short of this goal. For example, the bill does not require that there be any real, substantial competition in the local telephone loop prior to Bell entry into the long-distance business.

Several amendments were proposed to the Rules Committee to improve the bill and ensure that local competition will develop. None were made in order.

One such amendment, to ensure that 10 percent of local residential and commercial customers have access to a viable competitor prior to Bell entry into long distance, was rejected. In my State of Pennsylvania, which has 5.3 million local access lines, this means that a Bell company could provide long-distance service to State residents once a competitor could provide service to just 530,000 access lines.

Now why is it so important to have local competition before allowing the local telephone monopoly into long distance? Without real competition in the local loop prior to entry into long distance, a company can control long-distance service provider access to their long-distance customers because all long-distance calls must traverse the local loop to reach telephone customers. In short, the Bell system can use its monopoly control over the local loop into monopoly control over the long-distance business. This bill does not prevent the Bells from extending their monopoly and denying the benefits of competition to our constituents. I urge my colleagues to vote no on the rule and no on this bill in order to protect telephone consumers.

Mr. BEILENSON. Mr. Speaker, I yield 2 minutes to be the distinguished gentlewoman from New York [Ms. SLAUGHTER].

Ms. SLAUGHTER. Mr. Speaker, I rise in strong opposition to the rule.

Mr. Speaker, the rules governing debate of H.R. 1555 are bad enough—we have 90 minutes to debate the most substantial changes to our communications laws in over 60 years. What concerns me the most, however, are provisions in H.R. 1555 which would be the single biggest assault on American consumers and diversity of opinion that I've witnessed as long as I have lived.

H.R. 1555 completely repeals limits on mass media ownership, and the result will be a dangerous combination of media power. Under the bill, a single company can own a network station, a cable station, unlimited numbers of radio stations, and a daily newspaper, all in the same town.

We have heard that lifting ownership limits will promote competition. Personally, I can't think of a worse way to go about it. Once we lift the limits, a handful of network executives will dictate what programs the local affiliates in our districts should carry. If you have a complaint about losing local programming, don't bother changing the channel—the media group will own that station, too, If you want to write a letter to the newspaper, feel free, but know that the media group probably is the editorial board.

If any of my colleagues have kept up with the news recently, media companies are already lining up to buy each other out, all in anticipation of the broadcast ownership bonanza. You don't have to take my word for it, just look in today's New York Times and read about Walt Disney's buy-out of ABC, or the Westinghouse takeover bid for CBS. I will warn my colleagues: these companies are counting on us to remove ownership limits so they can squeeze out smaller competitors.

I don't think that many of my colleagues realize this, but the FCC is reviewing ownership limits and making changes right now to ensure competition and local diversity. Blowing the lid off all restrictions doesn't make sense; we should let the FCC continue to do its job.

Mr. Speaker, with unrealistic time limits, this rule continues the tradition of the Republican-led 104th Congress: careless legislating and minimal debate. The new leadership cares more about corporate giveaways than consumers, and that is why I will vote against this rule. I urge all of my colleagues to do the same.

Mr. LINDER. Mr. Speaker, I yield 2 minutes to the gentleman from Ohio [Mr. OXLEY], a member of the committee.

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

□ 2330

Mr. OXLEY. Mr. Speaker, let me first say that the folks who support the Markey amendment which was made in order, the gentlewoman from New York

was talking about the concentration of media, she has an opportunity to support the Markey amendment. But we cannot do that unless the rule passes. Then the Members, the V chip that they had their amendment made in order stand here in the well of the House and complain about the rule. When I had my amendment offered to the Committee on Rules, it was rejected. So instead, the bunch of ingrates standing here complaining about the rule who had had their amendment in order, and here I stand, I got stiffed by the Committee on Rules and I am supporting the rule. What is wrong with this picture?

I give up. I am here to support the rule and simply say that it is time that we break the chains of the modified final judgment and take once and for all the responsibility for telecommunications legislation back to the duly elected Representatives of the people and take it away from an unelected, unresponsive Federal court.

Let us give back, let us give us the opportunity to make those kinds of decisions for the consumer. This is the most far-reaching, procompetitive, deregulatory piece of telecommunications legislation in over 60 years.

This is a product that has not just come out of the woodwork. It is a product that has been worked on for at least 5 years. Members of our committee, members of the Committee on the Judiciary, Members who have been here a while have worked on this issue. I find it incredible that we would even consider not passing a rule that would get us one step closer to what we want in telecommunications in the modern marketplace.

We have an opportunity here to pass the most far-reaching job-creating bill that any of us can imagine, a 3.5 million jobs bill. In 10 years that will catch us up with technology and take an antiquated 1934 statute and bring it up to the 21st century.

I have a particular provision that I was proud to work on dealing with the foreign ownership restrictions. They are incredibly antiquated. They restrict the ability of American companies to raise capital and to compete in the worldwide market. This bill breaks those barriers. I am proud to support the rule and proud to support the bill.

Mr. BEILENSON. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from South Carolina [Mr. CLYBURN].

Mr. CLYBURN. Mr. Speaker, I rise tonight in opposition to this rule. Once again, the Republican leadership has crafted a closed rule. Call it what they may, but where I come from there is nothing open about limiting both the time for debate and the amendments to be considered.

Mr. Speaker, this legislation will affect the lives of nearly every American and is far too important to be subjected to a closed rule. H.R. 1555 would make it possible for one entity to own all the radio stations, newspapers, 2 TV stations, and even the local cable and telephone companies in the same media market. So the same bill which seeks to end local telephone monopolies would allow a handful of media magnates to drive smaller competitors from the market and put an end to broadcast diversity. But an amendment to maintain current law regarding broadcast ownership was not made in order.

And what about the hypocrisy of the Republican leadership? For months they have been telling us that State and local governments are better equipped to make decisions affecting local residents, but this bill preempts local zoning authority with regard to the placement of antenna towers. Yet, an amendment to restore local authority was not ruled in order. I find it hard to believe that the Republican leadership is willing to rely on our State governments to solve this Nation's welfare crisis but does not trust local authorities to regulate the placement of cellular telephone antennas.

I would like to urge my colleagues to vote against this rule.

Mr. LINDER. Mr. Speaker, I yield 2 minutes to the gentleman from California [Mr. DREIER], my colleague on the Committee on Rules.

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

Mr. DREIER. Mr. Speaker, I thank my colleagues from Atlanta for yielding time to me.

Believe it or not, I know it is 11:34 p.m. But over the next couple of hours, because of the fact that the ranking minority member of the Committee on Appropriations wanted us today to proceed with consideration of the Labor-HHS appropriations bill, we are going to embark on what I am convinced is one of the most exciting debates that we have possibly addressed in this Congress. It is a debate which is going to lead us towards the millennium and in fact lay the groundwork for dramatically improving the opportunity for consumers in this country to benefit in the area of telecommunications.

Mr. Speaker, it is going to be done on a very, very fair, under a very, very fair and balanced rule. This rule will in fact allow for the consideration of a wide range of issues, contrary to some of the statements that have been made by those who are opposing the rule.

It will allow us to get into debates on the V chip issue, on broadcasting, on cable, on Internet, a wide range of items, including that very important item which was just addressed earlier, the issue of local control.

We also had a very healthy exchange between two former mayors, which is going to ensure that not only here but in the conference we will see the issue of local control addressed.

This is being done in a bipartisan way. I congratulate the gentleman from Texas [Mr. FIELDS], and the gentleman from Virginia [Mr. BLILEY], and the gentleman from Illinois [Mr. HYDE], and those on the other side of the aisle who have been involved in this issue. It is being addressed with the support of the leadership on both sides.

I believe that as we move toward the millennium, we are going with this legislation to greatly enhance the opportunity for the U.S. consumer.

Mr. BEILENSON. Mr. Speaker, I yield 1 minute to the gentleman from Texas [Mr. BRYANT].

(Mr. BRYANT of Texas asked and was given permission to revise and extend his remarks.)

Mr. BRYANT of Texas. Mr. Speaker, I say to the gentleman from California [Mr. DREIER], to the contrary, there is not going to be any debate tonight whatsoever. The reason is because once we vote on this rule, everybody in this room is going to go home except for five or six people, because there are not going to be any more votes until sometime tomorrow.

So the debate that takes place tonight will not be a debate. I would suggest all you Americans that are going to plan to participate, call home and tell them to start the home movies because you are going to be the only one to see yourself talking. There is not going to be anybody to talk to. There is not a single person who believes it is right to take up this bill at midnight and talk to ourselves for the next 3 or 4 hours.

General debate and debate on the amendments will take place in a total vacuum. It is not right. It is not necessary. Nobody on that side will stand up and defend this process, and nobody on this side will stand up and defend this process. It is an outrage. I am disappointed that the Democratic ranking member of the full committee, that the chairman of the full committee and chairman of the subcommittee have such a low regard for the jurisdictional area of this committee that they would go along with this process. I urge Members to vote no on this rule.

Mr. LINDER. Mr. Speaker, for purposes of debate only, I yield 2 minutes to the gentleman from Texas [Mr. FIELDS], the chairman of the subcommittee which produced the bill.

(Mr. FIELDS of Texas asked and was given permission to revise and extend his remarks.)

Mr. FIELDS of Texas. Mr. Speaker, this is a good, balanced rule. This rule should be supported.

It gives us an opportunity to ask one question. That is: With our telecommunications policy, do we move into the 21st century or do we crawl back into the 1930s? Some of us have lived with that question for 2½ years, day in and day out. It is time to move forward. We know the issues of the debate. It is time to move forward on this important issue that affects a sixth of our Nation's economy.

I want to compliment the chairman, the gentleman from New York [Mr. SOLOMON], the gentleman from Georgia [Mr. LINDER], the gentleman from California [Mr. BEILENSON], the leadership

on our side, the leadership on the other side for allowing us to move forward.

This is a complex issue. If we had our preferences, we would do this at an earlier time. We would have more time to debate this. We do not. It is important to move forward.

I also want to pay special recognition to some Members who, like me, have spent a great deal of time on this issue. My friend, the gentleman from Virginia [Mr. BLILEY], chairman, my good friend, the gentleman from Michigan [Mr. DINGELL], my friend in the back of the Chamber, the gentleman from Massachusetts [Mr. MARKEY], who has spent as much time and more on this particular issue. And we will have our differences during this debate. We do disagree on the V chip. We do not want to see the government get into content regulation. But we will debate that issue.

We do not want to see the government continue a policy of restricting growth when it is no longer necessary with direct broadcast satellite, the growth of cable, the spectrum flexibility, the ability of broadcasters to compress, and so forth. We will have that debate, a good debate on that particular issue.

Of course, we disagree on the government continuing to regulate cable. But those are debates that we have.

I want to recognize his leadership and others as we move forward on this legislation.

Mr. BEILENSON. Mr. Speaker, I yield 30 seconds to the gentleman from Massachusetts [Mr. FRANK].

Mr. FRANK of Massachusetts. Mr. Speaker, this is not legislation. This is three card monte.

First we started with the appropriations bill on Labor-HHS, now we are going to slip in a telecommunications bill. But just when we get a focus on that, they will switch to the defense bill. This is an absolute degradation of the legislative process.

We also have the problem that we are now going to have the debate first and then the votes. I think they ought to try it other way around. Why do they not have the votes first and then the debate? They have obviously decided that the two are totally unrelated. They have totally degraded the legislative process. They have borrowed their sense of procedure from the red queen. Verdict first; debate afterwards.

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

Mr. BEILENSON. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Massachusetts [Mr. MARKEY], subcommittee ranking member.

Mr. MARKEY. Mr. Speaker, this is an important piece of legislation. The gentleman from Texas has already pointed out that it affects one-sixth to one-seventh of the American economy. We should not be debating a bill that affects one-sixth to one-seventh of the American economy at midnight in the United States Congress. We should not be doing this.

We cannot have a good debate on cable. We cannot have a good debate on long distance. We cannot have a good debate on the V chip. We cannot have a good debate on privacy. We cannot have a good debate on the Internet. We cannot have a good debate on any of these issues which profoundly affect the satellite, the cable, the telephone, the computer, the software, the educational future of our country.

This bill will make most of the rest of the legislation which we are going to deal with on the floor of this body a footnote in history. This is the bill. We are taking it up at midnight. We are going to tell all the Members, after they vote on the rule, that they should go home, that there will not be any votes.

America is sound asleep. This is not the way to be treating one-sixth to one-seventh of the American economy. The Members should be here. Their staffs should be in their offices. The American people should be listening.

We are talking about issues that are so profound that if they are not heard we will have lost the great opportunity to have had the debate, to have had the educational experience which the Congress can provide to the country.

Now, some Members say, well, who cares, really, it is just a battle between AT&T on the one hand and the Bell companies on the other? Who really cares, is kind of the attitude that some Members have about it.

Well, my colleagues, this is more than how many gigabits one company might be able to provide or how many extra thousand cubic feet of fiber optic that one or another company might provide. This is about how we transmit the ideas in our society. Whether or not we give parents the right to be able to block out the violence and the explicit sexual content that comes through their television set goes to how our children's minds are formed. Whether or not consumers are going to have one cable company or two cable companies in their community 1½ years from now goes to the question of whether or not they are going to have a monopoly or a real choice in the marketplace.

Whether or not we are going to have a single company able to purchase the only newspaper in town, two television stations, every radio station and the cable system in every community in America is more profound than any other issue we are going to be debating on the floor this week, this month or this year.

This rule should be voted down. We should take up this bill in the light of day with every issue given the time it needs to be debated.

□ 2345

Mr. BEILENSON. Mr. Speaker, I yield 1 minute to the gentlewoman from California [Ms. LOFGREN].

Ms. LOFGREN. Mr. Speaker, arguably, the most important thing about telecommunications reform is not in this bill, and that is affordable access to the Internet for the Nation's schools. Myself and the gentleman from Rhode Island [Mr. REED] offered such an amendment in the Committee on the Judiciary. We were asked to withdraw it in the hopes that it would be worked on in this bill. The gentlewoman from Maryland [Mrs. MORELLA] and I went to the Committee on Rules for her amendment, and it is still not being considered.

Mr. Speaker, I would like to inquire of the chairman, the gentleman from Virginia [Mr. BLILEY] what our posture would be, if I may, in a colloquy, with the Senate version of the language that does ensure Internet access for schools that is affordable.

Mr. BLILEY. Mr. Speaker, will the gentlewoman yield?

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

Mr. BLILEY. Mr. Speaker, as I told the gentlewoman from Maryland earlier, it is my intention to work with her and anyone else to see that this provision, or as near as we can, is included in the final version when we come out of conference.

Ms. LOFGREN. Mr. Speaker, I thank the gentleman.

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

Mr. Speaker, it is time to vote on a rule for a very important bill. I would like to address a couple of points. First let me thank Chairman BLILEY and Chairman, FIELDS. We have worked on this for a long time. I would like to especially thank the ranking member [Mr. DINGELL] who has given us some sage advice and a great deal of help. I am a little bit surprised at the compliant that we are not debating for a long enough time. We started with a 6 hour rule and we wind up with nine and a half hours, and that apparently is not enough. I am surprised at my friend from Indiana who says he cannot vote for this rule because he made his amendment in order, he wanted a closed rule on his amendment. All he has to do to have an up or down vote on his amendment is to have a substitute. It seems to me, if you have enough votes, you can defeat the substitute.

Mr. Speaker, I am most startled by the gentleman from Massachusetts [Mr. MARKEY] who made it very clear to us that he could not support this rule unless he got all three amendments in order. And we believed the gentleman, and we thought they were substantive enough to debate, and we made all three in order, and now he is complaining because we are debating this at night.

Mr. Speaker, I was on this floor today on Labor-HHS and there were fewer people in this Chamber during this day on Labor-HHS appropriations than there are here tonight. You know as well as I that typically there are fewer people in this Chamber during the day than at night. These are specious arguments. The rule is a balanced rule. I urge you to support it.

Mrs. MORELLA. Mr. Speaker, I rise to express my disappointment that the rule on this bill does not include an amendment that I introduced to provide affordable access to advanced telecommunication technologies for schools, libraries, and rural health care facilities.

In title I, section 246(b)(5) of this bill, the committee expresses its intent that students in our public schools should have access to advanced telecommunications technologies as one of the fundamental principles of universal service. This is an important and historic commitment. However, the bill does not address the issue of affordability of such access, nor does it include provisions addressing libraries and rural health care facilities. This was the amendment I introduced with Congressmen ORTON and NEY and Congresswoman LOFGREN. The bill, I understand, refers to ''reasonable'' rates. Reasonable rates by what standards? ''Affordable'' would have ensured that all schools, nationwide, would have access to the information superhighway.

I want to clarify that my amendment would not have imposed a financial burden on telecom providers. In the bill, universal service is being redefined by the Federal Communications Commission [FCC] based on recommendations by this joint board. In my amendment, schools and libraries would pay ''affordable'' rates as defined by a joint Federal-State universal service board.

Most schools simply cannot afford advanced telecommunications services. At present, less than 3 percent of classrooms in the United States have access to the Internet. This will not change unless we make access for schools affordable.

The Senate has wisely added provisions to ensure access at a discount price for schools, libraries, and rural health care facilities. I am pleased the Commerce Committee chairman has stated his agreement to working with me to include this provision in conference. In a Nation rich in information, we can no longer rely on the skills of the industrial age. All of our students must be guaranteed access to a high quality of education regardless of where they live or how much money they make. We must ensure that the emerging telecommunications revolution does not leave our critical public institutions behind.

Mr. LINDER. Mr. Speaker, I have no further requests for time, and I move the previous question on the resolution.

The previous question was ordered.

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

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

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

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

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 255, nayes 156, not voting 23, as follows:

[Roll No. 616]

YEAS—255

Allard
Archer
Armey
Bachus
Baker (CA)
Baker (LA)
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bevill
Bilbray
Bilirakis
Bishop
Bliley
Blute
Boehlert
Boehner
Bonilla
Bonior
Bono
Boucher
Brewster
Brown (FL)
Brownback
Burr
Buyer
Calvert
Camp
Canady
Castle
Chabot
Chambliss
Chenoweth
Christensen
Clement
Clinger
Coburn
Collins (GA)
Combest
Condit
Cooley
Cox
Crapo
Cremeans
Cubin
Cunningham
Deal
DeLay
Diaz-Balart
Dickey
Dingell
Doolittle
Dornan
Dreier
Dunn
Ehlers
Ehrlich
Emerson
English
Ensign
Eshoo
Everett
Ewing
Fawell
Fazio
Fields (TX)
Flake
Flanagan
Foley
Forbes
Fowler
Fox
Franks (CT)
Franks (NJ)
Frelinghuysen
Frisa
Funderburk
Furse
Gallegly
Ganske
Gekas
Geren
Gilchrest
Gillmor
Gilman
Goodlatte
Goodling
Gordon
Goss
Graham
Greenwood
Gutierrez
Gutknecht
Hall (TX)
Hamilton
Hansen
Hastert
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Heineman
Hoke
Horn
Hostettler
Houghton
Hoyer
Hunter
Hutchinson
Hyde
Inglis
Istook
Jackson-Lee
Johnson (CT)
Johnson, Sam
Johnston
Kasich
Kelly
Kildee
Kim
King
Kingston
Kleczka
Klug
Knollenberg
Kolbe
LaHood
LaTourette
Laughlin
Lazio
Leach
Lewis (CA)
Lewis (GA)
Lewis (KY)
Lightfoot
Lincoln
Linder
Livingston
LoBiondo
Lofgren
Longley
Lucas
Manton
Manzullo
Martini
Matsui
McCrery
McHugh
McInnis
McIntosh
McKeon
Meek
Metcalf
Mica
Miller (FL)
Minge
Molinari
Mollohan
Morella
Murtha
Myrick
Nethercutt
Neumann
Ney
Norwood
Nussle
Ortiz
Oxley
Packard
Parker
Paxon
Payne (VA)
Pelosi
Peterson (MN)
Pickett
Pombo
Porter
Portman
Pryce
Quinn
Radanovich
Rahall
Ramstad
Regula
Richardson
Riggs
Roberts
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Rush
Salmon
Sanford
Saxton
Scarborough
Schaefer
Scott
Seastrand
Shadegg
Shaw
Shays
Sisisky
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Spratt
Stearns
Stenholm
Stockman
Stump
Stupak
Talent
Tanner
Tate
Tauzin
Taylor (MS)
Taylor (NC)
Tejeda
Thompson
Thornberry
Tiahrt
Torkildsen
Torricelli
Towns
Traficant
Upton
Vucanovich
Waldholtz
Walker
Walsh
Wamp
Ward
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wyden
Wynn
Zeliff

NAYS—156

Abercrombie
Ackerman
Baesler
Becerra
Beilenson
Bentsen
Bereuter
Berman
Borski
Browder
Brown (CA)
Brown (OH)
Bryant (TN)
Bryant (TX)
Bunn
Bunning
Burton
Cardin
Chapman
Clay
Clayton
Clyburn
Coble
Coleman
Collins (IL)
Collins (MI)
Conyers
Costello
Coyne
Cramer
Crane
Danner
Davis
de la Garza
DeFazio
DeLauro
Dellums
Deutsch
Dixon
Doggett
Dooley
Doyle
Duncan
Durbin
Edwards
Engel
Evans
Farr
Fattah
Fields (LA)
Filner
Foglietta
Ford
Frank (MA)
Frost
Gejdenson
Gephardt
Gibbons
Gonzalez
Green
Gunderson
Hancock
Harman
Hefley
Hefner
Herger
Hilleary
Hilliard
Hinchey
Hobson
Hoekstra
Holden
Jacobs
Jefferson
Johnson (SD)
Johnson, E. B.
Jones
Kanjorski
Kaptur
Kennedy (MA)
Kennedy (RI)
Kennelly
Klink
LaFalce
Lantos
Largent
Latham
Levin
Lipinski
Lowey
Luther
Maloney
Markey
Mascara
McCarthy
McCollum
McDermott
McHale
McKinney
McNulty
Meehan
Menendez
Meyers
Mfume
Miller (CA)
Mineta
Mink
Moran
Myers
Nadler
Neal
Oberstar
Obey
Olver
Orton
Owens
Pallone
Pastor
Payne (NJ)
Peterson (FL)
Petri
Pomeroy
Poshard
Quillen
Rangel
Reed
Rivers
Roemer
Roth
Roybal-Allard
Sanders
Sawyer
Schiff
Schroeder
Schumer
Sensenbrenner
Serrano
Skaggs
Skelton
Slaughter
Stark
Stokes
Thomas
Thornton
Torres
Tucker
Velazquez
Vento
Visclosky
Waters
Watt (NC)
Waxman
Wise
Wolf
Woolsey
Zimmer

NOT VOTING—23

Andrews
Bateman
Callahan
Chrysler
Dicks
Hall (OH)
Martinez
McDade
Moakley
Montgomery
Moorhead
Reynolds
Rose
Sabo
Shuster
Studds
Thurman
Volkmer
Williams
Wilson
Yates
Young (AK)
Young (FL)

☐ 0005

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

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

DISCLAIMER OF STATEMENTS ATTRIBUTED TO ME

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

Mr. OBEY. Mr. Speaker, twice in debate on the previous rule it was asserted that this bill is going to be debated tonight because that was my preference. That is absolutely baloney. For the last month, at the request of the majority, I have been trying to assist the majority to see to it that they finish all their appropriations bills before we recess for August. It has been my position from the beginning that telecommunications should not even be on the floor until the Labor-HEW bill is finished and until the defense appropriation bill is finished. If after that time there is time for telcom, in my view that is a decision that is made above my pay grade by the leadership, but I personally believe it is a disgrace that any of these bills, especially a bill

involving this much money, will be debated in the dead of night in such a limited time frame.

Mr. Speaker, this bill should not be here at all this week.

REQUEST FOR CONSIDERATION OF AMENDMENT NO. 2–2 OUT OF ORDER DURING CONSIDERATION OF H.R. 1555, COMMUNICATIONS ACT OF 1995

Mr. DINGELL. Mr. Speaker, I ask unanimous consent that when the Committee of the Whole resumes consideration of the bill H.R. 1555 pursuant to House Resolution 207 on the legislative day of August 3, 1995, it shall be in order to consider the amendment numbered 2–2 in House Report 104–223 notwithstanding earlier consideration of the amendment numbered 2–3 in that report on the legislative day of August 2, 1995.

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

Mr. BARTON of Texas. Reserving the right to object, Mr. Speaker, could I inquire of the distinguished ranking member of the Committee on Commerce if that means that the debate on the Conyers amendment would not be tonight, but would be tomorrow? Is that the intent of the gentleman's unanimous-consent request?

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

Mr. BARTON of Texas. I yield to the gentleman from Michigan.

Mr. DINGELL. The gentleman is correct.

Mr. BARTON of Texas. Mr. Speaker, Further reserving the right to object, I had asked for the same consideration. I am supporting the Stupak amendment, which is only 10 minutes of debate time, and it asks for the same consideration. The gentleman from Colorado [Mr. SCHAEFER], the gentleman from Michigan [Mr. STUPAK], and myself are in continuing negotiations, and it is quite likely that we would have an agreement so that there would not have to be even a vote on that amendment, and I was told that we could not do that.

Well, if we cannot do that, I am going to object to the gentleman from Michigan doing it.

Now if we can get unanimous consent that our little 10-minute debate can also be tomorrow, then I will not object.

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

Mr. BARTON of Texas. I yield to the gentleman from Michigan.

Mr. DINGELL. Mr. Speaker, if the gentleman would permit, that has been discussed with the gentleman from Michigan [Mr. CONYERS]. He feels no objection. I have discussed it with other members of the committee and other Members managing the legislation. This meets the approval of the leadership on the Republican side.

I would urge the gentleman to go along. It does not prejudice the gentleman from Michigan [Mr. STUPAK], who happens to be a very close friend and comes from the same State I do.

Mr. BARTON of Texas. If we could get agreement that the Stupak amendment, which is only 10 minutes of debate, could be tomorrow, then I will withdraw my reservation of objection.

Mr. DINGELL. Mr. Speaker, if the gentleman would yield, I have no objection to the gentleman making that unanimous-consent request.

Mr. HYDE. Mr. Speaker, if the gentleman will yield, the gentleman from Philadelphia, Pennsylvania [Mr. FATTAH] is just about to make a privileged motion.

Now we are going to get along here, we are going to have unanimous-consents, we are going to try and move along. Many of us share the discomfort of the hour. But look. We want to get out on our recess, but is the gentleman going to move to adjourn, because if so, it is going to be difficult to agree to much around here.

So, I do not know if the gentleman wishes to disclose what his privileged motion is, but I suspect it is going to be to adjourn.

Mr. BARTON of Texas. Mr. Speaker, I am not sure of the parliamentary procedure, but, if I have the right, I would ask that the Dingell unanimous-consent request be amended so that the Stupak amendment will also be rolled until tomorrow.

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

Mr. BARTON of Texas. Further reserving the right to object, I yield to the gentleman from Michigan.

Mr. DINGELL. Mr. Speaker, would the gentleman withhold his unanimous-consent request and let me make mine?

The SPEAKER pro tempore. The Chair will entertain one unanimous-consent request at this time.

Mr. BARTON of Texas. Mr. Speaker, I withdraw my reservation of objection.

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

Mr. BRYANT of Texas. Reserving the right to object, Mr. Speaker, I would like to ask the gentleman what the purpose of wanting to change the order of consideration of the amendments is. Is he concerned that no one will be here to pay attention to the Conyers amendment if the unanimous-consent request is not granted?

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

Mr. BRYANT of Texas. I yield to the gentleman from Michigan.

Mr. DINGELL. The gentleman from Michigan [Mr. CONYERS] had indicated he wishes to do business with his amendment tomorrow. I think that is a fine idea, and I would like to see him have that opportunity.

Mr. BRYANT of Texas. Where is the gentleman from Michigan [Mr. CONYERS], and why is he not making this request?

Mr. DINGELL. It just so happens, I will inform the gentleman, that I am, according to what I understand, the manager of the bill on this side, and I am simply trying to proceed and carry out those functions.

Mr. BRYANT of Texas. Mr. Speaker, I object.

The SPEAKER pro tempore. Objection is heard.

MOTION TO ADJOURN

Mr. FATTAH. Mr. Speaker, I offer a privileged motion.

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

The Clerk read as follows:

Mr. FATTAH moves that the House do now adjourn.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania [Mr. FATTAH].

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

RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were ayes 89, noes 216, not voting 129, as follows:

[Roll No. 617]

AYES—89

Ackerman
Baldacci
Becerra
Berman
Bishop
Brown (CA)
Brown (OH)
Bryant (TX)
Clay
Conyers
Danner
DeLauro
Dixon
Doggett
Durbin
Edwards
Engel
Evans
Fattah
Fazio
Fields (LA)
Filner
Ford
Frank (MA)
Furse
Gejdenson
Gephardt
Gonzalez
Hastings (FL)
Hayes
Hilliard
Hinchey
Jackson-Lee
Jacobs
Jefferson
Kaptur
Kennedy (MA)
Kennedy (RI)
Kennelly
Klink
LaFalce
Lewis (GA)
Lofgren
Lowey
Luther
Maloney
Markey
Mascara
McCarthy
McDermott
McHale
McKinney
McNulty
Meehan
Meek
Menendez
Mfume
Miller (CA)
Mineta
Minge
Mink
Mollohan
Nadler
Neal
Obey
Orton
Owens
Pallone
Payne (NJ)
Pelosi
Rahall
Rangel
Reed
Richardson
Roybal-Allard
Rush
Sanders
Schumer
Scott
Serrano
Slaughter
Spratt
Thompson
Torres
Tucker
Ward
Waters
Wise
Woolsey

NOES—216

Allard
Armey
Bachus
Baesler
Baker (CA)
Ballenger
Barcia
Barr
Bartlett
Barton
Beilenson
Bentsen
Bereuter
Bliley
Blute
Boehlert
Boehner
Bonilla
Bonior
Boucher
Brewster
Browder
Brown (FL)
Bryant (TN)
Bunn
Burr
Burton
Buyer
Calvert
Camp
Castle
Chabot
Chambliss
Chapman
Christensen
Clayton
Clement
Clyburn
Coble
Coburn
Collins (GA)
Condit
Cooley
Cox
Cramer
Crane
Crapo
Cremeans
Cubin
Cunningham
Davis
Deal
DeLay
Dickey
Dingell
Dooley
Doolittle

Doyle
Dreier
Duncan
Ehlers
Ehrlich
Emerson
English
Eshoo
Everett
Farr
Fawell
Fields (TX)
Flanagan
Foley
Forbes
Fowler
Fox
Franks (CT)
Franks (NJ)
Frelinghuysen
Frisa
Frost
Funderburk
Ganske
Geren
Gilchrest
Gillmor
Goodlatte
Gordon
Goss
Graham
Green
Greenwood
Gutknecht
Hall (TX)
Hancock
Hastert
Hastings (WA)
Hayworth
Herger
Hilleary
Hobson
Hoekstra
Hoke
Holden
Horn
Hostettler
Houghton
Hoyer
Hunter
Hyde
Inglis
Istook
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Johnston
Jones
Kasich
Kildee
Kim
Kingston
Kleczka
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Lazio
Leach
Lewis (CA)
Lewis (KY)
Lightfoot
Lincoln
Linder
LoBiondo
Longley
Lucas
Manzullo
Martini
McCollum
McCrery
McHugh
McInnis
McIntosh
McKeon
Metcalf
Meyers
Miller (FL)
Molinari
Morella
Nethercutt
Ney
Norwood
Nussle
Ortiz
Oxley
Pastor
Paxon
Payne (VA)
Peterson (MN)
Pombo
Porter
Portman
Poshard
Pryce
Quinn
Riggs
Rohrabacher
Ros-Lehtinen
Royce
Salmon
Sanford
Sawyer
Saxton
Scarborough
Schaefer
Schiff
Seastrand
Shadegg
Shays
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (WA)
Solomon
Souder
Stearns
Stenholm
Stump
Stupak
Talent
Tanner
Tate
Tauzin
Taylor (MS)
Tejeda
Thomas
Thornberry
Thornton
Torkildsen
Towns
Traficant
Upton
Waldholtz
Walker
Walsh
Watts (OK)
Weldon (FL)
Weldon (PA)
White
Whitfield
Wicker
Wyden
Wynn
Zeliff
Zimmer

NOT VOTING—129

Abercrombie
Andrews
Archer
Baker (LA)
Barrett (NE)
Barrett (WI)
Bass
Bateman
Bevill
Bilbray
Bilirakis
Bono
Borski
Brownback
Bunning
Callahan
Canady
Cardin
Chenoweth
Chrysler
Clinger
Coleman
Collins (IL)
Collins (MI)
Combest
Costello
Coyne
de la Garza
DeFazio
Dellums
Deutsch
Diaz-Balart
Dicks
Dornan
Dunn
Ensign
Ewing
Flake
Foglietta
Gallegly
Gekas
Gibbons
Gilman
Goodling
Gunderson
Gutierrez
Hall (OH)
Hamilton
Hansen
Harman
Hefley
Hefner
Heineman
Hutchinson
Johnson (SD)
Kanjorski
Kelly
King
Klug
Lantos
Laughlin
Levin
Lipinski
Livingston
Manton
Martinez
Matsui
McDade
Mica
Moakley
Montgomery
Moorhead
Moran
Murtha
Myers
Myrick
Neumann
Oberstar
Olver
Packard
Parker
Peterson (FL)
Petri
Pickett
Pomeroy
Quillen
Radanovich
Ramstad
Regula
Reynolds
Rivers
Roberts
Roemer
Rogers
Rose
Roth
Roukema
Sabo
Schroeder
Sensenbrenner
Shaw
Shuster
Sisisky
Skaggs
Smith (TX)
Spence
Stark
Stockman
Stokes
Studds
Taylor (NC)
Thurman
Tiahrt
Torricelli
Velazquez
Vento
Visclosky
Volkmer
Vucanovich
Wamp
Watt (NC)
Waxman
Weller
Williams
Wilson
Wolf
Yates
Young (AK)
Young (FL)

□ 0034

Mr. MILLER of Florida changed his vote from ''aye'' to ''no.''

So the motion was rejected.

The result of the vote was announced as above recorded.

REQUEST FOR PERMISSION TO CONSIDER AMENDMENT OUT OF ORDER DURING CONSIDERATION OF H.R. 1555, COMMUNICATIONS ACT OF 1995

Mr. BLILEY. Mr. Speaker, I ask unanimous consent that when the Committee of the Whole resumes consideration of the bill, H.R. 1555, pursuant to House Resolution 207, on the legislative day of August 3, 1995, it shall be in order to consider the amendment numbered 2–1 and 2–2 in House Report 104–223, notwithstanding earlier consideration of the amendment 2–3 in that report on the legislative day of August 2, 1995.

Mr. BRYANT of Texas. Mr. Speaker, reserving the right to object, I would like to ask the gentleman to explain exactly what he is attempting to do here.

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

Mr. BRYANT of Texas. I yield to the gentleman from Virginia.

Mr. BLILEY. Mr. Speaker, basically it would allow us today to take up the Cox-Wyden amendment after the manager's amendment. That is it.

Mr. BRYANT of Texas. Mr. Speaker, I would ask the gentleman, is there some reason for doing that?

Mr. BLILEY. Mr. Speaker, if the gentleman will continue to yield, only to save time, so that we will have less time to be consumed tomorrow evening when we return to the bill.

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

Mr. BRYANT of Texas. I yield to the gentleman from Michigan.

Mr. DINGELL. Mr. Speaker, it also is because the gentleman from Michigan [Mr. CONYERS] would prefer to bring up his amendments tomorrow, and the gentleman from Massachusetts [Mr. MARKEY] would prefer to bring up his amendments tomorrow. This would facilitate the business of the House, and also is an accommodation to the Members.

Mr. BRYANT of Texas. Mr. Speaker, I wonder if the gentleman would respond, if I might yield to him further, why these gentlemen want to take their amendments up tomorrow instead of the middle of the night like all of the other amendments?

Mr. STUPAK. Mr. Speaker, if the gentleman will yield, on my amendment No. 2–1, we were very close tonight to having a final agreement on it. We worked on it for about 4 hours. We feel with a little more effort tonight and tomorrow morning, we may be able to get an agreement so we do not have to bring up my amendment tomorrow. We are trying to save the time tonight.

Mr. BRYANT of Texas. Mr. Speaker, reclaiming my time under my reservation, I would just like to say that the process of bringing this up in the middle of the night is an outrage, and I will not go along with accommodating anybody. If we are going to stay here all night long, everybody can stay here all night long, and I object.

The SPEAKER pro tempore. Objection is heard.

COMMUNICATIONS ACT OF 1995

The SPEAKER pro tempore. Pursuant to House Resolution 207 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. 1555.

□ 0038

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 1555) to promote competition and reduce regulation in order to secure lower prices and higher quality services for American telecommunications consumers and encourage the rapid deployment of new telecommunications technologies, with Mr. KOLBE in the chair.

The Clerk read the title of the bill.

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

Under the rule, the gentleman from Virginia [Mr. BLILEY] will be recognized for 22½ minutes, the gentleman from Michigan [Mr. DINGELL] will be recognized for 22½ minutes, the gentleman from Illinois [Mr. HYDE] will be recognized for 22½ minutes, and the gentleman from Michigan [Mr. CONYERS] will be recognized for 22½ minutes.

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

PARLIAMENTARY INQUIRY

Mr. FIELDS of Louisiana. Mr. Chairman, I have a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. FIELDS of Louisiana. Mr. Chairman, does the chair expect to take any more recorded votes tonight? Will we roll votes until tomorrow morning? There are many Members who wish to know the answer to that question.

The CHAIRMAN. The Chair cannot anticipate whether or not votes will be required this evening.

Mr. FIELDS of Louisiana. Can the Chair roll votes until tomorrow morning if it is not a privileged motion?

The CHAIRMAN. Under the rule, the Chair has the authority to postpone requests for recorded votes on the amendments, which is the intention of the Chair, but not on other motions.

Mr. FIELDS of Louisiana. Will the Chair exercise the prerogative to roll votes?

The CHAIRMAN. It is the intention of the Chair to postpone votes on amendments until tomorrow.

Mr. BLILEY. Mr. Chairman, I yield myself four minutes.

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

Mr. BLILEY. Mr. Chairman, today and tomorrow we will consider and pass the Communications Act of 1995, the most important reform of communications law since the original 1934 Communications Act, more than 60 years ago. This bill is sweeping in its scope and effect. For the first time, communications policy will be based on competition rather than arbitrary regulation. As a result of this fundamental shift in philosophy, American consumers stand to benefit from a greater choice of telecommunications services at lower prices and higher quality than previously available.

As most Members of this House know, Congress has talked about telecommunications reform for the past several years. In fact, we have come close several times, most recently last Congress, when the House overwhelmingly passed a telecommunications reform bill only to see it die in the Senate. This year, with the help of Mr. DINGELL, Mr. HYDE and Mr. FIELDS, we are determined to succeed where past Congresses have failed in seeing to it that telecommunications reform finally becomes law.

The Communications Act of 1995 requires the incumbent provider of local telephone service to open the local exchange network to competitors seeking to offer local telephone services. The legislation also will create competition in the video market by permitting telephone companies to compete directly with cable companies. Once the Bell operating companies open the local exchange networks to competition, the Bell companies are free to compete in the long distance and manufacturing markets. This bill also includes language relating to the Bell operating company provision of electronic publishing and alarm services.

More importantly, the key to this bill is the creation of an incentive for the current monopolies to open their markets to competition. This whole bill is based on the theory that once competition is introduced, the dynamic possibilities established by this bill can become reality. Ultimately, this whole process will be for the common good of the American consumer.

The difficulty of passing communications reform legislation is well known. In the midst of the important and difficult policy decisions which must be made by Members, large telecommunications companies have expended enormous pressure to keep competitors out of their businesses. In the name of competition, these companies have lobbied our Members intensively for their fair advantage in the new competitive landscape. Any one of these factions is capable of preventing what we all recognize is much needed reform. I urge my colleagues, particularly the new Members, to resist these pressures and to pass this long overdue bill. I realize these are not easy votes.

As I have stated, the need for telecommunications legislation is long overdue. We all recognize that the telecommunications industry is at a critical stage of development. This was highlighted by some of the merger activity we have seen this week. ''Convergence'' is the technical term used to describe the rapid blurring of the traditional lines separating discrete elements of the industry. From a policy perspective, convergence means that Congress must set the statutory guidelines to create certainty in the marketplace and to ensure fairness to all industry participants, incumbent and new entrant, alike. Such a policy will ensure a robust, competitive environment that will provide the American consumer with new telecommunications products and services at reasonable prices.

Mr. Chairman, Subcommittee Chairman FIELDS, Mr. DINGELL, and the members of the Commerce Committee strongly believe that the best policy decision this Congress can adopt is to open all telecommunications markets and to encourage competition in these markets. We believe it is competition, and not Government micro-management of markets, that will bring new and innovative information and entertainment services to Market as quickly as possible.

In shaping our legislation on a pro-competitive model, we have been careful, However, not to legislate in a vacuum. We have taken into account past, Government-created advantages. We have resisted, in the name of deregulation, to simply break up one monopoly only to replace it with another. Rather, we have created a model that reflects the development of competition in the local telephone market.

Mr. Chairman, I want to spend a few moments on the issue of opening the local telephone market to competition.

The bill directs the Federal Communications Commission to adopt rules relating to opening the local telephone market. At any time after the FCC adopts its rules, a Bell operating company may seek entry into the long-distance market by filing with the Commission a certification from a State commission that it has met the bill's checklist requirements for opening up the local telephone market.

Additionally, a Bell operating company must file a statement that either: First, there is an agreement in effect—the terms and conditions of which are immediately available to competitors statewide—under which a facilities-based competitor is presently offering local telephone service to residential and business subscribers; or second, no such facilities-based provider has requested access and interconnection, but the Bell Company has been certified by the State that is has opened the local exchange in accordance with the act's requirements.

The FCC will review the Bell Company's verification statement, and during this review period, the FCC will consult with the Attorney General and the Attorney General's comments will be entered into the FCC's record.

Mr. Chairman, we believe that the approach we have adopted is a fair and balanced one. We understand the lobbyists and media tend to characterize this bill as either pro-Bell or pro-long distance depending on any word change. Our aim has always been to produce a fair test for providing not only Bell entry into long distance but long distance and other competitors entry into local telephony.

Each side has lobbied hard for its own fair advantage. What is important is that we believe we have achieved our goal of opening these markets in a balanced and equitable manner in order to bring new services and products to the American people as quickly as possible.

The legislation we are considering today will provide competition not only in the local telephone market but the long distance, cable, and broadcast markets. The bill also removes unnecessary and arbitrary regulation and adopts temporary rules that provide the transition to competitive markets.

Mr. Chairman, today we have a historic opportunity to reclaim our role in setting telecommunications policy. I urge my colleagues to vote for H.R. 1555.

□ 0045

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

Mr. DINGELL. Mr. Chairman, I yield myself 3 minutes.

Mr. Chairman, I rise in support of H.R. 1555.

H.R. 1555 is a big bill, but not a flawless bill. While I continue to have serious reservations about several of its provisions, it accomplishes many important goals. It will inject a healthy dose of competition into the communications industries—competition for cable service, competition for local telephone service, and more competition for long distance service. These are good provisions, and will benefit our constituents and our economy.

The bill will also get the Federal judiciary out of the business of micromanaging telecommunications—and that is good too. In fact, this has been a goal of mine since the breakup of the Bell System back in 1984.

The bill outlaws the practice known as slamming—when subscribers are switched from one carrier to another without permission. And it includes penalties that should serve as an effective deterrent to this noxious practice.

In moving to a competitive environment, the legislation protects several industries from unfair competition. H.R. 1555 includes safeguards to ensure that burglar alarm companies, electronic and newspaper publishers, and manufacturers of telecommunications equipment are not victimized by unfair competition.

H.R. 1555 requires that if the Federal Communications Commission adopts standards for digital television, that the rules permit broadcasters to use their spectrum for additional services that will benefit our constituents.

Having said all these good things about the bill, however, it is important to note that it is not perfect. It contains many compromises that were necessary to move the bill along. I'd like to compliment my colleagues, TOM BLILEY and JACK FIELDS, for the manner in which they have treated me and all the minority members as the bill moved through the process. We reached many compromises on the technically complex and detailed provisions of this bill, and they have worked with me with fairness, grace, and wit.

There are other areas, however, that need more work. These include the premature deregulation of the cable industry, the provisions eliminating limits on the ownership of mass media properties, and the absence of provisions that require the installation of the V-chip in television receivers. Mr. MARKEY intends to offer amendments to correct these deficiencies, and we will debate them later on.

Last year, the House suspended the rules and passed comparable legislation, H.R. 3626, by a vote of 423 to 5. Our bill did not pass the Senate—for a variety of reasons—and so we have been forced to go through this process all over again. I suspect that many of our colleagues dearly wish that the Senate had acted, so that we could have avoided much of the controversy of the last couple of weeks.

Mr. Chairman, on balance, H.R. 1555 is an improvement in current law. With its problems corrected by the adoption of the Markey amendments, it will be a downright good bill. I urge my colleagues to support Mr. MARKEY on his amendments, and vote for the adoption of H.R. 1555.

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

Mr. HYDE. Mr. Chairman, I yield 4 minutes to the distinguished gentleman from Illinois [Mr. FLANAGAN].

Mr. FLANAGAN. Mr. Chairman, I rise in strong support of H.R. 1555. This is a very important bill. It will provide competitiveness to an industry that has long lacked it. It will provide competitiveness in the long distance market.

Most support this bill, industry, labor alike. There is one small group that opposes this bill violently. That is the group of interesting and very strongly opposing folks, the Competitive Long Distance Coalition, made up of seven of the most colossally large corporations in the world, with net assets that are measured in the hundreds of billions of dollars.

Over the course of the last 10 days or so, every Member of this Chamber has been greeted as they came through the door with a sack of mail. I got one such sack here. This sack is not the mail I have received over the past 10 days. It is not even the sack of mail I received today. This is my 2 o'clock mailing. Every Member of Congress gets four mailings a day. This arrived at 2 o'clock today.

I was so livid by this, because I have never sent a telegram in my life, but AT&T would have me believe that thousands of people in my district feel so strongly about their corporate profits that they are going to send me thousands of telegrams.

So I put my busy beavers to work today in my office and asked them to make a few phone calls. They called 200 of these telegrams. We actually got hold of 75 of them. And in the course of that time we found out that 3, exactly 3 people out of those 75 even heard of these much less supported it.

Let me give you a few examples. This group of people right here, they do not speak English. We put some multilinguists on the phone with them for a good long time and talked to them at great length, but they really did not care much about telecommunications and even less about long distance corporate profits.

This group here, Anthony in Chicago, very fine fellow, we could not talk to him. He has been bed-ridden for several months, and his wife told us on the phone that he has bigger problems to worry about then profits in the long distance companies.

This guy here, Harold, he is also a very fine fellow. We could not talk to him either because his wife told us that he had been in intensive care for several weeks and probably had better things to do than call me about telecom.

This is a great one, Mr. Chairman. This is Dennis, who is supposed to live in River Grove. We called Dennis out there. Dennis has not lived in Illinois in 10 years. Dennis not only lives in southern Wisconsin, but just for grins we asked for his phone number to get hold of him. We called Dennis and Dennis said, Not only do I not care about telecom and long distance profits, but if I did, why the hell would I call you?

This is the great one, this is little Andrea. We called her, and her mom answered the phone and said, Well, little Andrea is 8 and she is out playing now, but when she comes in, I will have her call and tell you about the bill.

This is the worst one of all. This is the most loathsome example, Casimir in my district. I will not say anything more about him out of respect for the family. But Casimir passed on in March.

It has been said in Chicago that those who have gone beyond have a tendency to vote, but to send me a telegram is indeed truly long distance at its best.

Mr. Chairman, I do not make this speech to mock the dead. I make this speech to show the appalling tactics of a tiny minority that absolutely are opposed to this bill, not because it is anticompetitive but because they are not preferentially advantaged as they have been through the years.

I urge every Member to vote for H.R. 1555, to ignore these sacks of mail and to, if they have objection to this bill, please let it be principled. Please let it be a reason not to vote for it and let this have nothing to do with your decision.

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

Good morning, Members of the Congress, insomniacs in the public, particularly those that are watching us on cable. I hope they are enjoying it now, because it is about to get a whole lot more expensive.

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN. The gentleman from Michigan [Mr. CONYERS] is advised to address the Chair and not others.

Mr. CONYERS. Mr. Chairman, I will correct myself.

Good morning, Members of the Congress and insomniacs in the Congress, particularly those of you who are present on the floor. I hope that you are enjoying this now because it is going to get a lot more expensive for those of us who are cable subscribers in this country.

If this bill passes, cable rates are guaranteed to rise and rise substantially. That will be a blessing to some people who do watch us and listen to us with some regularity. Not only will it be more expensive to watch us, it will be more expensive to watch sports, movies, and even infomercials.

You know all those telephone commercials arguing that their rates are lower? Well, forget it. As a result of this bill, long distance telephone rates will also rise along with cable rates. It is going to be a lot more expensive to call anybody from one end of this country to the other, and it is going to be expensive for your constituents, more expensive for your constituents to call you and me here in Washington. It is going to be more expensive to reach out and touch.

When the Republican majority tells you this is good for you, I tell you that you had better read the fine print because this is a special interest bill. There are special interest politics that are at play here, not too much of a surprise at this point in time.

Special interest politics always smiles in your face while it picks your pocket. For American consumers, this is one big sucker punch.

The fact is that the Republican leadership knows all this, and that that is one big gift for the special interests. It is going to cost our constituents, the consumers, a bundle.

That is why the bill is brought up in the middle of the night, after so many people are not watching and that many Members of Congress have also apparently gone to sleep. And worse, they are not only doing it in the middle of the night, but with a so-called manager's amendment that was arrived at without the processes of either of the committee chairmen, not to mention ranking chairmen, of the two committees that produced two bills. No one

saw this, including the press, the public, Members of the Congress, until the final copy was issued yesterday.

So I ask those who support this bill and the manager's amendment, what are you so afraid of and why must we do it under these processes?

Fact: Long distance prices have gone down 70 percent since the breakup of AT&T in 1984. That is because the antitrust principles enforced by the Department of Justice drove that breakup. This bill is to get rid of those antitrust principles and send the Department of Justice to the showers. The problem is that your phone prices are very likely to increase as a result.

Maybe it is because a number of Members here do not want the public to know that its cable prices are going to rise as a result of this bill.

Maybe it is because many here do not want the public to know that all the media outlets in particular markets, television, radio, newspapers, will increasingly be owned by a very few, thereby drowning out the diversity of voices in our media outlets.

Maybe it is because the leadership does not want everyone to know that the antitrust rules which have so successfully governed the telephone industry are now in the process of being chucked out of the window.

So if you want it to cost more when your constituents flip on television or pick up the phone, you will vote for this measure tonight. If you want lower cable and telephone rates, then you are going to have to do something different. But I will say to my colleagues, this is one of the biggest consumer ripoffs that I have witnessed in my career in the Congress.

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

□ 0100

Mr. BLILEY. Mr. Chairman, I yield 4 minutes to the gentleman from Texas [Mr. FIELDS], chairman of the Subcommittee on Telecommunications and Finance.

(Mr. FIELDS of Texas asked and was given permission to revise and extend his remarks.)

Mr. FIELDS of Texas. Mr. Chairman, I rise in strong support of H.R. 1555, the Telecommunications Reform Act of 1995, and I hasten to say that I believe that this legislation is balanced, it is sweeping, and it is monumental.

Mr. Chairman, there are few times in a legislator's career when one can come to this floor and talk about an historic moment, a watershed when a government breaks the chains of the past and enters a new policy era. Well, this is such a moment.

Mr. Chairman, since Alexander Graham Bell invented the telephone, this is only the second time the Government has focused and dealt with telecommunication policy. The first time was 61 years ago in the 1934 Communication Act when our country utilized radio, telegraph, and telephone technology. The Congressmen and Senators in 1934 could not have envisioned the technology that we enjoy today. They could not have envisioned the advantages of digital overt analog transmission. They could not have envisioned that clear voice transmission, along with data and video, could be accomplished without a wire. They could not believe that you could digitally compress and transmit as much as six times the current broadcast signal with the same or enhanced video capabilities.

Mr. Chairman, I am here tonight to tell our colleagues that we cannot on August 3, 1995, predict what the technologies and applications of those technologies would be next month, let alone next year. I do firmly believe, however, that this legislation will unleash such competitive forces that our country will see more technological development and deployment in the next 5 years than we have seen this entire century. I firmly believe that this legislation will result in tens of thousands of jobs being created and tens of billions of dollars being invested in infrastructure and technology in an almost contemporaneous manner when signed by the President.

Mr. Chairman, I cannot stand here and say that this legislation is perfect, but I can stand up and say to this House that our focus as a Committee on Commerce was correct. This legislation is predicated upon two things: Competition and the consumer. A belief that competition produces new technologies, new applications for those technologies, new services, all at a lower per capita cost to the consumer.

Mr. Chairman, central to competition to the consumer in this legislation is opening the local telephone network to competition. We do this with a short rulemaking by the FCC, the telephone companies having to enter a good faith negotiation with a facilities-based competitor, like a cable company, on how the network is open. A review by the State Public Utility Commission and FCC that the loop is open to competition, and once the FCC finally certifies that that local telephone network is open to that facilities-based competitor, then the same agreement with the same terms and conditions is open to any competitor within that State.

Mr. Chairman, this puts the consumer in control. Cable companies, telephone companies, long-distance companies, will all be vying for the consumer's business, offering new technologies, better services, more choice, at lower cost.

Among other things we do in the bill, we also have broadcasters as they move into the new era of digital transmission to utilize the technology of signal compression, to produce as many as six signals over the air broadcast signals; where today, only one signal is produced, we do six. It is hard for us to know what this one piece of the legislation means tonight. We hope it means more local news, weather, sports, cultural programming, and particularly, educational quality programming aimed at our Nation's children, but we do not dictate. We do not micromanage.

Mr. DINGELL. Mr. Chairman, I yield 4 minutes to the distinguished gentleman from Massachusetts [Mr. MARKEY].

Mr. MARKEY. Mr. Chairman, first of all, I would like to begin by complimenting my good friend, the gentleman from Texas [Mr. FIELDS]. I have worked with the gentleman for three years on this legislation, and he and I have spent hundreds of hours talking about these issues and trying our best to come to common ground, and on many issues, we have, and many of those issues are in this bill. I think it is there that, in my opinion, the monumental parts of this bill are contained. I cannot thank the gentleman enough, and the gentleman from Virginia [Mr. BLILEY] on that side and all of the Members, and on this side, the gentleman from Michigan [Mr. DINGELL] and all of the members of our committee for all of the hard work which they have put into this bill over the last 3 years.

Mr. Chairman, unfortunately, since last year when we were considering this bill, there have been additions made to the legislation that were never under consideration in 1994. It is there primarily that the serious flaws in this legislation appear.

For example, one, I repeat myself, but it is very important. It is wrong to allow a single company to own the only newspaper, two television stations, every radio station in the entire cable system for a single community. It is just wrong. Second, I have no problem with deregulating the cable industry, if there is another competitor in that community. For 100 years in this country we have regulated monopolies.

Mr. Chairman, my career on the Committee on Commerce has been dedicated to deregulating toward competition so that we do not need to regulate monopolies any more, in electricity, in telephone, and in cable. But the honest truth of the matter is that there will be no competing cable system in most communities in America 2 years from today and 5 years from today. We should not subject those captive ratepayers to monopoly rents. It is wrong. Whenever a competitor shows up, total deregulation. That should be the heart and soul of this bill: Competition.

Third, the V-chip. We are creating a universe that is going to go from 30 to 50 to 60 to 100 to 200 to 500 channels. Mothers and fathers who will want this technology in their home for the wide variety of programming that will be available will also be terrified at what their child may gain access to when they are not home, or when they are in the kitchen. A violence chip upgrades the on-off switch. That is all it does. It allows the parent to upgrade a 1950s on-off switch to something that they can

have on or off when they are not in the room. That is all we are talking about. It only matches this 500 channel universe.

Mr. Chairman, these are the issues that we have to include in this bill if we are to move into the 21st century: Competition and protection of the consumer. I would hope that those amendments would be adopted.

Let me make another point. Here is the complaint form that is going to have to be filled out. For example, if you have 200,000 cable subscribers that are owned by the company in your area, 6,000 people have to fill out this form in order to complain about rates sky-rocketing when there is no other cable company in town that they can turn to, because rates are too high or quality is too low. Six thousand people out of 200,000 subscribers filling out a form that would basically make the 1040 form look attractive to most of them.

Mr. Chairman, this is not a complaint form. This is not a way in which ordinary consumers are going to be able to appeal when their rates go back up three times the rate of inflation before we put that cable rate protection on the books in 1992.

I am not looking for the kinds of radical changes that people might think. I am looking for common sense changes.

Mr. HYDE. Mr. Chairman, I yield 2 minutes to the gentleman from Ohio [Mr. NEY].

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

Mr. Chairman, I just want to actually make a comment, Mr. Chairman, about something that was not in the bill and we were disappointed because we did have an amendment, and that was to include stressing of availability and affordability for access for rural libraries, rural schools, and also rural hospitals. The gentleman from Virginia [Mr. BLILEY], the chairman of the committee, has stated here that although the amendment did not make it to the Committee on Rules, which was a disappointment, but that he is going to do all he can to work with the Senate version which does contain, I think, some good language.

Mr. Chairman, I just wanted to restress that there are a lot of Members of the House, had that amendment been in order and had that amendment come forth on the floor, they would have supported the amendment. I want to tell people here on the floor, Mr. Chairman, that in fact one of the most disenfranchised areas in the United States is in fact rural America. They pay the toll calls. There has not been the availability in a lot of areas on the information highway for rural America.

We know that we do not have enough money to solve all the problems, so therefore using high technology is going to bring a lot of information for our hospitals we could not normally get, it is going to bring a lot of information to our students who really do not have the advantage a lot of times of the high-technology systems, it is going to bring a lot of advantage to our libraries. I just want to restress that it has to be available and affordable.

Mr. Chairman, I appreciate the commitment of the gentleman from Virginia [Mr. BLILEY], because if we do not do something in this bill that is not in the House version, if we do not do something in the conference report, as this information superhighway goes across the United States, there is not going to be any exit ramps for rural America.

Mr. CONYERS. Mr. Chairman, I am pleased to yield 4 minutes to the gentleman from Texas [Mr. BRYANT].

(Mr. BRYANT of Texas asked and was given permission to revise and extend his remarks.)

Mr. BRYANT of Texas. Mr. Chairman, I would like to identify with the very generous remarks made by the gentleman from Massachusetts [Mr. MARKEY] a moment ago about the hard work done on this bill over the last few years. In fact, we passed an enormous bill in the last session of Congress and it ended up dying in the Senate.

Unfortunately, however, the work that was done by the committee over a period of several days, and frankly over a period of months preceding that, has been obviated by the fact that we now have before us at the very last minute what is called a manager's amendment which changes the bill entirely. The work of the committee, therefore, and the work of all of the people that came forth in the private sector, all of the people that came forth in the various public sectors, all of the Members of Congress, has now basically been sidelined while a manager's amendment that has been hammered out by the gentleman from Virginia [Mr. BLILEY], and I assume the gentleman from Michigan [Mr. DINGELL] and the gentleman from Texas [Mr. FIELDS] and others, not in an open committee rule, not with hearings, not with any organized input from anybody, is going to be brought up and we are going to be asked to vote for that.

Mr. Chairman, I think it is unprecedented. Maybe there is a precedent for it, although I cannot remember what it is. But I think that even if there were some precedent along the way for this, it should be condemned as a process. It is wrong. It is not the right way to legislate. I think it has a lot to do with the fact that we are up here right now at 1:15 in the morning debating a bill that relates to, I think I heard the gentleman from Texas [Mr. FIELDS] say, one-sixth of the entire economy, that changes the ability of people who are very important, powerful people and entities that own television stations to own more and more television stations in the same market, have greater and greater market penetration in the entire country that is controlled by just a very few people, always at a time when we read in the papers, even today about the confrontations going on in the telecommunications industry.

Mr. Chairman, this is an enormous bill. It is 1:15 in the morning. It is not right to be doing this, it is not necessary to be doing this. Not one single person will stand on the floor and say it is right or it is necessary.

Mr. Chairman, it is an outrage. I think the fact that we are doing it says a great deal about the manager's amendment. It says a great deal about the bill, unless we are able to amend it. We ought to amend it. We ought to adopt the Conyers amendment when the bill comes up unless the Justice Department has something to say about whether or not, when the Bell companies are able to enter into long-distance, they are in a position to drive everybody else out of business before they are allowed to enter into that business.

Mr. Chairman, I hope the amendment will be adopted. The Markey amendment ought to be adopted to try to ameliorate the monopolistic effects of this bill with regard to communications. Surely, if there is any industry that we do not want to see move in the direction of greater consolidation and monopolization, it would be the industry that controls the ideas of our children and the ideas of adults. Surely that is the one area we should protect assiduously, and yet this bill goes in the opposite direction. I hope you will adopt the Markey amendment.

Also, with regard to the V-chip, for goodness sakes, you know, we ought to be able to give parents the ability to control what their kids watch on television.

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

Mr. BRYANT of Texas. I yield to the gentleman from Michigan.

Mr. CONYERS. Mr. Chairman, the gentleman from Texas has worked assiduously on both committees. This is one of the few Members in the Congress who serve on both the Committee on Commerce and the Committee on the Judiciary.

Mr. Chairman, I would like to ask the gentleman, is there any way that we can promote investment and competition at the same time that we promote concentrations of power and mergers? I mean are these concepts that can be reconciled at all?

□ 1315

Mr. BRYANT of Texas. Not only can they not be reconciled, it is a great irony to me that our friends on the far right side of the political spectrum frequently stand up and say the problem with this country is the liberal media, and yet it is their bill that is going to allow the so-called liberal media owners to have greater and greater power. Now either my colleagues do not really believe the liberal media is a problem or somehow or another my colleagues do not mind going ahead and giving them more power. I am not sure which it is. It is preposterous.

The gentleman's question is right on target. We cannot reconcile the two goals, and I hope the Members will vote for the amendment offered by the gentleman from Massachusetts [Mr. MARKEY], for the amendment offered by the gentleman from Michigan [Mr. CONYERS], and, if we do not get them adopted, for goodness' sakes vote against the bill.

Mr. BLILEY. Mr. Chairman, I yield 3 minutes to the gentleman from Ohio [Mr. OXLEY].

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

Mr. OXLEY. Mr. Chairman, as an original cosponsor of the Communications Act of 1995, I wish to express my support for the manager's amendment and the bill, and let me give credit to the gentleman from Texas [Mr. FIELDS], the gentleman from Virginia [Mr. BLILEY], the gentleman from Michigan [Mr. DINGELL], the gentleman from Massachusetts [Mr. MARKEY], and many others who have worked long and hard on this. We are not reinventing the Wheel here.

The gentleman from Virginia [Mr. BOUCHER] and I have introduced a bill involving cable/telco cross-ownership along with then Senator GORE and CONRAD BURNS from Montana, and before that there was a bill introduced by Al Swift from Washington, and Tom Tauke from New York. This has been an issue that has been with us a long time.

The real question we ask ourselves is do we think it is necessary 10 years later to have an unelected, unresponsive Federal judge as a czar of telecommunications, or is it time we take that issue back for the people through their duly elected representatives?

Make no mistake about it. This is the most deregulatory bill in American history. Some $30 billion to $50 billion in annual consumer business costs are benefited, 3½ million new jobs created. This is the largest jobs bill that will pass this Congress or any other Congress for a long time to come. It opens up all telecommunications markets to full competition including local telephone and cable.

Now the cabel/telco provisions based on the bill I introduced with the gentleman from Virginia is part and parcel of this bill. It basically allows telephone companies into cable, cable into telephone, and provides the necessary competition that is going to benefit our consumers.

I want to talk briefly about a provision that I was intimately involved in, and that is section 310(b) of the Communications Act. We felt it necessary to modernize that provision so that American companies would have better access to capital and at the same time would be more competitive in a global economy. I think, through the efforts of compromise with the Members on both sides of the aisle, we have reached that compromise, and I think that section 310(b), as we have amended it working with the administration as well as with the members of the committee, is clearly a much better section than it currently is in that it would encourage foreign governments, if left as it is now, to restrict market access for U.S. firms.

Make no mistake about it. Countries all over the globe are liberalizing their policies in telecommunications and American companies are taking advantage of that more and more and more. It makes sense for us to be on that same path, and I think we will with the language we provided in section 310(b).

We are at the point of passing historic legislation in this House. It has been a long time coming. I give credit to all those who have been involved. This is a worthy undertaking, and I ask support for the manager's amendment and the bill.

Mr. DINGELL. Mr. Chairman, I yield 3 minutes to the distinguished gentlewoman from California [Ms. ESHOO].

Ms. ESHOO. Mr. Chairman, I rise in support of HR 1555.

The indelible mark of the latter part of this century is that we have moved from an industrial era to the information age. Our Nation's telecommunications policies need revisions to match not only this moment but also prepare us for a new century.

California's Silicon Valley, which I'm privileged to represent, are reinventing cyberspace each day, pioneering technologies so dramatic, that they revolutionize how we live, how we work, and how we learn.

I'm committed to maintaining and enhancing the ingenuity and innovation of our high technology and communications industries.

That's why I offered an amendment during full Commerce Committee consideration of this bill, adopted unanimously, that ensures that the FCC does not mandate standards which limit technology or consumer choices.

The language is supported by American business alliances including the Telecommunications Industry Association, the Alliance to Promote Software Innovation, the Coalition to Preserve Competition and Open Markets, and the National Cable Television Association.

On the other hand, foreign TV manufacturers are pushing the Federal Government to impose standards that will establish television sets as the gatekeeper to home automation systems.

These interests have spent hundreds of thousands of dollars in advertising calling for the elimination of this language. They've done this because the amendment is the only obstacle in their path to monopolizing consumers.

Mr. Chairman, my provision is not simply about TV wiring and cable signals. It's about shedding the past. It's about embracing the future. It's about allowing American technology to unleash their genius and create a new world of possibilities—new ways to communicate with each other, new ways to improve our lives, new ways to make technology work better for all of us.

I urge Members to support deregulation of our telecommunications markets. Our nation's leadership in the information age depends on it.

Mr. HYDE. Mr. Chairman, I yield 3 minutes to the gentleman from Virginia [Mr. GOODLATTE].

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

Mr. GOODLATTE. Mr. Chairman, I thank the gentleman from Illinois [Mr. HYDE] for yielding this time to me, and I rise in strong support of this legislation which will help to move the telecommunications policies of this country into the second half of the 20th century just in time to see this exploding technology move into the 21st century.

Make no mistake about it. It was Government policy that has restrained what is clearly the greatest opportunity for the creation of jobs and new technology that exists in this country, and it is about time that we enact this new policy to afford the opportunity to create the competition in all sectors of telecommunication that is going to bring about an explosion of opportunity for all Americans to have greater access to information, to have greater access to employment, and to have greater opportunities for new investment in all kinds of creative ideas.

So I strongly support this legislation. I do have concerns about some aspects of it. I will support the Burton-Markey v-chip amendment, and I would urge others to do so as well. This is not Government censorship, this is not getting Government involved in reviewing and screening these programs, the thousands of programs that are going to come across hundreds of cable channels. This is the empowerment of the parents of this country to be able to exercise the same responsibility in their own living rooms that they are now able to do with every movie that is offered in every movie theater in this country. It is simply an advanced technology for allowing parents to do the same thing with thousands of programs that are offered every week in their home that they do with the dozens of movies that are offered to their children in movie theaters. They will do it with technology, with the v-chip. That is the only feasible way that I know of, and anyone else that I have talked to knows of to accomplish this goal when we are talking about this massive amount of information.

I am also disappointed that the amendment which I offered, the Goodlatte-Moran amendment, was not made in order by the committee to guarantee protection for local governments that they will continue to be able to provide the kind of decisions on the placement of telecommunications equipment in their local communities, but we have received assurance from my good friend, the chairman of the Committee on Commerce and fellow Virginian, that this matter will be

fully addressed in conference, and I have every confidence that that will take place, that we will make it clear that on local zoning decisions local governments will make those decisions, and we will also make it clear that in advancing this telecommunication policy we will not have restraints on the ability to make sure this is a national policy by insuring that every community will allow this telecommunications into the community, however we will not have a problem with the fact that local governments need to have that opportunity.

I urge support for this bill.

Mr. CONYERS. Mr. Chairman, I yield 3 minutes to the able gentleman from Virginia [Mr. SCOTT].

Mr. SCOTT. Mr. Chairman, I rise in support of the Conyers amendment to H.R. 1555. This amendment would require prior approval by the Attorney General before a Bell operating company may enter into long distance or manufacturing. Both the Justice Department and the FCC would review the State certification of ''checklist'' compliance.

Under the manager's amendment to H.R. 1555, the FCC must consult with the Department of Justice [''DOJ''] before it makes a decision on a BOC's request to offer long distance services—but DOJ has no independent role in evaluating the request.

Mr. Chairman, by depriving DOJ of an independent voice in the review process, this bill creates unnecessary risks for consumers and threatens the development of a competitive local and long distance telecommunications marketplace. The aim of deregulation was to spur phone and cable companies to enter into each other's markets and create competition. That in turn would lower prices and improve service.

Just the opposite would happen under H.R. 1555 in its current form. H.R. 1555 encourages local cable—phone monopolies. Cable and phone firms could merge in communities of less than 50,000. Therefore, nearly 40 percent of the nation's homes could end up with monopolies providing them both services and the public would not be protected from unreasonable rate increases.

Mr. Chairman, the Department of Justice is the best protector of competition by utilizing the antitrust laws of this country. The Conyers amendment will ensure that the Department of Justice has a meaningful role in the telecommunications reform, and, if it passes, consumers of America will benefit.

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

I would like to announce for the benefit of the Members on the floor or in their offices that it is my intention to move that the Committee rise after general debate. There will be no debate or votes tonight on amendments.

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

(Mr. BARTON of Texas asked and was given permission to revise and extend his remarks.)

Mr. BARTON of Texas. Mr. Chairman and members, I rise in support of the bill. I think this is a very far-reaching telecommunications bill, the most far-reaching in the last 50 years. It will provide more competition for more industries for more consumers around this country. It will allow local telephone companies to get in long distance service. It will allow long distance telephone companies to get into local service. It will allow cable television providers to get into long distance and local service and vice versa. We will not have telephone companies, cable companies. We will have communications providers. The consumers will be the ultimate driver. They will have more choice.

□ 0130

I think it is a good bill. I think we should move it out of this body this week, move it to conference with the Senate so that we can have a modified version early this fall to pass and put on the President's desk.

Mr. Chairman, I want to speak specifically on the Stupak-Barton amendment that deals with local access for cities and counties to guarantee that they control the access in their streets and in their communities. The bill, as written, did not provide that guarantee. The Chairman's amendment does provide, I think, probably 75 percent, maybe 80 percent of that guarantee.

We are in negotiations this evening and will continue in the morning with the gentleman from Michigan [Mr. STUPAK] and the gentleman from Colorado [Mr. SCHAEFER] and myself, so that we should have an agreement that solves the issue to all parties' satisfaction, but we simply must give the cities and the counties the right to control the access, to control right-of-way, to receive fair compensation for that right-of-way, while not allowing them to prohibit the telecommunications revolution on their doorstep.

Mr. Chairman, the Stupak-Barton amendment will do that, and I am confident that we can reach an agreement with the gentleman from Virginia [Mr. BLILEY], the gentleman from Texas [Mr. FIELDS], and the gentleman from Colorado [Mr. SCHAEFER] tomorrow so that we can present a unanimous-consent agreement to the Members of the body later tomorrow afternoon.

I would support the amendment and support the bill and ask that the Members do likewise.

Mr. DINGELL. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from Oregon [Mr. WYDEN].

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

Mr. WYDEN. Mr. Chairman, I want to thank the gentleman from Michigan [Mr. DINGELL] and the gentleman from Massachusetts [Mr. MARKEY] for their many courtesies shown to me with respect to the provisions I am going to discuss, and also the gentleman from Texas [Mr. FIELDS] and the gentleman from Virginia [Mr. BLILEY], who have been exceptionally patient.

I take this floor first to talk as the father of two young computer literate children who use the Internet. As a parent, I and other parents want to make sure that our youngsters do not get access to the kind of smut and pornography and offensive material that we now see so often on the Internet.

Tomorrow, the gentleman from California [Mr. COX] and I, who have worked together in a bipartisan way, will offer an amendment based on a very simple premise. Our view is that the private sector is in the best position to guard the portals of cyberspace and to protect our children. In the U.S, Senate, they have somehow come up with the idea that our country should have a Federal Internet censorship army designed to try to police what comes over the Internet.

I would say to our colleagues, and, again, the gentleman from California [Mr. COX] and I have worked very closely together, that this idea of a Federal Internet censorship army would make the keystone cops look like Cracker Jack crime fighters. I look forward, along with Mr. COX, to discussing this more in detail with our colleagues tomorrow.

Second, Mr. Chairman, and very briefly, I would like to discuss an issue of enormous importance to westerners, and that is the problem with service in the U S West service territory. We learned today, for example, that there has been a 47 percent increase in delayed new service orders in the west. These are problems with waits for phone repairs, busy signals at the business offices, inaccurate information provided by company customer representatives.

An amendment I was able to offer, with again the help of the gentleman from Michigan [Mr. DINGELL], the gentleman from Texas [Mr. FIELDS], and the gentleman from Virginia [Mr. BLILEY], stipulates that local telephone companies have to meet certain service conditions as a factor prior to entering the long-distance market. This is a measure that will be of enormous benefit in the fastest growing part of our country, the U S West service territory.

Mr. Chairman, I want to thank our colleagues and the leadership on both sides for their patience.

Mr. Chairman, as telecommunications companies enter new fields, we must ensure current customers are not discarded and left without basic phone needs. The drive to streamline and downsize has subjected local telephone customers in my region of the country to poor customer service.

During Commerce Committee consideration of this legislation, I added a provision dealing with customer service standards. My amendment is in section 244 of the bill which outlines the conditions that local telephone companies must meet prior to entering the long distance

market. My amendment will give state utility commissions additional leverage to pressure the local phone companies to meet established customer service standards and requirements.

Local telephone customers complain vociferously about long waits for telephone repairs, busy signals at business offices, and inaccurate information provided by company customer representatives.

Just today, the Associated Press ran a story detailing customer service woes in the Pacific Northwest. According to the story, delayed new-service orders have increased 47 percent just this year. Across the West, more than 3,500 orders for new telephone service have been delayed in excess of 30 days. I ask that several articles addressing this situation be printed in the RECORD. Additionally, I submit a letter from Oregon Public Utilities Commissioner Joan Smith be included for the RECORD.

[From the Associated Press, Aug. 2, 1995]

UTILITY REGULATORS QUESTION HELD ORDERS—CONSOLIDATION LINK

(By Sandy Shore)

DENVER.— U S West Communications Inc.'s delayed new-service orders have increased 47 percent this year, and utility regulators blame it partially on the company's consolidated engineering operations.

Joan H. Smith, chairwoman of the utility Regional Oversight Committee, said her panel identified two common problems contributing to the delays.

''The committee speculates that it is the removal of engineers from each state and the current centralization of engineering services in Denver that are causing the problems,'' she said in a June 9 letter to Scott McClellan of U S West.

U S West spokesman Dave Banks said the consolidation did not cause the problems.

''The intent of going through the re-engineering effort is to do just the opposite of what regulators might be saying,'' he said. ''I think the problem is more of a result of the fact that we haven't been able to complete our re-engineering process in total yet.''

For more than a year, U S West has battled customer-service problems, ranging from persistent busy signals at business offices to delays of months and, in some cases years, in filing new-service orders.

The company has said the problems were caused by unprecedented growth in the Rockies, which occurred as it launched a re-engineering program to consolidate work centers, cut jobs and upgrade equipment.

As part of that re-engineering, U S West last month opened the Network Reliability Center in Littleton, which houses employees and equipment needed to monitor the 14-state telephone network.

In a June 30 letter to Smith, Mary E. Olson, a U S West vice president in network infrastructure, said the major cause of engineering delays has been the company's inability to readily access updated records on the network plant.

The company hopes to complete mechanization of that information by year-end, she said.

When the consolidation occurred, Olson said many engineers declined to transfer, which caused some delays, but the center is 95 percent staffed.

At the end of June, U S West had 3,588 held orders new-service requests delayed more than 30 days. That compared with 4,406 at the end of June 1994; 1,797 in January and 2,443 in March.

The largest increase occurred in Utah, where held orders reached 422 at the end of June, up from 197 in June 1994. Increases also were reported in Idaho, Minnesota, Nebraska, Utah and Washington.

Held orders decreased in Arizona, Colorado, Iowa, Montana, New Mexico, North Dakota, Oregon, South Dakota and Wyoming.

U S West exceeded its company goal of answering within 20 seconds at least 80 percent of the calls to residential telephone service office. It answered within 20 seconds 75.5 percent of the calls for residential repairs; 79.9 percent of for business repairs; and 72 percent to business service offices.

The regulators also have seen an increase in delayed repair orders and an increase in consumer complaints across U S West's 14-state region.

''Held orders are the biggest problems,'' said Montana regulator Bob Rowe. ''Some of the problems concerning access to the customer-service centers have seen some real improvements.''

Banks of U S West said, ''We're not exactly where we want to be, but again, June is a much busier season for us.'' The numbers ''are basically going to be higher in the summer months because we have much more demand for service,'' he said.

U S West spokesman Duane Cooke the company has scheduled 250 major construction projects in Utah this year and increased its capital improvement project to nearly $100 million to offset the problems.

It is kind of ironic because the re-engineering process designed to improve customer service in the short-term has aggravated the situation,'' he said. ''But, now we're starting to see the benefits of re-engineering.''

For example, the consolidated engineering group can complete work on a major construction project in three months to four months, compared with a year to 18 months previously.

OREGON PUBLIC UTILITY COMMISSION,
Salem, OR, July 19, 1995.

Hon. RON WYDEN,
U.S. House of Representatives, Longworth Office Building, Washington, DC.

Re H.R. 1555 [Quality of Service].

I write to you about H.R. 1555, the telecommunications deregulation bill, as a member of the Regional Oversight Committee (ROC) for U S WEST. Representing a state served by U S WEST, you should be aware of the effect H.R. 1555 may have on the quality of Oregon's phone service. I urge your support for stronger service quality protections, as suggested below.

The ROC was formed as a result of state regulatory concerns about affiliated interest transactions and cross-subsidy issues arising out of the Modification of Final Judgment (MFJ) that divided the nationwide telecommunications monopoly into separate regional companies. The ROC assists state commissions to perform their duties through positive, open relationships in a cooperative process. Since its creation, the ROC has identified other regulatory issues of mutual interest to state regulators, including privacy, competition, and service quality.

The prolonged deterioration in U S WEST's service quality and the opportunity to strengthen the language in H.R. 1555 related to service quality prompted me to write to you. Declines in service quality have occurred because U S WEST (and other RBOCs) have reduced and reassigned staff. Technical staff needed to maintain service quality were centralized. Total staffing was reduced. The result has been a marked increase in consumer complaints and unacceptable delays for consumers trying to obtain service.

Currently, H.R. 1555 specifically allows states to consider compliance with state service quality standards or requirements when reviewing statements from local exchange carriers (LEC) that they are in compliance with requirements set forth in Section 242 of the bill. State Commissions appreciate the inclusion of service quality considerations in the bill. However, the particular section in which service quality considerations currently reside lacks enforcement mechanisms. Disapproval of a statement submitted by a LEC, whether the disapproval is issued by a state or by the FCC, carries with it no penalty.

In contrast, enforcement authority with respect to many of the same conditions under Section 245 (Bell operating company entry into interLATA services), allows for three enforcement mechanisms that can be used by the FCC: an order to correct the deficiency, a penalty that may be imposed, or possible revocation of the company's authority to offer interLATA services.

From our work, we know that service quality is especially important to customers. States need clear authority, with a means of enforcement, over service quality issues in order to be effective.

The Senate bill (S. 652) allows states to require improvements in service quality of Tier 1 carriers (which would include RBOCs) as part of a plan for an alternative form of regulation, when rate of return regulation is eliminated. The Senate bill lists many possible features of a state ''alternative form of regulation'' plan that would provide ongoing consumer protection from potential adverse effects of the change in the way companies are regulated. The language of the Senate bill could easily be included in H.R. 1555 by changing the existing Section 3 to Section 4, and including the Senate language as a new Section 3. (See attachment.) I support this modification.

I urge your support for such an amendment.

We sent this to the House delegation.

JOAN H. SMITH,
Chairman.

PROPOSED AMENDMENT TO H.R. 1555

Including the attached language in H.R. 1555 would make it clear that states have the authority to respond to local conditions and take action to protect consumers when necessary. The plan for an alternative form of regulation could include penalties for failure to meet service quality standards. While the transition to a full competitive marketplace for telecommunications services is a goal that we all share, consumer protection in the present is an important consideration that should not be ignored in our enthusiasm for the future.

(3) THE NEW REGULATORY ENVIRONMENT

(A) In instituting the price flexibility required in this section the Commission and the States shall establish alternative forms of regulation that do not include regulation of the rate of return earned by such carrier as part of a plan that provides for any or all of the following—

(i) the advancement of competition in the provision of telecommunications services;

(ii) improvement in productivity;

(iii) improvements in service quality;

(iv) measures to ensure customers of non-competitive services do not bear the risks associated with the provision of competitive services;

(v) enhanced telecommunications services for educational institutions; or

(vi) any other measures Commission or a State, as appropriate, determines to be in the public interest.

(B) The Commission or a State, as appropriate, may apply such alternative forms of regulation to any telecommunications carrier that is subject to rate of return regulation under this Act.

(C) Any such alternative form of regulation—

(i) shall be consistent with the objectives of preserving and advancing universal service, guaranteeing high quality service, ensuring just, reasonable, and affordable rates, and encouraging economic efficiency; and

(ii) shall meet such other criteria as the Commission or a State, as appropriate, finds to be consistent with the public interest, convenience, and necessity.

(D) Nothing in this section shall prohibit the Commission, for interstate services, and the States, for intrastate services, from considering the profitability of telecommunications carriers when using alternative forms of regulation other than rate of return regulation (including price regulation and incentive regulation) to ensure that regulated rates are just and reasonable.

Mr. HYDE. Mr. Chairman, everybody has been thanking everybody around here, and I have kind of missed out, so I want to take this time to thank the staff: Alan Coffey, Joseph Gibson, Diana Schocht, Patrick Murray, and Dan Freeman on our side, and if I knew the names of the staff on the other side, maybe next round I will include them.

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

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

Ladies and gentlemen, in general, I think that this is a magnificent step forward, but I would like to concentrate on the Achilles heel of this bill, and that is the manager's amendment. The whole point, to me, of this telecommunications bill is that it will encourage investment. If it does not encourage investment, I do not think it opens up the opportunities for this country, and, frankly, has this tremendous job creating potential which is there.

Originally, Mr. Chairman, the wording was that the RBOCs were forced to have actual competition in their local areas before they reached out for the long-distance. Now that no longer is there, and that worries me. I think that is a mistake. I think it is counterproductive.

To prove my point, here is the report from Merrill Lynch, which talks about the wonderful opportunities for investing in some of the RBOCs, because the cash will be up, the earnings per share will be up, the dividend potential is up, and, therefore, it is a good opportunity. And why? Because investors should know that, quite positively, capital expenditures could decrease by as much as around 25 percent. That is not the point of this bill.

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

I would like to just speak very directly to the problem of seven Bells going into long-distance, because there is a serious problem with the Bell entry into long-distance. The core rationale for the massive antitrust lawsuit by the Justice Department that began in the 1970's and settled in 1984 was that the Bell system was using its local exchange monopoly to impede competition in the long-distance business.

Basically, the Bell system was cross-subsidizing and discriminating in favor of their long-distance business. This is the biggest antitrust suit tat has ever been brought. We are now dismissing the courts from it and deregulating at the same time; and, now, we suggest further that we defang the one regulator, the antitrust division of Justice, which, I think, is moving us in exactly the wrong direction to create business, to encourage diversity and to stimulate competition.

Because of the concern that the seven baby Balls would continue the same anti-competitive behavior, Mr. Chairman, the consent decree barred them from entering the long-distance business unless they could prove that there was ''No substantial possibility'' they could use their monopoly position to impede competition.

The truth is, Mr. Chairman, very little has changed since 1984. The Bells still have a firm monopoly over the local exchange market, and if they were allowed in long-distance without any antitrust review, they could use their monopoly control to impede competition and harm consumers. If we are to prevent this from occurring, we need to make sure that there is a Department of Justice antitrust review role, more of which will come on our amendment.

Now, Mr. Chairman, the administration has already sent an advisory that this bill will sustain a veto in its present form because of, principally, the manager's amendment, some 20 to 30 changes strewn throughout the commerce product that came to the floor in the form that it is in now.

What are we going to do, Mr. Chairman? Is there any way that we can get together? Does this have to be a train wreck? The President is going to veto the bill. Unless we make some sensible adjustments, I think that this is going to end up for naught, and we are going to be sent back to the drawing board. We did this once in the last Congress and now here we are doing it again.

I urge, Mr. Chairman, that some consideration to these important amendments by given by the Members of the other side.

I would like to thank, Mr. Chairman, my staff. They have played a very important role in this matter. My staff director, Julian Epstein, Perry Apelbaum, Melanie Sloan, and I do know the names of the other staff Members on the other side, and I salute them for their good work as well.

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

The CHAIRMAN. Before recognizing the gentleman from Virginia [Mr. BLILEY], let me, just for the edification of the Members, announce the time remaining.

The gentleman from Virginia [Mr. BLILEY] has 10 minutes remaining, the gentleman from Michigan [Mr. DINGELL] has 9½ minutes remaining, the gentleman from Illinois [Mr. HYDE] and the gentleman from Michigan [Mr. CONYERS] have 6½ minutes remaining.

Mr. BLILEY. Mr. Chairman, I yield 3 minutes to the gentleman from Illinois [Mr. HASTERT], a member of the committee.

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

Mr. HASTERT. Mr. Chairman, I thank the gentleman for yielding me time. I urge my colleagues to support the Communications Act of 1995.

It is time to move forward with the most deregulatory and progressive communications legislation Congress has considered in over a decade. The Communications Act of 1934 is a dinosaur that just can't keep pace with the exploding information and communication revolution.

Communications industries represent nearly a seventh of the economy and will foster the creation of 3.4 million jobs over the nest 10 years. Thus, every day we delay passage of H.R. 1555, we stifle competition and prevent the creation of these new jobs. If we do not act, the cost to our Nation's economy will be $30 to $50 million this year alone.

As a member of the Commerce Committee, I have been closely involved with drafting this legislation.

This bill provides the formula for removing the monopoly powers of local telephone exchange providers to allow real competition in the local loop. The long distance companies came to us early on with a list of areas (such as number portability, dialing parity, interconnection, equal access, resale, and unbundling) that give monopolies their bottleneck in the local loop. We agreed to remove the monopoly power in each and every one of those areas in our bill.

What's more, we included a facilities based competitor requirement. This means there must be a competing company actually providing service over his or her own telephone exchange facilities. Just meeting the checklist isn't enough—there must be some proof that it works. We've got that in this bill.

Bringing competition to the local loop is the best thing we can do for consumers. They will receive the twin benefits of lower prices and exposure to new and advanced services. Every day we delay consideration of this bill is a day telephone customer are denied choice of service providers and the benefits that go along with it.

The bill is much larger than the Bell operating company/long distance company fight. The bill is supported by the cable, broadcast, newspaper, and cellular industries. Taxpayer and consumer interest groups such as Citizens for a Sound Economy also support the bill. This is broad based support that we should not ignore. Therefore, I urge my colleagues to vote for H.R. 1555.

□ 0145

Mr. TAUZIN. Mr. Chairman, I yield 2 minutes to the gentleman from Pennsylvania [Mr. KLINK].

Mr. KLINK. Mr. Chairman, I thank my good friend, the gentleman from Louisiana, for yielding this time to me. I also want to echo the comments of some of the other speakers made in thanking Chairman BLILEY and Chairman FIELDS. They have been two very accommodating chairmen in trying to reach some commonality on many of the issues that this massive bill deals with. Unfortunately, I have been unable at any level to support this bill, and continue my opposition of the bill.

Let me just say I have a little different perspective I think. As many of the Members who were talking on the rule and who also have been speaking during general debate have talked about, we have already seen the massive amounts of merging that has been going on in anticipation of this bill. We have seen the Disney buyout of Cap Cities-ABC for $19 billion. We have seen Westinghouse Broadcasting $5 billion buyout of CBS.

I worked for Westinghouse Broadcasting for 14 years before coming here, so I know a little bit about the company. I do not have any belief that Westinghouse is an evil corporation or that they have any bad plans. In fact, I have fed my children and paid my rent for many years from the fruits of my labor with that company.

But what really concerns me is the fact that we are beginning to see the formation of what I would call information cartels. Only the largest corporations are going to be able to own these media outlets. In fact, when you start to talk about the fact that you can own the newspapers, as so many speakers have talked about, and the radio and TV stations and the cable, my question is this: Who in this House among us, if we live in a market where that takes place, will be free to cast a vote of conscience on a matter in which the person who controls that information cartel in our district has a fiduciary interest? How will we be free to do that?

How can we look each other in the eye and say, ''Well, I will cast my vote the way I want to''? What is your recourse? How do you get the information out back there? That person controls all the media. You are certainly not going to use frank mailing, because we have cut all that out.

I just simply think there are so many things wrong with this, and hope, as the debate goes on, we can bring more of the problems out, because we have many problems. I urge Members not to support the bill.

Mr. HYDE. Mr. Chairman, I am very pleased to yield 2 minutes to the gentleman for New Jersey [Mr. FRELINGHUYSEN].

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

Mr. Chairman, I rise to speak on the manager's amendment which will be offered by the gentleman from Virginia sometime later. And I do so regrettably, because I rise in strong opposition to it. But first, I want to commend the gentleman from Virginia [Mr. BLILEY] and the gentleman from Texas [Mr. FIELDS] on the enormous effort they have put forward in bringing this bill to the floor.

Mr. Chairman, I represent nearly 20,000 people who are employed in the telecommunications industry. This bill will directly impact their lives, professions, and the local economies which they support.

And I thought the bill that was reported by the Committee by a vote of 38 to 5 was a balanced bill. But the changes in the 66-page manager's amendment would dilute the competitive provisions in the original bill and would tilt the playing field in favor of the local exchange companies. So I will be opposing the manager's amendment.

However, this bill impacts more than just the people who work in the telecommunications industry. As many have said here tonight, our actions will impact every American citizen and we must remember them—our constitutents—in this debate.

Yes, this is an historic bill which will guide this multibillion dollar industry into the next century. But we need to understand that the results of this profound debate will enter into every facet of our personal and professional lives financial and otherwise.

And that is precisely why I oppose the manager's amendment. We should debate these substantial changes for longer than a half hour because they do represent a clear departure from the original bill. I would urge a no vote on the manager's amendment.

Mr. CONYERS. Mr. Chairman, I am pleased to yield 3 minutes to the gentlewoman from Ohio [Ms. KAPTUR], a very able Member of the House.

Ms. KAPTUR. Mr. Chairman, I thank the gentleman for yielding, and I rise in opposition to H.R. 1555. Here we are in the middle of the night considering the most sweeping rewrite of communications legislation in the last half century. I have to say to all the gentleman that have been complimented this evening for their marvelous footwork in conducting this debate at 2 a.m., I, as one Member, not serving on the committees of jurisdiction, am appalled that those people who would raise questions, like myself, would have 30 minutes, 30 minutes, to try to deal with legislation of this magnitude.

Mr. Chairman, there are times in my career when I have been very proud of this House. One of those times was when we debated the Persian Gulf War. I think our estimation went up in the minds of the American people.

There have been times when I have been very ashamed of this House, certainly during the S&L debate, brought up on Christmas Eve at midnight when it was snowing outside, or the Mexican peso bailout, where we did not fulfill our constitutional obligation.

I feel the same way this evening on this particular bill. I feel muzzled as a Member of this body, and I am ashamed of this institution. There has been enough lobbying money spread around on this bill, over $20 million, to sink a battleship, and it has been spread on both sides of the aisle.

This bill is not going to result in full competition. Are we kidding ourselves? It is going to result in full concentration, and the only question I have in my mind is how fast a pace that will occur at.

In my district, what will happen is the single newspaper, that is owned by a very wealthy and well-meaning family, will soon buy out the television stations, because they already own the cable stations anyway. They will probably go after all the radio stations. I really do believe in free press in this country and I really do believe in competition. This bill will not result in that.

I would say with all due respect to the gentleman from Virginia [Mr. BLILEY] and the gentleman from Texas [Mr. FIELDS] and the gentleman from Illinois [Mr. HYDE] and the gentleman from Michigan [Mr. CONYERS] I guess Mr. CONYERS. I guess I have to kind of leave him out of this equation, because his committee was absolutely resolved of all responsibilities in this, and that is the reason I am here at 2 a.m. in the morning.

Mr. HYDE. Mr. Chairman, if the gentlewoman will yield, if you are leaving the gentleman from Michigan [Mr. CONYERS] out, could you leave me out too?

Ms. KAPTUR. Mr. Chairman, I would say to the gentleman from Illinois [Mr. HYDE], I was hoping the gentleman would have a little more influence, because I think he is a man of very good intentions. But I wanted an opportunity on this floor to have time to debate on the foreign ownership provisions. I will not be given that opportunity. There will not be an opportunity to offer amendments. I think the neutering of the Justice Department is an absolute abomination, when we see the possibilities for concentration in this bill.

So as I leave this evening to drive home in my car, I find it a complete abomination, and I am ashamed of this House this evening. With a $1 trillion industry, with the rights of free press at stake, and competition in every one of our communities hanging in the balance, to be forced into this girdle, where we are only allowed 30 minutes during general debate, and then we will be put off on three little amendments tomorrow, maybe we will devote an hour or less to each of those, this is not the best that is in us.

I feel tonight as I did during the savings and loan debate, during the Mexican peso bailout, and probably during GATT as well, that we are truly being

muzzled, and that is not what representative democracy is all about. I feel sorry for America tonight.

Mr. Chairman, here we are in the middle of the night, considering the most sweeping rewrite of communications laws in 60 years. The telecommunications industry represents 1/7 of our economy and is a trillion dollar industry. At stake is control of the airwaves and the information pathway into every American home. Not even the many appropriations bills that we have been debating for the past month before this Congress, will have a larger effect on consumer's pocketbooks. Consumers are promised choice and lower prices. Choice at what cost? Instead of creating competition by lowering prices and improving service, this bill allows the three monopolies to become one giant concentrated monopoly. It allows the 3 major players (cable, long distance, & local telephone) to partner or swallow potential competitors in each others business. The concentration could result in one company controlling the program's content, your local television stations, your cable company, your local telephone company, your long distance company, your local radio station, and your newspaper. Thus, controlling every aspect of access to information a consumer has and obliterate the likelihood of true competition.

This bill also promises job creation. I doubt it. Last time I checked, we do not even produce a single television or telephone in our country. In addition, I have very serious concerns about the foreign ownership provisions. Currently, foreign ownership in common carriers (such as telephone, cellular, broadcast television and radio) cannot exceed 25%, except in cable where there is no restriction. At a time when our trade deficits are at record levels, we are throwing open media markets to foreign ownership.

This bill would directly repeal foreign ownership restrictions on everything except broadcast television, which remains at 25%, thus allowing foreigners to control what America sees and should think and what America does not see. The bill leaves up to USTR crucial determinations regarding the rights of foreign interests to gain even more control. Why trust the USTR? That area of our government that has brought us record trade deficits for over a decade and can't even get our rice into Japan.

I also find it very disturbing that the telecommunications industry has spent $20 million to lobby for this bill. To find out the real winners in this bill one only has to follow the money. This bill is just another reason we need real campaign finance reform in our political process.

Moreover, this bill neuters the ability of our Justice Department to enforce the anti-trust laws against these giants who want to control every aspect of what you see, hear, and know. The bill basically turns our Justice Department Anti-Trust Division into paper pushers with no real enforcement power.

I welcome some deregulation to create competition and diversity in these monopolistic industries. However, deregulation is fine. No regulation is anti-competitive and anti-democratic.

Mr. BLILEY. Mr. Chairman, I yield 2 minutes to the gentleman from Florida [Mr. STERNS], a member of the committee.

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

Mr. STEARNS. Mr. Chairman, I rise in strong support of H.R. 1555, the Communications Act of 1995.

By the early 21st century, analysts predict the global information industry will be a $3 trillion market. That's an amazing figure when you consider the entire U.S. economy today is about $6 trillion. Make no mistake: If we fail to pass this bill, we will have forfeited a golden opportunity for the U.S. economy to catch the wave of this revolution.

It makes no sense to keep U.S. communications companies penned up in the starting gate as the global telecommunications race is set to begin. My colleagues, the Communications Act of 1995 is, quite simply, the most sweeping reform of communications law in history. And it should be. I direct your attention to the timeline. When the first Communications Act passed in 1934, we had the telegraph, the telephone and the radio. That's it. We didn't even have the black and white television set yet. Do you really want the communications industry to be governed by communications law that was enacted when we had this radio?

The communications world as it existed in 1934 is barely recognizable today. Again, I direct your attention to the timeline. We have experienced an explosion of technology. In the last 50 years, television, AM and FM radios, computers, faxes, satellites, pagers, cable TV, cellular phones, VCRs and other wireless communications have all joined the communications mix. And that's just the beginning. Video dial-tone and high definition television are poised at the entrance of the telecommunications arena, while countless other new technologies are waiting just over the horizon.

At this moment in history, when the communications revolution is racing forward, we still have not revamped communications laws written 60 years ago. To say our communications laws are out of sync with the technological revolution underway in America is an understatement.

The question we face today is not whether we can afford to deregulate the telecommunications industry, it is whether we can afford not to. I know of no sector of our economy so shackled by needless regulations as the communications industry. But if we pass this bill, the economic boom it will spark will amaze even its supporters.

My colleagues, it is not the business of Government to preordain winners and losers in the communications industry. Rather, at the starting line of the communications race, Government should step aside and allow the most dynamic sector of our economy to enjoy what most other segments of our economy take for granted, the freedom to compete. I urge all of my colleagues to support it.

Mr. DINGELL. Mr. Chairman, I yield 2 minutes to the distinguished gentlewoman from Arkansas [Mrs. LINCOLN].

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

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

I too would like to add my thanks to Chairman BLILEY and Chairman FIELDS, as well as to the ranking members, Mr. DINGELL and Mr. MARKEY, for their diligence and persistence in moving ahead on this issue. This is a very critical issue to rural America. As we move ahead in this age of information and technology, moving into a worldwide economy, it is absolutely critical for rural America to be able to have the capabilities to compete. Supporting this bill is important to preserve the quality of life in rural America, while bringing improved health care, educational opportunities and jobs.

Early in the debate of this issue, I went to Chairman FIELDS and asked him very honestly to let me be a part of the discussion in terms of rural issues. He was very willing and interested in obliging to that. We worked hard to make sure that rural America saw a fair shake in this.

In terms of educational opportunities, I am delighted to hear from Chairman BLILEY that he is willing to work with the gentlewoman from California, Ms. LOFGREN, in terms of educational opportunities for schools.

I recently spoke with a teacher from my district who is a part of an important program sponsored by National Geographic to bring geography into the lives of children in areas where they are not capable or do not have the opportunities otherwise to be a part of that. They were shocked to find that in rural America very few of the schools and some of the other learning institutions, as well as many of the teachers, did not have the technology or equipment to be able to bring the importance of geography into the classroom through the Internet.

This bill will help us bring that reality to rural America. It encourages new technologies like fiber optics, which will allow two-way voice and video communication. The information highway is critical to all of us, but for those of us in rural America, the entrance ramp is absolutely mandatory. Doctors at the Mayo Clinic can read x rays from Evening Shade, AR. Children in Evening Shade can dial the Library of Congress for information for a term paper. Parents can work from their home in Cloverbend with folks in New York.

I urge my colleagues to support this. Opponents may want to stay in the past and may be afraid of competition, but we must move ahead.

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

Mr. Chairman, I want to say Aloha Oahu. It is 9 o'clock in the beautiful Hawaiian Islands where America's day almost begins, and I just wanted those lucky folks in that beautiful climate to know that we are here thinking of

them. To my good friend from Michigan who did know the names of his staff, for which I should not be surprised because he would know those details, I just thought he missed George Slover, who has returned to the staff, having been away for a little while, and we welcome him, even though he serves the minority.

Mr. Chairman, I rise in support of H.R. 1555, the Communications Act of 1995. This legislation represents the most sweeping communications reform legislation to be considered in this House in 60 years. It will establish the ground rules for telecommunications policy in our Nation as we proceed into the 21st century. If enacted, this measure will have much to say about the future health of the American economy, America's international competitiveness, and expanded job opportunities for American workers.

However, it should be pointed out that H.R. 1555 does not take the approach I would have preferred, and I would like to take a few moments to discuss the role of the Judiciary Committee in the development of this legislation. The Judiciary Committee took a fundamentally different approach from that of the Commerce Committee. I believe that the entry of the regional Bell operating companies into the long distance and manufacturing businesses is an antitrust question. After all, it is an antitrust consent decree, commonly known as the modification of final judgment or MFJ, that now prevents them from entering those businesses, and it is that decree that we are now superseding. Based on this fundamental belief, I introduced H.R. 1528, the Antitrust Consent Decree Reform Act of 1995 on May 2, 1995. H.R. 1528 proposed to supersede the MFJ and replace it with a quick and deregulatory antitrust review of Bell entry by the Department of Justice.

On the other hand, the Commerce Committee understandably took a Communications Act approach. H.R. 1555 requires the Bell operating companies to meet various federal and state regulatory requirements to open their local exchanges to competition before they are allowed into the long distance and manufacturing businesses. For example, the Bell companies are required to provide interconnection to their local loops on a nondiscriminatory basis. They must unbundle the services and features of the network and offer them for resale. They must also provide number portability, dialing parity, access to rights of way, and network functionality and accessibility. Both the FCC and the state commissions will review the Bell companies' verifications to determine that they have met these regulatory requirements. In particular, there must be an actual facilities-based competitor in place before the Bell companies can get into long distance and manufacturing.

In keeping with the long tradition of these committees sharing jurisdiction over the area of telecommunications, H.R. 1528 was referred primarily to the Judiciary Committee, and secondarily to the Commerce Committee. Likewise, H.R. 1555 was referred primarily to the Commerce Committee, and secondarily to the Judiciary Committee.

I want to stress that both the antitrust approach taken in H.R. 1528 and the regulatory approach taken in H.R. 1555 are valid approaches to the problem of how to end judicial supervision of the telecommunications industry under the MFJ. My preference was the antitrust approach. Again, that is because I believe entry into new markets to be an antitrust issue, not a regulatory issue. However, despite extraordinary cooperation between the Commerce and Judiciary Committees, the two different approaches are not easily reconciled without creating precisely the kind of regulatory overkill that we are trying to eliminate in this bill. Thus, it was necessary to choose one or the other of these approaches.

Let me now describe the antitrust approach of H.R. 1528 and its consideration in the Judiciary Committee. Under H.R. 1528, the Bell companies would be able to apply to the Department of Justice for entry into the long distance and manufacturing markets immediately upon the date of enactment. The Department of Justice would then have 180 days to review the application under a substantive antitrust standard—if DOJ did not act within this tight time frame, the application would be deemed approved. Unlike the MFJ, the burden or proof would be on DOJ. Specifically, Justice would be required to approve the application unless it found by a preponderance of the evidence that there was a dangerous probability that the Bell company would use its market power to substantially impede competition in the market it was seeking to enter. DOJ's decision would then be subject to an expedited appeal to the Federal Court of Appeals in the District of Columbia. At the most, the procedure would take 11 to 13 months. H.R. 1528 also included the electronic publishing provisions that were included in last year's telecommunications bill and which passed the House by an overwhelming vote.

H.R. 1528 received broad, bipartisan support within the Judiciary Committee. The full Judiciary Committee reported H.R. 1528 by a 29 to 1 recorded vote. However, subsequently we found that there was not broad support for a substantive Department of Justice role either within the rest of the House or from interested outside groups. Thus, while I still prefer the approach taken in H.R. 1528, I have decided that it would be futile to press that approach as an alternative to H.R. 1555—there simply is not sufficient support to make such an effort worthwhile. As I have already noted, the regulatory approach taken in H.R. 1555 is also a valid approach, and it is very difficult to reconcile the two approaches. If we do not pick one or the other, then we get right back into the interminable delays that we have faced under the MFJ.

I would emphasize that in deciding not to offer such an amendment and allowing H.R. 1555 to proceed to the floor without further Judiciary Committee proceedings, I am not in any way waiving the Judiciary Committee's traditional jurisdiction in the area of antitrust law or telecommunications policy. The Judiciary Committee expects to have conferees on this bill, to participate fully in the conference, and to retain all of its existing jurisdiction over this area in future legislation.

In this connection, I note that later in the debate, the distinguished ranking member of the Judiciary Committee, Mr. CONYERS, will offer an amendment that will include some aspects of the bill as reported by our committee. Specifically, my friend from Michigan will offer the language of the antitrust test contained in H.R. 1528. However, the Conyers amendment also differs in important respects from our committee's bill. I will speak to those differences in greater detail when the Conyers amendment is debated. For now, I will simply point out that although the Conyers amendment would utilize the antitrust standard that was in H.R. 1528, it does not include the many procedural and substantive features that were central to my bill.

Despite my preference for the antitrust approach taken in my bill, I believe that H.R. 1555 is good legislation that will move America's telecommunications industry forward into the 21st century. In the development of the manager's amendment to be offered by Chairman BLILEY, the Judiciary Committee has worked closely with the Commerce Committee to improve H.R. 1555 in areas that are of particular concern to, and under the jurisdiction of, the Judiciary Committee. Let me now briefly explain those changes which are included within the manager's amendment.

First, the manager's amendment does include a consultative role for the Department of Justice. Under this part of the amendment, DOJ will apply the antitrust standard contained in H.R. 1528 to verifications that the Bells have met the competitive checklist contained in H.R. 1555. After applying the antitrust standard. DOJ will provide its views to the FCC and they will be made a part of the public record relating to the verification. Under this approach, the FCC will at least have the benefit of a DOJ antitrust analysis before the Bell companies are allowed to enter the currently restricted lines of business.

Second, we have made improvements to the electronic publishing provisions of the bill. Under the manager's amendment, the Bell companies will be required to provide services to small electronic publishers at the same per-unit prices that they give to larger publishers. This will allow small newspapers and other electronic publishers to bring the information superhighway

to rural areas that might otherwise be passed by. Also, we have broadened to definition of basic telephone service to ensure that the Bell operating companies are not able to use the more advanced parts of their networks to skirt the intent of the electronic publishing provisions.

Third, we have made various changes to title IV of the bill. Title IV addresses the effect of the bill on other laws. Those changes that we have made to the MFJ supersession language, the GTE consent decree supersession language, and the wireless successors language are technical improvements to clarify the language and they are not intended to change the substantive meaning of these provisions.

Other changes to title IV are substantive. State tax officials have complained that section 401(c)(2) of H.R. 1555 would unintentionally preempt State tax laws. Because of their concerns, this language us being stricken in the manager's amendment. We are also adding language that expressly provides that no State tax laws are unintentionally preempted by implication or interpretation. Rather, such preemptions are limited to provisions specifically enumerated in this clause. In addition, we have also amended the local tax exemption for providers of direct broadcast satellite services to make it clear that States may tax such services and rebate that money to the localities. This change balances the need to protect State sovereignty against the need to protect the direct broadcast services from the administrative nightmare that would result from subjecting them to local taxation in numerous local jurisdictions.

Fourth, we have changed the restrictions on alarm monitoring to make it clear that those Bell companies that have already entered the alarm monitoring business will be allowed to continue in that business, and to manage and conduct their business as would any other participant in that industry. That is basic fairness to any Bell company that chose to enter the business when it was perfectly legal to do so. Their investment decision should not be undercut by a retroactive change in the law.

Fifth, law enforcement and national security agencies have expressed concern about the provisions of the bill that relate to foreign ownership of telephone companies. In particular, these agencies are rightfully concerned that there should be a national security review before a foreign national or foreign government can have access to the core infrastructure of America's telecommunications system. Cooperation among the agencies and the judiciary and Commerce Committees has led to language in the manager's amendment that addresses these concerns.

Finally, I have included language within the manager's amendment to address a burgeoning problem in the fast advancing telecommunications markets. Much to the dismay of concerned parents both softcore and hardcore pornography is freely available on the Internet. Virtually anyone with a home computer hooked up to that remarkable technology can get pictures, movies—some with sound—and explicit descriptions of the most vile and base aspects of human sexuality.

Although the law currently outlaws the interstate transportation of obscenity for purposes of sale or distribution, as well as its importation, this has not stopped the corruption of one of the greatest technological advances in our modern society. Computerized depravity continues unabated, largely because of the confusion over whether the obscenity statutes include the transportation and importation of the obscene matter through the use of a computer. Furthermore, the law currently does not address the issue of sending indecent material—by contrast to obscene matter—by computer, to a child.

It is time to end this dissemination of smut that only serve to debase those depicted and to defile our children.

Consequently, my language makes it a crime to intentionally communicate, by computer, with anyone believed to be under 18 years of age, any material that is indecent. Indecency is defined in the provision as any material that, in context, depicts or describes, in terms patently offensive as measured by contemporary community standards, sexual or excretory activities or organs.

This provision is entirely consistent with Supreme Court holdings in this area of law, because it is narrowly tailored to effectuate its particular purpose of protecting minors from directed communications that involve sexually or excretorily explicit functions or organs. The first amendment, as construed by the Supreme Court, requires this much. The Court instructs that Congress must be careful not to reduce the adult population, which is guaranteed a right of access to simply indecent material, to the status of children. But, the first amendment recognizes that the Government has a compelling interest in protecting minors from both obscenity and indecent materials. The Court has carved out a slim area in which we can legislate on these matters. And, we have managed to stay within those confines through this provision. The clarification of the current obscenity statutes, simply adds to the myriad of ways in which the obscenity can travel in, or be transported, or be imported. This section includes the word computer in those provisions to make it a certainty that Congress intends to regulate and prohibit one's access to obscenity by means of computer technology.

Mr. Chairman, I want to thank Commerce Committee Chairman BLILEY and Communications Subcommittee Chairman FIELDS and their staffs for their cooperation in addressing the Judiciary Committee concerns.

Mr. Chairman, as America advances into the 21st century, this telecommunications legislation is tremendously important. It is my firm belief that this bill means more jobs for Americans and will greatly enhance American competitiveness worldwide. It is high time that we replace this overly restrictive consent decree with a statute that recognizes the telecommunications realities of the 1990's. I intend to support H.R. 1555 and the manager's amendment because it will accomplish these goals.

□ 0200

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

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

The CHAIRMAN. The gentleman from Michigan [Mr. CONYERS] is recognized for 2½ minutes.

Mr. CONYERS. Mr. Chairman, I want to commend the chairman of the Committee on the Judiciary for his comments about our work product in the committee, and his candor is always refreshing, as usual.

I too believe it is a superior work product. But I would urge him not to be worried about the fact that the lobbyists may not like it and there is not a lot of reported support for it. Press on. If he is doing the right thing, more and more people will begin to recognize the inevitability of the logic and the truth and the fundamental correctness of his position. And I know my friend does not give up easily, and I cannot imagine the forces that may have overwhelmed him into the uncomfortable position that I imagine him to be in this morning.

But even if we have used our bill as the base text with the manager's amendment, I still would not be able to come to the floor tonight to tell my colleagues that they ought to support this bill because the people who use telephones are going to end up paying $18 billion in rate increases during the first 4 years of this law's existence. That is projected by the International Communications Association. The people who subscribe to cable TV are going to find $5 to $7 per month average increases in their cable bill. That is according to the Consumer Federation of America. The people on fixed incomes, older Americans, will be put at particular risk by rising basic rates for phone and cable.

So I cannot support the bill, the base bill, H.R. 1555. With 30 or 40 phantom changes in the manager's amendment, I think we should be rather embarrassed by what we are doing here, no matter what time it is in Hawaii.

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

The CHAIRMAN. The gentleman from Virginia [Mr. BLILEY] has 5 minutes remaining and is entitled to close the debate.

Mr. BLILEY. Mr. Chairman, I yield 2 minutes to the gentleman from Washington [Mr. WHITE], a new member of the committee.

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

Mr. Chairman, when I think about this bill, I always think about the year 1989. If we remember reading in the newspapers in 1989, we will remember a lot of hand wringing going on about high definition television. That was the time when the Japanese were ahead of our country in developing high definition television. There are a lot of people who said that we should follow their example, that our government should decide the course that we should take, should get our industry organized, and we should all follow that course, and maybe somehow, some way we would catch up with the Japanese.

Mr. Chairman, if we had followed that advice in 1989, we would not be here today. It was in 1990 that Americans, without the help of the government, invented digital television which leapfrogged the technology that the Japanese were using and put us in the position we are in today. It is digital television and digitization of the entire telecommunications industry that led to what we are doing in this bill. It has taught us a very important lesson.

The lesson is that it is the people, not the government, who are going to make the best decisions about technology. As we like to say in my district, which is the home of Microsoft, no matter how many Rhodes scholars you have in the White House, they are never going to be smart enough to tell Bill Gates to drop out of Harvard and invent software industries.

No matter how many Rhodes scholars you have in the White House, they will never tell the next Bill Gates to drop out of whatever school he or she is in now and invent the next revolution in the telecommunication industry. What is the lesson? Under this bill, the market, not the government, is going to tell us what the next wave of technology is. We have heard some people say this bill is not perfect. I guess that may be true. But I can tell you, we have made it about as fair as we can make it.

It is close enough for government work. Although it is late at night and although I am about the last person to speak on this bill, I am proud to be here. I am happy to be here. I am proud of this bill. I urge my colleagues to support it.

Mr. DINGELL. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from Louisiana [Mr. TAUZIN].

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

I think it is important tonight, as we celebrate the work of Committee on Commerce and the gentleman from Virginia [Mr. BLILEY] and the gentleman from Texas [Mr. FIELDS] in particular, we also give due credit to the incredible preliminary work done over the years by the gentleman from Michigan [Mr. DINGELL], the former chairman of the Committee on Commerce. Much of the work that is in this bill reflects efforts that were made over the years by Mr. DINGELL, and he deserves much credit for this bill tonight.

I rise in support of H.R. 1555. Recently the gentleman from Texas [Mr. FIELDS], and I had the opportunity to discuss telecommunications policy with government officials from several South American countries. During one of those discussions with the FCC counterpart in Chile, we asked that gentleman where in his country's communication infrastructure did they need the most investment, hoping to get some signal about where America and American companies could interact with that country in doing those investments.

The gentleman who represents the FCC in Chile responded astonishingly. He said, That is not my business; it is up to the consumers and our companies to make those decisions.

He reminded us of a lesson we forgot in telecommunications policy for many years, that consumers and companies making choices in a free marketplace where competition governs instead of court orders and regulations set on high here in Washington generally benefits the consumer much more than the best laid plans of mice and men here in Washington, DC.

He reminded us about our own free enterprise system, and H.R. 1555 reminds us about the values of competition. It remarkably keeps the program access provisions we adopted in 1992 that has produced the satellites that are now sending direct broadcast television signals to homes all over America in rural parts of this country where cable never reached.

It has produced for us competition in areas where people only had one provider of television, one provider of telephones and all of a sudden now there are choices coming to them. This bill will produce more of those choices. It has the possibility of several million new jobs for Americans, as we develop these new technologies and the new choices for our citizens. It will reach rural areas that we have been trying to force companies to reach. It will reach them by the sheer force of the free market, because now with multiple services, it will be profitable to serve communities as small as 12 people, when we could not serve them with a mere telephone, even under universal service.

This bill will do more to bring us together as a country by linking us together with communication, education, information, recreational programming, data services, including medicine at home and education at home for people who never saw education.

This bill is a good bill. It deserves our endorsement.

The CHAIRMAN. The gentleman from Michigan [Mr. DINGELL] has 2½ minutes remaining.

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

Mr. Chairman, I hope my colleagues were listening to the remarks of the distinguished gentleman from Louisiana about what this bill is going to do.

I want to commend my good friend from Virginia [Mr. BLILEY] the distinguished gentleman from Texas [Mr. FIELDS] my friend, the gentleman from Michigan [Mr. CONYERS] and our good friend, the gentleman from Illinois [Mr. HYDE] who is one of the finest Members in this body.

We have had a good debate. It has been an enlightening debate, an intelligent discussion of the legislation before us. I think that is important. I was rather troubled earlier about the ill will which we saw sprinkled around in the discussion. I think that was a bad thing. This legislation is extremely important not only to all of us individually and to our people but indeed to the future of the country.

It has been a long time since the modified final judgment was adopted. These have been bad times for telecommunications and for communications and for that industry. It also has had bad consequences for the country.

I want to repeat to my colleagues that this offers a chance now to utilize a good, new regulatory system which will enable us to begin to bring on new technology and to bring into play the forces of competition, which will serve all of our people both in terms of product and in terms of quality and in terms of cost. That is important. It also will open up the process.

I had been bitterly critical of the curious process which has gone on under the modified final judgment. It has been inadequate. It has been unfair, and it has been a closed process. The business of regulation of the telecommunications industry has gone on in a closed courtroom where no one could find out what was going on, no one could participate in the pleadings. No one could appear without the leave of the court and the people who were the principal beneficiaries of that particular modified final judgment. It is important that we get rid of that. And even if this were a bad bill, I would say that almost any price is worth paying to get rid of a system which is so basically unfair.

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It is so basically unseemly and so inconsistent with the system that this country has, so closed to innovation, and so closed to the participation by the people whose interests are affected by it, and so controlled by the beneficiaries of it. This is one of the curious examples where government has been controlled for the benefit of the people who did in fact do the governing, AT&T, the Justice Department, working with the judge. He was a good judge, but a bad process.

Mr. Chairman, I would urge my colleagues to support the amendment. I want to commend the staff which has worked, Mr. Regan, Ms. Reid, Mr. Ulman, and Mr. Michael O'Rielly, as well as my dear friend and colleague, Mr. David Leach, who have all worked

so effectively to put together the packages before us.

Mr. CHAIRMAN. The gentleman from Virginia [Mr. BLILEY] is recognized to close debate.

Mr. BLILEY. Mr. Chairman, it is late. I want to commend our colleagues, particularly the ranking member, for his fine statement that he has just concluded. I also commend the ranking member of the Committee on the Judiciary, though we disagree on the policy. I want to commend the chairman of our subcommittee who has put in numerous hours to make this bill as balanced as we possibly can make it.

Mr. Chairman, I say to the White House who have not been involved with us that we welcome you to join us now as we prepare to go to conference. Bring us your concerns, sit down with us, and we will certainly consider any changes that you would suggest. Whether we will adopt them all, that is another matter. But we will certainly consider them, and I invite them to come forward.

Mr. Chairman, it has been an interesting debate, as the gentleman said, and I look forward to tomorrow when we will consider amendments to further perfect this bill, and then we will pass it and we will go to conference some time later this year. This is the way this process works. It is not a sprint, it is a marathon. We have had subcommittee, we have had full committee. We now are on the floor, and ultimately we will go to conference and we will come back with a conference report. That is the way it should be, Mr. Chairman, and I urge my colleagues to support his legislation and to help us craft it, make it even better as we go on with the process.

Mr. BILIRAKIS. I rise in strong support of the landmark legislation which we are considering today, and I want to commend my colleagues on the committees of jurisdiction for their hard work on this bill. H.R. 1555 is the culmination of years of work to overhaul Federal telecommunications policy and position America as a world leader in the dawning information age.

While this bill contains many important provisions, I want to address one area in particular—the issue of telemedicine. As Chairman of the Commerce Health Subcommittee, I have a special interest in this subject.

Although it is subject to different interpretations, the term ''telemedicine'' generally refers to live, interactive audiovisual communication between physician and patient or between two physicians. Telemedicine can facilitate consultation between physicians and serve as a method of health care delivery in which physicians examine patients through the use of advanced telecommunications technology.

One of the most important uses of telemedicine is to allow rural communities and other medically under-served areas to obtain access to highly trained medical specialists. It also provides a access to medical care in circumstances when possibilities for travel are limited or unavailable.

Despite widespread support for telemedicine in concept, many critical policy questions remain unresolved. At the same time, the Federal Government is currently spending millions of dollars on telemedicine demonstration projects with little or no congressional oversight. In particular, the Departments of Commerce and Health and Human Services have provided sizable grants for projects in a number of States.

Therefore, I drafted a provision which is included in the manager's amendment to require the Department of Commerce, in consultation with other appropriate agencies, to report annually to congress on the findings of any studies and Demonstrations on telemedicine which are funded by the Federal Government.

My amendment is designed to provide greater information for federal policymakers in the areas of patient safety, quality of services, and other legal, medical and economic issues related to telemedicine. Through adoption of this provision, I am hopeful that we can shed light on the potential benefits of telemedicine, as well as existing roadblocks to its use.

Mrs. FOWLER. Mr. Chairman, I rise in opposition to H.R. 1555, the Communications Act of 1995. Although I believe that our telecommunications laws are in need of reform, I have serious concerns about certain sections of this bill, and about the manner in which it has been brought to the floor.

This is an important bill, because it will affect every time he or she picks up a phone or turns on the TV. It is incumbent upon us to consider it carefully and thoughtfully. I am concerned that this bill has been brought to the floor in a rush, following a process which was none-too-open.

My primary concern revolves around provisions in the manager's amendment regarding entry of local telephone service providers into the long distance market and vice versa. I never expected that the long distance companies and the local telephone companies would ever completely agree on any bill. But to formulate a manager's amendment that is vehemently opposed by one of the parties forces Members to choose between the two. It is the responsibility of the leadership to do everything possible to reconcile the differences between those affected by this bill, and I do not believe this has been done.

I have other concerns, including the potential of the bill to concentrate media ownership in a few hands and the bill's effects on radio and television broadcasting audience reach limits.

I am also concerned about the effect of the bill on State authority to regulate the costs of certain long distance calls within States. Many States have already taken steps to liberate such rates, and the bill would negatively affect these efforts. I share the concerns of the Governor of Florida and several other governors about this issue.

Mr. Chairman, we need to reform our telecommunications laws so that we can enter the 21st century governed by laws appropriate to the technology and services available to us. But this bill is not the vehicle that will best accomplish those goals. I say let's go back to the drawing board and try again.

Mr. LAZIO of New York. Mr. Chairman, the House shortly will consider H.R. 1555, the Communications Act of 1995. Among other things, this bill and its Senate-passed companion, S. 652, aims to ensure competition in the cable television industry as it expands into interactive voice, data and video services.

I wanted to bring to the attention of my colleagues in both bodies a serious and potentially dangerous situation that merits further study by Congress in the future, as it was not addressed by the legislation we are about to take up.

Curently, telephone systems provide a different sort of lightning or surge protection than is provided by the cable industry. Telephone companies have provided such protection through devices that instantaneously detect dangerous surges and direct them to ground. Cable companies do not have these devices and now only are required to ground their systems. As telephone companies branch out into broadband transmission services, they will continue to be required to protect the public from power surge and lightning hazards.

The National Electric Code does not require the cable industry to provide the same kind of surge protection to current and future cable users, even if cable companies will be providing the same kind of telephone service in the future that telephone companies now provide. I am told that the cable industry has made a commitment to do so if it does offer such telephone service, but it is an issue Congress should review.

I would urge my colleagues, particularly those in the Commerce Committee, to closely examine this potential problem and to hold hearings to make sure public safety will be adequately protected as our telecommunications industry goes through a period of unprecedented change.

Mr. BLILEY. Mr. Chairman, with that, I yield back the balance of my time, and I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. HASTART) having assumed the chair, Mr. KOLBE, 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. 1555), to promote competition and reduce regulation in order to lower prices and higher quality services for American telecommunications consumers and encourage the rapid deployment of new telecommunications technologies, had come to no resolution thereon.

PRINTING OF OMISSIONS FROM RECORD OF JULY 31, 1995

(Consideration of the following 3 bills, H.R. 714, H.R. 701 and H.R. 1874 are reprinted as follows containing omissions from the RECORD of Monday, July 31, 1995, beginning at page H7996.)

ILLINOIS LAND CONSERVATION ACT OF 1995

Mr. EMERSON. Mr. Speaker, I ask unanimous consent that the Committee on National Security and the Committee on Commerce be discharged from further consideration of the bill (H.R. 714), to establish the Midewin National Tallgrass Prairie in the State of Illinois, and for other purposes, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

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

Mr. STENHOLM. Mr. Speaker, reserving the right to object, and I will not object, I yield to the gentleman from Missouri [Mr. EMERSON] for the purpose of explanation.

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

Mr. EMERSON. Mr. Speaker, H.R. 714 would establish a tall grass prairie in the former Joliet Arsenal. Also, this legislation would set aside portions of the land for a landfill, portions for economic development, and also a section 4(a) national cemetery.

Mr. Speaker, further reserving the right to object, I yield to the gentleman from Illinois [Mr. WELLER].

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

Mr. WELLER. My Speaker, I would like to speak briefly about the importance of this legislation, H.R. 714, the Illinois Land Conservation Act, which has overwhelming bipartisan support from Members on both the Republican and Democrat side of the aisle. This is an innovative land reuse plan which was developed by a citizens planning commission, appointed under the direction of my predecessor, former Congressman George Sangmeister, resulted from thousands of hours of volunteer time from leaders in conservation, veterans' organizations, business and labor, educators, and many civic organizations.

Briefly, the Joliet Army Ammunition Plant, commonly referred to as the Joliet Arsenal, was declared excess Federal property in April 1993. A local citizens commission developed a plan for reuse of the site, which is encompassed in my legislation.

The plan has received broad-based support from Illinois' major media, citizens organizations, veterans' groups, business, labor, conservation, and educators. The plan includes transferring 19,000 acres to the National Forest Service for creation of the Midewin National Tall Grass Prairie. The plan also includes a veterans' cemetery, which will occupy just under 1,000 acres on the arsenal property.

There are also two sites, for a total of 3,000 acres, to be used for the purpose of economic development and job creation, and finally 455 acres will be used for a local landfill.

Since this bill's introduction, I have worked closely with all the agencies involved and have made changes in the legislation to reflect issues that they have had concerns with. This is bipartisan legislation supported by the Governor of the State of Illinois, Republicans and Democrats in the Illinois delegation, and a large number of veterans, conservation, environment, business and labor, and private organizations.

Clearly, H.R. 714 is a win-win-win for taxpayers, conservation veterans, and working men and women. I ask for and urge the bill's immediate passage with bipartisan support.

Mr. YATES. Mr. Speaker, I rise in strong support of the bill offered by the gentleman from Illinois.

H.R. 714, the bill that would establish the Midewin National Tallgrass Prairie at the former Joliet Arsenal, is an excellent piece of legislation that can serve as a model for other communities with closed military bases.

I am proud to say that I was there at the beginning, when the concept of turning an abandoned TNT factory into a multi-purpose site for the benefit of the 8 million Chicago-area residents was first conceived. I enjoyed working with our former colleague, George Sangmeister, during the 103d Congress and I have equally enjoyed working with his successor, the distinguished gentleman from Joliet.

Located less than 50 miles from the Ninth District, the Midewin National Tallgrass Prairie will offer my constituents unparalleled preservation and recreational opportunities.

The Joliet Arsenal is a treasury trove of rare and endangered species—so unique in the urban sprawl of northern Illinois. Sixteen State endangered species, 108 different birds, 40 types of fish, and 348 native plant species can all be found on the arsenal property.

In addition, the arsenal site contains the single largest tallgrass ecosystem east of the Mississippi River, and the only grassland of this size in unfragmented, single ownership. It is also important to note that the arsenal is adjacent to other reserves and when all of that open space is combined, it creates the biggest prairie in the eastern United States.

We have so few opportunities in Illinois to preserve original, intact ecosystems. Most of our land has either been consumed by ever-growing cities and suburbs or is being farmed. There are very few natural areas in our State; a forest preserve here, a park there, but not nearly enough to satisfy our most minimal needs.

That is why acquiring the Joliet Arsenal and creating a tallgrass prairie is a once-in-a-lifetime opportunity. We will never have this chance again. If we do not act now to protect this valuable site, it could be lost forever.

This is a bipartisan bill, supported by a large and diverse group, including the Republican Governor of Illinois, the Democratic mayor of Chicago, the Forest Service, and every major environmental organization.

There have been many people who have helped make this project a reality, but I want to give special recognition to Dr. Fran Harty at the Illinois Department of Conservation and Dr. Larry Strich and his colleagues at the Shawnee National Forest for their extraordinary efforts to make the arsenal a tallgrass prairie.

I also want to commend the Forest Service for their leadership in this matter. After other agencies dragged their feet on acquiring the Joliet Arsenal, the Forest Service enthusiastically entered the process. Their can-do spirit toward the arsenal is laudable and I want to express my sincere thanks to them for being so cooperative on a project that is important to me and my constituents. I hope to continue working with the Service in the future to secure adequate funding for the Midewin National Tallgrass Prairie.

The cooperation extended by the Forest Service is just one piece of the unique public-private partnership that formed to preserve the Joliet Arsenal. This is truly a national model of how closed military bases can be converted to productive civilian use and of how local communities can work with the Federal Government to ensure that these old bases are developed to benefit everyone.

There are hundreds of military installations across the Nation that have been closed by the Base Closure Commission. The Federal Government must decide what to do with these old bases.

We've seen the negative impacts that closing military bases can have on local communities. But if we follow the example of the Joliet Arsenal and let the local community decide how best to use the closed facility and have the Federal Government assist that locale, a closing military base need not destroy a struggling community.

I think it would be wise for the Pentagon to study the Joliet Arsenal model and to implement it at other facilities slated for closure.

This bill is good for the people of Illinois and clearly good for the Nation, and I urge my colleagues to support it.

Mr. DE LA GARZA. Mr. Speaker, I rise in support of H.R. 714, the Illinois Land Conservation Act. H.R. 714 is nearly identical to H.R. 4946 that was introduced in the 103d Congress by Congressman Sangmeister. H.R. 4946 was passed by unanimous consent in the House after being discharged by the Agriculture Committee at the very end of the session. The Senate took no action on the bill before adjournment.

H.R. 714, introduced by Congressman WELLER, establishes the Midewin Tallgrass Prairie by initially transferring approximately 16,000 acres currently held by the Department of the Army to the Department of Agriculture. Another 3,000 acres will be transferred when the Department of the Army completes an environmental cleanup on the site. Provision is made for the continued responsibility of cleanup of hazardous wastes by the Department of the Army. The bill also provides for the transfer of approximately 910 acres to the Department of Veterans' Affairs and the establishment of a National Cemetery on the site to be administered by the Secretary of Veterans Affairs. Additionally the bill provides for transfer to the county of approximately 425 acres to be operated as a landfill and approximately 3,000 acres to the State of Illinois to be used for economic development. The U.S. Forest Service is supportive of the legislation before us today.

Mr. Speaker, an amendment that will be offered to modify the language regarding special use permits is supported by the U.S. Forest Service. I ask that a letter from U.S. Forest Service Chief Jack Ward Thomas, acknowledging the new language's consistency with current U.S. Forest Service management practices, be included in the RECORD.

DEPARTMENT OF AGRICULTURE,
Washington, DC, July 28, 1995.

Hon. PAT ROBERTS,
Chairman, Committee on Agriculture
Washington, DC.

DEAR MR. CHAIRMAN: This is to confirm discussions my staff have had with members of your staff regarding language contained in a draft Agriculture Committee version of H.R. 714, the ''Illinois Conservation Act of 1995.''

John Hogan, counsel to the Committee, has told my staff that a proposed amendment may be offered on the House floor to

strike two sentences in subsection 105(b)(2). The referenced subsection refers to the issuance by the Secretary of Agriculture of special use authorizations for agricultural purposes, including livestock grazing. The proposed amendment would strike the second and third complete sentences in that subsection, specifically: ''Such special use authorization shall require payment of a rental fee, in advance, that is based on the fair market value of the use allowed. Fair market value shall be determined by appraisal or a competitive bidding process.''

It is our understanding that the proposed deletion of those two sentences is intended to avoid any confusion between the use provisions of this bill and the ongoing legislative debate over grazing fees in the Western States. Mr. Hogan asked our opinion as to what effect the deletion of these two sentences would have on management of the Midewin National Tallgrass Prairie.

The proposed deletion of the referenced sentence would have no practical effect on management of the Prairie. The Forest Service will utilize the same general terms and conditions for agricultural leasing as was utilized by the Army, including competitive bidding for farming and leasing rights. This system has worked well for the Army and we plan to continue it. And, we note, the system is consistent with general Forest Service management practices throughout the Eastern United States.

If we can provide additional information, please do not hesitate to ask.

JACK WARD THOMAS,
Chief.

Mr. STENHOLM. Mr. Speaker, I thank the gentleman for his explanation, and urge passage of the bill.

Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the bill, as follows:

H.R. 714

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

SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Illinois Land Conservation Act of 1995''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title and table of contents.
Sec. 2. Definitions.
TITLE I—CONVERSION OF JOLIET ARMY AMMUNITION PLANT TO MIDEWIN NATIONAL TALLGRASS PRAIRIE
Sec. 101. Principles of transfer.
Sec. 102. Transfer of management responsibilities and jurisdiction over Arsenal.
Sec. 103. Continuation of responsibility and liability of Secretary of the Army for environmental cleanup.
Sec. 104. Establishment and administration of Midewin National Tallgrass Prairie.
Sec. 105. Special management requirements for Midewin National Tallgrass Prairie.
Sec. 106. Special disposal rules for certain Arsenal parcels intended for MNP.
TITLE II—OTHER REAL PROPERTY DISPOSALS INVOLVING JOLIET ARMY AMMUNITION PLANT
Sec. 201. Disposal of certain real property at Arsenal for a national cemetery.
Sec. 202. Disposal of certain real property at Arsenal for a county landfill.
Sec. 203. Disposal of certain real property at Arsenal for economic development.
TITLE III—MISCELLANEOUS PROVISIONS
Sec. 301. Degree of environmental cleanup.

SEC. 2. DEFINITIONS.

For purposes of this Act:

(1) The term ''Administrator'' means the Administrator of the United States Environmental Protection Agency.

(2) The term ''agricultural purposes'' means the use of land for row crops, pasture, hay, and grazing.

(3) The term ''Arsenal'' means the Joliet Army Ammunition Plant located in the State of Illinois.

(4) The acronym ''CERCLA'' means the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.).

(5) The term ''Defense Environmental Restoration Program'' means the program of environmental restoration for defense installations established by the Secretary of Defense under section 2701 of title 10, United States Code.

(6) The term ''environmental law'' means all applicable Federal, State, and local laws, regulations, and requirements related to protection of human health, natural and cultural resources, or the environment, including CERCLA, the Solid Waste Disposal Act (42 U.S.C. 6901 et seq.), the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.), the Clean Air Act (42 U.S.C. 7401 et seq.), the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136 et seq.), the Toxic Substances Control Act (15 U.S.C. 2601 et seq.), and the Safe Drinking Water Act (42 U.S.C. 300f et seq.).

(7) The term ''hazardous substance'' has the meaning given such term by section 101(14) of CERCLA (42 U.S.C. 9601(14)).

(8) The abbreviation ''MNP'' means the Midewin National Tallgrass Prairie established pursuant to section 104 and managed as a part of the National Forest System.

(9) The term ''national cemetery'' means a cemetery established and operated as part of the National Cemetery System of the Department of Veterans Affairs and subject to the provisions of chapter 24 of title 38, United States Code.

(10) The term ''person'' has the meaning given such term by section 101(21) of CERCLA (42 U.S.C. 9601(21)).

(11) The term ''pollutant or contaminant'' has the meaning given such term by section 101(33) of CERCLA (42 U.S.C. 9601(33)).

(12) The term ''release'' has the meaning given such term by section 101(22) of CERCLA (42 U.S.C. 9601(22)).

(13) The term ''response action'' has the meaning given such term by section 101(25) of CERCLA (42 U.S.C. 9601(25)).

TITLE I—CONVERSION OF JOLIET ARMY AMMUNITION PLANT TO MIDEWIN NATIONAL TALLGRASS PRAIRIE

SEC. 101. PRINCIPLES OF TRANSFER.

(a) LAND USE PLAN.—The Congress ratifies in principle the proposals generally identified by the land use plan which was developed by the Joliet Arsenal Citizen Planning Commission and unanimously approved on April 8, 1994.

(b) TRANSFER WITHOUT REIMBURSEMENT.—The area constituting the Midewin National Tallgrass Prairie shall be transferred, without reimbursement, to the Secretary of Agriculture.

(c) MANAGEMENT OF MNP.—Management by the Secretary of Agriculture of those portions of the Arsenal transferred to the Secretary under this Act shall be in accordance with sections 104 and 105 regarding the Midewin National Tallgrass Prairie.

(d) SECURITY MEASURES.—The Secretary of the Army and the Secretary of Agriculture shall each provide and maintain physical and other security measures on such portion of the Arsenal as is under the administrative jurisdiction of such Secretary. Such security measures (which may include fences and natural barriers) shall include measures to prevent members of the public from gaining unauthorized access to such portions of the Arsenal as are under the administrative jurisdiction of such Secretary and that may endanger health or safety.

(e) COOPERATIVE AGREEMENTS.—The Secretary of the Army, the Secretary of Agriculture, and the Administrator are individually and collectively authorized to enter into cooperative agreements and memoranda of understanding among each other and with other affected Federal agencies, State and local governments, private organizations, and corporations to carry out the purposes for which the Midewin National Tallgrass Prairie is established.

(f) INTERIM ACTIVITIES OF THE SECRETARY OF AGRICULTURE.—Prior to transfer and subject to such reasonable terms and conditions as the Secretary of the Army may prescribe, the Secretary of Agriculture may enter upon the Arsenal property for purposes related to planning, resource inventory, fish and wildlife habitat manipulation (which may include prescribed burning), and other such activities consistent with the purposes for which the Midewin National Tallgrass Prairie is established.

SEC. 102. TRANSFER OF MANAGEMENT RESPONSIBILITIES AND JURISDICTION OVER ARSENAL.

(a) INITIAL TRANSFER OF JURISDICTION.—Within 6 months after the date of the enactment of this Act, the Secretary of the Army shall effect the transfer of those portions of the Arsenal property identified for transfer to the Secretary of Agriculture pursuant to subsection (d). The Secretary of the Army shall transfer to the Secretary of Agriculture only those portions of the Arsenal for which the Secretary of the Army and the Administrator concur that no further action is required under any environmental law and which therefore have been eliminated from the areas to be further studied pursuant to the Defense Environmental Restoration Program for the Arsenal. Within 4 months after the date of the enactment of this Act, the Secretary of the Army and the Administrator shall provide to the Secretary of Agriculture all existing documentation supporting such finding and all existing information relating to the environmental conditions of the portions of the Arsenal to be transferred to the Secretary of Agriculture pursuant to this subsection.

(b) ADDITIONAL TRANSFERS.—The Secretary of the Army shall transfer to the Secretary of Agriculture in accordance with section 106(c) any portion of the property generally identified in subsection (d) and not transferred under subsection (a) after the Secretary of the Army and the Administrator concur that no further action is required at that portion of property under any environmental law and that such portion is therefore eliminated from the areas to be further studied pursuant to the Defense Environmental Restoration Program for the Arsenal. At least 2 months before any transfer under this subsection, the Secretary of the Army and the Administrator shall provide to the Secretary of Agriculture all existing documentation supporting such finding and all existing information relating to the environmental conditions of the portion of the Arsenal to be transferred. Transfer of jurisdiction

pursuant to this subsection may be accomplished on a parcel-by-parcel basis.

(c) EFFECT ON CONTINUED RESPONSIBILITIES AND LIABILITY OF SECRETARY OF THE ARMY.—Subsections (a) and (b), and their requirements, shall not in any way affect the responsibilities and liabilities of the Secretary of the Army specified in section 103.

(d) IDENTIFICATION OF PORTIONS FOR TRANSFER FOR MNP.—The lands to be transferred to the Secretary of Agriculture under subsections (a) and (b) shall be identified on a map or maps which shall be agreed to by the Secretary of the Army and the Secretary of Agriculture. Generally, the land to be transferred to the Secretary of Agriculture shall be all the real property and improvements comprising the Arsenal, except for lands and facilities described in subsection (e) or designated for disposal under section 106 or title II.

(e) PROPERTY USED FOR ENVIRONMENTAL CLEANUP.—

(1) RETENTION.—The Secretary of the Army shall retain jurisdiction, authority, and control over real property at the Arsenal to be used for—

(A) water treatment;

(B) the treatment, storage, or disposal of any hazardous substance, pollutant or contaminant, hazardous material, or petroleum products or their derivatives;

(C) other purposes related to any response action at the Arsenal; and

(D) other actions required at the Arsenal under any environmental law to remediate contamination or conditions of noncompliance with any environmental law.

(2) CONDITIONS.—The Secretary of the Army shall consult with the Secretary of Agriculture regarding the identification and management of the real property retained under this subsection and ensure that activities carried out on that property are consistent, to the extent practicable, with the purposes for which the Midewin National Tallgrass Prairie is established, as specified in section 104(c), and with the other provisions of such section and section 105.

(3) PRIORITY OF RESPONSE ACTIONS.—In the case of any conflict between management of the property by the Secretary of Agriculture and any response action or other action required under environmental law to remediate petroleum products or their derivatives, the response action or other such action shall take priority.

(f) SURVEYS.—All costs of necessary surveys for the transfer of jurisdiction of Arsenal property from the Secretary of the Army to the Secretary of Agriculture shall be shared equally by the two Secretaries.

SEC. 103. CONTINUATION OF RESPONSIBILITY AND LIABILITY OF SECRETARY OF THE ARMY FOR ENVIRONMENTAL CLEANUP.

(a) RESPONSIBILITY.—The liabilities and responsibilities of the Secretary of the Army under any environmental law shall not transfer under any circumstances to the Secretary of Agriculture as a result of the property transfers made under section 102 or section 106, or as a result of interim activities of the Secretary of Agriculture on Arsenal property under section 101(f). With respect to the real property at the Arsenal, the Secretary of the Army shall remain liable for and continue to carry out—

(1) all response actions required under CERCLA at or related to the property;

(2) all remediation actions required under any other environmental law at or related to the property; and

(3) all actions required under any other environmental law to remediate petroleum products or their derivatives (including motor oil and aviation fuel) at or related to the property.

(b) LIABILITY.—

(1) IN GENERAL.—Nothing in this Act shall be construed to effect, modify, amend, repeal, alter, limit or otherwise change, directly or indirectly, the responsibilities or liabilities under any applicable environmental law of any person (including the Secretary of Agriculture), except as provided in paragraph (3) with respect to the Secretary of Agriculture.

(2) LIABILITY OF SECRETARY OF THE ARMY.—The Secretary of the Army shall retain any obligation or other liability at the Arsenal that the Secretary may have under CERCLA and other environmental laws. Following transfer of any portions of the Arsenal pursuant to this Act, the Secretary of the Army shall be accorded all easements and access to such property as may be reasonably required to carry out such obligation or satisfy such liability.

(3) SPECIAL RULES FOR SECRETARY OF AGRICULTURE.—The Secretary of Agriculture shall not be responsible or liable under any environmental law for matters which are in any way related directly or indirectly to activities of the Secretary of the Army, or any party acting under the authority of the Secretary in connection with the Defense Environmental Restoration Program, at the Arsenal and which are for any of the following:

(A) Costs of response actions required under CERCLA at or related to the Arsenal.

(B) Costs, penalties, or fines related to noncompliance with any environmental law at or related to the Arsenal or related to the presence, release, or threat of release of any hazardous substance, pollutant, contaminant, hazardous waste or hazardous material of any kind at or related to the Arsenal, including contamination resulting from migration of hazardous substances, pollutants, contaminants, hazardous materials, or petroleum products or their derivatives disposed during activities of the Department of the Army.

(C) Costs of actions necessary to remedy such noncompliance or other problem specified in subparagraph (B).

(c) PAYMENT OF RESPONSE ACTION COSTS.—Any Federal department or agency that had or has operations at the Arsenal resulting in the release or threatened release of hazardous substances, pollutants, or contaminants shall pay the cost of related response actions or related actions under other statutes to remediate petroleum products or their derivatives, including motor oil and aviation fuel.

(d) CONSULTATION.—The Secretary of Agriculture shall consult with the Secretary of the Army with respect to the Secretary of Agriculture's management of real property included in the Midewin National Tallgrass Prairie subject to any response action or other action at the Arsenal being carried out by or under the authority of the Secretary of the Army under any environmental law. The Secretary of Agriculture shall consult with the Secretary of the Army prior to undertaking any activities on the Midewin National Tallgrass Prairie that may disturb the property to ensure that such activities will not exacerbate contamination problems or interfere with performance by the Secretary of the Army of response actions at the property. In carrying out response actions at the Arsenal, the Secretary of the Army shall consult with the Secretary of Agriculture to ensure that such actions are carried out in a manner consistent with the purposes for which the Midewin National Tallgrass Prairie is established, as specified in section 104(c), and the other provisions of such section and section 105.

SEC. 104. ESTABLISHMENT AND ADMINISTRATION OF MIDEWIN NATIONAL TALLGRASS PRAIRIE.

(a) ESTABLISHMENT.—On the effective date of the initial transfer of jurisdiction of portions of the Arsenal to the Secretary of Agriculture under section 102(a), the Secretary of Agriculture shall establish the Midewin National Tallgrass Prairie. The MNP shall—

(1) be administered by the Secretary of Agriculture; and

(2) consist of the real property so transferred and such other portions of the Arsenal subsequently transferred under section 102(b) or 106.

(b) ADMINISTRATION.—

(1) IN GENERAL.—The Secretary of Agriculture shall manage the Midewin National Tallgrass Prairie as a part of the National Forest System in accordance with this Act and the laws, rules, and regulations pertaining to the National Forest System, except that the Bankhead-Jones Farm Tenant Act of 1937 (7 U.S.C. 1010–1012) shall not apply to the MNP.

(2) INITIAL MANAGEMENT ACTIVITIES.—In order to expedite the administration and public use of the Midewin National Tallgrass Prairie, the Secretary of Agriculture may conduct management activities at the MNP to effectuate the purposes for which the MNP is established, as set forth in subsection (c), in advance of the development of a land and resource management plan for the MNP.

(3) LAND AND RESOURCE MANAGEMENT PLAN.—In developing a land and resource management plan for the Midewin National Tallgrass Prairie, the Secretary of Agriculture shall consult with the Illinois Department of Conservation and local governments adjacent to the MNP and provide an opportunity for public comment. Any parcel transferred to the Secretary of Agriculture under this Act after the development of a land and resource management plan for the MNP may be managed in accordance with such plan without need for an amendment to the plan.

(c) PURPOSES OF THE MIDEWIN NATIONAL TALLGRASS PRAIRIE.—The Midewin National Tallgrass Prairie is established to be managed for National Forest System purposes, including the following:

(1) To conserve and enhance populations and habitats of fish, wildlife, and plants, including populations of grassland birds, raptors, passerines, and marsh and water birds.

(2) To restore and enhance, where practicable, habitat for species listed as proposed, threatened or endangered under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.).

(3) To provide fish and wildlife oriented public uses at levels compatible with the conservation, enhancement and restoration of native wildlife and plants and their habitats.

(4) To provide opportunities for scientific research.

(5) To provide opportunities for environmental and land use education.

(6) To manage the land and water resources of the MNP in a manner that will conserve and enhance the natural diversity of native fish, wildlife, and plants.

(7) To conserve and enhance the quality of aquatic habitat.

(8) To provide for public recreation insofar as such recreation is compatible with the other purposes for which the MNP is established.

(d) OTHER LAND ACQUISITION FOR MNP.—

(1) LAND ACQUISITION FUNDS.—Notwithstanding section 7 of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460l–9), monies appropriated from the Land and

Water Conservation Fund established under section 2 of such Act (16 U.S.C. 460l–5) shall be available for acquisition of lands and interests in land for inclusion in the Midewin National Tallgrass Prairie.

(2) ACQUISITION OF PRIVATE LANDS.—Acquisition of private lands for inclusion in the Midewin National Tallgrass Prairie shall be on a willing seller basis only.

(e) COOPERATION WITH STATES, LOCAL GOVERNMENTS AND OTHER ENTITIES.—In the management of the Midewin National Tallgrass Prairie, the Secretary is authorized and encouraged to cooperate with appropriate Federal, State and local governmental agencies, private organizations and corporations. Such cooperation may include cooperative agreements as well as the exercise of the existing authorities of the Secretary under the Cooperative Forestry Assistance Act of 1978 and the Forest and Rangeland Renewable Resources Research Act of 1978. The objects of such cooperation may include public education, land and resource protection, and cooperative management among government, corporate and private landowners in a manner which furthers the purposes for which the Midewin National Tallgrass Prairie is established.

SEC. 105. SPECIAL MANAGEMENT REQUIREMENTS FOR MIDEWIN NATIONAL TALLGRASS PRAIRIE.

(a) PROHIBITION AGAINST THE CONSTRUCTION OF NEW THROUGH ROADS.—No new construction of any highway, public road, or any part of the interstate system, whether Federal, State, or local, shall be permitted through or across any portion of the Midewin National Tallgrass Prairie. Nothing herein shall preclude construction and maintenance of roads for use within the MNP, or the granting of authorizations for utility rights-of-way under applicable Federal law, or preclude such access as is necessary. Nothing herein shall preclude necessary access by the Secretary of the Army for purposes of restoration and cleanup as provided in this Act.

(b) AGRICULTURAL LEASES AND SPECIAL USE AUTHORIZATIONS.—Within the Midewin National Tallgrass Prairie, use of the lands for agricultural purposes shall be permitted subject to the following terms and conditions:

(1) If at the time of transfer of jurisdiction under section 102 there exists any lease issued by the Department of the Army, Department of Defense, or any other agency thereof, for agricultural purposes upon the parcel transferred, the Secretary of Agriculture, upon transfer of jurisdiction, shall convert the lease to a special use authorization, the terms of which shall be identical in substance to the lease that existed prior to the transfer, including the expiration date and any payments owed the United States.

(2) The Secretary of Agriculture may issue special use authorizations to persons for use of the Midewin National Tallgrass Prairie for agricultural purposes. Such special use authorizations shall require payment of a rental fee, in advance, that is based on the fair market value of the use allowed. Fair market value shall be determined by appraisal or a competitive bidding process. Special use authorizations issued pursuant to this paragraph shall include terms and conditions as the Secretary of Agriculture may deem appropriate.

(3) No agricultural special use authorization shall be issued for agricultural purposes which has a term extending beyond the date twenty years from the date of enactment of this Act, except that nothing in this Act shall preclude the Secretary from issuing agricultural special use authorizations or grazing permits which are effective after twenty years from the date of enactment of this Act for purposes primarily related to erosion control, provision for food and habitat for fish and wildlife, or other resource management activities consistent with the purposes of the Midewin National Tallgrass Prairie.

(c) TREATMENT OF RENTAL FEES.—Monies received pursuant to subsection (b) shall be subject to distribution to the State of Illinois and affected counties pursuant to the Acts of May 23, 1908, and March 1, 1911 (16 U.S.C. 500). All such monies not distributed pursuant to such Acts shall be covered into the Treasury and shall constitute a special fund, which is hereby appropriated and made available until expended, to cover the cost to the United States of such prairie-improvement work as the Secretary of Agriculture may direct. Any portion of any deposit made to the fund which the Secretary of Agriculture determines to be in excess of the cost of doing such work shall be transferred, upon such determination, to miscellaneous receipts, Forest Service Fund, as a National Forest receipt of the fiscal year in which such transfer is made.

(d) USER FEES.—The Secretary is authorized to charge reasonable fees for the admission, occupancy, and use of the Midewin National Tallgrass Prairie and may prescribe a fee schedule providing for reduced or a waiver of fees for persons or groups engaged in authorized activities including those providing volunteer services, research, or education. The Secretary shall permit admission, occupancy, and use at no additional charge for persons possessing a valid Golden Eagle Passport or Golden Age Passport.

(e) SALVAGE OF IMPROVEMENTS.—The Secretary of Agriculture may sell for salvage value any facilities and improvements which have been transferred to the Secretary of Agriculture pursuant to this Act.

(f) TREATMENT OF USER FEES AND SALVAGE RECEIPTS.—Monies collected pursuant to subsections (d) and (e) shall be covered into the Treasury and constitute a special fund to be known as the Midewin National Tallgrass Prairie Restoration Fund. Deposits in the Midewin National Tallgrass Prairie Restoration Fund, which are hereby appropriated and made available until expended, shall be used for restoration and administration of the Midewin National Tallgrass Prairie, including construction of a visitor and education center, restoration of ecosystems, construction of recreational facilities (such as trails), construction of administrative offices, and operation and maintenance of the MNP.

(g) USE OF GROUND WATER RESOURCES.—The Secretary of Agriculture shall develop a plan to provide Will County, Illinois, and local jurisdictions in the county with reasonable access to, and use of, ground water through the system of water wells in existence on the date of the enactment of this Act and located on portions of Arsenal property to be included in the Midewin National Tallgrass Prairie. The Secretary shall develop the water access and use plan in consultation with the Board of Commissioners of Will County, the redevelopment authority established pursuant to section 203(c), and representatives of the affected jurisdictions.

SEC. 106. SPECIAL DISPOSAL RULES FOR CERTAIN ARSENAL PARCELS INTENDED FOR MNP.

(a) DESCRIPTION OF PARCELS.—Except as provided in subsection (b), the following areas are designated for disposal pursuant to subsection (c):

(1) Manufacturing Area—Study Area 1—Southern Ash Pile, Study Area 2—Explosive Burning Ground, Study Area 3—Flashing Grounds, Study Area 4—Lead Azide Area, Study Area 10—Toluene Tank Farms, Study Area 11—Landfill, Study Area 12—Sellite Manufacturing Area, Study Area 14—Former Pond Area, Study Area 15—Sewage Treatment Plant.

(2) Load Assemble Packing Area—Group 61: Study Area L1, Explosive Burning Ground: Study Area L2, Demolition Area: Study Area L3, Landfill Area: Study Area L4, Salvage Yard: Study Area L5, Group 1: Study Area L7, Group 2: Study Area L8, Group 3: Study Area L9, Group 3A: Study Area L10, Doyle Lake: Study Area L12, Group 4: Study Area L14, Group 5: Study Area L15, Group 8: Study Area L18, Group 9: Study Area L19, Group 20, Study Area L20, Group 25: Study Area L22, Group 27: Study Area L23, Group 62: Study Area L25, Extraction Pits: Study Area L31, PVC Area: Study Area L33, Former Burning Area: Study Area L34, Fill Area: Study Area L35, including all associated inventoried buildings and structures as identified in the Joliet Army Ammunition Plant Plantwide Building and Structures Report and the contaminate study sites for both the Manufacturing and Load Assembly and Packing sides of the Joliet Arsenal as delineated in the Dames and Moore Final Report, Phase 2 Remedial Investigation Manufacturing (MFG) Area Joliet Army Ammunition Plant Joliet, Illinois (May 30, 1993. Contract No. DAAA15–90–D–0015 task order No. 6 prepared for: United States Army Environmental Center).

(b) EXCEPTION.—The parcels described in subsection (a) shall not include the property at the Arsenal designated for disposal under title II.

(c) INITIAL OFFER TO SECRETARY OF AGRICULTURE.—Within 6 months after the construction and installation of any remedial design approved by the Administrator and required for any lands described in subsection (a), the Administrator shall provide to the Secretary of Agriculture all existing information regarding the implementation of such remedy, including information regarding its effectiveness. Within 3 months after the Administrator provides such information to the Secretary of Agriculture, the Secretary of the Army shall offer the Secretary of Agriculture the option of accepting a transfer of the areas described in subsection (a), without reimbursement, to be added to the Midewin National Tallgrass Prairie and subject to the terms and conditions, including the limitations on liability, contained in this Act. In the event the Secretary of Agriculture declines such offer, the property may be disposed of as the Army would ordinarily dispose of such property under applicable provisions of law. Any sale or other transfer of property conducted pursuant to this subsection may be accomplished on a parcel-by-parcel basis.

TITLE II—OTHER REAL PROPERTY DISPOSALS INVOLVING JOLIET ARMY AMMUNITION PLANT

SEC. 201. DISPOSAL OF CERTAIN REAL PROPERTY AT ARSENAL FOR A NATIONAL CEMETERY.

(a) TRANSFER REQUIRED.—Not later than 6 months after the date of the enactment of this Act, the Secretary of the Army shall transfer, without reimbursement, to the Secretary of Veterans Affairs the parcel of real property at the Arsenal described in subsection (b) for use as a national cemetery. Subsections (b) and (c) of section 2337 of the National Defense Authorization Act for Fiscal Years 1988 and 1989 (Public Law 101–180; 101 Stat. 1225) shall apply to the transfer.

(b) DESCRIPTION OF PROPERTY.—The real property to be transferred under subsection (a) is a parcel of real property at the Arsenal consisting of approximately 910 acres, the approximate legal description of which includes part of sections 30 and 31 Jackson Township, T34N R10E, and part of sections 25 and 36 Channahon Township, T34N R9E, Will County, Illinois, as depicted in the Arsenal Land Use Concept.

(c) SECURITY MEASURES.—The Secretary of Veterans Affairs shall provide and maintain

physical and other security measures on the real property transferred under subsection (a). Such security measures (which may include fences and natural barriers) shall include measures to prevent members of the public from gaining unauthorized access to the portion of the Arsenal that is under the administrative jurisdiction of such Secretary and that may endanger health or safety.

(d) SURVEYS.—All costs of necessary surveys for the transfer of jurisdiction of Arsenal properties from the Secretary of the Army to the Secretary of Veterans Affairs shall be shared equally by the two Secretaries.

SEC. 202. DISPOSAL OF CERTAIN REAL PROPERTY AT ARSENAL FOR A COUNTY LANDFILL.

(a) TRANSFER REQUIRED.—The Secretary of the Army shall transfer, without compensation, to the County of Will, Illinois, all right, title, and interest of the United States in and to the parcel of real property at the Arsenal described in subsection (b), which shall be operated as a landfill by the County.

(b) DESCRIPTION OF PROPERTY.—The real property to be transferred under subsection (a) is a parcel of real property at the Arsenal consisting of—

(1) approximately 425 acres, the approximate legal description of which includes part of sections 8 and 17, Florence Township, T33N R10E, Will County, Illinois, as depicted in the Arsenal Land Use Concept; and

(2) such additional acreage at the Arsenal as is necessary to reasonably accommodate needs for the disposal of refuse and other materials from the restoration and cleanup of only the Arsenal property as provided for in this Act.

(c) USE OF LANDFILL.—The use by any agency of the Federal Government (or its agents or assigns) of the landfill established on the real property described in subsection (b)(2) shall be at no cost to the Federal Government.

(d) REVERSIONARY INTEREST.—During the 5-year period beginning on the date the Secretary of the Army makes the conveyance under subsection (a), if the Secretary determines that the conveyed real property is not being operated as a landfill or that the Federal Government (or its agents or assigns) is denied reasonable access to the portion of the landfill described in subsection (b)(2), all right, title and interest in and to the property, including improvements thereon, shall revert to the United States. The United States shall have the right of immediate entry onto the property. Any determination of the Secretary under this subsection shall be made on the record after an opportunity for a hearing.

(e) SURVEYS.—All costs of necessary surveys for the transfer of real property under this section shall be borne by the Secretary of the Army.

(f) ADDITIONAL TERMS AND CONDITIONS.—The Secretary of the Army 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. 203. DISPOSAL OF CERTAIN REAL PROPERTY AT ARSENAL FOR ECONOMIC DEVELOPMENT.

(a) TRANSFER REQUIRED.—Subject to subsection (c), the Secretary of the Army shall transfer, without compensation, to the State of Illinois, all right, title, and interest of the United States in and to the parcel of real property at the Arsenal described in subsection (b), which shall be used for economic redevelopment to replace all or a part of the economic activity lost at the Arsenal.

(b) DESCRIPTION OF PROPERTY.—The real property to be transferred under subsection (a) is a parcel of real property at the Arsenal consisting of—

(1) approximately 1,900 acres located at the Arsenal, the approximate legal description of which includes part of section 30, Jackson Township, T34N R10E, and sections or part of sections 24, 25, 26, 35, and 36, Channahon Township, T34N R9E, Will County, Illinois, as depicted in the Arsenal Land Use Concept; and

(2) approximately 1,100 acres, the approximate legal description of which includes part of sections 16, 17, 18 Florence Township, T33N R10E, Will County, Illinois, as depicted in the Arsenal Land Use Concept.

(c) CONDITION OF CONVEYANCE.—

(1) REDEVELOPMENT AUTHORITY.—The conveyance under subsection (a) shall be subject to the condition that the Governor of the State of Illinois establish a redevelopment authority to be responsible for overseeing the economic redevelopment of the conveyed land.

(2) TIME FOR ESTABLISHMENT.—To satisfy the condition specified in paragraph (1), the redevelopment authority shall be established within one year after the date of the enactment of this Act.

(d) REVERSIONARY INTEREST.—During the 5-year period beginning on the date the Secretary makes the conveyance under subsection (a), if the Secretary determines that the conveyed real property is not being used for economic redevelopment or that the redevelopment authority established under subsection (c) is not overseeing such redevelopment, all right, title and interest in and to the property, including improvements thereon, shall revert to the United States. The United States shall have the right of immediate entry onto the property. Any determination of the Secretary under this subsection shall be made on the record after an opportunity for a hearing.

(e) SURVEYS.—All costs of necessary surveys for the transfer of real property under this section shall be borne by the Secretary of the Army.

(f) ADDITIONAL TERMS AND CONDITIONS.—The Secretary of the Army 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.

TITLE III—MISCELLANEOUS PROVISIONS

SEC. 301. DEGREE OF ENVIRONMENTAL CLEANUP.

(a) IN GENERAL.—Nothing in this Act shall be construed to restrict or lessen the degree of cleanup at the Arsenal required to be carried out under provisions of any environmental law.

(b) RESPONSE ACTION.—The establishment of the Midewin National Tallgrass Prairie shall not restrict or lessen in any way response action or degree of cleanup under CERCLA or other environmental law, or any response action required under any environmental law to remediate petroleum products or their derivatives (including motor oil and aviation fuel), required to be carried out under the authority of the Secretary of the Army at the Arsenal and surrounding areas.

(c) ENVIRONMENTAL QUALITY OF PROPERTY.—Any contract for sale, deed, or other transfer of real property under title II shall be carried out in compliance with all applicable provisions of section 120(h) of CERCLA and other environmental laws.

COMMITTEE AMENDMENT IN THE NATURE OF A SUBSTITUTE

The SPEAKER pro tempore. The Clerk will report the committee amendment in the nature of a substitute.

The Clerk read as follows:

Committee amendment in the nature of a substitute.

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Illinois Land Conservation Act of 1995''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title and table of contents.
Sec. 2. Definitions.
TITLE I—CONVERSION OF JOLIET ARMY AMMUNITION PLANT TO MIDEWIN NATIONAL TALLGRASS PRAIRIE
Sec. 101. Principles of transfer.
Sec. 102. Transfer of management responsibilities and jurisdiction over Arsenal.
Sec. 103. Continuation of responsibility and liability of Secretary of the Army for environmental cleanup.
Sec. 104. Establishment and administration of Midewin National Tallgrass Prairie.
Sec. 105. Special management requirements for Midewin National Tallgrass Prairie.
Sec. 106. Special disposal rules for certain Arsenal parcels intended for MNP.
TITLE II—OTHER REAL PROPERTY DISPOSALS INVOLVING JOLIET ARMY AMMUNITION PLANT
Sec. 201. Disposal of certain real property at Arsenal for a national cemetery.
Sec. 202. Disposal of certain real property at Arsenal for a county landfill.
Sec. 203. Disposal of certain real property at Arsenal for economic development.
TITLE III—MISCELLANEOUS PROVISIONS
Sec. 301. Degree of environmental cleanup.

SEC. 2. DEFINITIONS.

For purposes of this Act:

(1) The term ''Administrator'' means the Administrator of the United States Environmental Protection Agency.

(2) The term ''agricultural purposes'' means the use of land for row crops, pasture, hay, and grazing.

(3) The term ''Arsenal'' means the Joliet Army Ammunition Plant located in the State of Illinois.

(4) The acronym ''CERCLA'' means the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.).

(5) The term ''Defense Environmental Restoration Program'' means the program of environmental restoration for defense installations established by the Secretary of Defense under section 2701 of title 10, United States Code.

(6) The term ''environmental law'' means all applicable Federal, State, and local laws, regulations, and requirements related to protection of human health, natural and cultural resources, or the environment, including CERCLA, the Solid Waste Disposal Act (42 U.S.C. 6901 et seq.), the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.), the Clean Air Act (42 U.S.C. 7401 et seq.), the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136 et seq.), the Toxic Substances Control Act (15 U.S.C. 2601 et seq.), and the Safe Drinking Water Act (42 U.S.C. 300f et seq.).

(7) The term ''hazardous substance'' has the meaning given such term by section 101(14) of CERCLA (42 U.S.C. 9601(14)).

(8) The abbreviation ''MNP'' means the Midewin National Tallgrass Prairie established pursuant to section 104 and managed as a part of the National Forest System.

(9) The term ''national cemetery'' means a cemetery established and operated as part of the National Cemetery System of the Department of Veterans Affairs and subject to the provisions of chapter 24 of title 38, United States Code.

(10) The term ''person'' has the meaning given such term by section 101(21) of CERCLA (42 U.S.C. 9601(21)).

(11) The term ''pollutant or contaminant'' has the meaning given such term by section 101(33) of CERCLA (42 U.S.C. 9601(33)).

(12) The term ''release'' has the meaning given such term by section 101(22) of CERCLA (42 U.S.C. 9601(22)).

(13) The term ''response action'' has the meaning given the term ''response'' by section 101(25) of CERCLA (42 U.S.C. 9601(25)).

TITLE I—CONVERSION OF JOLIET ARMY AMMUNITION PLANT TO MIDEWIN NATIONAL TALLGRASS PRAIRIE

SEC. 101. PRINCIPLES OF TRANSFER.

(a) LAND USE PLAN.—The Congress ratifies in principle the proposals generally identified by the land use plan which was developed by the Joliet Arsenal Citizen Planning Commission and unanimously approved on May 30, 1995.

(b) TRANSFER WITHOUT REIMBURSEMENT.—The area constituting the Midewin National Tallgrass Prairie shall be transferred, without reimbursement, to the Secretary of Agriculture.

(c) MANAGEMENT OF MNP.—Management by the Secretary of Agriculture of those portions of the Arsenal transferred to the Secretary under this Act shall be in accordance with sections 104 and 105 regarding the Midewin National Tallgrass Prairie.

(d) SECURITY MEASURES.—The Secretary of the Army and the Secretary of Agriculture shall each provide and maintain physical and other security measures on such portion of the Arsenal as is under the administrative jurisdiction of such Secretary. Such security measures (which may include fences and natural barriers) shall include measures to prevent members of the public from gaining unauthorized access to such portions of the Arsenal as are under the administrative jurisdiction of such Secretary and that may endanger health or safety.

(e) COOPERATIVE AGREEMENTS.—The Secretary of the Army, the Secretary of Agriculture, and the Administrator are individually and collectively authorized to enter into cooperative agreements and memoranda of understanding among each other and with other affected Federal agencies, State and local governments, private organizations, and corporations to carry out the purposes for which the Midewin National Tallgrass Prairie is established.

(f) INTERIM ACTIVITIES OF THE SECRETARY OF AGRICULTURE.—Prior to transfer and subject to such reasonable terms and conditions as the Secretary of the Army may prescribe, the Secretary of Agriculture may enter upon the Arsenal property for purposes related to planning, resource inventory, fish and wildlife habitat manipulation (which may include prescribed burning), and other such activities consistent with the purposes for which the Midewin National Tallgrass Prairie is established.

SEC. 102. TRANSFER OF MANAGEMENT RESPONSIBILITIES AND JURISDICTION OVER ARSENAL.

(a) INITIAL TRANSFER OF JURISDICTION.—Within 6 months after the date of the enactment of this Act, the Secretary of the Army shall effect the transfer of those portions of the Arsenal property identified for transfer to the Secretary of Agriculture pursuant to subsection (d). The Secretary of the Army shall transfer to the Secretary of Agriculture only those portions of the Arsenal for which the Secretary of the Army and the Administrator concur that no further action is required under any environmental law and which therefore have been eliminated from the areas to be further studied pursuant to the Defense Environmental Restoration Program for the Arsenal. Within 4 months after the date of the enactment of this Act, the Secretary of the Army and the Administrator shall provide to the Secretary of Agriculture all existing documentation supporting such finding and all existing information relating to the environmental conditions of the portions of the Arsenal to be transferred to the Secretary of Agriculture pursuant to this subsection.

(b) ADDITIONAL TRANSFERS.—The Secretary of the Army shall transfer to the Secretary of Agriculture in accordance with section 106(c) any portion of the property generally identified in subsection (d) and not transferred under subsection (a) after the Secretary of the Army and the Administrator concur that no further action is required at that portion of property under any environmental law and that such portion is therefore eliminated from the areas to be further studied pursuant to the Defense Environmental Restoration Program for the Arsenal. At least 2 months before any transfer under this subsection, the Secretary of the Army and the Administrator shall provide to the Secretary of Agriculture all existing documentation supporting such finding and all existing information relating to the environmental conditions of the portion of the Arsenal to be transferred. Transfer of jurisdiction pursuant to this subsection may be accomplished on a parcel-by-parcel basis.

(c) EFFECT ON CONTINUED RESPONSIBILITIES AND LIABILITY OF SECRETARY OF THE ARMY.—Subsections (a) and (b), and their requirements, shall not in any way affect the responsibilities and liabilities of the Secretary of the Army specified in section 103.

(d) IDENTIFICATION OF PORTIONS FOR TRANSFER FOR MNP.—The lands to be transferred to the Secretary of Agriculture under subsections (a) and (b) shall be identified on a map or maps which shall be agreed to by the Secretary of the Army and the Secretary of Agriculture. Generally, the land to be transferred to the Secretary of Agriculture shall be all the real property and improvements comprising the Arsenal, except for lands and facilities described in subsection (e) or designated for disposal under section 106 or title II.

(e) PROPERTY USED FOR ENVIRONMENTAL CLEANUP.—

(1) RETENTION.—The Secretary of the Army shall retain jurisdiction, authority, and control over real property at the Arsenal to be used for—

(A) water treatment;

(B) the treatment, storage, or disposal of any hazardous substance, pollutant or contaminant, hazardous material, or petroleum products or their derivatives;

(C) other purposes related to any response action at the Arsenal; and

(D) other actions required at the Arsenal under any environmental law to remediate contamination or conditions of noncompliance with any environmental law.

(2) CONDITIONS.—The Secretary of the Army shall consult with the Secretary of Agriculture regarding the identification and management of the real property retained under this subsection and ensure that activities carried out on that property are consistent, to the extent practicable, with the purposes for which the Midewin National Tallgrass Prairie is established, as specified in section 104(c), and with the other provisions of such section and section 105.

(3) PRIORITY OF RESPONSE ACTIONS.—In the case of any conflict between management of the property by the Secretary of Agriculture and any response action or other action required under environmental law to remediate petroleum products or their derivatives, the response action or other such action shall take priority.

(f) SURVEYS.—All costs of necessary surveys for the transfer of jurisdiction of Arsenal property from the Secretary of the Army to the Secretary of Agriculture shall be borne by the Secretary of Agriculture.

SEC. 103. CONTINUATION OF RESPONSIBILITY AND LIABILITY OF SECRETARY OF THE ARMY FOR ENVIRONMENTAL CLEANUP.

(a) RESPONSIBILITY.—The liabilities and responsibilities of the Secretary of the Army under any environmental law shall not transfer under any circumstances to the Secretary of Agriculture as a result of the property transfers made under section 102 or section 106, or as a result of interim activities of the Secretary of Agriculture on Arsenal property under section 101(f). With respect to the real property at the Arsenal, the Secretary of the Army shall—

(1) remain liable for environmental contamination attributed to the Army; and

(2) with respect to such contamination, continue to carry out—

(A) all response actions required under CERCLA at or related to the property;

(B) all remediation actions required under any other environmental law at or related to the property; and

(C) all actions required under any other environmental law to remediate petroleum products or their derivatives (including motor oil and aviation fuel) at or related to the property.

(b) LIABILITY.—

(1) IN GENERAL.—Nothing in this Act shall be construed to effect, modify, amend, repeal, alter, limit or otherwise change, directly or indirectly, the responsibilities or liabilities under any applicable environmental law of any person (including the Secretary of Agriculture), except as provided in paragraph (3) with respect to the Secretary of Agriculture.

(2) LIABILITY OF SECRETARY OF THE ARMY.—The Secretary of the Army shall retain any obligation or other liability at the Arsenal that the Secretary may have under CERCLA and other environmental laws. Following transfer of any portions of the Arsenal pursuant to this Act, the Secretary of the Army shall be accorded all easements and access to such property as may be reasonably required to carry out such obligation or satisfy such liability.

(3) SPECIAL RULES FOR SECRETARY OF AGRICULTURE.—The Secretary of Agriculture shall not be responsible or liable under any environmental law for matters which are in any way related directly or indirectly to activities of the Secretary of the Army, or any party acting under the authority of the Secretary in connection with the Defense Environmental Restoration Program, at the Arsenal and which are for any of the following:

(A) Costs of response actions required under CERCLA at or related to the Arsenal.

(B) Costs, penalties, or fines related to noncompliance with any environmental law at or related to the Arsenal or related to the presence, release, or threat of release of any hazardous substance, pollutant, contaminant, hazardous waste or hazardous material of any kind at or related to the Arsenal, including contamination resulting from migration of hazardous substances, pollutants, contaminants, hazardous materials, or petroleum products or their derivatives disposed during activities of the Department of the Army.

(C) Costs of actions necessary to remedy such noncompliance or other problem specified in subparagraph (B).

(c) PAYMENT OF RESPONSE ACTION COSTS.—Any Federal department or agency that had or has operations at the Arsenal resulting in the release or threatened release of hazardous substances, pollutants, or contaminants shall pay the cost of related response actions or related actions under other statutes to remediate petroleum products or their derivatives, including motor oil and aviation fuel.

(d) CONSULTATION.—The Secretary of Agriculture shall consult with the Secretary of the Army with respect to the Secretary of Agriculture's management of real property included in the Midewin National Tallgrass Prairie subject to any response action or other action at the Arsenal being carried out by or under the authority of the Secretary of the Army under any environmental law. The Secretary of Agriculture shall consult with the Secretary of the Army prior to undertaking any activities on the Midewin National Tallgrass Prairie that may disturb the property to ensure that such activities will not exacerbate contamination problems or interfere with performance by the Secretary of the Army of response actions at the property. In carrying out response actions at the Arsenal, the Secretary of the Army shall consult with the Secretary of Agriculture to ensure that such actions are carried out in a manner consistent with the purposes for which the Midewin National Tallgrass Prairie is established, as specified in section 104(c), and the other provisions of such section and section 105.

SEC. 104. ESTABLISHMENT AND ADMINISTRATION OF MIDEWIN NATIONAL TALLGRASS PRAIRIE.

(a) ESTABLISHMENT.—On the effective date of the initial transfer of jurisdiction of portions of the Arsenal to the Secretary of Agriculture under section 102(a), the Secretary of Agriculture shall establish the Midewin National Tallgrass Prairie. The MNP shall—

(1) be administered by the Secretary of Agriculture; and

(2) consist of the real property so transferred and such other portions of the Arsenal subsequently transferred under section 102(b) or 106.

(b) ADMINISTRATION.—

(1) IN GENERAL.—The Secretary of Agriculture shall manage the Midewin National Tallgrass Prairie as a part of the National Forest System in accordance with this Act and the laws, rules, and regulations pertaining to the National Forest System, except that the Bankhead-Jones Farm Tenant Act of 1937 (7 U.S.C. 1010–1012) shall not apply to the MNP.

(2) INITIAL MANAGEMENT ACTIVITIES.—In order to expedite the administration and public use of the Midewin National Tallgrass Prairie, the Secretary of Agriculture may conduct management activities at the MNP to effectuate the purposes for which the MNP is established, as set forth in subsection (c), in advance of the development of a land and resource management plan for the MNP.

(3) LAND AND RESOURCE MANAGEMENT PLAN.—In developing a land and resource management plan for the Midewin National Tallgrass Prairie, the Secretary of Agriculture shall consult with the Illinois Department of Conservation and local governments adjacent to the MNP and provide an opportunity for public comment. Any parcel transferred to the Secretary of Agriculture under this Act after the development of a land and resource management plan for the MNP may be managed in accordance with such plan without need for an amendment to the plan.

(c) PURPOSES OF THE MIDEWIN NATIONAL TALLGRASS PRAIRIE.—The Midewin National Tallgrass Prairie is established to be managed for National Forest System purposes, including the following:

(1) To conserve and enhance populations and habitats of fish, wildlife, and plants, including populations of grassland birds, raptors, passerines, and marsh and water birds.

(2) To restore and enhance, where practicable, habitat for species listed as proposed, threatened or endangered under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.).

(3) To provide fish and wildlife oriented public uses at levels compatible with the conservation, enhancement and restoration of native wildlife and plants and their habitats.

(4) To provide opportunities for scientific research.

(5) To provide opportunities for environmental and land use education.

(6) To manage the land and water resources of the MNP in a manner that will conserve and enhance the natural diversity of native fish, wildlife, and plants.

(7) To conserve and enhance the quality of aquatic habitat.

(8) To provide for public recreation insofar as such recreation is compatible with the other purposes for which the MNP is established.

(d) OTHER LAND ACQUISITION FOR MNP.—

(1) LAND ACQUISITION FUNDS.—Notwithstanding section 7 of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460l–9), monies appropriated from the Land and Water Conservation Fund established under section 2 of such Act (16 U.S.C. 460l–5) shall be available for acquisition of lands and interests in land for inclusion in the Midewin National Tallgrass Prairie.

(2) ACQUISITION OF PRIVATE LANDS.—Acquisition of private lands for inclusion in the Midewin National Tallgrass Prairie shall be on a willing seller basis only.

(e) COOPERATION WITH STATES, LOCAL GOVERNMENTS AND OTHER ENTITIES.—In the management of the Midewin National Tallgrass Prairie, the Secretary of Agriculture is authorized and encouraged to cooperate with appropriate Federal, State and local governmental agencies, private organizations and corporations. Such cooperation may include cooperative agreements as well as the exercise of the existing authorities of the Secretary under the Cooperative Forestry Assistance Act of 1978 and the Forest and Rangeland Renewable Resources Research Act of 1978. The objects of such cooperation may include public education, land and resource protection, and cooperative management among government, corporate and private landowners in a manner which furthers the purposes for which the Midewin National Tallgrass Prairie is established.

SEC. 105. SPECIAL MANAGEMENT REQUIREMENTS FOR MIDEWIN NATIONAL TALLGRASS PRAIRIE.

(a) PROHIBITION AGAINST THE CONSTRUCTION OF NEW THROUGH ROADS.—No new construction of any highway, public road, or any part of the interstate system, whether Federal, State, or local, shall be permitted through or across any portion of the Midewin National Tallgrass Prairie. Nothing herein shall preclude construction and maintenance of roads for use within the MNP, or the granting of authorizations for utility rights-of-way under applicable Federal law, or preclude such access as is necessary. Nothing herein shall preclude necessary access by the Secretary of the Army for purposes of restoration and cleanup as provided in this Act.

(b) AGRICULTURAL LEASES AND SPECIAL USE AUTHORIZATIONS.—Within the Midewin National Tallgrass Prairie, use of the lands for agricultural purposes shall be permitted subject to the following terms and conditions:

(1) If at the time of transfer of jurisdiction under section 102 there exists any lease issued by the Department of the Army, Department of Defense, or any other agency thereof, for agricultural purposes upon the parcel transferred, the Secretary of Agriculture, upon transfer of jurisdiction, shall convert the lease to a special use authorization, the terms of which shall be identical in substance to the lease that existed prior to the transfer, including the expiration date and any payments owed the United States.

(2) The Secretary of Agriculture may issue special use authorizations to persons for use of the Midewin National Tallgrass Prairie for agricultural purposes. Such special use authorizations shall require payment of a rental fee, in advance, that is based on the fair market value of the use allowed. Fair market value shall be determined by appraisal or a competitive bidding process. Special use authorizations issued pursuant to this paragraph shall include terms and conditions as the Secretary of Agriculture may deem appropriate.

(3) No agricultural special use authorization shall be issued for agricultural purposes which has a term extending beyond the date twenty years from the date of enactment of this Act, except that nothing in this Act shall preclude the Secretary of Agriculture from issuing agricultural special use authorizations or grazing permits which are effective after twenty years from the date of enactment of this Act for purposes primarily related to erosion control, provision for food and habitat for fish and wildlife, or other resource management activities consistent with the purposes of the Midewin National Tallgrass Prairie.

(c) TREATMENT OF RENTAL FEES.—Monies received pursuant to subsection (b) shall be subject to distribution to the State of Illinois and affected counties pursuant to the Acts of May 23, 1908, and March 1, 1911 (16 U.S.C. 500). All such monies not distributed pursuant to such Acts shall be covered into the Treasury and shall constitute a special fund, which shall be available to the Secretary of Agriculture, in such amounts as are provided in advance in appropriation Acts, to cover the cost to the United States of such prairie-improvement work as the Secretary may direct. Any portion of any deposit made to the fund which the Secretary determines to be in excess of the cost of doing such work shall be transferred, upon such determination, to miscellaneous receipts, Forest Service Fund, as a National Forest receipt of the fiscal year in which such transfer is made.

(d) USER FEES.—The Secretary of Agriculture is authorized to charge reasonable fees for the admission, occupancy, and use of the Midewin National Tallgrass Prairie and may prescribe a fee schedule providing for reduced or a waiver of fees for persons or groups engaged in authorized activities including those providing volunteer services, research, or education. The Secretary shall permit admission, occupancy, and use at no additional charge for persons possessing a valid Golden Eagle Passport or Golden Age Passport.

(e) SALVAGE OF IMPROVEMENTS.—The Secretary of Agriculture may sell for salvage value any facilities and improvements which have been transferred to the Secretary pursuant to this Act.

(f) TREATMENT OF USER FEES AND SALVAGE RECEIPTS.—Monies collected pursuant to subsections (d) and (e) shall be covered into the Treasury and constitute a special fund to be known as the Midewin National Tallgrass Prairie Restoration Fund. Deposits in the

Midewin National Tallgrass Prairie Restoration Fund shall be available to the Secretary of Agriculture, in such amounts as are provided in advance in appropriation Acts, for restoration and administration of the Midewin National Tallgrass Prairie, including construction of a visitor and education center, restoration of ecosystems, construction of recreational facilities (such as trails), construction of administrative offices, and operation and maintenance of the MNP.

SEC. 106. SPECIAL DISPOSAL RULES FOR CERTAIN ARSENAL PARCELS INTENDED FOR MNP.

(a) DESCRIPTION OF PARCELS.—Except as provided in subsection (b), the following areas are designated for disposal pursuant to subsection (c):

(1) Manufacturing Area—Study Area 1—Southern Ash Pile, Study Area 2—Explosive Burning Ground, Study Area 3—Flashing Grounds, Study Area 4—Lead Azide Area, Study Area 10—Toluene Tank Farms, Study Area 11—Landfill, Study Area 12—Sellite Manufacturing Area, Study Area 14—Former Pond Area, Study Area 15—Sewage Treatment Plant.

(2) Load Assemble Packing Area—Group 61: Study Area L1, Explosive Burning Ground: Study Area L2, Demolition Area: Study Area L3, Landfill Area: Study Area L4, Salvage Yard: Study Area L5, Group 1: Study Area L7, Group 2: Study Area L8, Group 3: Study Area L9, Group 3A: Study Area L10, Group 4: Study Area L14, Group 5: Study Area L15, Group 8: Study Area L18, Group 9: Study Area L19, Group 27: Study Area L23, Group 62: Study Area L25, PVC Area: Study Area L33, including all associated inventoried buildings and structures as identified in the Joliet Army Ammunition Plant Plantwide Building and Structures Report and the contaminate study sites for both the Manufacturing and Load Assembly and Packing sides of the Joliet Arsenal as delineated in the Dames and Moore Final Report, Proposed Future Land Use Map, dated May 30, 1995.

(b) EXCEPTION.—The parcels described in subsection (a) shall not include the property at the Arsenal designated for disposal under title II.

(c) INITIAL OFFER TO SECRETARY OF AGRICULTURE.—Within 6 months after the construction and installation of any remedial design approved by the Administrator and required for any lands described in subsection (a), the Administrator shall provide to the Secretary of Agriculture all existing information regarding the implementation of such remedy, including information regarding its effectiveness. Within 3 months after the Administrator provides such information to the Secretary of Agriculture, the Secretary of the Army shall offer the Secretary of Agriculture the option of accepting a transfer of the areas described in subsection (a), without reimbursement, to be added to the Midewin National Tallgrass Prairie and subject to the terms and conditions, including the limitations on liability, contained in this Act. In the event the Secretary of Agriculture declines such offer, the property may be disposed of as the Army would ordinarily dispose of such property under applicable provisions of law. Any sale or other transfer of property conducted pursuant to this subsection may be accomplished on a parcel-by-parcel basis.

TITLE II—OTHER REAL PROPERTY DISPOSALS INVOLVING JOLIET ARMY AMMUNITION PLANT

SEC. 201. DISPOSAL OF CERTAIN REAL PROPERTY AT ARSENAL FOR A NATIONAL CEMETERY.

(a) TRANSFER REQUIRED.—Subject to section 301, the Secretary of the Army shall transfer, without reimbursement, to the Secretary of Veterans Affairs the parcel of real property at the Arsenal described in subsection (b) for use as a national cemetery.

(b) DESCRIPTION OF PROPERTY.—The real property to be transferred under subsection (a) is a parcel of real property at the Arsenal consisting of approximately 982 acres, the approximate legal description of which includes part of sections 30 and 31 Jackson Township, T34N R10E, and part of sections 25 and 36 Channahon Township, T34N R9E, Will County, Illinois, as depicted in the Arsenal Land Use Concept.

(c) SECURITY MEASURES.—The Secretary of Veterans Affairs shall provide and maintain physical and other security measures on the real property transferred under subsection (a). Such security measures (which may include fences and natural barriers) shall include measures to prevent members of the public from gaining unauthorized access to the portion of the Arsenal that is under the administrative jurisdiction of such Secretary and that may endanger health or safety.

(d) SURVEYS.—All costs of necessary surveys for the transfer of jurisdiction of Arsenal properties from the Secretary of the Army to the Secretary of Veterans Affairs shall be borne solely by the Secretary of Veterans Affairs.

SEC. 202. DISPOSAL OF CERTAIN REAL PROPERTY AT ARSENAL FOR A COUNTY LANDFILL.

(a) TRANSFER REQUIRED.—Subject to section 301, the Secretary of the Army shall transfer, without compensation, to Will County, Illinois, all right, title, and interest of the United States in and to the parcel of real property at the Arsenal described in subsection (b), which shall be operated as a landfill by the County.

(b) DESCRIPTION OF PROPERTY.—The real property to be transferred under subsection (a) is a parcel of real property at the Arsenal consisting of approximately 455 acres, the approximate legal description of which includes part of sections 8 and 17, Florence Township, T33N R10E, Will County, Illinois, as depicted in the Arsenal Land Use Concept.

(c) CONDITION ON CONVEYANCE.—The conveyance shall be subject to the condition that the Army (or its agents or assigns) may use the landfill established on the real property transferred under subsection (a) for the disposal of construction debris, refuse, and other nonhazardous materials from the restoration and cleanup of the Arsenal property as provided for in this Act. Such use shall be at no cost to the Federal Government.

(d) REVERSIONARY INTEREST.—During the 5-year period beginning on the date the Secretary of the Army makes the conveyance under subsection (a), if the Secretary determines that the conveyed real property is not being operated as a landfill or that Will County, Illinois, is in violation of the condition specified in subsection (c), all right, title, and interest in and to the property, including improvements thereon, shall revert to the United States. The United States shall have the right of immediate entry onto the property. Any determination of the Secretary under this subsection shall be made on the record after an opportunity for a hearing.

(e) SURVEYS.—All costs of necessary surveys for the transfer of real property under this section shall be borne by Will County, Illinois.

(f) ADDITIONAL TERMS AND CONDITIONS.—The Secretary of the Army 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. 203. DISPOSAL OF CERTAIN REAL PROPERTY AT ARSENAL FOR ECONOMIC DEVELOPMENT.

(a) TRANSFER REQUIRED.—Subject to section 301, the Secretary of the Army shall transfer to the State of Illinois, all right, title, and interest of the United States in and to the parcel of real property at the Arsenal described in subsection (b), which shall be used for economic redevelopment to replace all or a part of the economic activity lost at the Arsenal.

(b) DESCRIPTION OF PROPERTY.—The real property to be transferred under subsection (a) is a parcel of real property at the Arsenal consisting of—

(1) approximately 1,900 acres, the approximate legal description of which includes part of section 30, Jackson Township, Township 34 North, Range 10 East, and sections or parts of sections 24, 25, 26, 35, and 36, Township 34 North, Range 9 East, in Channahon Township, an area of 9.77 acres around the Des Plaines River Pump Station located in the southeast quarter of section 15, Township 34 North, Range 9 East of the Third Principal Meridian, in Channahon Township, and an area of 511' x 596' around the Kankakee River Pump Station in the Northwest Quarter of section 5, Township 33 North, Range 9 East, east of the Third Principal Meridian in Wilmington Township, containing 6.99 acres, located along the easterly side of the Kankakee Cut-Off in Will County, Illinois, as depicted in the Arsenal Re-Use Concept, and the connecting piping to the northern industrial site, as described by the United States Army Report of Availability, dated 13 December 1993; and

(2) approximately 1,100 acres, the approximate legal description of which includes part of sections 16, 17, 18 Florence Township, Township 33 North, Range 10 East, Will County, Illinois, as depicted in the Arsenal Land Use Concept.

(c) CONSIDERATION.—The conveyance under subsection (a) shall be made without consideration. However, the conveyance shall be subject to the condition that, if the State of Illinois reconveys all or any part of the conveyed property to a non-Federal entity, the State shall pay to the United States an amount equal to the fair market value of the reconveyed property. The Secretary shall determine the fair market value of any property reconveyed by the State as of the time of the reconveyance, excluding the value of improvements made to the property by the State. The Secretary may treat a lease of the property as a reconveyance if the Secretary determines that the lease was used in an effort to avoid operation of this subsection. Amounts received under this subsection shall be deposited in the general fund of the Treasury for purposes of deficit reduction.

(d) OTHER CONDITIONS OF CONVEYANCE.—

(1) REDEVELOPMENT AUTHORITY.—The conveyance under subsection (a) shall be subject to the further condition that the Governor of the State of Illinois establish a redevelopment authority to be responsible for overseeing the economic redevelopment of the conveyed land.

(2) TIME FOR ESTABLISHMENT.—To satisfy the condition specified in paragraph (1), the redevelopment authority shall be established within one year after the date of the enactment of this Act.

(e) REVERSIONARY INTEREST.—During the 20-year period beginning on the date the Secretary makes the conveyance under subsection (a), if the Secretary determines that a condition specified in subsection (c) or (d) is not being satisfied, all right, title, and interest in and to the conveyed property, including improvements thereon, shall revert to the United States. The United States

shall have the right of immediate entry onto the property. Any determination of the Secretary under this subsection shall be made on the record after an opportunity for a hearing.

(f) SURVEYS.—All costs of necessary surveys for the transfer of real property under this section shall be borne by the State of Illinois.

(g) ADDITIONAL TERMS AND CONDITIONS.—The Secretary of the Army 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.

TITLE III—MISCELLANEOUS PROVISIONS

SEC. 301. DEGREE OF ENVIRONMENTAL CLEANUP.

(a) IN GENERAL.—Nothing in this Act shall be construed to restrict or lessen the degree of cleanup at the Arsenal required to be carried out under provisions of any environmental law.

(b) RESPONSE ACTION.—The establishment of the Midewin National Tallgrass Prairie under title I and the additional real property disposals required under title II shall not restrict or lessen in any way any response action or degree of cleanup under CERCLA or other environmental law, or any response action required under any environmental law to remediate petroleum products or their derivatives (including motor oil and aviation fuel), required to be carried out under the authority of the Secretary of the Army at the Arsenal and surrounding areas.

(c) ENVIRONMENTAL QUALITY OF PROPERTY.—Any contract for sale, deed, or other transfer of real property under title II shall be carried out in compliance with all applicable provisions of section 120(h) of CERCLA and other environmental laws.

Mr. EMERSON (during the reading). Mr. Speaker, I ask unanimous consent that the Committee amendment in the nature of a substitute be considered as read and printed in the RECORD.

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

There was no objection.

AMENDMENTS OFFERED BY MR. EMERSON TO THE COMMITTEE AMENDMENT IN THE NATURE OF A SUBSTITUTE

Mr. EMERSON. Mr. Speaker, I offer amendments to the Committee amendment in the nature of a substitute.

The Clerk read as follows:

Amendments offered by Mr. EMERSON to the Committee amendment in the nature of a substitute. In section 105(b)(2) of the bill, strike the sentence beginning with ''Such special use'' and the sentence beginning with ''Fair market value''.

In section 201 of the bill, strike subsection (e).

Mr. EMERSON (during the reading). Mr. Chairman, I ask unanimous consent that the amendments be considered as read and printed in the RECORD.

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

Mr. STENHOLM. Mr. Speaker, reserving the right to object, I will not object, but I yield to the gentleman from Missouri [Mr. EMERSON] to explain the amendments.

Mr. EMERSON. Mr. Speaker, these are technical changes in the bill. The one offered by the Committee on Veterans' Affairs merely allows the Secretary of Veterans Affairs the authority to name the cemetery. The second amendment gives the Forest Service authority to manage land used for grazing in the same manner that other Forest Service lands are managed. These amendments have been cleared with the minority, and it is my understanding that there is no objection.

Mr. Speaker, I include for the RECORD a letter from Jack Ward Thomas, Chief of the Forest Service, to the gentleman from Kansas, PAT ROBERTS, chairman of the Committee on Agriculture.

The material referred to follows:

DEPARTMENT OF AGRICULTURE,
FOREST SERVICE,
Washington, DC, July 28, 1995.

Hon. PAT ROBERTS,
Chairman, Committee on Agriculture, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: This is to confirm discussions my staff have had with members of your staff regarding language contained in a draft Agriculture Committee version of H.R. 714, the ''Illinois Land Conservation Act of 1995.''

John Hogan, counsel to the Committee, has told my staff that a proposed amendment may be offered on the House floor to strike two sentences in subsection 105(b)(2). The referenced subsection refers to the issuance by the Secretary of Agriculture of special use authorizations for agricultural purposes, including livestock grazing. The proposed amendment would strike the second and third complete sentences in that subsection, specifically: ''Such special use authorization shall require payment of a rental fee, in advance, that is based on the fair market value of the use allowed. Fair market value shall be determined by appraisal or a competitive bidding process.''

It is our understanding that the proposed deletion of those two sentences is intended to avoid any confusion between the use provisions of this bill and the ongoing legislative debate over grazing fees in the Western States. Mr. Hogan asked our opinion as to what effect the deletion of these two sentences would have on management of the Midewin National Tallgrass Prairie.

The proposed deletion of the referenced sentence would have no practical effect on management of the Prairie. The Forest Service will utilize the same general terms and conditions for agricultural leasing as was utilized by the Army, including competitive bidding for farming and leasing rights. This system has worked well for the Army and we plan to continue it. And, we note, the system is consistent with general Forest Service management practices throughout the Eastern United States.

If we can provide additional information, please do not hesitate to ask.

JACK WARD THOMAS,
Chief.

The SPEAKER pro tempore. The question is on the amendments offered by the gentleman from Missouri [Mr. EMERSON] to the committee amendment in the nature of a substitute.

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

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. EMERSON. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks on H.R. 714, the bill just passed.

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

There was no objection.

AUTHORIZING THE SECRETARY OF AGRICULTURE TO CONVEY LANDS TO THE CITY OF ROLLA, MO

Mr. EMERSON. Mr. Speaker, I ask unanimous consent to call up the bill (H.R. 701) to authorize the Secretary of Agriculture to convey lands to the city of Rolla, MO, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

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

Mr. STENHOLM. Reserving the right to object, Mr. Speaker, I shall not object, but I yield to the gentleman from Missouri [Mr. EMERSON] for an explanation of the bill.

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

Mr. EMERSON. Mr. Speaker, I thank the gentleman for yielding under his reservation.

Mr. Speaker, I rise today in strong support of this measure, H.R. 701, which is vital to the rural economic development efforts of southern Missouri. This legislation will authorize the U.S. Department of Agriculture to convey land within the Mark Twain National Forest to the city and citizens of Rolla, MO. This same bill was approved by the full House in the 103d Congress; however, procedural obstacles in the U.S. Senate on the last day of the 2d session, unrelated to the merits of this legislation, blocked further consideration and eventual passage.

The city of Rolla has been diligent in its plan to utilize the U.S. Forest Service's district ranger office site in the development and construction of a regional tourist center. I feel its important to note that tourism is the second largest industry in Missouri and this tourist center has already attracted great interest along with injecting needed dollars into the regional Rolla economy.

Clearly, this project is a prime example of a local community exercising its own rural development plan for local expansion and job creation. In these times of reduced Federal support for rural community-based economic enterprises, the city of Rolla is a shining example and model of both involvement and initiative that other communities around the country can clearly emulate.

For over a year now, the city of Rolla has been collecting a 3-percent tax on local hotels in the attempt to finance

this project independent of any assistance from the Federal Government. Indeed, this land transfer arrangement is a very unique partnership for both Rolla and the Mark Twain National Forest. Several of Missouri's proud historical landmarks, which are important elements of this site, will be maintained and preserved for current and future generations through the efforts of the city of Rolla—at a substantially reduced cost to State and Federal taxpayers.

This is particularly important to bear in mind, since this facility would have no further commercial viability without the direct involvement of the city of Rolla. So now, two worthy goals can be achieved—economic development and historical preservation. Indeed, there are other facilities that would serve the city's need for a tourist center, but the local community and its leaders have had the vision to realize this is a prime opportunity to help themselves and relieve Federal taxpayers from the burden of maintaining these Forest Service buildings and related facilities within the city of Rolla.

Mr. Speaker, I commend the leadership efforts of the Mark Twain National Forest and the city of Rolla. I urge the expeditious approval of this measure in order that the citizens of Rolla can get on with the business of economic development and job creation.

Mr. DE LA GARZA. Mr. Speaker, I rise in support of H.R. 701, a bill to authorize the Secretary of Agriculture to convey lands to the city of Rolla, MO. H.R. 701 is nearly identical to H.R. 3426 that was introduced in the 103d Congress by Congressman EMERSON. H.R. 3426 was passed by unanimous consent in the House after being discharged by the Agriculture Committee at the very end of the session. The Senate took no action on the bill before adjournment.

H.R. 701 authorizes the city of Rolla to pay fair market value for the lands described by the bill. The city may pay for the land in full within 6 months of conveyance or, at the option of the city, pay for land in annual payments over 20 years with no interest. If the 20-year option is taken, the payments must be put in a Sisk Act Fund where they will be available, subject to appropriation, until expended by the Secretary. The bill also releases the U.S. Forest Service from liability due to hazardous wastes found on the property that were not identified prior to conveyance and requires the preservation of historic resource on the property.

Mr. STENHOLM. Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

H.R. 701

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

SECTION 1. LAND CONVEYANCE, ROLLA RANGER DISTRICT ADMINISTRATIVE SITE, ROLLA, MISSOURI.

(a) CONVEYANCE AUTHORIZED.—Subject to the terms and conditions specified in this section, the Secretary of Agriculture may sell to the city of Rolla, Missouri (in this section referred to as the ''City''), all right, title, and interest of the United States in and to the following: The property identified as the Rolla Ranger District Administrative Site of the Forest Service located in Rolla, Phelps County, Missouri, encompassing ten acres more or less, the conveyance of which by C.D. and Oma A. Hazlewood to the United States was recorded on May 6, 1936, in book 104, page 286 of the Record of Deeds of Phelps County, Missouri.

(b) CONSIDERATION.—As consideration for the conveyance under subsection (a), the City shall pay to the Secretary an amount equal to the fair market value of the property as determined by an appraisal acceptable to the Secretary and prepared in accordance with the Uniform Appraisal Standards for Federal Land Acquisition as published by the Department of Justice. Payment shall be due in full within six months after the date the conveyance is made or, at the option of the City, in twenty equal annual installments commencing on January 1 of the first year following the conveyance and annually thereafter until the total amount due has been paid.

(c) DEPOSIT OF FUNDS RECEIVED.—Funds received by the Secretary under subsection (b) as consideration for the conveyance shall be deposited into the special fund in the Treasury authorized by the Act of December 4, 1967 (16 U.S.C. 484a, commonly known as the Sisk Act). Such funds shall be available, subject to appropriation, until expended by the Secretary.

(d) RELEASE.—Subject to compliance with all Federal environmental laws prior to transfer, the City, upon conveyance of the property under subsection (a), shall agree in writing to hold the United States harmless from any and all claims relating to the property, including all claims resulting from hazardous materials on the conveyed lands.

(e) REVERSION.—The conveyance under subsection (a) shall be made by quitclaim deed in fee simple subject to reversion to the United States and right of reentry upon such conditions as may be prescribed by the Secretary in the deed of conveyance or in the event the City fails to comply with the compensation requirements specified in subsection (b).

(f) CONVERSION OF HISTORIC RESOURCES.—In consultation with the State Historic Preservation Office of the State of Missouri, the Secretary shall ensure that the historic resources on the property to be conveyed are conserved by requiring, at the closing on the conveyance of the property, that the City convey an historic preservation easement to the State of Missouri assuring the right of the State to enter the property for historic preservation purposes. The historic preservation easement shall be negotiated between the State of Missouri and the City, and the conveyance of the easement shall be a condition to the conveyance authorized under subsection (a). The protection of the historic resources on the conveyed property shall be the responsibility of the State of Missouri and the City, and not that of the Secretary.

COMMITTEE AMENDMENT IN THE NATURE OF A SUBSTITUTE

The SPEAKER pro tempore. The Clerk will report the Committee amendment in the nature of a substitute,

The Clerk read as follows:

Committee amendment in the nature of a substitute:

Strike out all after the enacting clause and insert:

SECTION 1. LAND CONVEYANCE, ROLLA RANGER DISTRICT ADMINISTRATIVE SITE, ROLLA, MISSOURI.

(a) CONVEYANCE AUTHORIZED.—Subject to the terms and conditions specified in this section, the Secretary of Agriculture may sell to the city of Rolla, Missouri (in this section referred to as the ''City''), all right, title, and interest of the United States in and to the following:

The property identified as the Rolla Ranger District Administrative Site of the Forest Service located in Rolla, Phelps County, Missouri, encompassing ten acres more or less, the conveyance of which by C.D. and Oma A. Hazlewood to the United States was recorded on May 6, 1936, in book 104, page 286 of the Record of Deeds of Phelps County, Missouri.

(b) CONSIDERATION.—As consideration for the conveyance under subsection (a), the City shall pay to the Secretary an amount equal to the fair market value of the property as determined by an appraisal acceptable to the Secretary and prepared in accordance with the Uniform Appraisal Standards for Federal Land Acquisition as published by the Department of Justice. Payment shall be due in full within six months after the date the conveyance is made or, at the option of the City, in twenty equal annual installments commencing on January 1 of the first year following the conveyance and annually thereafter until the total amount due has been paid.

(c) DEPOSIT OF FUNDS RECEIVED.—Funds received by the Secretary under subsection (b) as consideration for the conveyance shall be deposited into the special fund in the Treasury authorized by the Act of December 4, 1967 (16 U.S.C. 484a, commonly known as the Sisk Act). Such funds shall be available, subject to appropriation, until expended by the Secretary.

(d) RELEASE.—Subject to compliance with all Federal environmental laws prior to transfer, the City, upon conveyance of the property under subsection (a), shall agree in writing to hold the United States harmless from any and all claims relating to the property, including all claims resulting from hazardous materials on the conveyed lands.

(e) RIGHT OF REENTRY.—The conveyance to the City under subsection (a) shall be made by quitclaim deed in fee simple, subject to the right of reentry to the United States if the Secretary determines that the City is not in compliance with the compensation requirements specified in subsection (b) or other condition prescribed by the Secretary in the deed of conveyance.

(f) CONSERVATION OF HISTORIC RESOURCES.—In consultation with the State Historic Preservation Office of the State of Missouri, the Secretary shall ensure that the historic resources on the property to be conveyed are conserved by requiring, at the closing on the conveyance of the property, that the City convey an historic preservation easement to the State of Missouri assuring the right of the State to enter the property for historic preservation purposes. The historic preservation easement shall be negotiated between the State of Missouri and the City, and the conveyance of the easement shall be a condition to the conveyance authorized under subsection (a). The protection of the historic resources on the conveyed property shall be the responsibility of the State of Missouri and the City, and not that of the Secretary.

Mr. EMERSON (during the reading). Mr. Speaker, I ask unanimous consent that the Committee amendment in the nature of a substitute be considered as read and printed in the RECORD.

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

There was no objection

Mr. SPEAKER pro tempore. The question is on the Committee amendment in the nature of a substitute.

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

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. EMERSON. Mr. Speaker, I ask unanimous consent that Members may have 5 legislative days to revise and extend their remarks on H.R. 701, the bill just considered.

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

There was no objection.

MODIFYING BOUNDARIES OF TALLADEGA NATIONAL FOREST

Mr. EMERSON. Mr. Speaker, I ask unanimous consent to call up the bill, H.R. 1874, to modify the boundaries of the Talladega National Forest, Alabama, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

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

Mr. STENHOLM. Reserving the right to object, Mr. Speaker, I shall not object, but I yield to the gentleman from Missouri [Mr. EMERSON] for an explanation of the bill.

Mr. EMERSON. Mr. Speaker, I thank the gentleman for yielding under his reservation of objection.

Mr. Speaker, this bill would transfer land currently under the jurisdiction of the Bureau of Land Management to the Forest Service. The land is currently being managed by the Forest Service. Another reason for the transfer is that the Penhody National Recreational Trail runs through a portion of the land that we are transferring. This transfer will enhance the management of the Penhody. The total amount being transferred is 559 acres. It is my understanding that the minority has no objection to this legislation, and that the administration is in support.

Mr. Speaker, I will include a document titled ''Questions and Answers, H.R. 1874, Talladega National Forest,'' for the RECORD.

Mr. DE LA GARZA. Mr. Speaker, I rise in support of H.R. 1874, a bill to modify the boundaries of the Talladega National Forest. This bill is a commonsense attempt to streamline and make more cost-efficient the management of our national forests by transferring two small tracts of adjacent Bureau of Land Management [BLM] land to the Talladega National Forest in Alabama. I commend our colleague, Mr. BROWDER of Alabama, in his efforts.

H.R. 1874 modifies the boundaries of the Talladega National Forest in Alabama by transferring approximately 350 acres of Bureau of Land Management [BLM] land to the Talladega National Forest. Both the U.S. Forest Service and the BLM support the concept of the transfer. The bill ensures that no existing rights of way, easement, lease license or permit shall be affected by the transfer.

According to the U.S. Forest Service this transfer will actually reduce the amount of boundary line the U.S. Forest Service will be required to maintain. Further, because the BLM lands are adjacent to or surrounded by the Talladega National Forest, the Congressional Budget Office reports that there are no significant costs to the government associated with the change in jurisdiction.

Mr. Speaker, I would also like included in the RECORD a document from the U.S. Forest Service entitled ''Questions and Answers, H.R. 1874, Talladega National Forest, Alabama,'' regarding the transfer.

QUESTION AND ANSWERS, H.R. 1874, TALLADEGA NATIONAL FOREST, ALABAMA

Q. Where is the Talladega National Forest located in Alabama?

A. The Talladega National Forest is broken up into two divisions—the Oakmulgee Division, located in central Alabama South and West of Birmingham, Alabama; and the Talladega Division, located east central Alabama and being East of Birmingham, Alabama.

Q. Which Division is effected by H.R. 1874?

A. The land is located on the Talladega Division.

Q. Where on the Talladega Division are the tracts mentioned in H.R. 1874 located?

A. The first tract is located in Cleburne County and contains 399.4 acres and is more particularly described as Township 17 South, Range 8 East, Section 34, NE¼, SW¼, and S½ NW¼. This tract is located within the existing Proclamation Boundary of the Talladega N.F. and close to being surrounded by National Forest ownership.

The second tract is located in Calhoun County and contains 160 acres and is more particularly described as Township 13 South, Range 9 East, Section 28, SE¼. This tract is located just outside of the existing Proclamation Boundary of Talladega N.F. but is adjacent to and contiguous with National Forest ownership.

Q. What's presently located on these lands?

A. Both properties are forested tracts with pine and hardwood. There are no known or surveyed cultural resource sites or threatened or endangered species known to be located on these tracts. However, the first and largest tract is located inside a tentative Habitat Management Area for the Red Cockaded Woodpecker, a listed endangered species. In addition, the Pinhoti Trail, administered by the Forest Service, runs through the largest tract.

Q. What is a Habitat Management Area (HMA)? and why is it ''tentative''?

A. This is an area that contains pine and pine-hardwood forest types that will be managed for the recovery of the Red Cockaded Woodpecker.

It is ''tentative'' until the Forest has completed its Forest Plan Revision.

Q. Just what is the Pinhoti Trail?

A. The Pinhoti Trail is a National Recreation Trail that was so designated back in 1977. It is a foot trail that extends for 98.6 miles along the mountains, valleys, and ridges of the Talladega Division, Talladega National Forest.

Q. Where does the Pinhoti Trail begin and end?

A. The trail starts on the Talladega Ranger District at Clairmont Gap off of the Talladega Scenic Drive and ends on the Northeastern boundary of the Shoal Creek Ranger District at Highway 278.

Q. H.R. 1874 indicates that the first tract contains 339.4 acres while the description calls for 399.4 acres. Which is correct?

A. The 399.4 acres is correct. There was probably a typo error made while drafting the bill. However, the description is accurate.

Q. Just what does the Bill do?

A. The Bill will transfer jurisdiction of these two tracts totaling 559.4 acres from the Bureau of Land Management, U.S. Department of Interior to the Forest Service, U.S. Department of Agriculture.

Q. Why is this necessary?

A. As pointed out, the effected lands are adjacent to and mixed in with existing National Forest lands. This would ease the administration of these federal lands for both agencies.

Q. Does BLM Agee with this change of jurisdiction?

A. Yes. They have worked closely with the Forest Service on this transfer for a number of years.

Q. Does the public have any concern about the change?

A. No. They already think the land is part of the National Forest System because of their location. This is especially true where the Pinhoti Trail runs through the larger tract in Cleburne County. In fact, the Forests current Administrative Map shows the 399 acre parcel as being national forest.

The county records in Cleburne County shows the property to be owned by the ''USA Talladega NF''; while the Calhoun County records shows it to be owned by the ''US Forestry Division''.

Q. Why does the Administrative Map show this property to be National Forest?

A. Probably an error was made when the map was last revised since the property is government land, almost surrounded by national forest land and has the Pinhoti Trail running through it.

Q. Are there any right-of-ways, easements, leases, licenses or permits on the lands being transferred?

A. There are no known right-of-ways, easements, etc. or known claims (neither properties are adjacent to residential development) on either of the properties. If there were, the Forest Service has the necessary authority and regulations to handle.

Q. What is the history of these Tracts?

A. The 160 acre parcel, located in Calhoun County, has never been patented and was not withdrawn from the Public Domain when the Talladega National Forest was established by Proclamation 2190 dated 7/17/1936. This property has always been owned by the United States.

The 399 acre parcel, located in Cleburne County, was patented to the State of Alabama back in August 1941. A clause in the Patent stated ''this patent is issued upon the express condition that the land hereby granted shall revert to the USA upon a finding by the Secretary of Interior that for a period of five (5) consecutive years such land has not been used by the said State of Alabama for park or recreational purposes, or that such land or any part thereof is being devoted to other uses.'' On November 14, 1978, the State of Alabama Quitclaimed this land to the United States and on February 9, 1979 title was accepted by the Bureau of Land Management.

(NOTE: The 1891 Organic Act originally gave the President the authority to place forest land into public reservations by Proclamation. President Franklin Roosevelt issued a Proclamation withdrawing the land now within our forest boundary for public recreational use pursuant to the Recreation and Public Purposes Act before the Talladega National Forest was established by Presidential Proclamation in 1936. A patent on the withdrawn lands was then issued to the State in 1941 with a reversionary clause to the United States. Alabama

reconveyed by Quit Claim deed to the United States in 1978 due to its non-use. The Proclamation creating the Talladega National Forest included a provision that all lands hereafter acquired by the United States under the Weeks Act should be administered as a part of the Talladega National Forest. This provision, however, only applied to lands acquired under the Weeks Act, and not the BLM land which simply reverted back to the United States. The proclamation itself no longer had the force of law when the United States regained title to the subject land due to the repeal of the 1891 Act by section 704 of the Federal Land Policy and Management Act of 1976. Hence, the subject land reverted to the status of unappropriated public land, and hence are not included within the Talladega National Forest as they had been withdrawn in favor of the State of Alabama prior to the proclamation and were later patented to the State, thus entirely escaping federal control and the scope of the proclamation.)

Q. What boundaries are being modified?

A. As previously indicated, the 160 acre parcel located in Calhoun County is located adjacent to but west of and outside of the existing Proclamation Boundary for the Talladega National Forest. The Bill would extend this boundary to incorporate the tract.

The 399.4 acre parcel located in Cleburne County is within the Proclamation Boundary. Technically no boundary modification is needed in this case as far as the Proclamation Boundary is concerned. However, the land line boundary would technically be changed in the jurisdictional transfer.

Regardless of the technicality of boundary modification, the Bill does effect the correct transfer of jurisdiction being sought by both agencies.

Q. How many additional acres of lands does the BLM presently have jurisdiction over that are within or adjacent to the Talladega National Forest?

A. None to the best of our knowledge.

Q. How is BLM presently managing these lands to be transferred to the Forest Service?

A. They are currently being managed for hunting and dispersed recreation.

Q. How much will it cost the Forest Service to administer these lands?

A. The main additional cost would be to maintain the approximately 1 mile of additional boundary lines located on the 160 acre parcel in Calhoun County. Estimated cost for maintenance runs around $500 to $600 per mile. However, with the tract located in Cleburne County, the Forest Service would actually lose approximately 1¾ miles of land lines. Therefore there is a net loss of around ¾ miles of land lines that the Forest Service will not have to maintain.

Since the lands are adjacent to and/or are within the existing National Forest, there will be little or no additional costs associated with the change of jurisdiction. The 599 acres would be incorporated into the 229,772 acres that currently makes up the Talladega Division, Talladega National Forest. (Total for the entire Talladega National Forest is 387,176 acres.)

Mr. STENHOLM. Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the bill, as follows:

H.R. 1874

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

SECTION 1. EXPANSION OF TALLADEGA NATIONAL FOREST.

(a) BOUNDARY MODIFICATION.—The exterior boundaries of the Talladega National Forest is hereby modified to include the following described lands:

Huntsville Meridian, Township 17 South, Range 8 East, Section 34, NE¼, SW¼, and S½NW¼, Cleburne County, containing 339.40 acres, more or less.

Huntsville Meridian, Township 13 South, Range 9 East, Section 28, SE¼, Calhoun County, containing 160.00 acres, more or less.

(b) ADMINISTRATION.—(1) Subject to valid existing rights, all Federal lands described under subsection (a) are hereby added to and shall be administered as part of the Talladega National Forest.

(2) Nothing in this section shall be construed to affect the validity of or the terms and conditions of any existing right-of-way, easement, lease, license, or permit on lands transferred by subsection (a), except that such lands shall be administered by the Forest Service. Reissuance of any authorization shall be in accordance with the laws and regulations generally applying to the Forest Service, and the change of jurisdiction over such lands resulting from the enactment of this Act shall not constitute a ground for the denial of renewal or reissuance of such authorization.

COMMITTEE AMENDMENT IN THE NATURE OF A SUBSTITUTE

The SPEAKER pro tempore. The Clerk will report the Committee amendment in the nature of a substitute.

The Clerk read as follows:

Committee amendment in the nature of a substitute:

Strike out all after the enacting clause and insert:

SECTION 1. EXPANSION OF TALLADEGA NATIONAL FOREST.

(a) BOUNDARY MODIFICATION.—The exterior boundaries of the Talladega National Forest is hereby modified to include the following described lands:

Huntsville Meridian, Township 17 South, Range 8 East, Section 34, NE¼, SW¼, and S½NW¼, Cleburne County, containing 339.40 acres, more or less.

Huntsville Meridian, Township 13 South, Range 9 East, Section 28, SE¼, Calhoun County, containing 160.00 acres, more or less.

(b) ADMINISTRATION.—(1) Subject to valid existing rights, all Federal lands described under subsection (a) are hereby added to and shall be administered as part of the Talladega National Forest, and the Secretary of the Interior shall transfer, without reimbursement, administrative jurisdiction over such lands to the Secretary of Agriculture.

(2) Nothing in this section shall be construed to affect the validity of or the terms and conditions of any existing right-of-way, easement, lease, license, or permit on lands transferred by subsection (a), except that such lands shall be administered by the Forest Service. Reissuance of any authorization shall be in accordance with the laws and regulations generally applying to the Forest Service, and the change of jurisdiction over such lands resulting from the enactment of this Act shall not constitute a ground for the denial of renewal or reissuance of such authorization.

Mr. EMERSON (during the reading). Mr. Speaker, I ask unanimous consent that the Committee amendment in the nature of a substitute be considered as read and printed in the RECORD.

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

There was no objection.

The SPEAKER pro tempore. The question is on the Committee amendment in the nature of a substitute.

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

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mrs. THURMAN (at the request of GEPHARDT) for today and the balance of the week, on account of illness in the family.

ADJOURNMENT

Mr. KOLBE. Mr. Chairman, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 19 minutes a.m.), the House adjourned until today, Thursday, August 3, 1995, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1298. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a copy of a memorandum of justification for Presidential determination on drawdown of Department of Defense articles and services to the United Nations for purposes of supporting the rapid reaction force [RRF], pursuant to 22 U.S.C. 2348a; to the Committee on International Relations.

1299. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 11–126, ''Motor Vehicle Rental Company Amendment Act of 1995,'' pursuant to D.C. Code, section 1–233(c)(1); to the Committee on Government Reform and Oversight.

1300. A letter from the Administrator, Federal Aviation Administration, transmitting a copy of a report entitled ''Cost/Benefit Analysis of Radar Installations at Joint-Use Military Airports and Radar Coverage at Cheyenne, Wyoming, Airport,'' pursuant to Public Law 103–305, section 524 (108 Stat. 1603); to the Committee on Transportation and Infrastructure.

1301. A letter from the Administrator, Federal Aviation Administration, transmitting the department's report on the implementation of the aircraft cabin air quality research program, pursuant to Public Law 103–305, section 304(e)(1) (108 Stat. 1592); to the Committee on Transportation and Infrastructure.

1302. A letter from the Administrator, Federal Aviation Administration, transmitting the Administration's report on aviation safety inspector staffing requirements for fiscal years 1995, 1996, and 1997, pursuant to Public Law 102–581, section 121 (106 Stat. 4884); 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. STUMP: Committee on Veterans' Affairs. H.R. 1536. A bill to amend title 38, United States Code, to extend for two years an expiring authority of the Secretary of Veterans Affairs with respect to determination of locality salaries for certain nurse anesthetist positions in the Department of Veterans Affairs (Rept. 104–225). Referred to the Committee of the Whole House on the State of the Union.

Mr. STUMP: Committee on Veterans' Affairs. H.R. 1384. A bill to amend title 38, United States Code, to exempt certain full-time health-care professionals of the Department of Veterans Affairs from restrictions on remunerated outside professional activities; with amendment (Rept. 104–226). Referred to the Committee of the Whole House on the State of the Union

Mr. CLINGER: Committee on Government Reform and Oversight. H.R. 2108. A bill to permit the Washingotn Convention Center Authority to expend revenues for the operation and maintenance of the existing Washington Convention Center and for preconstruction activities relating to a sports arena in the District of Columbia and to permit certain revenues to be pledged as security for the borrowing of such funds, and for other purposes (Rept. 104–227). Referred to the Committee of the Whole House on the State of the Union.

Mr. MOORHEAD: Committee on the Judiciary. H.R. 1445. A bill to amend rule 30 of the Federal Rules of Civil Procedure to restore the stenographic preference for depositions (Rept. 104–228). Referred to the Committee of the Whole House on the State of the Union

TIME LIMITATION OF REFERRED BILL

Pursuant to clause 5 of rule X the following action was taken by the Speaker:

H.R. 1670. Referral to the Committees on National Security and the Judiciary extended for a period ending not later than Oct. 2, 1995.

PUBLIC BILLS AND RESOLUTION

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. ROMERO-BARCELO (for himself, Mr. GALLEGLY, Mr. MILLER of California, Mr. FALEOMAVAEGA, Mr. UNDERWOOD, Mr. PASTOR, Mr. SERRANO, Mr. GUTIERREZ, Ms. VELAZQUEZ, and Mr. FRAZER):

H.R. 2159. A bill to provide for the transfer of certain lands on the Island of Vieques, PR, to the municipality of Vieques; to the Committee on National Security, and in addition to the Committee on Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SAXTON:

H.R. 2160. A bill to authorize appropriations to carry out the Interjurisdictional Fisheries Act of 1986 and the Anadromous Fish Conservation Act; to the Committee on Resources.

By Mr. GILMAN:

H.R. 2161. A bill to extend authorities under the Middle East Peace Facilitation Act of 1994 until October 1, 1995, and for other purposes; to the Committee on International Relations.

By Mr. ARCHER:

H.R. 2162. A bill to restore immigration to traditional levels by curtailing illegal immigration and imposing a ceiling on legal immigration; to the Committee on the Judiciary, and in addition to the Committees on Ways and Means, Commerce, Agriculture, and Government Reform and Oversight, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DE LA GARZA:

H.R. 2163. 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. FILNER:

H.R. 2164. A bill to curtail illegal immigration through increased enforcement of the employer sanctions provisions in the Immigration and Nationality Act and related laws; to the Committee on the Judiciary, and in addition to the Committee on Economic and Educational Opportunities, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FORBES:

H.R. 2165. A bill to clarify the application of a certain transitional rule; to the Committee on Ways and Means.

By Mr. HUNTER:

H.R. 2166. A bill to amend the Internal Revenue Code of 1986 to impose a minimum tax on certain foreign and foreign-controlled corporations; to the Committee on Ways and Means.

By Mr. JEFFERSON:

H.R. 2167. A bill to amend title II of the Social Security Act to provide that the reductions in Social Security benefits which are required in the case of spouses and surviving spouses who are also receiving certain Government pensions shall be equal to the amount by which the total amount of the combined monthly benefit—before reduction—and monthly pension exceeds $1,200; to the Committee on Ways and Means.

By Mr. JOHNSON of South Dakota:

H.R. 2168. A bill to extend COBRA continuation coverage to retirees and their dependents, and for other purposes; to the Committee on Commerce, and in addition to the Committees on Ways and Means, and Economic and Educational Opportunities, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MCHALE (for himself, Mr. SHAYS, Mrs. WALDHOLTZ, Mr. BARRETT of Wisconsin, Mr. KLUG, Mr. MINGE, Mr. DEAL of Georgia, Mr. DICKEY, Mr. ZIMMER, Mr. MEEHAN, Mr. LUTHER, and Mr. INGLIS of South Carolina):

H.R. 2169. A bill to provide for the disclosure of lobbying activities to influence the Federal Government, and for other purposes; to the Committee on the Judiciary.

By Mr. MORAN (for himself, Mr. WYNN, Mr. WOLF, Mrs. MORELLA, Mr. DAVIS, and Ms. NORTON):

H.R. 2170. A bill to authorize the establishment of the Woodrow Wilson Memorial Bridge Authority, and for other purposes; to the Committee on Transportation and Infrastructure, 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 Mr. PETRI:

H.R. 2171. A bill to amend the Internal Revenue Code of 1986 to provide a tax credit for certain political contributions and to eliminate the Presidential campaign fund; to the Committee on Ways and Means, and in addition to the Committee on House Oversight, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. SMITH of Washington:

H.R. 2172. A bill to establish the Vancouver National Historic Reserve, and for other purposes; to the Committee on Resources.

By Mr. STARK:

H.R. 2173. A bill to amend title XVIII of the Social Security Act to modify the types of ownership and compensation arrangements which are not considered arrangements between a physician and an entity furnishing a designated health service under the Medicare Program for purposes of the provisions of such title which deny payment for designated health services for which a referral is made by a physician with an ownership or compensation arrangement with the entity furnishing the service; to the Committee on Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. STUPAK:

H.R. 2174. A bill to establish the Commission on Missing-in-Action and Prisoners of War in Southeast Asia; to the Committee on International Relations.

By Mr. WILLIAMS:

H.R. 2175. A bill to amend the Public Health Service Act and the Social Security Act to improve the access of rural residents to quality health care by consolidating various categorical programs into a single program of grants to the States, and for other purposes; to the Committee on Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BARTON of Texas (for himself, Mr. PETE GEREN of Texas, Mr. SHADEGG, Mr. HALL of Texas, Mr. ALLARD, Mr. ARCHER, Mr. ARMEY, Mr. BACHUS, Mr. BAKER of California, Mr. BAKER of Louisiana, Mr. BALLENGER, Mr. BARR, Mr. BARRETT of Nebraska, Mr. BARTLETT of Maryland, Mr. BLILEY, Mr. BLUTE, Mr. BOEHNER, Mr. BONILLA, Mr. BROWNBACK, Mr. BRYANT of Tennessee, Mr. BUNN of Oregon, Mr. BUNNING of Kentucky, Mr. BURR, Mr. BURTON of Indiana, Mr. CALLAHAN, Mr. CALVERT, Mr. CAMP, Mr. CHABOT, Mr. CHAMBLISS, Mrs. CHENOWETH, Mr. CHRISTENSEN, Mr. CHRYSLER, Mr. COBLE, Mr. COBURN, Mr. COMBEST, Mr. COOLEY, Mr. COX, Mr. CRANE, Mr. CREMEANS, Mrs. CUBIN, Mr. CUNNINGHAM, Ms. DANNER, Mr. DEAL of Georgia, Mr. DICKEY, Mr. DOOLITTLE, Mr. DORNAN, Mr. DUNCAN, Ms. DUNN of Washington, Mr. EMERSON, Mr. ENGLISH of Pennsylvania, Mr. ENSIGN, Mr. FOLEY, Mr. FORBES, Mrs. FOWLER, Mr. FOX, Mr. FRANKS of New Jersey, Mr. FRANKS of Connecticut, Mr. FRELINGHUYSEN, Mr. FRISA, Mr. FUNDERBURK, Mr. GALLEGLY, Mr. GANSKE, Mr. GILMAN, Mr. GOODLING,

Mr. GOSS, Mr. GRAHAM, Mr. GUTKNECHT, Mr. HANCOCK, Mr. HANSEN, Mr. HASTERT, Mr. HASTINGS of Washington, Mr. HAYES, Mr. HAYWORTH, Mr. HEFLEY, Mr. HEINEMAN, Mr. HERGER, Mr. HILLEARY, Mr. HOEKSTRA, Mr. HOKE, Mr. HORN, Mr. HUNTER, Mr. HUTCHINSON, Mr. INGLIS of South Carolina, Mr. ISTOOK, Mr. SAM JOHNSON, Mr. JONES, Mrs. KELLY, Mr. KING, Mr. KINGSTON, Mr. KNOLLENBERG, Mr. LARGENT, Mr. LATHAM, Mr. LAUGHLIN, Mr. LEWIS of Kentucky, Mr. LIGHTFOOT, Mr. LINDER, Mr. LOBIONDO, Mr. LUCAS, Mr. MANZULLO, Mr. MARTINI, Mr. MCCOLLUM, Mr. MCCRERY, Mr. MCHUGH, Mr. MCINNIS, Mr. MCINTOSH, Mr. MCKEON, Mr. METCALF, Mr. MICA, Mr. MILLER of Florida, Mrs. MYRICK, Mr. NEUMANN, Mr. NEY, Mr. NORWOOD, Mr. PACKARD, Mr. PARKER, Mr. PAXON, Mr. PETERSON of Minnesota, Mr. QUILLEN, Mr. QUINN, Mr. RADANOVICH, Mr. RAMSTAD, Mr. RIGGS, Mr. ROBERTS, Mr. ROHRABACHER, Mr. ROYCE, Mr. SALMON, Mr. SANFORD, Mr. SAXTON, Mr. SCARBOROUGH, Mr. SCHAEFER, Mrs. SEASTRAND, Mr. SENSENBRENNER, Mr. SKEEN, Mr. SMITH of Texas, Mrs. SMITH of Washington, Mr. SOLOMON, Mr. SOUDER, Mr. SPENCE, Mr. STEARNS, Mr. STOCKMAN, Mr. STUMP, Mr. TALENT, Mr. TATE, Mr. TAUZIN, Mr. TAYLOR of North Carolina, Mr. THORNBERRY, Mr. TIAHRT, Mr. TORKILDSEN, Mr. UPTON, Mrs. WALDHOLTZ, Mr. WAMP, Mr. WATTS of Oklahoma, Mr. WELDON of Florida, Mr. WELDON of Pennsylvania, Mr. WELLER, Mr. WICKER, Mr. YOUNG of Alaska, and Mr. ZELIFF):

H.J. Res. 106. Joint resolution proposing an amendment to the Constitution of the United States to require three-fifths majorities for bills increasing taxes; to the Committee on the Judiciary.

By Mr. LANTOS (for himself and Mr. GILMAN):

H. Con. Res. 90. Concurrent resolution expressing the sense of the Congress concerning freedom of the press in Russia; to the Committee on International Relations.

By Mr. POMBO (for himself, Mr. KENNEDY of Rhode Island, Mr. STARK, Mr. FRANK of Massachusetts, Mr. ABERCROMBIE, Mr. BILBRAY, Mr. MEEHAN, Mr. REED, Mr. MOAKLEY, Mr. TORRICELLI, Mr. MENENDEZ, Mr. PALLONE, Mr. ZIMMER, Mr. MARTINI, and Mr. KENNEDY of Massachusetts):

H. Con. Res. 91. Concurrent resolution expressing the sense of the Congress that the United States should participate in Expo '98 in Lisbon, Portugal; to the Committee on International Relations.

By Mr. BUNNING of Kentucky (for himself, and Mr. JACOBS):

H. Res. 209. Resolution honoring the old-age, survivors, and disability insurance program upon the 60th anniversary of the enactment of the Social Security Act; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII,

Mr. HYDE introduced a bill (H.R. 2176) for the relief of Christopher Urban; which was referred to the Committee on the Judiciary.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 103: Mr. MCCOLLUM.
H.R. 109: Mr. HOEKSTRA, Mrs. MORELLA, Mr. LATHAM, and Mr. MCCOLLUM.
H.R. 127: Mr. ENGLISH of Pennsylvania and Mr. YOUNG of Florida.
H.R. 359: Mr. STUDDS.
H.R. 373: Mr. BEVILL.
H.R. 468: Mr. LIVINGSTON.
H.R. 497: Mr. ENGEL, Mr. ORTON, Mr. DICKEY, Mr. WELDON of Florida, Mrs. ROUKEMA, Mr. PORTER, and Mr. LAUGHLIN.
H.R. 656: Mr. MCCOLLUM.
H.R. 721: Mr. ZIMMER.
H.R. 739: Mr. PICKETT and Mr. KIM.
H.R. 783: Mr. WILLIAMS.
H.R. 862: Mr. NORWOOD.
H.R. 931: Ms. VELAZQUEZ, Mr. ENSIGN, and Mr. HERGER.
H.R. 975: Mr. ZIMMER.
H.R. 989: Mr. PACKARD.
H.R. 995: Mr. UPTON.
H.R. 1005: Mr. TAYLOR of North Carolina.
H.R. 1006: Mr. PASTOR.
H.R. 1023: Mr. MCKEON.
H.R. 1050: Mr. NADLER.
H.R. 1099: Ms. DUNN of Washington.
H.R. 1161: Mr. PARKER, Mr. SCARBOROUGH, Mr. MASCARA, Mr. PETE GEREN of Texas, and Mr. EHLERS.
H.R. 1242: Mr. ZIMMER and Mr. ALLARD.
H.R. 1300: Mr. HAYES.
H.R. 1461: Mr. COBLE.
H.R. 1493: Mr. LINDER and Mr. BARR.
H.R. 1514: Mrs. KELLY, Mr. GRAHAM, Mr. WAMP, Mr. DOOLEY, Mr. LOBIONDO, Mr. DICKEY, Mr. ABERCROMBIE, Mr. NORWOOD, Mr. JOHNSTON of Florida, Mr. KILDEE, and Ms. MCCARTHY.
H.R. 1625: Mr. MCCRERY.
H.R. 1713: Mr. THOMAS.
H.R. 1733: Mr. BERMAN.
H.R. 1734: Mr. CONYERS.
H.R. 1744: Mr. OBERSTAR.
H.R. 1748: Mr. WILLIAMS.
H.R. 1766: Mr. SHAYS, Mr. LUTHER, Mr. OXLEY, Mr. FROST, Mr. CLINGER, Mr. THOMAS, Mr. PETERSON of Minnesota, Mr. EHLERS, and Mr. PETRI.
H.R. 1856: Mrs. VUCANOVICH.
H.R. 1893: Mr. SERRANO and Mr. QUINN.
H.R. 1915: Mr. COLLINS of Georgia, Mr. HANSEN, Mr. HORN, Mr. ROYCE, Mr. PAXON, Ms. MOLINARI, Mr. LINDER, and Mr. Hastert.
H.R. 1972: Mr. BACHUS, Mr. TAYLOR of North Carolina, Mr. LOBIONDO, and Mr. KLUG.
H.R. 2013: Mr. SANDERS.
H.R. 2026: Mr. HASTERT, Mr. SKEEN, and Mr. KASICH.
H.R. 2027: Mr. GREENWOOD.
H.R. 2077: Mr. BALDACCI.
H. Con. Res. 47: Mr. MENENDEZ, Mr. BLILEY, Mrs. VUCANOVICH, and Mr. WELDON of Pennsylvania.
H. Con. Res. 79: Mr. HASTINGS of Florida.
H. Res. 36: Mr. CRAMER.
H. Res. 123: Mr. CUNNINGHAM
H. Res. 200: Mr. JOHNSTON of Florida, Mr. FROST, Mr. FLANAGAN, and Mr. SCHUMER.
H. Res. 202: Mr. OLVER and Mr. BROWN of Ohio.
H. Res. 203: Mr. OLVER.

AMENDMENTS

Under clause 6 of rule XXIII, proposed amendments were submitted as follows:

H.R. 2126

OFFERED BY: MR. OBEY

AMENDMENT NO. 55: Page 23, line 17, strike ''$7,162,603,000'' and insert ''$9,169,603,000''; and

On page 21, line 6, strike ''$5,577,958,000'' and insert ''$3,184,958,000''.

H.R. 2126

OFFERED BY: MR. OBEY

AMENDMENT NO. 56: Page 23, line 17, insert ''(reduced by $493,000,000)'' before ''to remain available''.

H.R. 2126

OFFERED BY: MR. OBEY

AMENDMENT NO. 57: Page 26, line 10, strike ''$908,125,000'' and insert ''$877,125,000''.

H.R. 2126

OFFERED BY: MR. OBEY

AMENDMENT NO. 58: Page 28, line 11, strike ''$13,110,335,000'' and insert ''$13,010,335,000''.

H.R. 2126

OFFERED BY: MR. OBEY

AMENDMENT NO. 59: Page 28, line 11, insert ''(reduced by $100,000,000)'' before ''to remain available''.

H.R. 2126

OFFERED BY: MR. OBEY

AMENDMENT NO. 60: Page 28, line 11, insert ''(reduced by $200,000,000)'' before ''to remain available''.

H.R. 2126

OFFERED BY: MR. OBEY

AMENDMENT NO. 61: Page 28, line 11, insert ''(reduced by $1,000,000,000)'' before ''to remain available''.

H.R. 2126

OFFERED BY: MR. OBEY

AMENDMENT NO. 62: Page 28, line 24, insert ''(reduced by $450,000,000)'' before ''to remain available''.

H.R. 2126

OFFERED BY: MR. OBEY

AMENDMENT NO. 63: Page 32, line 17, strike ''$746,698,000'' and insert ''$784,000,000''.

H.R. 2126

OFFERED BY: MR. OBEY

AMENDMENT NO. 64: Page 32, line 20, strike ''$53,400,000'' and insert ''$90,702,000''.

H.R. 2126

OFFERED BY: MR. OBEY

AMENDMENT NO. 65: Page 33, line 10, strike ''$688,432,000'' and insert ''$738,432,000''.

H.R. 2126

OFFERED BY: MR. OBEY

AMENDMENT NO. 66: Page 35, line 11, strike ''$75,683,000'' and insert ''$70,683,000''.

H.R. 2126

OFFERED BY: MR. OBEY

AMENDMENT NO. 67: On page 77, line 8 delete $250,000 and insert $148,400.

H.R. 2126

OFFERED BY: MR. OBEY

AMENDMENT NO. 68: On page 82 line 23 delete everything from ''SEC. 8094'' through ''reasons.'' on page 83 line 25.

H.R. 2126

OFFERED BY: MR. OBEY

AMENDMENT NO. 69: On page 85 line 20 delete everything from ''SEC. 8098'' through ''Center.'' on page 86 line 11.

H.R. 2126

OFFERED BY: MR. OBEY

AMENDMENT NO. 70: On page 90 line 19 strike everything from ''(d)'' through ''commences.'' on page 91 line 2.

H.R. 2126

OFFERED BY: MR. OBEY

AMENDMENT NO 71: Page 94, after line 3, insert the following new section:

SEC. 8107. None of the funds in this Act may be used for the continuation of the Extremely Low Frequency Communication System of the Navy.

H.R. 2126

OFFERED BY: MR. SCHUMER

AMENDMENT NO. 72: Page 16, line 14, after the dollar amount, insert the following: ''(increased by $50,000,000)''.

H.R. 2127

OFFERED BY: MR. BATEMAN

AMENDMENT NO. 117: Page 31, line 18, strike $85,423,000 and insert $67,423,000.

Page 35, line 21, strike $411,781,000 and insert $405,781,000.

Page 42, line 7, strike $645,000,000 and insert $669,000,000.

Page 42, line 7, strike $550,000,000 and insert $584,000,000.

Page 42, line 10, strike $50,000,000 and insert $40,000,000.

H.R. 2127

OFFERED BY: MR. BATEMAN

AMENDMENT NO. 118: Page 31, line 18, strike $85,423,000 and insert $67,423,000.

Page 35, line 21, strike $411,781,000 and insert $405,781,000.

Page 42, line 7, strike $645,000,000 and insert $669,000,000.

Page 42, line 7, strike $550,000,000 and insert $584,000,000.

Page 42, line 10, strike $50,000,000 and insert $40,000,000.

H.R. 2127

OFFERED BY: MR. BATEMAN

AMENDMENT NO. 119: Page 42, line 13, after the colon, strike all through Page 42, line 22.

H.R. 2127

OFFERED BY: MR. BATEMAN

AMENDMENT NO. 120: Page 42, line 13 after the colon, strike all through Page 42, line 22.

H.R. 2127

OFFERED BY: MR. BATEMAN

AMENDMENT NO. 121: Page 42, line 20, after the colon, strike all through Page 42, line 22.

H.R. 2127

OFFERED BY: MR. BATEMAN

AMENDMENT NO. 122: Page 42, line 20, after the colon, strike all through Page 42, line 22.

H.R. 2127

OFFERED BY: MR. EDWARDS

AMENDMENT NO. 123: Page 25, line 5, strike ''$2,085,831,000'' and insert ''$2,063,331,000''.

Page 42, strike line 7 and insert ''$655,000,000, of which $550,000,000 shall be for basic''.

H.R. 2127

OFFERED BY: MR. EDWARDS

AMENDMENT NO. 124: Page 35, line 21, strike ''$411,781,000'' and insert ''$396,599,000''.

Page 42, strike line 7 and insert ''$657,009,000, of which $562,009,000 shall be for basic''.

H.R. 2127

OFFERED BY: MR. EDWARDS

AMENDMENT NO. 125: Page 35, line 21, strike ''$411,781,000'' and insert ''$396,599,000''.

Page 25, line 5, strike ''$2,085,831,000'' and insert ''$2,063,331,000''.

Page 42, strike line 7 and insert ''$667,009,000, of which $572,009,000 shall be for basic''.

H.R. 2127

OFFERED BY: MR. EDWARDS

AMENDMENT NO. 126: Page 42, line 13, strike the colon and all that follows through ''8003(e)'' on line 22.

H.R. 2127

OFFERED BY: MR. EMERSON

AMENDMENT NO. 127: Page 37, line 7, after the dollar amount, insert the following: ''(reduced by $2,000,000)''.

H.R. 2127

OFFERED BY: MR. EMERSON

AMENDMENT NO. 128: Page 88, after line 7, insert the following new title:

TITLE VII—ADDITIONAL GENERAL PROVISIONS

SEC. 701. (a) LIMITATION ON USE OF FUNDS.—None of the funds made available in this Act may be used for the expenses of an electronic benefit transfer (EBT) task force.

(b) CORRESPONDING REDUCTION IN FUNDS.—The amount otherwise provided in this Act for ''DEPARTMENT OF HEALTH AND HUMAN SERVICES—Administration for Children and Families—Children and families services programs'' is hereby reduced by $2,000,000.

H.R. 2127

OFFERED BY: MR. HASTERT

AMENDMENT NO. 129: Page 54, line 14, strike ''objective criteria'' and insert ''specific criteria''.

H.R. 2127

OFFERED BY: MR. SAM JOHNSON OF TEXAS

AMENDMENT NO. 130: Page 88, after line 7, insert the following new title:

TITLE VIII—OTHER PROGRAMS

PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

SEC. . In addition to amounts otherwise provided in this Act, for carrying out programs under the head ''SCHOOL IMPROVEMENT PROGRAMS''; for carrying out programs under the head ''VOCATIONAL AND ADULT EDUCATION'', respectively, $50,000,000 and $100,000,000, to be derived from amounts under the head ''AGENCY FOR HEALTH CARE POLICY AND RESEARCH—HEALTH CARE POLICY AND RESEARCH'', $60,000,000: *Provided,* That, notwithstanding any other provision in this Act, none of the funds under the head ''AGENCY FOR HEALTH CARE POLICY AND RESEARCH—HEALTH CARE POLICY AND RESEARCH'' shall be expended from the Federal Hospital Insurance and the Federal Supplementary Medical Insurance Trust Funds.

H.R. 2127

OFFERED BY: MRS. MEEK OF FLORIDA

AMENDMENT NO. 131: Page 84, lines 10 through 13, strike the following phrase:

the provision of funds for acquisition (by purchase, lease or barter) of property or services for the direct benefit or use of the United States,

H.R. 2127

OFFERED BY: MR. MENENDEZ

AMENDMENT NO. 132: Page 80, strike lines 13 through 22 and insert the following:

''(C) any act of self-dealing (as defined section 4941(d) of the Internal Revenue Code of 1986, determined by treating only government officials described in paragraph (1) or (2) of section 4946(c) of such Code as disqualified persons) between such an official and any organization described in paragraph (3) or (4) of section 501(c) of such Code and exempt from tax under section 501(a) of such Code;''.

Page 84, at the end of line 15, insert the following: ''In the case of an organization described in paragraph (3) or (4) of section 501(c) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code, all of the funds of such organization shall be treated as from a grant.''

H.R. 2127

OFFERED BY: MR. MENENDEZ

AMENDMENT NO. 133: At the end of the bill, insert after the last section (preceding the short title) the following new section:

SEC. . None of the funds made available by this or any other Act may be used to pay the salary of any government official (as defined in paragraph (1) or (2) of section 4946(c) of the Internal Revenue Code of 1986) when it is made known to the Federal official having authority to obligate or expend such funds that there has been an act of self-dealing (as defined section 4941(d) of such Code, determined by treating such government officials as disqualified persons) between such government official and any organization described in paragraph (3) or (4) of section 501(c) of such Code and exempt from tax under section 501(a) of such Code.

H.R. 2127

OFFERED BY: MR. NEY

AMENDMENT NO. 134: Page 41, after line 8, insert the following section:

SEC. 210. Of the first dollar amount specified in this title under the heading ''AGENCY FOR HEALTH CARE POLICY AND RESEARCH—HEALTH CARE POLICY AND RESEARCH'', $39,900,000 is transferred from such amount, of which $30,000,000 is available for allotments for State Developmental Disabilities Councils under part B of the Developmental Disabilities Assistance and Bill of Rights Act, $8,900,000 is available for grants to university affiliated programs under part D of such Act, and $1,000,000 is available for grants and contracts for projects of national significance under part E of such Act.

H.R. 2127

OFFERED BY: MR. WATTS OF OKLAHOMA

AMENDMENT NO. 135: Page 25, line 5, after the dollar amount insert ''(decreased by $5,000,000)''.

Page 35, line 21, after the dollar amount insert ''(decreased by $14,427,000)''.

Page 49, line 1, after the dollar amount insert ''(decreased by $20,000,000)''.

Page 42, line 7, after the dollar amount insert ''(increased by $24,427,000)''.

Page 45, line 7, after the dollar amount insert ''(increased by $15,000,000)''.

H.R. 2127

OFFERED BY: MR. WATTS OF OKLAHOMA

AMENDMENT NO. 136: Page 42, line 13, strike the colon and all that follows through ''8003(e)'' on line 22.