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House of Representatives

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

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
September 8, 1995.

I hereby designate the Honorable JIM KOLBE to act as Speaker pro tempore on this day.

NEWT GINGRICH,
Speaker of the House of Representatives.

PRAYER

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

O gracious God, from whom we have received our very lives and in whom is our hope and confidence, we express our thanksgiving for this new day and the opportunities that are before us. We place before You our needs, those attitudes and feelings and hopes that are dear to us, asking that You would bless us so we choose the better way, confirm us in all truth, and forgive us in the depths of our hearts. May what we say and do and think this day be to Your glory and honor. In Your name, we pray. Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from California [Mr. CUNNINGHAM] come forward and lead the House in the Pledge of Allegiance.

Mr. CUNNINGHAM 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.

DISAPPROVING THE RECOMMENDATIONS OF THE DEFENSE BASE CLOSURE AND REALIGNMENT COMMISSION

Mr. SPENCE. Mr. Speaker, pursuant to section 2908 of Public Law 101–510 and by direction of the Committee on National Security, I call up the joint resolution (H.J. Res. 102) disapproving the recommendations of the Defense Base Closure and Realignment Commission, and ask unanimous consent for its immediate consideration in the House.

The Clerk read the title of the joint resolution.

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

There was no objection.

The text of House Joint Resolution 102 is as follows:

H.J. RES. 102

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That Congress disapproves the recommendations of the Defense Base Closure and Realignment Commission as submitted by the President on July 13, 1995.

The SPEAKER pro tempore. Pursuant to section 2908 of the Defense Base Closure and Realignment Act of 1990, the gentleman from South Carolina [Mr. SPENCE] and the gentleman from Texas [Mr. TEJEDA] will each be recognized for 1 hour.

The Chair recognizes the gentleman from South Carolina [Mr. SPENCE].

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

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

Mr. Speaker, today, the House will consider whether to disapprove the recommendations of the independent Defense Base Closure and Realignment Commission to close 28 major military installations and realign the mission at another 77 bases. I rise in opposition to House Joint Resolution 102, which would disapprove the Commission's recommendations, and I urge my colleagues to oppose it as well.

We are currently in the fourth round of base closures since 1989, and the third and final round under the Commission's present charter. We all recognize that base closures are a reality in the post-cold-war world, particularly in view of the reductions in force structure that have taken place over the past 6 years.

The Department of Defense is counting on the savings resulting from base closure and realignment to fund currently underfunded modernization and infrastructure improvements late this decade and into the next century. According to the Commission, implementation of their recommendations would result in one-time costs of approximately $3.6 billion. However, the Commission expects $1.6 billion in annual savings and net present value savings of $19.3 billion over the next 20 years to result from the 1995 base closure recommendations.

Personally, I am concerned about ongoing force structure reductions as well as the closing of a number of installations already in the works under BRAC. At least some of these bases are unique national assets that we will never reconstitute even if needed in the future.

A number of Members, including myself, have been skeptical when it comes to the rosy projections that have been made in previous base closure rounds concerning the savings that will accrue

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Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

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to the military services. To date, savings have fallen well short of expectations while the up-front costs of closures have soared beyond initial estimates and remain underfunded. Reluctantly, however, I realize that with the growing pressures on defense resources we simply cannot afford to keep all the installations and facilities open that I believe our military may one day need again.

Speaking from experience, I understand the pain and dislocation that a base closure or major realignment can inflict on a community, even a region. In the past, even if I was not supportive of the closing of bases, I was at least satisfied that the Commission and the closure process had essentially worked as intended—that politics had not been the determining factor in the development of the administration's or the Commission's numerous recommendations.

In this sense, I was especially concerned about the administration's handling of the Commission's recommendations. There is no question that Presidential politics were paramount in the White House's very public and tortured consideration of the Commission's recommendations. The veneer of a national security justification for rejection of the list was dropped as politics quickly took center stage. Fortunately, common sense prevailed over politics and the administration ultimately backed down and allowed the process to proceed. For the sake of the process, I am nonetheless relieved that the President finally opted to allow substance and process to prevail over politics in his decision to submit the Commission's recommendations to the Congress.

However, I remain concerned about recent comments made by senior administration officials implying that the White House will find a way to assist a select few installations in politically sensitive States by ''privatizing in place.'' Some have gone so far as to guarantee employment to workers at installations scheduled to be closed—a guarantee that everyone knows will be nearly impossible to honor.

While I am sympathetic to the desire to preserve defense skills and jobs, it is clear that the Commission was seriously concerned about the cost of maintaining excess capacity at several types of installations, particularly Air Force depots. Privatization of workloads at these particular installations was only one of several options recommended by the Commission. Contrary to the assertions of some, Congress ultimately will retain the authority to determine how and if privatization in place makes sense.

Mr. Speaker, the National Security Committee considered the recommendations of the Commission very carefully. While some Members expressed concern with individual recommendations contained in the Commission's report, the committee decided to support the Commission's findings. The committee voted 43 to 10 to report House Joint Resolution 102 adversely. In the committee's judgment, this resolution should be defeated. I urge a ''no'' vote to my colleagues.

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

Mr. TEJEDA. Mr. Speaker, I ask unanimous consent to divide my 1 hour of debate so the gentleman from California [Mr. FAZIO] is able to control 20 minutes of that time and I will control 40 minutes.

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

There was no objection.

The SPEAKER pro tempore. The gentleman from Texas [Mr. TEJEDA] will be recognized for 40 minutes, and the gentleman from California [Mr. FAZIO] will be recognized for 20 minutes.

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

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

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

Mr. Speaker, this resolution represents the end of a long and painful process for many communities and their citizens. While these communities are now turning their attention toward reuse efforts and planning for the future, we have this final opportunity to overturn the Base Closure Commission's recommendations.

In my opinion, the base Closure Commission made a mistake in voting to close two of the Air Force's air logistics centers. These depots are located in San Antonio, TX and Sacramento, CA. My colleagues from San Antonio and Sacramento will speak to this decision in a few minutes, so I will not add to that specific debate yet.

It should come as no surprise, then, that the San Antonio and Sacramento delegations introduced resolutions of disapproval. This issue is not a partisan issue. Base closures and economic losses cut across party lines. I stand here before the House because my constituents and my district, in fact this Nation, does not deserve the closure of Kelly Air Force Base. I do not believe that closure of Kelly Air Force Base is in the best interest of our national security. If there is a way to keep Kelly open, we will fight that fight, and this is what this resolution of disapproval is all about.

I expect nothing less from my colleagues across the Nation who also lose bases and jobs in this process. And we will hear from them. In contrast, I expect those whose districts stand to gain from these recommendations to voice their strong support for the Base Closure Commission's recommendations.

I have no illusions about the final outcome of this matter. It is the bottom of the ninth and we are behind by a lot of runs. But this does not mean we give up and walk off the field. There are important issues which need to be addressed, and I look forward to a lively discussion during the next 2 hours.

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

Mr. FAZIO of California. Mr. Speaker, I appreciate the gentleman from Texas sharing his time with me, and I yield myself such time as I may consume.

Mr. speaker, I rise in strong opposition to the BRAC Commission's 1995 base closure list and in support of this resolution. I do so for the first time. While this is the fourth round of base closure, it is the first time that I have risen in opposition, despite the fact that it is the third of four rounds that have impacted the community, Sacramento, CA, that I represent along with several of my colleagues who will appear later today.

I want to join with the comments that my friend, Mr. TEJEDA, of San Antonio has made with reference to my particular opposition to the decision to close two of the five Air Logistics Centers under the Materiel Command based in Dayton, OH. I strongly supported the position that the Air Force and DOD took to downsize in place. I think that was the right decision, both in terms of keeping capacity available for any international emergency that would have required surge capability.

I regret the decision, which was very hard fought within the Commission, to close the two facilities that now will undergo privatization. As my friend from San Antonio said, we will hear a good deal from people who expected to gain a great deal from the closure of our two bases, who are troubled by the report of the DOD Commission on Roles and Missions which has advocated strongly the privatization of our heretofore public Air Force Logistics Centers.

I know what I am engaging in here today is probably under the rubric of a primal scream. I understand that I am probably engaging in a fruitless protest, and I have seen others whose bases have closed do so in prior discussions of resolutions to, in effect, reverse the decisions of the BRAC process of the Commission. But I think I have justification in using this last opportunity to express my measure of protest, because in fact nowhere in the United States has the BRAC had such a devastating impact as it has had in the Sacramento area.

In all four rounds of the BRAC, the Sacramento area has shouldered well over a quarter of all the jobs lost in California due to BRAC. In fact, the Sacramento area standing alone has absorbed more base closure losses in terms of direct and indirect jobs than any other State in the Nation. In fact, the same could be said of the Sacramento as well as San Francisco Bay area individually.

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

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

Mr. Speaker, I rise in opposition to House Joint Resolution 102 and I urge my colleagues to vote against it.

I supported the establishment of the current base closure process in 1990. I believed then, and I continue to believe, that the disposal of unneeded military infrastructure and overhead would save scarce resources. I think we have come a long way in that regard.

Frankly we have closed bases through this process that I never thought would ever be closed—and we have closed some that we may ultimately wish we had not. Personally, I was opposed to the closure in previous rounds of facilities such as Lowry Air Force Base and Pueblo Army Depot in Colorado. I fought to keep them from closing, but when faced with the decision to accept or reject the entire list produced by the Commission, I concluded that the Commission had acted appropriately, and that in an era of declining defense dollars the national interest had been served. This year I feel the same way, even though Fitzsimons Army Medical Center is on the list.

I want to briefly say a word about the ultimate reuse for facilities such as Fitzsimons. One of our goals throughout this process has been to get installations slated for closure as quickly as possible into reuse by the local community. I have been impressed with the speed and dedication with which the city of Aurora has approached redevelopment. Working with the University of Colorado, an impressive reuse plan is already taking shape for Fitzsimons. I want to encourage the Department of Defense, particularly the Department of the Army, to do what it can to facilitate a rapid transition of the facility and related property to the local redevelopment authority so that the people of Aurora and Colorado can benefit from reuse as soon as possible.

Mr. Speaker, since the first round of base closures in 1988, over 100 major U.S.-based facilities have closed, and plant replacement value has been reduced by 21 percent. The Commission's 1995 recommendations will raise the number of major U.S.-based installations closed to about 130, and plant replacement value will have been reduced by another 6 percent or so.

Although not covered by BRAC, unneeded overseas infrastructure has also been reduced substantially. During the BRAC period, the services have closed or reduced operations at over 950 bases overseas—a plant replacement value reduction of 43 percent.

Despite all the rhetoric from some quarters, including from some in the administration who periodically suggest that we have not done enough, I believe this process has resulted in a significant downsizing of our military infrastructure. In my judgment, the military services need to adjust to the sharp base and installation reductions they will have to absorb.

As the chairman of the Subcommittee on Military Installations and Facilities, I have been approached about the possibility of authorizing another round of base closures in 6 years of so. Indeed, that was one of the recommendations of the Defense Base Closure and Realignment Commission. There may be a need in the future to resurrect this process, but I believe that authorizing another round now would be a mistake.

The services need time to adjust to a post-BRAC environment. Some units have moved as many as three times throughout the final phases of BRAC. Once force structure and installations infrastructure have stabilized, and once we have a clear understanding of the actual costs and savings balance from BRAC, Congress will be in a better position to assess whether any further rounds of base closure are necessary. While I have great respect for the Commissioners, particularly Chairman Alan Dixon, I would not support authorization of a future round at this time.

There is no doubt that there are problems in the BRAC process. It is clear that the upfront costs of base closures and realignments have been substantially more than anyone expected. It is also true that revenues from disposal have not been realized, and realized savings have fallen far short of original estimates. This does not mean that the process has not worked or that it has collapsed. It is an indication of just how difficult the implementation of BRAC, with its huge upfront costs and hidden environmental cleanup costs, has proven to be in practice.

Mr. Speaker, the first hearing the Subcommittee on Military Installations and Facilities held in this session concerned the BRAC process. I want to assure the House that the subcommittee will continue its commitment to oversight of BRAC implementation even after the formal Commission process ends this year.

The Secretary of Defense estimates that $40 billion will be saved as a result of action taken in all four phases of base closure. He may be right. I hope he is; but even if savings fall short of expectations, there is no question that we must complete the process we began 7 years ago. I urge my colleagues to support the judgment of the National Security Committee and vote ''no'' on the resolution of disapproval.

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

Mr. FAZIO of California. Mr. Speaker, I yield such time as he may consume to the gentleman from Sacramento, CA [Mr. MATSUI], who has worked so long and hard to build McClellan Air Force Base into the modern entity it is today.

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Mr. MATSUI. Mr. Speaker, I would like to thank the gentleman from California [Mr. FAZIO], but first of all, I would like to take a moment to first of all thank both the gentleman from California [Mr. DOOLITTLE] and the gentleman from California [Mr. POMBO] for the hard work they did in trying to pursue our efforts to save McClellan Air Force Base. We had a very strong bipartisan effort in northern California an without their help, I do not believe we could have gotten as far as we did.

Mr. Speaker, I would like to spend a few moments to talk about my colleague, the gentleman from California [Mr. FAZIO], who is adjacent to me in Sacramento County. The gentleman from California [Mr. FAZIO] and I have worked over the years to get $400 million of construction programs for McClellan in the last decade and a half. This is because the Air Force has suggested that we should do this to maintain McClellan as a viable, strong base of the five maintenance depots.

Mr. Speaker, the gentleman, over the last 8 or 9 months in particular, did a tremendous job in doing whatever he could to save McClellan Air Force Base. I think the final recommendation, that is the privatization of this base, would not have occurred without his able assistance and his ability to put together this package in a coalition.

So, Mr. Speaker, I say to the gentleman from California, on behalf of my constituents in the Fifth Congressional District, I want to thank him very much for his help, because I think we will be able to maintain a level of employment at that base now that will not create economic disruption. So I just want to pay my respects for the gentleman's efforts over the last 8 months to a year.

Mr. Speaker, I would also like to acknowledge the President's activities in this. As you know, the Air Force, the Pentagon, and the President did not want to close McClellan Air Force Base. He wanted to basically keep the five logistic depots open and downsize all five of them for the purpose of future possible national international crises.

Those are the five probably most important depots in the country. When these five depots are compared to the Army or the Navy, we always come out ahead, because we have become technologically the most proficient. Obviously, we have one of the best work forces in the entire Federal Government and, as a result of that, I believe the long-range plans of this administration, but particularly of the people that are running on a long-term basis the Pentagon, have felt if we ever went into interservicing, these bases should be the ones to preserve.

As my colleagues know, the President attempted to save these bases for that future possibility. Unfortunately, the Commission, in its own wisdom, decided to close two bases, one in Texas and the McClellan Air Force Base in California. This was against the strenuous objection of the administration, the Pentagon, and the Air Force.

I have to say that the reason I am going to vote in favor of this resolution, and against the recommendations

of this Commission, is because originally this process was to be nonpolitical. It was to be an objective process. We have had two prior closings and we had two bases in my district that closed as a result of those two prior Commissions. Mr. Speaker, I voted to close those bases, even though there was a total of 10,000 employees, because I thought the process was fair and objective.

But I have to tell my colleagues that this process was the most outrageous process around. Those Commissioners, not all of them, but many of them, had their own agenda. One who was a high-ranking Army official, for example, not only during his discussions showed significant bias, but he was actually outwardly favoring Army depots saying all his experience with the Army led him to believe that we should save these bases. That is not the way this process was supposed to work.

In fact the irony of all of this is when Sacramento Army Depot in my district closed, we were able to get the last Commission to allow certain functions to be bid out and McClellan was one of the bidders, along with Tobyhanna and some other Army bases. Believe it or not, McClellan Air Force Base was the one that actually prevailed over the Army bases to get an Army contract. Now that contract is going to be going to an Army base, even though they were less efficient.

So, Mr. Speaker, I am going to be voting for this resolution because I felt that the process was unfair.

Mr. Speaker, in conclusion I would like to make one further observation. To the employees of Sacramento County who over the years have just done a tremendous job, I want to thank them for their efforts on behalf of the national defense of this country. We are going to do everything we can to make sure this privatization plan that the President and the gentleman from California [Mr. FAZIO] put together will work.

And I want to make an admonition. I am going to be one of the strongest proponents of privatization of depots in the future. And if, in fact, we are able to pursue this and make progress in this area, it is my opinion that those bases that were protected for political reasons, not for substantive reasons, and some were protected for substantive reasons, but those that were protected for political reasons will find that they are the most in jeopardy as we go into the 21st century.

Mr. HEFLEY. Mr. Speaker, I yield 3 minutes to the gentleman from California [Mr. CUNNINGHAM].

Mr. CUNNINGHAM. Mr. Speaker, I am amazed, especially at my California colleagues. When they vote for a $177 billion cut in defense, and California is the leader in the defense industry and most of our bases are in California, what did they expect? What did they expect?

They vote for a Clinton tax package and $177 billion cut, after Colin Powell, Dick Cheney, and then-candidate Clinton said that anything above a $50 billion cut would put us into a hollow force. And then I hear that the President wanted to save California bases. Yes, California is important in a 1996 election. Sure, he would like to save them.

But I think we need to look at why we are closing those bases in the first place. Who called for an additional base closure round? The very same people now that are saying that the President wants to save those bases. Give me a break.

Mr. Speaker, in committee they used the analogy of a fisherman and they said take the analogy of a catfish that has now been cut and we are going to skin him alive, gut him, and eat him. Well, do not expect us to sit there and take it. If my colleagues voted for the defense cuts and they are from California, they are not the fish; they are the in the role os a fisherman. They caused the problem.

I take a look at what we have gone through and why many of us are fighting against the continued assaults on DOD spending. I look at the increase in nondefense spending by 261 percent by Members and, yes, even some of the Members on our own committee in this House.

I take a look at the extension of Somalia, which cost us billions of dollars, and Haiti, which has cost us billions of dollars, and what they want to do is delay this process. And right now, DOD is having to eat the overhead, because we have not funded BRAC.

Mr. Speaker, if families are from El Toro and they are have to move, or Miramar and having to move to Fallon, Nevada, NTC, all over the State of California, those families are being disrupted and they are losing their jobs, defense jobs with the military and associated jobs. We lost a million jobs in the State of California.

But as Paul Harvey said, the rest of the story is look at who caused it. And they say that the President wants to save those bases. Absolutely, he caused it.

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

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

Mr. MATSUI. Mr. Speaker, as I said in my comments, I supported the last two closings, including bases in my district. No one is suggesting the downsizing should not occur. It is the process that is extremely important in this particular effort.

Mr. CUNNINGHAM. Mr. Speaker, I disagree.

Mr. HEFLEY. Mr. Speaker, I yield 3 minutes to the gentleman from Utah [Mr. HANSEN].

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

Mr. HANSEN. Mr. Speaker, I rise today in strong opposition to House Joint Resolution 102 and in support of the recommendations of the BRAC Commission.

I know BRAC is painful. The First District of Utah has lost a base in each round of BRAC and will lose Defense Depot Ogden if this list is accepted. While I may not agree with every decision, I believe the BRAC process is fair and must remain independent. That is why I will vote against this resolution.

Now, after the game has been fairly played, the President wants to go back and change the rules. Under Public Law 101–510, the President had two choices: Either send the list back to the Commission with recommended changes or accept the list in total. The President instead decided to play outside the law, and forward the list to Congress with two substantial changes.

The President's unprecedented direction to the Pentagon to privatize in place the majority of jobs at the McClellan and Kelly Air Logistics Centers is nothing more than an attempt to circumvent the independent BRAC process for the political expediency of satisfying northern California.

The administration has continued to play fast and lose with the law. On a recent visit to McClellan, White House Chief of Staff, Leon Panetta, issued the following threat:

> If there is any action in Congress or by any other depots to try to inhibit the privatization effort, the President has made it clear that we will consider that a breach of process and he will order the McClellan be kept open.

I find that kind of blatant disregard for the law offensive and contemptuous of the law and of Congress. I want to be very clear, I do not consider the President's letter, directing privatization inplace, to be part of the BRAC recommendations we will approve here today.

I also want to point out that any plan to do so would clearly violate at least five sections of title 10, United States Code. The President simply cannot ignore current law to solve his own political problems. Our country has found, several times in our history, that no one is above the law.

It appears the President has once again come up with a lose-lose-lose compromise by worrying about political repercussions instead of leading the Nation.

This plan to privatize inefficient excess capacity and guarantee jobs is bad for the Department of Defense because it does not address the fundamental excess capacity questions in the depot system and will only result in higher maintenance costs and substantially lower savings.

It is bad for the country because it undermines the integrity of a process designed to be free from this kind of political tampering.

And it is bad for many of the workers at McClellan and Kelly who will now lose the option to follow their Federal job to another DOD depot.

This recommendation ignores the BRAC Commission findings that ''the closure of McClellan AFB, and the San Antonio Air Logistics Center, permits

significantly improved utilization of the remaining depots and reduces DOD operating costs.'' The closure was deemed a necessity given the significant amount of excess depot capacity and limited defense resources.

I have already joined with other Members of Congress to raise these objections to the Pentagon. It is obvious that all bases, would prefer a second chance to save the majority of the jobs through privatization in place. Support of this option for political expediency at McClellan, will endanger the entire BRAC process and the $19 billion in savings it represents.

I urge all my colleagues to vote against this resolution and to join me in holding the President, and Department of Defense, accountable for compliance with the law of the land.

Mr. FAZIO of California. Mr. Speaker, I yield 3 minutes to the gentleman from California [Mr. HORN].

Mr. HORN. Mr. Speaker, the closure process is an attempt to be objective. By and large it has been objective. It is not a generally partisan process. However, it is an intense process within the services and between the services where there are very high partisan rivalries.

In the case of the Navy, it is a matter of the air wing versus the surface fleet versus the underseas fleet. What happened in the case of the closure of the Long Beach Naval Shipyard, the only shipyard that has ever returned, consistently, money to the Treasury; the most efficient one, if you listen to the former commander of the Portsmouth Naval Shipyard, Captain Bowman, when he was on the 1993 Base Closure Commission. He said that everyone in the Navy knows that Long Beach has been 4 years ahead of every single yard, both in efficiency and effectiveness.

Mr. Speaker, I would like to put in the RECORD at this point various material to back up that and other statements.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, June 13, 1995.

Hon. ALAN J. DIXON,
The Base Closure and Realignment Commission, 1700 North Moore Street, Suite 1425, Arlington, VA.

DEAR CHAIRMAN DIXON: I am writing to address several issues which are crucial to the deliberations the 1995 Defense Base Closure and Realignment Commission will soon be undertaking concerning the potential closure of naval shipyards. As you are aware, The Defense Base Closure and Realignment Act of 1990 (Public Law 101–510) and subsequent changes made by the Congress (Public Law 102–311 and Public Law 102–484) were designed to provide a fair and impartial process for the timely closure and realignment of domestic military installations. Under the provisions of this legislation, specific criteria were established under which the Department of Defense recommends a military installation for closure. The law specifically states that these recommendations must be based on the future force structure plan and preestablished final selection criteria.

Public Law 101–510 specifically states that the Defense Base Closure and Realignment Commission can make changes in the recommendations made by the Department of Defense only if the Commission determines that the Secretary deviated substantially from the future force-structure plan and final selection criteria. (See Attachment A, Sec. 2903(d)(2)(B) and (C) of Public Law 101–501.)

It has been proven conclusively that in recommending Long Beach Naval Shipyard for closure, the Department of Defense substantially deviated from the future force structure plan and the preestablished final selection criteria. A summary of the evidence and rationale for this conclusion is presented in Attachment B.

If the Commission concludes that the Department of Defense substantially deviated from the criteria established in Public Law 101–510 then, under this law, this consideration, and this consideration alone, is sufficient grounds to change the Secretary of Defense's recommendation.

Representatives of the City of Long Beach and I have had several meetings with Commission staff where we have presented the arguments which prove that there has been substantial deviation. It is my belief that Commission staff is generally in agreement with our position. However, there seems to be a concern that since so much overcapacity exists, some closures will have to occur.

In this regard, the technical case to keep the Portsmouth Naval Shipyard open appears to rest heavily on nuclear issues, rather than on the future force structure plan and the preestablished final selection criteria. Based on the criteria established in Public Law 101–510, if overcapacity considerations argue for the closure of a naval shipyard, the data clearly favor keeping the Long Beach Naval Shipyard open. In addition, closing the Portsmouth Naval Shipyard has a much greater effect on reducing excess capacity. Based on the data presented by Commission staff at the Commission ''add'' hearing on May 10, 1995, public naval shipyard nuclear excess capacity is currently 37 percent; conventional non nuclear excess capacity is 16 percent.

Closing conventional shipyards such as SRF Guam and the Long Beach Naval Shipyard does not change the Navy's excess capacity at nuclear shipyards. That remains untouched at its current level of 37 percent. However, this closure would result in a shortage of non nuclear shipyard capacity of minus 17 percent. The irony is that with the exception of a few aircraft carriers and submarines, the Navy's future ships will be conventionally powered. In brief, the future of the Navy seems to be non nuclear. Closing SRF Guam and the Portsmouth Naval Shipyard would reduce nuclear excess capacity to 14 percent, and reduce non-nuclear excess capacity to 7 percent (See Attachment C, the bar charts prepared by Commission staff).

Thus, in terms of attaining the objective of reducing excess capacity, if one of these shipyards has to be closed, the numbers show that the Commission should close the Portsmouth Naval Shipyard.

On another related but relevant issue, it is my understanding that a primary consideration in the decision not to close McClellan Air Force Base in 1993 was the cost of environmental clean-up. Moreover, the presentation made by community representatives at the Wednesday, May 24, 1995 regional hearing heavily emphasized the high cost of environmental restoration in the case to keep McClellan Air Force Base open.

As you are aware, legislation and the Department of Defense guidelines preclude consideration of the costs of environmental clean-up in the installation closure decision making process. However, if the potential environmental clean-up costs are used as a justification not to close anyone particular installation, these criteria should be applied equally to all other installations being considered for closure.

I would like to make one final comment. It appears that many of the actions in defense of the Portsmouth Naval Shipyard may have been driven by the upcoming New Hampshire Presidential Primary, as opposed to the cr4iterai established by Public Law 101–510. A month before the base closure recommendations were made by the Secretary of Defense, President Clinton publicly stated that he did not believe the Portsmouth Naval Shipyard would be on the list of installations recommended by the Navy and the Department of Defense for closure. More recently, the President spoke over four New Hampshire radio stations as follows: ''I support the Secretary of Defense's recommendations and I believe that they will be upheld.''

The Navy sent its most senior officials to the Portsmouth site visit and regional hearing. Included were Assistant Secretary of the Navy for Installations and Environment Robert B. Pirie, Jr.; Chief of Naval Operations Jeremy M. Boorda; Director of Naval Reactors Admiral Bruce DeMars; and the Commander of the Naval Sea Systems Command, Vice Admiral George Sterner. This is unprecedented. Never in the history of the base closure process have such senior members of any military service attended a site visit and regional hearing for the express purpose of advocating that a particular installation remain open.

I am confident that the Commission will do all it can to assure that any decisions made regarding the closure of either the Portsmouth or the Long Beach Naval Shipyard will be fair and impartial—and made outside of the political arena—in accordance with the procedures established in Public Law 101–510. The injection of politics at the highest level is, I believe, unfortunate and has made more difficult the already considerable challenge of convincing affected communities that political considerations are not a factor in the BRAC decision making process. Your efforts to assure the integrity of the process are appreciated.

Thank you for considering these very important issues.

Sincerely,

STEPHEN HORN,
U.S. Representative.

ATTACHMENT A

SEC. 2903 (D)(2)(B) AND (C) OF PUBLIC LAW 101–510

''(B)'' Subject to subparagraph (C), in making ''its recommendations, the Commission may make changes in any of the recommendations made by the Secretary if the Commission determines that the Secretary deviated substantially from the force-structure plan and final criteria referred to in subsection (c)(1) in making recommendations.

''(C) In the case of a change described in subparagraph (D) in the recommendations made by the Secretary, the Commission may make the change only if the Commission—

''(i) makes the determination required by subparagraph (B);

''(ii) determines that the change is consistent with the force-structure plan and final criteria referred to in subsection (c)(1);

''(iii) publishes a notice of the proposed change in the Federal Register not less than 30 days before transmitting its recommendations to the president pursuant to paragraph (2); and

''(iv) conducts public hearings on the proposed change.''

ATTACHMENT B

LONG BEACH NAVAL SHIPYARD

Examples of Where the Navy/Department of Defense Substantially Deviated from the Future Force Structure Plan and the Preestablished Final Selection Criteria:

1. The Navy predetermined the fate of the Long Beach Naval Shipyard (Long Beach NSY).

Shifting critical workload away.

Ignored a $100 million offer by the Port of Long Beach to consolidate facilities from the Naval Station for Shipyard convenience. Why?

Studied feasibility of bringing a floating drydock from Hawaii to San Diego (The Machinist).

Never included the Long Beach NSY in the Regional Maintenance Center concept, but did include the Puget Sound and Pearl Harbor Naval Shipyards.

Has postponed the transfer of surplus Naval Station property from BRAC 91 to BRAC 95. Is there a connection?

2. The Navy states future uncertainties of the force structure prevent the closure of the Portsmouth Naval Shipyard (Portsmouth NSY).

Public Law 101–510 clearly states that the force structure plan for fiscal years 1995 through 2001 be the basis for making recommendations for base closures and realignments.

The Navy argues, that the uncertainty of the future submarine force (including future proposed new construction) including beyond 2001 is a valid and essential consideration.

This is clearly outside the future force structure plan parameters established by Public Law 101–510.

3. Using the new force structure as the reason not to need Drydock #1.

In BRAC 1992 and BRAC 1993, the Navy stated that Drydock #1 was essential for conventional aircraft carrier (CV) and nuclear aircraft carrier (CVN) emergent docking on the west coast.

Additionally, in BRAC 1991 and BRAC 1993 the Navy stated unequivocally that it could not fulfill its pacific Fleet mission requirements without Drydock #1.

There are still twelve aircraft carriers in the Fleet with six homeported in the Pacific area.

The percentage of large deck ships in the new force structure is increasing.

Drydock #1 is one of two drydocks on the entire west coast capable of docking EVERY SHIP IN THE NAVY including CVNs and submarines. Once this asset is lost, its lost forever.

4. The Navy used different economic data and thresholds in its analysis of installations considered for closure.

The Office of the Secretary of Defense guidance in the BRAC process stipulates that economic impact is to be assessed at the economic area level (metropolitan statistical area or county).

The Navy evaluated the potential impact of closing the Long Beach NSY based on this criteria.

Four California installations were removed by the Navy due to cumulative total direct and indirect job change, even though military value considerations presented them as viable candidates for closure.

Long Beach's cumulative total direct and indirect job change is higher than three of these installations.

Thus, the Navy applied economic impact criteria differently between the Long Beach NSY and the other four Navy installations. Again, the Navy/Department of Defense substantially deviated from the final selection criteria.

5. The Navy recommended the closure of the Long Beach NSY and not the Portsmouth NSY.

The military value of the Long Beach NSY was higher than the Portsmouth NSY.

The BRAC 1995 final selection criteria are weighted heavily toward military value.

The Navy contends that nuclear issues significantly outweigh the established selection criteria, therefore the Portsmouth NSY should not be closed.

This is a substantial deviation from the final selection criteria.

Therefore, if the Portsmouth NSY remains open, the Long Beach NSY should also remain open due to substantial deviation in the final selection criteria.

6. The Base Structure Analysis Team (BSAT) developed data call scenarios, military value criteria and their evaluation criteria in a manner that was prejudicial and caused the Long Beach NSY to obtain lower scores.

This accounts for the Long Beach NSY having a military value of 48.7 in 1993 and 38.04 in 1995.

The Department of Defense did not establish new final selection criteria between 1993 and 1995. Thus, based on the final selection criteria, the relative rankings of the military value of shipyards should not have changed.

Thus, there was a substantial deviation from the established final selection criteria.

7. The Navy used different and possibly non-existent selection criteria in its consideration of private shipyards on the east coast and the west coast.

The Navy has stated on the record that regardless of whether technical capabilities or capacity exist, the private sector on the east coast can not and should not absorb transferred workload from east coast public shipyards. Ironically, both Newport News and Electric Boat have the capability and capacity to handle any transferred workload from the Portsmouth NSY.

The Navy contends that it is acceptable for the majority of the Long Beach NSY's transferred workload to be absorbed by the west coast private shipyards. However, the small private shipyards on the west coast do not have the capability to handle large deck ships.

The 1995 BRAC process does not list the quantitation of private sector capabilities as a part of the final selection criteria.

8. The Navy badly underestimated the cost of closure ($74.53 million).

The Navy's cost of closure budget submitted to Naval Sea Systems Command (NAVSEA) is $433 million. Some sources have indicated that NAVSEA considers this estimate too low. [See attached letter from Commander, Long Beach Naval Shipyard, dated May 17, 1995.]

Over $500 million of additional workman's compensation costs over a 20 year period were not included.

Thus, the cost of closure is understated by $858 million. If the costs of homeporting CVNs at North Island as opposed to the Long Beach NSY are properly calculated and included, Long Beach NSY closure costs may exceed $1 billion.

9. The Navy calculates a 20 year Return on Investment of at least $1.948 billion. The Navy says this is due to workload shifting to other shipyards. Independent estimates, based on the workload planning for the Long Beach NSY for fiscal years 1996 through 2001, show that performing this work at other locations will cost about $450 million less than at the Long Beach NSY. The result is a break even point of about 40 years rather than the Navy's claim of an immediate return on investment. The workman's compensation included in the Long Beach NSY costs, which must be paid whether the Long Beach NSY closes or not, will wipe out the $450 million savings.

10. The data call scenarios and military value criteria established by the BSAT included many factors intended to address nuclear issues. Yet, the Navy now argues that the nuclear issues alone are sufficient grounds to keep the Portsmouth NSY open and close the Long Beach NSY. The Navy now contends;

No nuclear shipyard should be closed.

All non-nuclear work can be done in nuclear shipyards, but nuclear work can only be done in nuclear shipyards.

However, nuclear issues always seem to be unclear. The facts are that the only components on any nuclear ship that are ''nuclear'' are the reactor compartment, the cooling systems, and the propulsion systems. Nuclear certification is required to work on these, and only these components.

It is estimated that 85% of a nuclear ship work package is conventional work and can be done in non-nuclear shipyards.

The Long Beach NSY with its nuclear certified drydock could work on any nuclear ship with the assistance of tiger teams from a nuclear shipyard.

Is the BRAC Commission prepared to:

Balance the true cost of keeping this strategic waterfront ship repair facility against the unknown future needs of our Navy and our national defense.

Lose the capability and the strategic location of the Long Beach NSY's Drydock #1. Once closed, Drydock #1 will be lost forever.

Close the one public shipyard that complied with Department of Defense guidance to install more efficient management, rightsized, and has returned money to the taxpayer six years in a row. Long Beach NSY is the only public shipyard operating in the black. What kind of a message does this send to other federal facilities that are attempting to become more efficient to ensure their long-term survival.

DEPARTMENT OF THE NAVY,
LONG BEACH NAVAL SHIPYARD,
Long Beach, CA, May 17, 1995.

From: Commander, Long Beach Naval Shipyard.

To: Commander, Naval Sea Systems Command (SEA 97E).

Subject: FY96 Budget Submission.

Enclosure: (1) Overview Data for the FY96 DBOF Budget. (2) Long Beach Naval Shipyard Base Closure Budget.

1. Enclosures (1) and (2) are submitted as the Overview Data for the FY96 DBOF Budget and the Long Beach Naval Shipyard Base Closure Budget.

J.A. PICKERING.

EXHIBIT BCIV–02—BASE REALIGNMENT AND CLOSURE (1995) COMMISSION—FINANCIAL SUMMARY

[In thousands of dollars]

	Fiscal year						
	1996	1997	1998	1999	2000	2001	Total
Activity: Long Beach Naval Complex							
UIC:							
Funded							
One-time implementation costs:							
Military construction	.....	.....	.....	.....	.....	.....	.....
Family housing	.....	.....	.....	.....	.....	.....	.....
Construction	.....	.....	.....	.....	.....	.....	.....
Operations	.....	.....	.....	.....	.....	.....	.....
Environmental	.....	.....	.....	.....	.....	.....	.....
Studies	.....	.....	.....	.....	.....	.....	.....
Compliance	.....	.....	.....	.....	.....	.....	.....
Restoration	.....	.....	.....	.....	.....	.....	.....
Operation and maintenance	13,980	60,550	.....	.....	.....	.....	74,530
Military personnel—PCS	.....	.....	.....	.....	.....	.....	.....
HAP	.....	.....	.....	.....	.....	.....	.....
Other	.....	.....	.....	.....	.....	.....	.....
Total	13,980	60,550	.....	.....	.....	.....	74,530
Unfunded							
One-time implementation costs:							
Military construction	3,100	9,300	.....	.....	.....	.....	12,400
Family housing	.....	.....	.....	.....	.....	.....	.....
Construction	.....	.....	.....	.....	.....	.....	.....
Operations	.....	.....	.....	.....	.....	.....	.....
Environmental	15,597	17,455	.....	.....	.....	.....	33,052
Studies	.....	.....	.....	.....	.....	.....	.....
Compliance	.....	.....	.....	.....	.....	.....	.....
Restoration	.....	.....	.....	.....	.....	.....	.....
Operation and maintenance	73,460	135,499	20,739	15,695	15,729	15,765	276,887
Military personnel—PCS	.....	.....	.....	.....	.....	.....	.....
HAP	.....	36,383	.....	.....	.....	.....	36,363
Other	.....	.....	.....	.....	.....	.....	.....
Total	92,157	198,617	20,739	15,695	15,729	15,765	358,702
Total Requirement							
One-time implementation costs:							
Military construction	3,100	9,300	.....	.....	.....	.....	12,400
Family housing	.....	.....	.....	.....	.....	.....	.....
Construction	.....	.....	.....	.....	.....	.....	.....
Operations	.....	.....	.....	.....	.....	.....	.....
Environmental	15,597	17,455	.....	.....	.....	.....	33,052
Studies	.....	.....	.....	.....	.....	.....	.....
Compliance	.....	.....	.....	.....	.....	.....	.....
Restoration	.....	.....	.....	.....	.....	.....	.....
Operation and maintenance	87,440	196,049	20,739	15,695	15,729	15,765	351,417
Military personnel—PCS	.....	.....	.....	.....	.....	.....	.....
Other	.....	36,363	.....	.....	.....	.....	36,363
Total	106,137	259,167	20,739	15,695	15,729	15,765	433,232

[Memorandum from U.S. Representative Stephen Horn, June 20, 1995]

PRESIDENTIAL POLITICS AND THE 1995 ROUND OF MILITARY BASE CLOSURES

The Defense Base Closure and Realignment Act of 1990 (Public Law 101–510) and subsequent changes made by the Congress (Public Law 102–311 and Public Law 102–484) were designed to provide a fair and impartial process for the timely closure and realignment of domestic military installations. One of the primary objectives of this legislation was to move the closure of military installations outside of the political arena, and to base installation closure actions on the future force structure plan and preestablished final selection criteria.

Most of the actions which have been taken by the Department of Defense and past Defense Base Closure and Realignment Commissions appear to have fulfilled these objectives. However, the actions taken by the Navy, the Department of Defense, the President, and certain Republican Presidential candidates in regard to attempting to prevent the closure of one military installation in New Hampshire appear to violate the spirit and intent of the law and are unprecedented. It appears that the actions being taken to save the Portsmouth Naval Shipyard are driven by the 1996 New Hampshire Presidential Primary as opposed to the criteria established in Public Law 101–510.

In regard to the Navy's actions in developing the data base which resulted in the Department of Defense not recommending the Portsmouth Naval Shipyard for closure, a few examples are relevant.

1. The Navy deviated from the future force structure plan parameters established in Public Law 101–510 in an attempt to prevent closure of the Portsmouth Naval Shipyard.

Public Law 101–510 clearly states that the Force Structure Plan for fiscal years 1995 through 2001 be the basis for making recommendations for base closures and realignments.

The Navy argues that the uncertainty of the future submarine force (including future proposed new construction) including beyond 2001 is a valid and essential consideration.

This is outside the force structure parameters established by Public law 101–510.

2. The Navy recommended that the Portsmouth Naval Shipyard remain open and that another shipyard with a higher military value be closed. The BRAC 1995 final selection criteria is weighted heavily toward military value. Thus, there is a substantial deviation from the established selection criteria.

3. The Navy attempted to develop their data call scenarios and military value criteria in a manner that was prejudicial and would result in the Portsmouth Naval Shipyard obtaining a higher score.

Many factors were included which addressed nuclear issues.

The weighing of military value components was changed to favor the Portsmouth Naval Shipyard.

The Portsmouth Naval Shipyard was still ranked the second lowest in military value.

The Navy now contends that nuclear issues *alone* are sufficient grounds to keep the Portsmouth Naval Shipyard open, regardless of the fact that they were adequately considered in the calculation of military value. This is a substantial deviation from the established final selection criteria.

There is also evidence that the Department of Defense took certain actions in an attempt to assure that the Portsmouth Naval Shipyard would remain open. The Department of Defense established a Joint Cross-Service Group to review base closure recommendations in regard to inter-servicing. The Joint Cross Services Group analyzed and reviewed six primary scenarios for naval shipyard closures. Only one of these options concluded that the Portsmouth Naval Shipyard should remain open. Yet, when the Department of Defense made its final recommendations, the Portsmouth Naval Shipyard was not among the military installations that it recommended for closure.

In late January, President Clinton told a Manchester, New Hampshire radio station audience that he did not believe the Portsmouth Naval Shipyard would be on the list of military installations the Navy and Department of Defense would be recommending for closure. This was about a month before the Department of Defense recommendations were released. These kinds of statements by the President certainly must have had some effect on Navy and Department of Defense officials who were in the process of making the final decisions on which installations to recommend for closure.

After the Department of Defense made their final base closure recommendations, the Defense Base Closure and Realignment Commission technical staff conducted an extensive analysis of whether the recommendation not to close the Portsmouth Naval Shipyard conformed to the legislated future force structure plan and final selection criteria requirements. The technical staff then made the recommendation to add the Portsmouth

Naval Shipyard to those military installations being considered for closure. On May 10, 1995, the Commission voted six to two to add the Portsmouth Naval Shipyard to the list of bases being considered for closure. It is interesting that the two members of the Commission who voted against adding the Portsmouth Naval Shipyard to the list were appointed to the Commission by Senator Robert Dole, a 1996 Republican Presidential candidate.

Adding the Portsmouth Naval Shipyard for consideration caused President Clinton to conduct interviews with four New Hampshire radio stations stating he did not believe that the Portsmouth Naval Shipyard will be shut down by the Commission and that he stands behind the Pentagon's original list of base closures. ''I support the Secretary of Defense's recommendations, and I believe that they will be upheld.''

Although such behavior, while not appropriate, is expected of politicians, one might not expect that the White House would ask the Navy and Department of Defense to go outside the guidelines established by Public Law 101–510 to attempt to unduly influence and intimidate the Defense Base Closure and Realignment Commission. There was so much political heat that all eight Commissioners decided that they had better attend the Portsmouth Naval Shipyard site visit and regional hearing. In the entire history of the base closure and realignment process, all of the Commissioners have never attended a site visit and regional hearing for one particular installation.

Perhaps one of the reasons all eight Commissioners decided to attend was because they knew the Navy was sending its ''Big Guns'' to shepherd these events. Conducting the site visit were Assistant Secretary of the Navy for Installations and Environment Robert B. Pirrie, Chief of Naval Operations Jeremy M. Boorda, and the Director of Naval Reactors Admiral Bruce DeMars. This is unprecedented. Never in the entire history of the base closure process, have such senior members of a military service attended an installation site visit. In addition, Vice Admiral George Sterner, Commander of the Naval Sea Systems Command, testified in support of the Portsmouth Naval Shipyard at the regional hearing. Again, this has never happened in conjunction with any potential base closure and is unprecedented.

No supportable analytical data was presented by the Navy or Portsmouth Naval Shipyard advocates at the regional hearing. Instead, the Navy simply said over and over again that the Portsmouth Naval Shipyard was absolutely essential for the Navy to continue its mission, and regardless of the lower military value ranking and discrepancies in the data base, the Navy's judgement should be upheld by the Commission. At one point in the hearing Senator William Cohen lectured the Commission and implied that the Commissioners did not have the technical expertise to question subjective judgements made by the Navy. One can only wonder if all of these high level Federal officials were ordered to the site visit and the regional hearing in an attempt to intimidate the Defense Base Closure and Realignment Commission.

At this point, one might ask:

Why was the Navy and Department of Defense willing to deviate substantially from the future force structure plan and the preestablished final selection criteria and recommend that the Portsmouth Naval Shipyard remain open?

Why did the Commissioners appointed by Senator Robert Dole vote against adding the Portsmouth Naval Shipyard to the list of military installations the Commission is considering for closure?

What is so important about the Portsmouth Naval Shipyard?

The importance of the Portsmouth Naval Shipyard is that the vast majority of its personnel live in New Hampshire, the State that has the first 1996 presidential primary. President Clinton, Governor Wilson, and Senator Dole all want a strong showing. The fact that three incumbent presidents, Johnson Carter, and Bush, all lost their presidencies in part due to an early challenge from within their own parties has not been lost on President Clinton and his advisors. The fact that should the Portsmouth Naval Shipyard close, New Hampshire voters might take their frustration out on Republican candidates who they thought could and should have been able to save it, has not been lost on Governor Wilson or Senator Dole.

This all makes good sense if you are a Presidential candidate, but how about:

Good government?

Circumventing the spirit and intent of legislation that was expressly passed to insure a fair and impartial base closure process?

Should the Portsmouth Naval Shipyard be held to the same standards as other military installations which will be closed?

What about the families and workers who lose their jobs due to base closures because their State does not have the first presidential primary?

The real message in the 1994 elections was not a shift from the Democratic to the Republican party. What the American Public was trying to tell its elected officials is that it is tired of a government which does not work, and makes decisions based on political considerations instead of the merits of the situation. The situation created by the intense political effort to keep the Portsmouth Naval Shipyard open and the upcoming 1996 New Hampshire Presidential Primary is exactly what the American Public voted against in 1994. Hopefully, the Defense Base Closure and Realignment Commission will make its ultimate decision based on the merits rather than politics.

Mr. HORN. The politics of the services seem to be overriding. This year Admiral Boorda walked into a meeting and said, ''Let's save all the nuclear shipyards.'' There is only one nonnuclear shipyard and that is the one that is the most efficient: Long Beach. So that was Death Knell I for Long Beach Naval Shipyard.

Mr. Speaker, it was the wrong way to go about it. Admiral Boorda looked me in the eye a month before the decision was made and said, ''Gee, I was sort of out of the loop. I didn't have anything to do with it.'' I thought that was a little strange for the Chief of Naval Operations, but so be it.

But then we had the President in Connecticut asked about Portsmouth. There is something that goes on in New Hampshire every 4 years that I guess guided this answer. He was not alone. He had Republican candidates say just what he said. ''Aw, shucks, I sure hope that they keep Portsmouth open,'' was the attitude. That was a month before the decision was made in the Navy. That was Death Knell II.

Mr. Speaker, naval political appointees are not stupid. When the boss says keep one open, it meant the death knell of the other one who had been ahead of Portsmouth, and even though they juggled the numbers and tried to make it the other way, was still one-tenth of a point ahead of Portsmouth on what really counts and that is the military value.

We can argue all the disasters to unemployment, and indeed they are. Long Beach as a city has suffered more than 46 States in base closure. In 1991, we had the naval station and the hospital close. In 1995, the shipyard.

As I said, this is not partisan and does not affect seniority here. My colleagues will remember the gentleman from California [Mr. DELLUMS], the distinguished former chairman of the Committee on Armed Services, Mare Island and Alameda were closed. The gentleman from South Carolina [Mr. SPENCE], the distinguished chairman of the Committee on National Security, ranking Republican then, Charleston was closed.

My predecessor, Glenn Anderson, two decades in Congress, a committee chairman; the naval station and naval hospital were closed.

What bothers me though is that partisan politics got into it with reference to New Hampshire, and yet the President made an impassioned speech that morning, and later in the day he simply signed the recommendations of the defense bureaucrats and politicians and sent them to Congress.

And, finally, there was the former Senator from Illinois, Mr. Alan Dixon, who was the President's choice for chairman of the Defense Base Closure and Realignment Commission. Never have I seen such an arbitrary chairman. He remains unmatched in my mind as I compare him to some of the well-known autocratic chairs that existed in the House and the Senate over the last half century.

Before the Commission's own staff presentation on the Long Beach Naval Shipyard was completed, Chairman Dixon arbitrarily shut if off, refused to delay the vote until after lunch, and generally harangued his colleagues. That was Death Knell III.

And so a great naval shipyard—the youngest, born in 1943; the most modern; the most efficient and effective of any shipyard will be no more. No longer will 70 percent of the surface ships in the Pacific Fleet be within 100 miles of this great facility. Those vessels will have to travel 1,600 to 2,600 miles to secure comparable service. No longer will a great work force of 3,000 dedicated men and women, a 60-percent minority and women work force be available to serve well the Navy and the Nation. This is indeed a sad day in the military history of our country.

Mr. HEFLEY. Mr. Speaker, I yield 2 minutes to the gentleman from Missouri [Mr. SKELTON].

Mr. SKELTON. Mr. Speaker, I rise in opposition to the resolution, in favor of the Base Closure Commission recommendations.

Mr. Speaker, this is not an easy process. It is often painful. But, Mr. Speaker, it is a very necessary process for us to go through.

We like to point out that we have a wonderful military, and the military

did its job during the cold war. It was necessary during that era to have an extremely large and strong multibased, multipost military within our country.

We won the cold war, and to those who are losing installations in their area, they nevertheless should take pride in the fact that they did their job. The men and women, civilian, military, at those particular posts, installations, did an excellent job in protecting freedom through the years.

But this process is one that I have watched. I had the opportunity to testify in front of the Base Closure Commission. I found them to be fair. I found them to listen. I found them to read and understand the facts. They also visited the various installations throughout the country.

Mr. Speaker, I hope that this body will give a strong vote of support for the Base Closure Commission, voting against this resolution, because this is the only process available to save money so that we will have those dollars to modernize our military; to take care of the needs, the family needs, the family housing; to make sure we do not cut our military too small. Mr. Speaker, these Base Closure Commission savings will help us do that.

Mr. TEJEDA. Mr. Speaker, I yield 4 minutes to the gentlewoman from Connecticut [Ms. DELAURO].

Ms. DELAURO. Mr. Speaker, I rise in strong support of the resolution to reject the recommendations of the Base Closure and Realignment Commission.

I support the base closure and realignment process and believe it has led to the orderly downsizing of our Nation's defense infrastructure, given the end of the cold war. The Department of Defense and the Commission have made a tremendous effort to carefully examine every base during this and prior base closure rounds.

Nonetheless, I continue to believe the Commission made a shortsighted decision when it voted to close the Stratford, CT, Army Engine Plant. I believe that the Army has substantially understated the military value of the Stratford plant, and it has substantially underestimated the cost of closing the facility and reconstituting its capabilities elsewhere.

The Stratford Army Engine Plant is the only place in the country where we build the AGT1500 tank engines and critical spare parts that will be used in the Abrams tank for the next 30 years. In my view, it is a tremendous risk to national security to close this plant and lose its unique capabilities. With no new tank engine in development, we need the Stratford plant to extend the life of the engines now in use; to build critical spares; to provide field expertise to resolve problems that arise in battlefield situations; and to quickly build new engines should that be required by a military emergency.

I also remain skeptical about the feasibility of the Army's plan to reconstitute the dual-use technology that the Stratford plant has used to produce top quality engines for tanks, helicopters, hovercraft and commercial jets.

The Army has proposed moving the helicopter work to Corpus Christi, TX and the tank work to Anniston, AL. But this is much simpler said than done. The same equipment and the same work force teams at the plant produce military and commercial products for both aviation and ground use. All but 2 of 11 manufacturing cells are dual-use, as is the vast majority of machines. Recreating this capability elsewhere will be expensive and time consuming.

I also believe the Army has substantially underestimated the cost of closing the plant.

This year, the Army itself recognized that our Nation's tank engine industrial base would benefit from continued operation of the Stratford plant as a dual-use manufacturing facility. In February, the Army announced that it would invest $47.5 million to downsize the facility, enhance engine durability, and initiate a Service Life Extension Program. The employees of the plant, the union members, and the management joined together to make this plan work—they are cutting costs, improving productivity, and diversifying the product line into the commercial marketplace.

This dual-use approach would maintain the vital military value of the Stratford Army Engine Plant, while reducing costs to the Army by expanding commercial use of the plant. This would be the best option for national security and the best option for the taxpayer.

It is hard to understand why the Stratford Army Engine Plant was recommended for closure when a promising plan for downsizing and dual-use manufacturing was already in place. I was disappointed by the Base Closure and Realignment Commission's recommendation to close the Stratford site and joined the plant's workers and management, and the community in making our case to the Commission. I still believe maintaining military and commercial production at Stratford would serve our country best.

I urge my colleagues to support the resolution of disapproval.

□ 0940

Mr. FAZIO of California. Mr. Speaker, I yield 2 minutes to the gentleman from California [Mr. DOOLITTLE]. He is from an adjoining district to mine who has fought staunchly for McClellan Air Force Base.

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

Mr. DOOLITTLE. Mr. Speaker, I have in the past supported the BRAC Commission process, viewing it as a reasonable way to effect the necessary downsizing of excess capacity.

As the gentleman from California [Mr. FAZIO] mentioned, I have been very involved with him, the gentleman from California [Mr. MATSUI], the gentleman from California [Mr. POMBO], the gentleman from California [Mr. HERGER], and others from our region in fighting for McClellan Air Force Base. I can tell you that the gentleman from Utah [Mr. HANSEN] was right last year or the year before when he proposed cutting off the process after the first three rounds. I am sorry that we have gone to the fourth round. The fourth round has disappointed me.

The idea that we somehow remove politics from the BRAC process, in my opinion, did not turn out to be the case. In fact, it reminds me of the method for selecting judges advocated by the American Bar Association throughout the country where all they do is shift the politics from the more open forum of the Governor, et cetera, and move it back behind closed doors where intense logrolling and politicking is going on. We should have had cross-servicing. That would have saved McClellan Air Force Base. It is a modern base capable of doing the job. But, no, despite the fact that every major panel has recommended cross-servicing, we do not have it. It is not part of our defense policy. It is a tragedy, Mr. Speaker.

We should pass this resolution. We should go back to the drawing boards. We should get cross-servicing in as part of this, and if we are going to have politics in the process, then let us get it out in the open.

Mr. Speaker, I must add I am disappointed in the President. The President told the gentleman from California [Mr. FAZIO] and me of his keen awareness of how California has had 15 percent of the military personnel around the country and suffered 85 percent of the personnel reductions, and yet when the time came, when the one person that could have intervened to make a difference here could have exercised that, he did not.

With the privatization we have got, even that is slipping. I intend to fight for that. I urge approval of this resolution.

Mr. HEFLEY. Mr. Speaker, I yield 4 minutes to the gentleman from Pennsylvania [Mr. WELDON].

(Mr. WELDON of Pennsylvania asked and was given permission to revise and extend his remarks.)

Mr. WELDON of Pennsylvania. Mr. Speaker, I rise today to oppose the resolution and to ask our colleagues to support the recommendations of the BRAC Commission.

I cannot help but note the irony of today's debate. Where are our colleagues who yesterday were on the House floor saying that we have not cut defense; where are they today? Are they hiding in their offices? We heard all of these Members stand up and say we are not doing enough to cut defense. We need to the defense budget more and more. Where are they today as we are about to decide to close a number of additional installations that will affect ultimately over 1 million American people in both the services, the uniforms,

and the industrial segment of our community and society who supports the military?

Why are these cuts occurring? They are occurring because we have been on a dramatic downsizing of the military, unlike any other period in the history of this country, down to 3 percent of our GNP, and 16 cents of every Federal dollar, when you compare it to John Kennedy's tenure where we were spending 9 percent of our GNP and 55 cents of every Federal dollar on the military.

We have made dramatic cuts. You are seeing the results of those cuts partially today.

I think the BRAC Commission did a commendable job. I am not happy with everything they did. I have been trying for 8 years to close a facility in my old hometown. I testified three times before the commission, ''Close this Army facility down. We don't want it. The town doesn't want it. The county doesn't want it.'' Again, it is not on the list for closure. So I do not like that, and I will be happy to be back again next year either legislatively or before the BRAC Commission to close it again.

I can tell you this Commission accepted a higher percentage of Pentagon recommendations than any other commission, and despite what President Clinton said, this Commission came up with more savings than what the administration had.

But what really outrages me, what really outrages me as a member of the Committee on National Security and as someone who is going to, at the end of this month, see the last of 13,000 workers leave the Philadelphia Navy Yard, the Philadelphia Navy Base, and before that, the Philadelphia naval hospital, is to see this President play partisan politics with the lives of people in the military. It is an absolutely disgusting outrage. Again, this President wants to have it both ways. He does not have the backbone or the guts to stand up and disapprove the list and send it back for a reconsideration of McClellan or Kelly. What does he do? He signs it and then sends a letter down saying, ''I really don't want to sign it.''

Mr. Speaker, that is absolutely outrageous. But that is what this President did.

I would like to, at this point in time, ask the chairman of the Subcommittee on Military Installations and Facilities, is it your distinguished interpretation that that letter has absolutely no legal standing whatsoever in this process?

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

Mr. WELDON of Pennsylvania. I yield to the gentleman from Colorado.

Mr. HEFLEY. I say to the gentleman from Pennsylvania [Mr. WELDON] I absolutely agree with him.

It has no legal standing as far as we can determine. Our committee did consider this, and let me just quote from the committee report just a moment:

In our judgment, the letter of the President of July 13, 1995, communicating his approval of the recommendations of the Defense Base Closure and Realignment Committee, has no standing beyond certification. Public Law 101–510 does not provide for any such communication to contain assumptions about the implementation of the recommendations of the Commission.

Mr. WELDON of Pennsylvania. I thank the chairman for that comment.

I would add it is the feeling of this committee that that letter has no standing whatsoever. It is a political document.

But I would say to the President, Where is your letter for the 13,000 Philadelphia, PA, tri-State workers that are going to be laid off at the end of this month? Where is your letter of concern for them? Where is your letter of concern for all of those other bases, or are we just pandering to one State because of the electoral votes there?

Mr. Speaker, I am absolutely outraged at, again, the lowness of the depths that this President would take in this process. He has demeaned the Commission. He has demeaned the process. But somehow that does not surprise me.

Vote ''no.''

Mr. TEJEDA. Mr. Speaker, I yield 2 minutes to the gentleman from Illinois [Mr. EVANS].

Mr. EVANS. Mr. Speaker, I urge my colleagues to support the resolution of disapproval. I must do this because I am deeply disturbed by the base closure process. In the rush to close installations there has been a failure to analyze all of the facts carefully. This is obvious from the recommendation made by the Commission concerning the Savanna Army depot activity.

In the case of Savanna, the Commission ignored a number of important factors. For example, closing the installation would result in the loss of important and hard to replicate capabilities, increase costs above the Army estimate to close the base and move its functions, and reduce ammo storage capability below critical military needs.

For instance, the Commission failed to consider that Savanna is one of the most efficient facilities in the Army. During Desert Storm, Savanna had the highest outloading rate of any depot. It is also one of the few with adequate rail service to shipping centers. These national assets would be hard to replace in a nationwide mobilization.

In addition, the estimate of the cost of closing Savanna and relocating the U.S. Army Defense Ammunition Center and School [USADACS] is too low. DOD stated that it would cost $38 million to close the installation and relocate functions. However, the Savanna Army depot realignment task force estimates that the cost of closing the facility and moving the school is much higher—as much as $88 million. This includes new construction that will have to take place at McAlester to complete the move.

Even more important, the decision to close ammunition storage facilities failed to take into account storage needs. The Army's 1993 Wholesale Ammunition Stockpile Program study indicated that even with 11 depots, as much as 6 million square feet of outside storage will be needed to match our Nation's future ammunition stockpile. This could indicate that the ammunition study is flawed. Because of this decision, we may not have enough space to meet future storage needs.

Our ammunition depots are a national asset that will be needed to meet future mobilization needs. The Commission's recommendation will mean the loss of an important part of this irreplaceable asset.

I believe that we must reject the recommendations made by the Commission. From the errors I have seen made in just the case of the Savanna Army depot activity, I am concerned that other mistakes may have been made that will force us to make poor choices concerning our Nation's defense infrastructure and unnecessarily eliminate the jobs of thousands of civilian employees who have served our Nation proudly. I hope my colleagues will join me in opposing these recommendations.

Mr. TEJEDA. Mr. Speaker, I yield 2 minutes to the gentleman from Guam [Mr. UNDERWOOD].

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

Mr. Speaker, as I have pointed out on several occasions previously, no community is more negatively affected on a per capita basis by the BRAC 1955 decisions than Guam. We are losing a ship repair facility and a fleet industrial supply center, the only such facilities on U.S. soil on the other side of the international dateline, and potentially some 10 percent of our total work force on Guam will be affected.

My community, small and loyal, will be suffering. But my point here in standing in support of House Joint Resolution 102 is not just to bemoan the effects of the BRAC process on a small island 9,000 miles away, with no electoral votes to give and no vote to cast on this floor. My purpose is to draw attention to the disjunctures in the BRAC process, to point out that the forward positioning of U.S. forces in Asia is benefiting foreign countries over U.S. communities.

On the very day the BRAC process was announced, riggers at the ship repair facility on Guam were offered positions at the Yokosuka ship repair facility in Japan, and to point out that America's war fighting capacity in Asia is overly dependent upon the stationing of forces in foreign countries when U.S. soil is available, and to point out that the BRAC process ignored the sound advice of people in uniform and favored the bean counters, the so-called men in suits in the Pentagon.

For the record, I would like to point out that even as BRAC put forth a disagreeable decision, Guam is determined to make the best of it and to

survive. In this, I have asked the Department of Defense and the administration to give Guam the same consideration that other communities are apparently receiving. In short, we are asking for the best arrangements possible, a kind of most-favored-base closing treatment.

I recognize that the resolution may not pass, and I do not intend to confound the laws which govern the BRAC process and which have served the country generally well. But consider casting a symbolic vote to send a message regarding the 1995 process.

Support the Tejeda resolution.

Mr. HEFLEY. Mr. Speaker, I yield 2 minutes to the gentlewoman from Florida [Mrs. FOWLER].

Mrs. FOWLER. Mr. Speaker, I rise in opposition to the resolution now pending before us.

Last year I joined with those who supported postponing the 1995 base closure round. But the amendment to postpone it was opposed by the Defense Department, which argued that it needed these savings for systems modernization and other recapitalization efforts, and this effort was soundly defeated.

Thus, the 1995 base closure deliberations proceeded. Ultimately, the Base Closure Commission recommended the closure or realignment of 132 installations, including 123 of the Secretary of Defense's 146 recommendations. The projected savings total $19.3 billion over 20 years.

I do not agree with every one of these decisions, and I sympathize deeply with those of my colleagues who lost facilities in the 1995 BRAC process. Northeast Florida will lose thousands of military billets as a result of the 1993 base closure round, so I am quite familiar with that pain.

But the Commission, the Pentagon, and the GAO did a huge amount of work to reach their conclusions in this round. They worked in good faith. The national security calculations were made. The savings are now budgeted. It makes no sense to dismiss this enormous effort now. We should vote down this resolution.

Having said that, I must register my grave concern about the manner in which the President responded to the Commission's recommendations. It is my strong view that he has sought to interject politics into this process by calling for the privatization in place of two major Air Force logistics facilities that the Commission ordered closed.

In doing so, he has articulated a plan that undermines the entire purpose behind base closure law, which is to reduce the Pentagon's excess capacity. By privatizing in place, the administration not only fails to eliminate this excess capacity, but it exacerbates the current excess capacity problems at those facilities that the Commission deemed, after a careful review of objective criteria, to be our most efficient.

Instead of performing America's essential military maintenance functions at those facilities the Commission preserved, the administration would perform them at the facilities deemed least deserving. It would then further subject these mission critical functions to a very risky new private management scheme.

To top it off, his plan would violate current law if carried to fruition.

I urge a no vote on this resolution, but more important, I hope my colleagues will oppose the administration's attempts to subvert the BRAC process for political gain.

Mr. FAZIO of California. Mr. Speaker, I yield 2 minutes to the gentleman from California [Mr. POMBO], a gentleman who has worked very closely with us since his arrival in Congress to save McClellan Air Force Base.

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

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

Mr. Speaker, I rise today in support of this resolution, and in strong opposition to the 1995 defense base closure recommendations forwarded to Congress by the President.

I oppose this list for reasons both broad and specific. Specifically, the inclusion of McClellan AFB on this list is wholly unacceptable. The Sacramento area of California has already suffered through two previous rounds of base closures resulting in the total loss of over 28,000 jobs. The closure of McClellan will add another 13,000 direct, and many more indirect, jobs to that figure.

This BRAC list calls for the closure of McClellan and Kelly Air Force Bases. This represents the costliest, most disruptive way to eliminate excess capacity in the Air Force depot system—and will have the worst impact on military mission support capabilities.

More broadly, however, I am concerned that we are cutting muscle, and not just fat, with this round of closures. After extensive visits and consultations, I am convinced that there are serious questions of national security arising from this BRAC list.

Once we close a military facility, we will never get it back. Therefore, it is common sense that we must be cautious and discerning about each and every facility we close.

At issue here is, first and foremost, an issue of America's military preparedness, and of our ability to influence and shape global affairs into the next century. I have not yet seen a serious, detailed, and integrated plan for our future security requirements that analyzes base closures in light of the needs of our 21st century military. I believe that such a plan must be produced and debated prior to closing scores of military bases, and most especially before consideration is given to closing McClellan Air Force Base.

Mr. HEFLEY. Mr. Speaker, I yield 2 minutes to the gentleman from Oklahoma [Mr. WATTS].

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Mr. WATTS of Oklahoma. Mr. Speaker, President Harry Truman once said, ''Every segment of our population and every individual has the right to expect from our Government a fair deal.''

Mr. Speaker, the BRAC process was a fair deal for every individual in this country. Before the BRAC process, bases did not close, downsizing was simply a theory, and the American taxpayer was charged with unnecessary bills for the maintenance of excess capacity in our Army, Navy, Marine Corps, and Air Force.

The BRAC process closes unneeded military installations. Military facilities across the land compete on a level playing field. Some win, some lose, but the fight is fair and without the political influence of the Congress or the President. The victors should be honored and now is the time to stand up and do what is right for this country and her people. This BRAC has left some in the executive branch with a message they could not politically swallow. They are now attempting to corrupt a fair process that estimates a savings of more than $19 billion. Well, this Congressman and many who sit on both sides of the aisle simply will not tolerate that and will fight to make certain the BRAC process remains as apolitical as was originally intended.

BRAC is a proven process and to dismantle that process by disapproving the list would, in the words of Chairman Alan Dixon, ''destroy the BRAC process forever and fail to save an estimated 19 billion dollars.'' That is simply not an acceptable course of action.

Disagreements between how the BRAC list will be implemented will lead to heated discussions throughout this Congress. I am especially upset about the President's decision to privatize-in-place at McClellan and Kelly Air Force Bases. The President's decision to accept the BRAC list with a privatize-in-place option is a play that wasn't in the play book or within the rules of the game. He has taken an apolitical process and turned it into a zero-sum-game. If this Congress allows the Department of Defense to privatize-in-place, we will never achieve the savings that were clearly identified by the BRAC's recommendation, nor will the BRAC process retain the credibility it has worked so hard to achieve.

But that fight is for another day. Today, we face the question of rejecting the BRAC list. This question has but one answer—''No.''

Today, we must do what it takes to deliver on our promise for a fair deal to those we represent. To do this there is only one reasonable action; accept the BRAC recommendation by voting down the resolution to disapprove recommendations of the Defense Base Closure and Realignment Commission.

I ask you to do the right thing and cast your vote against the resolution to disapprove the BRAC recommendation.

Mr. TEJEDA. Mr. Speaker, I yield 4½ minutes to the gentleman from New Jersey [Mr. MENENDEZ].

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

Mr. MENENDEZ. Mr. Speaker, I urge my colleagues to reject the BRAC Commission's recommendation because they violated not only the spirit of the law, but the letter of the law that empowers them to close bases in the first place, and, as an example of that I am deeply disturbed by the conduct of the BRAC Commission with respect to the Military Ocean Terminal, Bayonne, NJ, specifically with regard to the recommendation to eliminate dedicated military ocean terminals. Never before has the Commission decided, on its own initiative, to virtually eliminate an entire military mission. Ironically, the Commission found precisely what I had alleged—that the Secretary had substantially deviated from the selection criteria in its recommendation to close MOTBY which is grounds for removal from the list. However, the Commission far exceeded its statutory charter by expanding the scope of realignments and eliminated the entire military ocean terminal mission.

Let me outline the numerous legal and factual errors that the BRAC failed to take into account in their sloppy, haphazard proceedings.

First, a fatally flawed recommendation from the Secretary to close the Army portion of MOTBY without regard for the cross service assessment of the Navy Military Sealift Command, leaving this agency stranded, required removal of the base from the list.

Second, this legal error was further tainted by a legally invalid attempt to rescue the first recommendation by closing and not enclaving MSC. This is an unlawful expansion of the scope of realignment because the BRAC failed to add the MSC enclave at the legal deadline for the consideration of additional bases.

Third, the BRAC, Navy and DoD have violated the letter and intent of the BRAC statute by increasing the scope of activities to be realigned away from Bayonne 1 week away from the Commission's final round of hearings. This left the community with no time to respond to the proposed revisions.

Fourth, the BRAC on its own motion realigned activities away from MOTBY to a so-called Base X. This is a violation of its own selection criteria 2, regarding the availability and condition of land and facilities at potential receiving locations. The Commission has failed to follow its own rules. By randomly assigning missions to mythical bases, the cost and manpower implications of criteria 4 become infinite.

Fifth, although the BRAC has limited judicial review of its actions, it is clear that this is a major abuse of discretion in two areas. The BRAC's actions are ultra vires and wildly beyond the bounds of its enabling statute and the Commission has completely failed to follow its own regulations.

I do not want to seem to be calling sour grapes over this decision. I want to establish a record because in the next few weeks legislation, which is equally ill conceived, and proves my case today. This legislation greatly threatens the military and economic security of the United States. The Ocean Shipping Reform Act, when combined with the closure of the dedicated military ocean terminals at both Bayonne and Oakland, poses the most serious threat to our Nation's ability to mobilize in this century.

There are compelling military value reasons to reject MOTBY's closure. MOTBY is a unique strategic asset. No other port on the east or gulf coasts, commercial or military, can duplicate its combination of advantages in the support of power projection from the continental United States without the disruption of commercial port activities. This was amply demonstrated during the Gulf war and our recent operations in Somalia and Haiti.

Having investigated and documented this matter fully, it was shocking to see the assortment of half truths and mischaracterizations that was paraded before the Commission as analysis, without an opportunity for rebuttal. For example, the staff alleged that MOTBY was only used to mobilize the 10th Mountain Light Infantry Division when, in fact, dozens of units shipped through MOTBY as well as outsized cargo such as M1A2 tanks from as far as Fort Hood, TX.

Bayonne sits astride the huge, highly developed, multimodal transportation network of the American Northeast Corridor. Once cargo arrives at Bayonne, it can be placed directly into vast covered warehouses or uncovered—and fully secure—staging areas. All types of cargo, from heavy, outsized weapons like the M1A2 tank and the Patriot antimissile system, to the full range of munitions available to our fighting forces can be loaded by Bayonne's specially trained union force using state of the art, dedicated rail lines using every type of roll-on/roll-off vessel in the MSC inventory. Bayonne has the best steaming times to Europe, a full day's advantage over any other U.S. port, military or civilian.

Nowhere in the staff presentation was there any reflection of the shortcomings of commercial ports. For example, since most ports are containerized, there are no commercial ports which can lift the 70 tons of the M1A2 Abrams. If forced to rely on roll-on/roll-off ships in the MSC inventory, the number of useable commercial ports plummets and even the tiny, remaining Military Ocean Terminal, Sunny Point, NC, an ammunition depot, quickly becomes unusable.

Finally as operations in the Persian Gulf, Somalia and Haiti have proven beyond doubt, MOTBY's unique heavy sealift capabilities are always available to us in a crisis. The Pentagon's recommendation that Bayonne be closed is based on the untested premise that commercial ports on the east and gulf coasts will be both willing and able to forego their profitable contracts to accommodate time sensitive military cargo. The exact opposite of this premise was experienced with the ports of Houston and Portland during the Gulf war. Indeed, the director of port operations of the Port of New York and New Jersey, Lillian Liburdi, an acknowledged expert on military cargo management, testified that no commercial port on the east or gulf coast could substitute for MOTBY. DoD has acknowledged this by contracting with MARAD and Louisiana State University to study this very issue of commercial port availability should Bayonne be closed—a study that should have preceded any closure recommendation.

Past BRACs have wrestled with the depot issue and this BRAC has 14 boxes of studies on depots. It is extremely reckless to leap ahead with the unstudied and untested assumptions that commercial ports can replace dedicated military ports in all war fighting scenarios. It threatens the soldier waiting for resupply on the beach and it threatens the economy whose ports may be subjected to commandeering at short notice. The role of MOTBY is essential. If it is closed, we will be forced to recreate it, at enormous cost, every time we mobilize even the smallest forces.

Finally, I have taken this time to go into great detail in rebutting the Commission's finding point by point because of my great policy concern about maritime commerce. In its ignorance the Commission found, ''six ports capable of deploying an infantry division within 1 day's rail movement of Bayonne.'' As I warned the Commission in their regional hearing, legislation deregulating of the maritime industry, in the form of the Ocean Shipping Reform Act, has already been reported out of the Committee on Transportation. Maritime deregulation will have powerful shakeouts for ports, much as airline deregulation had for airports.

Our former colleague, Helen Bentley, who had vast experience in the maritime industry, has warned that deregulation will create megaports like airline hubs. Mrs. Bentley warned that deregulation could reduce the number of ports serving the Nation to as few as four. Most small seaports will vanish. There is precedence. Just as Halifax has decimated Great Lakes ports, the passage of NAFTA and maritime deregulation could spell extinction for gulf coast ports from competition via Veracruz. Ninety-five percent of American export commerce moves by ship. If maritime deregulation occurs, there will be a vast reduction in port capacity. There will be even less willingness by the new megaports to disrupt commercial traffic by accepting military cargo on a short term basis. The military cargo charges will be at an enormous premium. Even the sloppy staff work done by the Commission showed

port operators becoming increasingly unwilling to guarantee priority to military cargo required by port planning orders. In some cases they desire 12–14 days to clear staging and berthing areas.

Unfortunately, port legal counsel on the BRAC staff failed to appreciate that the military cannot compel commercial operators to give priority to military deployments during contingency situations. Under the third and fourth amendments of the Constitution, there is no authority to disrupt commercial ports in the absence of a declared emergency. By that time it may be long after the need to mobilize and use ports. The Kuwaiti invasion was in August 1990. Congress authorized the use of force months later. Port planning orders and port allocation orders are no guarantee port access on a timely basis. The only reason these orders have worked at all in the past is the delicate balance struck in the Shipping Act of 1984 between military and necessity and good commercial practice, which tolerated excess capacity in our ports.

Today, I urge you to reject the BRAC recommendations. The Commission has far exceeded its authority into roles and missions. Moreover, they have seriously jeopardized the military readiness of the Nation. It will cost more than huge sums of money, it will cost soldiers' lives.

Mr. HEFLEY. Mr. Speaker, I yield 3 minutes to the gentleman from Georgia [Mr. CHAMBLISS].

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

Mr. CHAMBLISS. Mr. Speaker, I believe that the Members of the House recognize the importance of supporting and preserving the integrity of the BRAC process. In it, Congress has created the most politically neutral means possible of reducing our military's excessive infrastructure. Although we may not agree with individual decisions, we must support the process.

With respect to the process, however, I would like to address a situation that has arisen from the recommendations of this most recent Commission. Specifically, I refer to the President's plans for the future of our air logistics depot structure.

As my colleagues are aware, the Commission determined the Air Force maintains excess capacity in its air depots. As a result, commissioners voted to close two depots based on the objective base closure criteria.

As with all individual base closure decisions before, the two depots slated for closure would be phased out over a 5-year period. This would solve the two primary problems the BRAC was created to eliminate: excess capacity and infrastructure.

Now, Mr. Speaker, the Pentagon has come to inform Congress that under direction of this administration and the President, another plan is in the works for the two air force depots to be closed.

Mr. Speaker, it seems the President has concluded that the loss of over 10,000 jobs in each of the very electoral-vote-rich States of California and Texas demands special attention. In order to save those jobs, and presumably those votes, the President has instructed the Secretary of Defense to devise a plan to privatize in place, in effect maintaining all depot jobs in San Antonio and Sacramento.

What the President is saying here, Mr. Speaker, is that the BRAC process is political, that an otherwise objective process is necessary until it affects his chances of reelection. The deliberate end-run this President is making around the process should offend each and every Member of this Congress that has worked within the limits of the process and every Member that has accepted the four rounds of BRAC recommendations. You know, it is not very often that this Congress agrees on a politics-free solution to the problems we face, but in this case the process must be preserved and defended.

Mr. Speaker, this President's decision to privatize in place the work performed at Sacramento and San Antonio air logistics centers nullifies the very difficult decisions made by the BRAC. The BRAC took its charge very seriously: to assess and repair a military scheme that maintained excess depot capacity and infrastructure that was out of proportion with the force structure demanded in this post-cold war world.

The commissioners accomplished their task, and by privatizing in place, the Pentagon will be overriding the commissioners' decision and embracing our status quo of excess capacity.

Let me make one point perfectly clear, to my colleagues, but more important to the President and this administration. The President's acceptance of this Commission's recommendations is just that: ''acceptance.'' The Commission has not recommended privatization in place, or any other concoction designed to save political hides, regardless of how desperate the President is to amend the recommendations.

The President's acceptance is unconditional, and our rejection here today of the resolution before us will signal our support for this very difficult process.

I ask my colleagues to reject the joint resolution before you. The BRAC process has been many things, but it has not been political.

Mr. TEJEDA. Mr. Speaker, I yield 2½ minutes to the gentleman from California [Mr. FARR].

Mr. FARR. Mr. Speaker, I rise today to support the resolution of disapproval.

I do so because I am concerned about the manner in which the BRAC Commission carried out its mission. I support downsizing the military and cutting the budget. But I believe it needs to be done in a manner that is logical, fair, and honest, with the emphasis, Mr. Speaker, on honest.

In my district, the BRAC recommended that Fort Hunter Liggett be realigned. The Army told BRAC publicly and on the record, that it would only cost $6.7 million to move the mission of Fort Hunter Liggett to Fort Bliss, TX.

The truth is, Mr. Speaker, that internal Army documents which I have obtained show a different story. Internal Army documents show that it will, in fact, cost three times that amount to move the Fort Hunter Liggett mission.

The Army told BRAC publicly and on the record, that savings of $12.7 million would be realized from the realignment of Fort Hunter Liggett. But internal Army documents state, ''There are no savings to be realized in this action.''

I am not whining about having a base realigned in my district. As everyone knows, my district is the site of the largest base closure so far, that of Fort Ord. And I know from experience that as traumatic an experience as base closure can be, there is a way to turn closure into successful economic redevelopment. President Clinton was at Fort Ord just this past weekend to celebrate Fort Ord's transformation into a major educational center. So, I do not necessarily oppose base closure or realignment. What I oppose is the deliberate manipulation of the numbers by the Army and the BRAC to make their case.

The BRAC method above all must be fair and honest. I do not believe this round of closures met those criteria and that is why I support this resolution.

Mr. HEFLEY. Mr. Speaker, I yield 3 minutes to the gentleman from Oklahoma [Mr. LUCAS].

Mr. LUCAS. Mr. Speaker, I know what an emotional issue this is, for I have been very involved in the BRAC process. I, too, had base on the closure list, Vance Air Force Base in Enid, OK. And many of my constituents work for Tinker Air Force Base in Oklahoma City. I was fortunate, my bases are not slated for closure, but I remember the stress I felt when commissioners visited the base and when I was waiting for the final closure list.

None of us want to lose something so valuable as a base in our district.

That is why the 101st Congress created BRAC. They knew that base closures would best be handled by an unbiased, nonpartisan group. They knew that when politics are involved, base worthiness and cost-effectiveness fall by the wayside, as was demonstrated by the President earlier this year. It would be nearly impossible for Congress and the President to decide objectively which bases to close.

Sure the BRAC process has flaws, but it has worked well thus far. I do not think any of us can argue that this process was not fair and open. We each had ample opportunity to participate and to validate the information used.

Therefore, Mr. Speaker, I urge my colleagues to finish this process and vote ''no'' on the resolution of disapproval.

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Mr. TEJEDA. Mr. Speaker, I yield 2 minutes to the gentleman from Texas [Mr. ORTIZ].

Mr. ORTIZ. Mr. Speaker, as the ranking minority member and long time participant on the Military Installations Subcommittee, I have always been skeptical of the current base closure process.

I am concerned that the process has not yielded the expected savings and I believe that Congress should at a minimum have the opportunity to amend the list.

I believe that the members of the Base Closure Commission worked in good faith and appreciate the enormity of their task.

Additionally, I support the vast majority of the recommendations of the Commission.

However, I believe that for national security reasons the Congress should overturn the closure recommendations as submitted by the President.

We have reduced our Nation's defense too much and too fast.

I believe that the closure of the Kelly Air Logistics Center at San Antonio, TX, will result in a severe degradation of readiness that cannot be overlooked.

The costs, both financially and militarily, will be enormous.

Therefore, I will support the resolution of my colleague from Texas, Congressman TEJEDA.

Mr. TEJEDA. Mr. Speaker, I yield 5 minutes to the gentleman from Alabama [Mr. BROWDER].

Mr. BROWDER. Mr. Speaker, I appreciate the gentleman yielding time to me.

Mr. Speaker, I think it is important for us to note what is happening today. A lot of us think that this process has gone awry, and we are speaking up about it. That does not mean that we are not trying to save money. We are honestly trying to challenge decisions that impact negatively, not only on our districts but on the national defense.

Let me say something strange, though, for someone who is opposed to one of the base closure decisions. I think that the base closure process that we have is about as fair a process as we are going to get. It is designed to close bases over objections of people who want them to stay open. So I think it is about as fair a process as we are going to get. It is a fair process. But sometimes mistakes are made.

Mr. Speaker, I am here today to call attention to one of these mistakes and to ask that a future Congress come back and take a look at what happened in this decision. I know Fort McClellan in Alabama is going to close, which is in my district. We are not going to cry over spilled milk. Fort McClellan is the home of the Army Chemical School and the only place in the world where we can train with live agent chemical weapons on the place. Experts all over the country and internationally have testified that not only is it a mistake in these times to close Fort McClellan, but it will disrupt our capability for up to a decade. Everybody agrees on the increasing threat, not only in the world from our military enemies, but also from terrorists here domestically. This is the only place where we can prepare for this.

Now, I know they say they can move it somewhere else, but just this move experts testify will disrupt the capability for up to 10 years. Our men and women are required to be able to survive a fight in a chemical environment. This will disrupt that.

Mr. Speaker, I just want to cite one example. Back in June, the Army testified to the Base Closure Commission that the one-time closing cost of Fort McClellan was $231 million. The next month, according to a BRAC 1995 information briefing, these are the Army's own documents, the closing costs had increased 70 percent, to $393 million. I wish the BRAC Commission had had the real numbers.

This BRAC document has closing costs, net closing costs; that is, minus savings, that testified before the Commission in June, $110 million. Now they say the closing costs are $377 million. That is a 243 percent increase. Savings over 20 years, they said in June it was $287 million, and now they say they are not available. The answer to it, in our newspaper which got this document, says the answer from the Army is we are not going to talk specific figures. It is too early.

No, Mr. Speaker, it is too late. They tortured the numbers and closed this base. It will hurt our military men and women in the future. At some point, Mr. Speaker, in the future something is going to happen with chemical weapons, an incident akin to the Beirut barracks bombing of the past, at which time there were investigations about why that was allowed to happen. Mr. Speaker, at some time in the future, we are probably going to have a chemical weapons incident, a tragedy akin to that. When we do, I hope this Congress will come back and investigate and will hold people accountable for why they not only witnessed, but accepted, and even participated in the distortion of numbers and the overriding of all of our military experts who said this is a major mistake.

Mr. Speaker, I feel somewhat like a friend of mine, Claude Harris, a former member of this body, who told me one time about a catfish, and the fisherman that caught that catfish was about to clean him and he said now, hold still, Mr. Catfish. This is not going to hurt you too much. All I am going to do is skin you and gut you. Mr. Speaker, that is what is happening here.

We are going to protest. I urge support of this resolution, but I do not think this resolution will pass, and in some cases, such as this, the men and women who fight in our military are going to be the ones who suffer.

Mr. TEJEDA. Mr. Speaker, I yield 6 minutes to the gentleman from Texas [Mr. GONZALEZ].

Mr. GONZALEZ. Mr. Speaker, I rise in support of the resolution to disapprove the recommendations of the Defense Base Closure and Realignment Commission.

In the first place, I believe the process involved is simply a sham and evasion of the constitutional responsibility of the Congress. The Commission concept is simply a way of delegating to others not only our responsibility to determine what military forces to establish and maintain, but our fundamental legislative responsibility as well. No matter how politically easy and attractive the Commission concept is, we cannot escape the reality that when we embraced this idea, we effectively said, Congress does not want to exercise its constitutional mandate with respect to establishing and regulating the military forces of the United States—we don't even want to legislate when it comes down to issues of reducing military establishments. Therefore the process itself is one that is inimical to the vitality, the relevance, and the plain duty of the Congress. But that is an argument for a different occasion; the fact is, the Commission concept was established and in place; it will be for a future Congress to decide whether or not to embrace the idea again.

This resolution ought to be approved, because the work of the Commission is flawed, certainly with regard to the logistics support system of the Air Force.

In the past, commissions did not deviate very much from the plans and recommendations of the Secretary of Defense, but in this case the Commission made wholesale revisions. This is a dangerous precedent; it is not a Commission that must shoulder responsibility in the event of war; it is the Congress and the President. It is not a Commission that plans forces to meet contingencies, it is the President and the Secretary of Defense. It is not a Commission that votes the funds, it is the Congress. But this Commission went far afield, and made changes that fundamentally affect the ability of this country to adequately support its air forces. The fact is, if this resolution fails and the Commission recommendations take effect, the Air Force will have almost no reserve capacity for the maintenance of aircraft engines, and very little reserve capacity to maintain its aircraft. The Commission is, in effect, placing all the support needs of the Air Force in a single basket, for each major item. If any one of those places suffers an accident, there can easily be grave effects on the ability of the Air Force to perform its basic mission.

I am not speaking of a far-fetched notion.

Under the Commission plan, every single military aircraft engine would be overhauled at a single place. Just a few years ago, that very building suffered a disastrous fire that shut it down for over a year. Luckily for the Air Force, the workload at Tinker Air Force Base could be diverted to the engine facility at Kelly Air Force Base, and readiness did not suffer.

But the Commission recommended that the logistics functions at Kelly be shut down—leaving the Air Force not only no reserve capacity to repair engines, and very little for aircraft in the event of any conflict lasting more than a few days; but depriving it of any ability to shift workload in the event a major facility is shut down by accident or some catastrophic misfortune.

The Air Force recommendation, supported by the Secretary of Defense, was to keep five Air Force logistics centers, but to reduce each of them in size, in effect, mothballing capacity that could rapidly be brought into action in the event of need. This would have saved money and provided a considerable margin of safety as well. But the Commission rejected the idea of maintaining such a margin of safety, even though the Air Force plan would have saved almost as much money as the Commission plan.

Not only did the Commission reject the idea of maintaining reserve capacity while saving money, it compounded this double error by electing to shut down Kelly Air Force Base, which is the cheapest and most reliable of the Air Logistics Centers. The work that is done at Kelly is of the highest quality, unsurpassed by any; and its cost per hour is the lowest in the service. How can it make sense to close down the lowest cost, highest quality producer? But this is what happened.

The President clearly does not want to lose the capacity that is available at Kelly Air Force Base, so he has opted to try privatizing the major facilities there, so as to keep them in being, and keeping at least some of the trained personnel in place. In other words, the Commission's basic premise is so flawed that it has been rejected, as a practical matter. But I do not believe we should accept a half-measure that on its face accepts the recommendation, but at the same time rejects its premise, which is where we stand today. I would rather reject the Commission report outright, and I urge that the House do so by supporting this resolution. Let us say frankly that we want reserve capacity; let us say honestly that we want flexibility and emergency response ability; and let us reject a report and recommendation that flies in the face of sound policy and even good sense. Vote for the resolution.

Mr. HEFLEY. Mr. speaker, I yield 4 minutes to the gentleman from Mississippi [Mr. MONTGOMERY].

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

Mr. MONTGOMERY. Mr. Speaker, I ask my colleagues to oppose House Joint Resolution 102, a motion of disapproval, and ask my colleagues to vote no.

Mr. Speaker, I am a little hesitant about getting up here this morning, because I was fortunate that I had two bases on the Base Closure Commission list and those bases came off. But I want to point out to my colleagues, I have also in the past had units that were put on the Base Closure Commission that did not come off.

Mr. Speaker, it should be pointed out that the members of the 1995 Base Closure Commission represented a broad section of this country. The chairman was Alan Dixon, a former Member from Illinois, and, incidentally, he voted to close my bases. Then you had Mr. Al Cornella of South Dakota, a private businessman, and Ms. Rebecca Cox, who served on the Commission before private enterprise forced out our Air Force Gen. J.B. Davis, very qualified, Mr. Lee Kling, a banker from St. Louis, MO, private enterprise. You had Adm. Ben Montoya, who is very capable and who had been in the Navy.

□ 1030

And then you had Maj. Gen. Joe Robles who served as a base commander and knew a lot about base closure. And then you had Miss Wendi Steele who served on the staff here in Washington on the Senate side. So, Mr. Speaker, these were qualified people. I guess I spent more time at the Base Closure Commission meetings and I was impressed.

Now, the staff worked hard. They were highly qualified. Some had been on the board in previous base closure rounds. They knew the bases and the process. These men and women, as far as I know, this Commission spent more time on the job flying around the country. They went thousands and thousands of miles looking at the different bases. So the process was open from start to finish. You could talk to the commissioners, you could talk to staff.

Mr. Speaker, they made themselves available to all of us. It is the toughest job I think you could give civilians, and that is one reason I wanted to get up here this morning to commend these commissioners for taking on a job like this. There are no compliments to it. It was a heartache to them. They did not like what they had to do, but they served our country well. I think they did a very thorough and fair job, and I hope the House will reject the motion for disapproval and accept the recommendations of this Commission.

Mr. TEJEDA. Mr. Speaker, I yield 3 minutes to the gentleman from Texas [Mr. BONILLA].

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

Mr. BONILLA. Mr. Speaker, I rise today in support of a strong national defense, a vigilant America, and a secure, peaceful future. I support this resolution, of which I am an original sponsor, to disapprove the misguided recommendations of the Base Closure and Realignment Commission. Closing vital military facilities, like Kelly Air Force Base, leaves America weaker. Ask my colleagues to put aside parochial interests and vote for a strong Armed Forces. Reject the BRAC proposals.

Ronald Reagan clearly understood the necessity of a policy of peace through strength. That policy brought us triumph in the cold war. In contrast, policies of unilateral disarmament in the past only served to embolden aggressors and set the stage for World War II. I am afraid these BRAC recommendations reflect a pattern of disarmament which threatens our future security.

Our military leaders and the Commander-in-Chief have recognized the serious negative implications of the BRAC recommendations for our military security. However, President Clinton failed to reject these dangerous proposals. I urge my colleagues to reject these proposals and please vote for a strong defense and for this resolution.

I would be remiss if I failed to note that the BRAC did get some things right. This BRAC recognized the importance and quality of Laughlin Air Force Base. Its facilities remain second to none and the BRAC Commissioners had no choice but to recognize that fact. Brooks Air Force Base's excellence was recognized as well. However, the recommendation to close Kelly remains irresponsible and dangerous.

I also want to take a moment to comment on the human dimension of this recommendation. The BRAC proposal will have a devastating impact on affected communities costing tens of thousands of jobs and hurting tens of thousands of families. Closing Kelly Air Force Base in San Antonio will slam the door on thousands of hard working patriotic Americans. It will ignore their sacrifices. I know that the spirit and the dedication of the Kelly worker cannot be crushed and that ultimately San Antonio will overcome this setback. But our military will clearly be weakened and the lives of Kelly's workers will be disrupted and their financial security jeopardized. Please vote for this resolution and let Kelly's workers know we are in their corner.

If you support the visions of Ronald Reagan's peace through strength, if you support our U.S. Air Force, if you support the plan of preserving freedom and liberty going into the next century, please vote for this resolution.

Mr. TEJEDA. Mr. Speaker, I yield 3 minutes to my friend, the gentleman from Texas [Mr. SMITH].

Mr. SMITH of Texas. Mr. Speaker, I thank my colleague and friend and neighbor from San Antonio for yielding me time.

On June 16, 1995, 35,000 San Antonians lined the streets of our hometown to

demonstrate ''Kelly Pride.'' The purpose of this huge demonstration in ''Military City'' was to inform the Base Realignment and Closure Commission why Kelly Air Force Base should not be closed. It wasn't only the people of San Antonio who recognized the importance of Kelly to defending the freedom that Americans cherish. Military leaders understood the importance of Kelly and recommended that BRAC not close Kelly. Because the BRAC Commission ignored this view and decided to close Kelly anyway, I support the Tejada resolution and will vote to disapprove the BRAC Commission list.

Our military leaders recommended that Kelly stay open for good reason. The pride of San Antonio has made Kelly into one of the Nation's premier Air Force bases, an essential player in the free world's fight against nazism, fascism, communism, and in the recently successful campaign in the Persian Gulf.

You can see the pride of San Antonio in the work of the generations of San Antonians who have made Kelly Air Logistics Center synonymous with high quality, top efficiency, and unmatched productivity.

You can see the pride of San Antonio as another C–5 or C–5A rolls out of one of the enormous hangers where it has been expertly serviced and prepared to do its part in our Nation's defense.

You can see the pride of San Antonio as its military and civilian communities rallied together to support airlifts in Operation Desert Storm and all recent major conflicts and humanitarian missions.

The Air Force recognized the indispensable contributions of Kelly and that is why they recommended that this depot remain open. Because BRAC rejected the recommendations of our military experts, I will vote for the motion to disapprove the recommendations of the Base Closure and Realignment Commission out of protest against the loss of resources and services that the Kelly community contributes to our Nation's defense.

Kelly's proud tradition is confirmed not only by the Air Force's recommendation that Kelly stay open but also by the decision of the Commission and the administration to recommend that ''Privatization in place'' be implemented at Kelly. I am encouraged and hopeful that this plan will secure our Nation's defense. Our community's leaders, the city of San Antonio, and the Kelly community will join together to work with the Federal Government to ensure that this transition is as smooth as possible.

I know that our community will show the hard work, patriotism, and commitment that it has always shown in its work for our Nation's military. I am optimistic that you will continue to see San Antonio's pride as future generations of workers demonstrate their excellence, as another C–5 rolls out of the hanger, and as we support the missions of our Nation's armed services in future crises. ''Kelly Pride'' will sustain our community through this transition, just as thoroughly as it has sustained our Nation's Air Force for so many years.

Mr. TEJEDA. Mr. Speaker, I yield 2 minutes to the gentleman from Arizona [Mr. PASTOR].

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

Mr. PASTOR. Mr. Speaker, the Hispanic Caucus has been a very active participant throughout the BRAC process. Our concern has been the closure of Kelly Air Force Base in San Antonio.

We have worked in a bipartisan manner with out colleagues from San Antonio in order to ensure that the economic viability of San Antonio continues. As you heard this morning, and studies have shown, on the merits Kelly Air Force Base deserves to continue its mission. It has been very effective. It has been efficient and plays a vital role in the defense of this country. So on the merits alone, Kelly Air Force Base deserves to continue its mission.

One of the concerns that we have as the Hispanic Caucus is that Kelly Air Force Base has been a long-time employer of the Hispanic community in San Antonio. To date, over 60 percent of the civilian employment base in Kelly is of Mexican-American descent. Kelly Air Force Base has had a long history in the Hispanic community. It has provided employment and in turn has provided opportunities for Hispanic families to better themselves.

If Kelly Air Force Base is closed according to the BRAC recommendation, it will have a devastating effect in the Hispanic community of San Antonio, high unemployment, lack of opportunity for families to better themselves.

Mr. Speaker, Kelly Air Force Base deserves to stay open, continue its mission on the merits, but it also needs to continue in order to ensure the well-being of San Antonians in Texas.

The SPEAKER pro tempore. (Mr. KOLBE). The gentleman from Texas [Mr. TEJEDA] has 3 minutes remaining, and the gentleman from California [Mr. FAZIO] has 4 minutes remaining.

Mr. TEJEDA. Mr. Speaker, I yield 2 minutes to the gentlewoman from California [Ms. WATERS].

Ms. WATERS. Mr. Speaker, I rise in strong support of this resolution of disapproval. The 1995 Base Realignment and Closure Commission recommendations have missed the mark. This year's report uses that I believe to be faulty methodology, underestimated costs, and optimistic savings assumptions. As I have stated previously in writing to President Clinton, in light of the problems associated with this report, we should declare a moratorium on all base closures, pending a reexamination of the true savings associated with closing the specified bases.

Obviously, my primary frame of reference for this issue is in the State of California. California has already lost 22 bases—more than any other State. If the current closings go into effect, the cumulative loss for California would total 200,000 jobs and $7 billion in economic activity. Closing the Long Beach Naval Shipyard, in Long Beach, CA, as this report would do, is unnecessary, militarily risky, and it would exacerbate the deteriorating industrial base of our region of the country.

Without question, these recommendations are bad for California, but they are bad for the military as well. Many of the savings envisioned from this report are illusory. There is no guarantee we can save money and no real assurances that jobs lost can be replaced. Previous attempts to contract for lost jobs have been less than successful. In conclusion, let's start this process over and do it right. Let's support this resolution, and disapprove the Base Closing Commission report.

Mr. HEFLEY. Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania [Mr. GEKAS].

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

Mr. GEKAS. Mr. Speaker, the result of this year's round of BRAC decisions adversely affected my own district in Indiantown Gap, heretofore a vital part of our national defense structure, which has been modified downward, downsized, as it were, by the decision. You would think then that I would stand here and support with all my heart and vigor the resolution that is at hand, but I take the opposite view.

I supported the initial concept of BRAC and its initial coming into being and voted for it. It is unseemly now of me to say that, because it has affected perhaps adversely my own back yard, that the concept is wrong, that the decisionmaking was flawed, that the concept is inappropriate. I believe very strongly that the people in my district who were affected by this latest decision of the BRAC are going to be able to rally to the cause of softening the blow and of finding alternative ways of continuing the enterprises in which they were involved in support of some of the activities of the Indiantown Gap facility.

In short, they will be resilient enough to understand that we cannot have a nationwide concept of downsizing our bases across the Nation and across the world except for our own. Therefore, I will vote against this resolution.

□ 1045

Mr. FAZIO of California. Mr. Speaker, I yield myself 3 minutes.

Mr. Speaker, I just want to simply sum up by saying a few things here. I think the gentleman from California [Mr. DOOLITTLE] said it correctly when he said BRAC was a political entity. It simply takes the politics out of Congress and perhaps out of the Pentagon, and puts it in the hands of a number of decent and perhaps well-intentioned

people, but people who do bring biases. We have seen this debate go on, as others have in the past, and those who dodge the BRAC bullet are here to praise the Commission, and those who were impacted by it are here to deride them.

The bottom line is, for California, as we have heard from many Members, we have had an overwhelming impact. Fourteen percent of all DOD personnel in our State, from 60 direct to 85 indirect percentage of all jobs lost through the 4 BRAC rounds in one State. There is no question, if we had moved across services and forced the military entities to compete with each other, we could have done a much better job of saving the taxpayers money and preserving the best of our infrastructure, but privatization is also important. We have heard people come to the floor today and deride privatization. Whether it is the Defense Science Board or the Joint Chiefs or the Commission on Roles and Missions, all of them are pushing us in the direction of privatization. The President pushes for it, the BRAC itself in its report allows it, and I call my colleagues to read the letter from the President to the Commission, from the Commission to the President, all of the legal authority in the view of all the various general counsel and all the agencies makes clear that privatization can take place at McClellan and Kelly Air Force Base, despite the critics, who would like to take our workload and would like to take our jobs to their own bases.

Let me be very clear. We will be dipping into readiness to pay for this foolish reduction in our capability. We will not be able to make the numbers work out. This BRAC round is predicated on phony bean counting, and in my view, we will pay for it, not only with turbulence in our military repair area, particularly for aircraft in the Air Force arsenal, but we will also pay for it by draining our readiness funds to pay for base closure, something that is supposed to save the taxpayers money.

Sacramento will survive. We will pull it together and we will come back, despite these heavy hits, but I do believe that my opposition and my support for this resolution is firmly based on the hit on American military readiness, so I would urge my colleagues to join us in perhaps what is a protest vote, but still a symbolic and important symbol of our opposition.

Mr. Speaker, I yield my remaining 1 minute to the gentleman from Texas [Mr. TEJEDA].

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

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

Mr. TEJEDA. Mr. Speaker, I would like to thank very much the gentleman from Colorado [Mr. HEFLEY], our chairman on the Subcommittee on Military Installations and Facilities of the Committee on National Security, and the gentleman from South Carolina [Mr. SPENCE], our full committee chairman, for their cooperation and understanding on this issue.

Mr. Speaker, Kelly has the best quality record with the lowest defect rate and the fewest customer complaints of all ALCs. Kelly has the best educated Air Force, and nowhere else in the Nation will we find employees who are as involved in their community than in San Antonio.

Mr. Speaker, I believe that the Base Closure Commission has cut right through the fat and into the bone and muscle of our Air Force. Keep in mind that California was essential to the success of Operation Just Cause and Operations Desert Shield and Desert Storm. During Desert Shield and Desert Storm, 17 million pounds of munitions and 64 percent of items for airlift support were shipped through Kelly. The Air Force recommendation to the Commission on Depots was the product of a thorough, year-long study conducted by professional military analysts. The Base Closure Commission's recommendation on the ALCs followed only 6 weeks of study, during which time they were also attempting to focus on hundreds of other Air Force, Army, and Navy installations.

Mr. Speaker, this is the final opportunity to right the wrongs made by the Commission. I urge my colleagues to support this resolution of disapproval.

Mr. Speaker, I fully recognize that the post-cold-war drawdown of military infrastructure has lagged behind the personnel reductions. Nobody said that there would be easy choices in this round of base closures.

I feel strongly, however, that the Base Closure Commission overstepped its bounds and placed our military readiness at risk in the event of a national crisis. Never before in previous base closure rounds has a Commission deviated so substantially from the Defense Department's recommendations.

It should come as no surprise that my objection to this base closure list rests with the recommended closure of two Air Force logistics centers, or ALCs. Although Kelly AFB is not in my district, I do represent many of the outstanding and dedicated workers there and I recognize that the work they do is second to none in the Department of Defense.

In fact, Kelly has the best quality record, with the lowest defect rate and fewest customer complaints, of all ALCs. Kelly has the best educated work force, and nowhere else in the Nation will you find employees who are as involved in their community than in San Antonio.

In March, the Air Force and the Department of Defense proposed to the Base Closure Commission that the five existing ALCs downsize in place rather than close one of the depots. To reach this commonsense proposal, the Air Force focussed on being financially responsible, reducing excess capacity, and satisfying its current and projected needs.

In testimony before the Base Closure Commission, Secretary of the Air Force Widnall stated that the cost to close one Air Force depot would nearly equal the entire Air Force budget for the next 6 years for all of its 1995 closures and realignments. So what does the Commission do? It votes to close not only two depots, but it votes to close the most cost-effective and productive depot at Kelly AFB.

The original Air Force recommendation of downsizing would have eliminated more than one depot equivalent worth of excess capacity without losing the many unique facilities and capabilities at any of the depots. In voting to close two, the Commission disregarded the value and cost-effectiveness of these unique facilities, particularly with respect to the C–5 at Kelly AFB.

There is only one depot in the Defense Department which can support the C–5. Kelly has the only hangar in the DOD which can hold six C–5s, and it is the only depot able to test and repair the C–5 engine. With 23 years of C–5 management and maintenance experience, Kelly is the heart of DOD strategic airlift.

During Commission hearings, Air Force Chief of Staff Gen. Ron Fogleman stated:

> It is clear that we have excess capacity. It is equally clear, in my view, that our approach reduces that capacity in the manner that best serves the total operational mission of the Air Force. I believe it is the only responsible approach to this issue.

The day before the Commission's vote on the ALCs, Secretary Widnall and General Fogleman wrote to Commission Chairman Alan Dixon. I will not read the letter, but I think it is significant and include it in the RECORD at this point of the debate.

The material referred to is as follows:

SECRETARY OF THE AIR FORCE,
Washington, DC, June 21, 1995.

Hon. ALAN J. DIXON,
Chairman, Defense Base Closure and Realignment Commission, 1700 N. Moore Street, Suite 1425, Arlington, VA

DEAR MR. CHAIRMAN: The Air Force approach to the depots is prudent because it saves money for the taxpayers and protects military readiness. It is also the product of exhaustive analysis by military professionals and senior leadership who have been working the proposal for over a year.

Our depot proposal is simple. Building on the personnel reductions that have already been taken from the Air Logistic Centers and depots during the last five years (over 26,000 people), the pending air Force proposal would reduce and realign the depots by an additional 1,987 jobs (with a net present value of $975 million). While there would be some disruption, the business of the Air Force—flying combat and transport aircraft, and maintaining our command and control and space network—would continue unimpeded. This total air Force depot reduction of 28,000 jobs is almost two and a half times the total depot reduction achieved by all other DoD components in all four BRAC rounds combined.

On the other hand, the staff generated BRAC proposal described to us will cost the Air Force hundreds of millions of additional dollars (in excess of $1 billion in environmental and military construction costs) during the next five years; disrupt military readiness because of the total restructuring of the Air Force logistics and depot system; preclude the Air Force from carrying through on vital readiness and modernization programs; and have a devastating impact on as many as 25,000 DoD employees in Texas and California who would lose their jobs or have to relocate to other Air Force installations at great personal and public expense.

Most importantly, the essential business of the Air Force—operations, logistics, and budget dollars that are critical to future modernization—would be greatly disrupted. Since the end of the cold war, the Air Force

has reduced its budget by more than $20 billion and reduced personnel by over 200,000 people. Some further reductions and savings are necessary; however, they must be taken in a way that permits the Air Force to continue to carry out its essential mission. The Department of Defense proposal does that; the Commission staff alternative does not.

Sincerely,

RONALD R. FOGLEMAN,
General, USAF Chief of Staff.
SHIELA E. WIDNALL,
Secretary of the Air Force.

Mr. Speaker, in essence, they warned that the staff-generated BRAC proposal to close ALC's would severely disrupt military readiness and the essential operations of the Air Force.

As I sat in the hearing room during the Commission's deliberations on the ALC's, I was stunned by the blatant agenda being advanced by the Commission's staff—to portray Kelly AFB in the worst possible light and provide for the closure of two ALC's.

Commissioner J.B. Davis, a retired Air Force general, acknowledged during the Commission's vote that the staff seemed to be focused on the excess capacity figures. He concurred with General Fogleman that some overcapacity helps. It is that overcapacity, surge capacity, that services need in times of a crisis. He stated: ''Closing depots * * * can severely disrupt that service and the Air Force's wartime capability.''

Mr. Speaker, I believe that the Base Closure Commission has cut right through the fat and into the bone and muscle of our Air Force. Keep in mind that Kelly was essential to the success of operation just cause and Operations Desert Shield and Desert Storm. During Desert Shield/Desert Storm, 17 million pounds of munitions and 64 percent of items for airlift support were shipped through Kelly.

The Air Force recommendation to the Commission on Depots was the product of a thorough year-long study conducted by professional military analysts. The Base Closure Commission's recommendations on the ALC's followed only 6 weeks of study, during which time they were also attempting to focus on hundreds of other Air Force, Army and Navy installations.

This is the final opportunity to right the wrongs made by the Commission. I urge my colleagues to support this resolution of disapproval.

Mr. HEFLEY. Mr. Speaker, I yield myself the remainder of my time.

Mr. Speaker, I want to commend the gentleman from Texas [Mr. TEJEDA] and the gentleman from California, [Mr. FAZIO] for the way in which they have conducted themselves during this debate. I have tremendous empathy for the fight they are engaged in over there. Heck, I have the same problem. I do not want to see Fitzsimmons Army Medical Center closed, either. I think it is a mistake to do that.

I have a little less empathy with the parade of people who have come up here who voted yesterday for an across-the-board cut in the Defense budget who are now crying because a base in their area is being affected. That seems a little disingenuous to me.

This is not an easy process. I think sometimes this process does make wrong decisions. I think some of these decisions we will regret down the line when we have national emergencies. I know this is agonizing for communities across this country, and it is not easy for the various branches of the services who are going through this, and having to recommend closing things that we would really rather not, in many cases, because they do not think it makes good sense. I am very disappointed that the President of the United States injected Presidential politics into this process. I think that is very disappointing.

This is not a perfect process, but it is the only process we have to get at this. We had not closed a base in this country since the 1970's until this process started. Congress did not have the ability to close bases. There are some bases that we do need to close. I reject the idea that to vote against this resolution is to vote against a strong national defense. It is this administration that is driving the depth at which we have to cut back on defense in this country. It is the most anti-Defense administration, I think, in the last 50 years, and that is what is driving the deep cuts that we have to make.

With these deep cuts, we have to use every single Defense dollar we have the most effective way possible, so yes, we are having to give up some facilities that I wish we were not giving up. However, this is the process we have set up. This is the end of this round of base closure.

I would encourage my colleagues to vote against this resolution, support the Base Closure Commission, and let us now move on to solidifying what we have with our defense structure across this country, and make sure that we have a strong defense with what we have left.

Mr. DAVIS. Mr. Speaker, I am compelled to vote in support of the resolution disapproving the recommendations of the Defense Base Closure and Realignment Commission [BRAC]. I approve of the BRAC process, but in my district the Army has taken action under BRAC 95 that simply does not make sense, and I cannot support it.

The Army, in its closure submittal to the BRAC, has proposed moving the 400 military and civilian personnel and equipment of the Army's Information Systems Software Development Center [ISSC] from leased space in Fairfax County to Government space on Fort Meade, MD. It is ostensibly an in-area move and personnel will be transferred to the new facility at Fort Meade without layoffs. With the pressure on the services to move out of leased space, it looks like a good move. But, this is a bad decision for the Army and the Government, and though I have urged the Army and the BRAC to reconsider this decision, today we still find this facility slated for transfer in this BRAC recommendation.

The Army ISSC has been in Fairfax County for over 20 years. When the Army looked to move ISSC from outdated leased facilities in Fairfax, VA, it asked the General Services Administration [GSA] to rent space for ISSC in northern Virginia. The Army even specified the boundaries of an area in which they wanted to rent—a location close to its Fort Belvoir and Pentagon customers and close to where most of its employees had settled over the past 20 years. This was the Crown Ridge building located at the junction of I–66 and the Fairfax County Parkway in my district.

GSA, at the request of the Army, signed a lease with Crown Ridge Associates for 6 years. That lease started a little over a year ago and runs through May 28, 2000. A total of $7.2 million was spent by Crown Ridge, GSA, and the Army to upgrade the building to meet the unique requirements of Army ISSC. Crown spent $1.3 million, GSA $2.9 million, and DOD spent $3.0 million to get this building ready. And in fact, they are still in the process of upgrading and moving into the space.

After spending all this money, the Army proposed in this BRAC to move ISSC to Fort Meade, MD. The Army believes that it will save $8 million over 20 years. Under the Army lease with GSA, it can move out of the space without penalty if appropriate notice is given.

Unfortunately for GSA and the American taxpayer, GSA is still obligated for the 6-year term of the lease. If the Army moves out, GSA is stuck with an empty building. Not only that, but this will not be an easy space for the GSA to find government customers for. Traditionally, GSA would look for locations in some proximity to mass transit—the subway, trains, and bus lines. This location is well beyond the subway and there are no easy connections to mass transit. To quote GSA regarding Army plans to move out of this building,

. . . the building was leased specifically for the Army, and was altered to suit their specific needs. Other federal agencies have not expressed interest in the location, and the building might be difficult to market.

In addition, the Army is going to have to convert or build facilities at Fort Meade. The Cobra model figures used by the Army indicate that it will have to spend roughly $5 million to renovate space at Fort Meade and moves ISSC. So, at a minimum, the Government spends $11 million in renovation and moving costs and ISSC has to go through two moves in 3 years. But, the Government also will be stuck with a $3 million per year lease for a building which may sit empty for 3 years—another $9 million.

This is not how Congress intended the BRAC process to work—the objective is to reduce costs for the Government, not just the military services. Clearly, the Army should have made this move before it asked GSA to sign a 6-year lease. Now, however, the lease has been signed, and the Government is on the hook even if the Army moves out. I understand the pressure on the Army to move out of leased space, but this is a bad deal for the Government and the American taxpayer.

For this reason, I cannot support the BRAC recommendations.

Mr. LEVIN. Mr. Speaker, I rise in opposition to House Joint Resolution 102, to disapprove the recommendations of the Defense Base Closure and Realignment Commission.

It is with great reluctance that I oppose the resolution of disapproval. I do so despite the fact that the Commission accepted a flawed Army recommendation to close the Detroit Arsenal Tank Plant in my district.

In my judgment, the Army mishandled this matter. All other issues aside, the most fundamental shortcoming of the Army's recommendation is the lack of a credible estimate of the cost of closing the tank plant.

The Army's original claim was that closing the tank plant would result in a one-time cost of only $1.4 million. When I asked the Army how it arrived at this figure, the Army told me the estimate was based on a standard formula that sets building closing costs at $1.25 per square foot.

A buck and a quarter per square foot isn't going to do the job. Unlike most Army installations, the Detroit Tank Plant is an industrial facility that has been manufacturing tanks for nearly 50 years. I sincerely doubt $1.4 million will be enough to close the facility and move the work to other locations.

During her site visit to the tank plant last April, Commissioner Steele heard a broad range of testimony from myself and others that raised serious problems with the Army's original closing cost estimate. After hearing the evidence, Commissioner Steele asked the Army to prepare a revised cost estimate by mid-May.

The Army never presented a revised cost estimate. The Army's Tank Automotive and Armaments Command [TACOM] in Warren, MI, requested and received detailed closing cost data from the contractor at the plant. Using this data, TACOM prepared a revised closing cost estimate. At the 11th hour, I was informed that the Army rejected the new cost study and decided to stick with its original estimate of $1.4 million.

While the Army was unwilling to accept new cost data from the people who actually run the plant, my office received reports that the true closing costs, as calculated by the contractor at the plant and TACOM, are at least 25 times higher than the Army's original calculations.

It is being increasingly suggested that the Army desires to transfer the tank plant's work from the private sector to the Government-run Rock Island Arsenal in Illinois. This would be contrary to OMB circular No. A–76, which states that it is the official policy of United States that ''the Government should not compete with its citizens.'' It also would be contrary to the recent recommendations of the Commission on Roles and Missions of the Armed Forces. These jobs should remain in the private sector and in Michigan.

So why am I opposing the resolution to disapprove the base closure list? I do so for the simple reason that the Nation cannot afford to spend billions of dollars ever year for unneeded defense installations around the country. At the end of the day, the independent base closure process is the only means we have to close unneeded military facilities.

The base closure process is painful. The process sometimes results in the wrong military facilities being closed, as the closure of the Detroit Arsenal Tank Plant demonstrates. The one virtue of the base closure process is that it is unbiased and immune from politics. At the end of the day, it's about as fair a process as we're going to get.

I did everything I could to save the tank plant; however, I largely agree with the balance of the Base Closure Commissions recommendations to close or realign 103 other bases and military facilities. Closing these bases is expected to save more than $19 billion over 20 years. I will therefore oppose the resolution of disapproval.

Mr. EVANS. Mr. Speaker, I support the resolution of disapproval. I must do this because I am deeply disturbed by the base closure process. In the rush to close installations there has been a failure to analyze all of the facts carefully. This is obvious in the recommendations made by the Commission concerning the Savanna Army Depot Activity and the O'Hare Reserve Station.

In the case of the Savanna Army Depot Activity, the Commission ignored a number of important factors. For example, closing the installation would result in the loss of important and hard-to-replicate capabilities, increase costs above the Army estimate to close the base and move its functions, and reduce ammo storage capability below critical military needs.

For instance, the Commission failed to consider that Savanna is one of the most efficient facilities in the Army. During Desert Storm, Savanna had the highest outloading rate of any depot. It is also one of the few with adequate rail service to shipping centers. These national assets would be hard to replace in a nationwide mobilization.

In addition, the estimate of the cost of closing Savanna and relocating the U.S. Army Defense Ammunition Center and School [USADACS] is too low. DOD stated that it would cost $38 million to close the installation and relocate functions. However, the Savanna Army Depot Realignment Task Force estimates that the cost of closing the facility and moving the school is much higher—as much as $88 million. This includes new construction that will have to take place at McAlester to complete the move.

Even more importantly, the decision to close ammunition storage facilities failed to take into account storage needs. The Army's 1993 Wholesale Ammunition Stockpile Program study indicated that even with 11 depots, as much as 6 million square feet of outside storage will be needed to match our Nation's future ammunition stockpile. This could indicate that the ammunition study is flawed. Because of this decision, we may not have enough space to meet future storage needs.

Our ammunition depots are a national asset that will be needed to meet future mobilization needs. The Commission's recommendation will mean the loss of an important part of this irreplaceable asset.

Regarding the Commission's recommendation on the O'Hare Air Reserve Station, I am deeply disappointed that the Commission chose a course of action that will eliminate an entire unit within the State and also move the remaining KC135 unit to Scott AFB. The latter recommendation was made without an analysis of the costs to the Government or how long it will take the units to return to operational status.

The closure of the station and its C–130 unit would be a blow to Illinois and a sad chapter in one of our Nation's finest military units. The 928th Airlift Wing has one of the most distinguished records of any Reserve unit in the country. A highlight of this is the 46 years and over 166,000 hours of flying without an accident, the longest stretch of accident-free flying by any civilian or military organization in the country. We should preserve this record and keep the unit in one of the communities in Illinois willing to host it. Unfortunately, the Commission's recommendation will eliminate this effective and efficient fighting asset.

I am also disappointed that the Commission decided to change last year's recommendation concerning moving the 126th Air Refueling Wing. Instead of allowing the process to fully progress, the Commission arbitrarily chose to relocate the unit to Scott Air Force Base. This move was done without any analysis of how long it would take the unit to reach full operational capability due to recruiting and retention concerns. Without this analysis, this recommendation is shortsighted and did not include a thoughtful consideration of other potential sites in the State of Illinois. I therefore cannot support this recommendation.

I believe that we should reject the recommendations of the Commission. From the errors I have seen made in just these two examples, I am concerned that other mistakes may have been made that will force us to make poor choices concerning our Nation's defense infrastructure and unnecessarily eliminate the jobs of thousands of civilian employees who have served our Nation proudly. I hope my colleagues will join me in opposing these recommendations.

The SPEAKER pro tempore. All time has expired. Pursuant to section 2908 of the Defense Base Closure and Realignment Act of 1990, the question is on passage of the joint resolution.

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

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

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

The Sergeant of Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 75, nays 343, not voting 16, as follows:

[Roll No. 647]

YEAS—75

Ackerman	Gejdenson	Miller (CA)
Andrews	Gephardt	Mineta
Bentsen	Gilchrest	Murtha
Bevill	Gonzalez	Myers
Bonilla	Goodling	Ortiz
Borski	Green	Pastor
Browder	Hamilton	Payne (NJ)
Brown (CA)	Hastings (FL)	Pelosi
Bryant (TX)	Herger	Pombo
Chapman	Hilliard	Roybal-Allard
Clay	Holden	Royce
Coleman	Horn	Scarborough
Combest	Hoyer	Schroeder
Costello	Jackson-Lee	Seastrand
Davis	Kennelly	Shuster
de la Garza	Kim	Smith (TX)
DeLauro	Lantos	Talent
Dixon	Lewis (CA)	Tejeda
Doolittle	Lofgren	Torres
Eshoo	Manzullo	Torricelli
Evans	Martinez	Towns
Farr	Matsui	Waters
Fazio	McCollum	Williams
Ford	Menendez	Woolsey
Fox	Mica	Wynn

NAYS—343

Abercrombie	Bass	Brown (FL)
Allard	Bateman	Brown (OH)
Archer	Beilenson	Brownback
Armey	Bereuter	Bryant (TN)
Bachus	Berman	Bunn
Baesler	Bilbray	Bunning
Baker (CA)	Bilirakis	Burr
Baker (LA)	Bishop	Burton
Baldacci	Bliley	Buyer
Ballenger	Blute	Callahan
Barcia	Boehlert	Calvert
Barr	Boehner	Camp
Barrett (NE)	Bonior	Canady
Barrett (WI)	Bono	Cardin
Bartlett	Boucher	Castle
Barton	Brewster	Chabot

Chambliss
Chenoweth
Christensen
Chrysler
Clayton
Clement
Clinger
Clyburn
Coble
Coburn
Collins (GA)
Collins (IL)
Collins (MI)
Condit
Conyers
Cooley
Cox
Coyne
Cramer
Crane
Crapo
Cremeans
Cubin
Cunningham
Danner
Deal
DeFazio
DeLay
Dellums
Deutsch
Diaz-Balart
Dickey
Dicks
Doggett
Dooley
Dornan
Doyle
Dreier
Duncan
Dunn
Durbin
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Ensign
Everett
Ewing
Fattah
Fawell
Fields (LA)
Fields (TX)
Filner
Flake
Flanagan
Foglietta
Foley
Forbes
Fowler
Frank (MA)
Franks (CT)
Franks (NJ)
Frelinghuysen
Frisa
Frost
Funderburk
Furse
Gallegly
Ganske
Gekas
Geren
Gibbons
Gillmor
Gilman
Goodlatte
Gordon
Goss
Graham
Greenwood
Gunderson
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hancock
Hansen
Harman
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Hefner
Heineman
Hilleary
Hinchey
Hobson
Hoekstra
Hoke
Hostettler
Houghton
Hunter
Hutchinson
Hyde
Inglis
Istook
Jacobs
Johnson (CT)
Johnson (SD)
Johnson, E.B.
Johnson, Sam
Johnston
Jones
Kanjorski
Kaptur
Kasich
Kelly
Kennedy (MA)
Kennedy (RI)
Kildee
King
Kingston
Kleczka
Klink
Klug
Knollenberg
Kolbe
LaFalce
LaHood
Largent
Latham
LaTourette
Laughlin
Lazio
Leach
Levin
Lewis (GA)
Lewis (KY)
Lightfoot
Lincoln
Linder
Lipinski
Livingston
LoBiondo
Longley
Lowey
Lucas
Luther
Manton
Markey
Martini
Mascara
McCarthy
McCrery
McDermott
McHale
McHugh
McInnis
McIntosh
McKeon
McNulty
Meehan
Meek
Metcalf
Meyers
Mfume
Miller (FL)
Minge
Mink
Molinari
Mollohan
Montgomery
Moorhead
Myrick
Nadler
Neal
Nethercutt
Neumann
Ney
Norwood
Nussle
Oberstar
Obey
Olver
Orton
Owens
Oxley
Packard
Pallone
Parker
Payne (VA)
Peterson (FL)
Peterson (MN)
Petri
Pickett
Pomeroy
Porter
Portman
Poshard
Pryce
Quillen
Quinn
Radanovich
Rahall
Ramstad
Rangel
Reed
Regula
Richardson
Riggs
Rivers
Roberts
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Rose
Roth
Roukema
Rush
Sabo
Salmon
Sanders
Sanford
Sawyer
Saxton
Schaefer
Schiff
Schumer
Scott
Sensenbrenner
Serrano
Shadegg
Shaw
Shays
Skaggs
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (WA)
Solomon
Souder
Spence
Spratt
Stark
Stearns
Stockman
Studds
Stump
Stupak
Tanner
Tate
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thompson
Thornberry
Thornton
Thurman
Tiahrt
Torkildsen
Traficant
Upton
Velazquez
Vento
Visclosky
Volkmer
Vucanovich
Walker
Walsh
Wamp
Ward
Watt (NC)
Watts (OK)
Waxman
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wilson
Wise
Wolf
Wyden
Yates
Young (AK)
Young (FL)
Zeliff
Zimmer

NOT VOTING—16

Becerra
Dingell
Jefferson
Maloney
McDade
McKinney
Moakley
Moran
Morella
Paxon
Reynolds
Sisisky
Stenholm
Stokes
Tucker
Waldholtz

□ 1122

Messrs. OWENS, MCINTOSH, FIELDS of Louisiana, KENNEDY of Massachusetts, and Mrs. CHENOWETH changed their vote from ''yea'' to ''nay.''

Messrs. TORRICELLI, ROYCE, and GILCHREST changed their vote from ''nay'' to ''yea.''

So the joint resolution was rejected.

The result of the vote was announced as above recorded.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1617

Mr. SAM JOHNSON of Texas. Mr. Speaker, I ask unanimous consent that my name be withdrawn as a cosponsor of H.R. 1617.

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

There was no objection.

APPOINTMENT OF CONFEREES ON H.R. 2020, TREASURY, POSTAL SERVICE, AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 1996

Mr. LIGHTFOOT. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 2020) making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain independent agencies, for the fiscal year ending September 30, 1996, and for other purposes, with Senate amendments thereto, disagree to the amendments and agree to the conference asked by the Senate.

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

There was no objection.

MOTION TO INSTRUCT CONFEREES OFFERED BY MR. OBEY

Mr. OBEY. Mr. Speaker, I offer a motion to instruct conferees.

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

The Clerk read as follows:

Mr. OBEY moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the bill, H.R. 2020, be instructed to agree to the amendment of the Senate numbered 130.

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

PARLIAMENTARY INQUIRY

Mr. HOYER. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. HOYER. Mr. Speaker, am I correct that under the rules, a Member in opposition has the right to half the time?

The SPEAKER pro tempore. One-third of the time could be allotted to a Member in opposition.

Mr. HOYER. Mr. Speaker, is it my understanding that the gentleman is yielding to me the time?

Mr. LIGHTFOOT. Mr. Speaker, I would be happy to yield my 30 minutes to the gentleman from Maryland.

The SPEAKER pro tempore. Is the gentleman opposed to the motion?

Mr. LIGHTFOOT. Mr. Speaker, I am not in favor of the motion, but I would yield my 30 minutes to the gentleman.

The SPEAKER pro tempore. The gentleman is yielding all 30 minutes to the gentleman from Maryland. The gentleman from Maryland is recognized for 30 minutes in opposition to the motion.

The gentleman from Wisconsin [Mr. OBEY] is recognized for 30 minutes.

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

Mr. Speaker, what is before us is the question of going to conference on the Treasury-Postal appropriation bill. The motion that I have just made is a motion which would accept the Senate amendment numbered 130, which in essence indicates that the congressional pay will be frozen for yet another year with no COLA, although that COLA will be provided for other Federal employees.

Mr. Speaker, as Members of the House know, this House established a new procedure. As Members will remember in, I believe, 1991, the Congress took a step forward, at least I think many thoughtful Members will recognize it was a step forward, when we decided that outside income for Members of Congress was going to be limited and that instead we would have only one paymaster, that being the general public, rather than supplementing our pay through various activities, including giving speeches and earning outside income in a manner which many people were concerned created the appearance of a conflict of interest.

The Congress took a lot of heat for that action at the time, but I think it was the right action because I think it substantially improved the financial practices around here. It was supported on both sides of the aisle on a bipartisan basis.

We established a new process under that legislation which guaranteed that Members of Congress would never get a pay increase larger than that provided for other Federal employees. And, in fact, the way it was set up, we got that adjustment one year later, so that we could not be accused of setting the trend for increased pay, but rather we were following what would happen in other sectors of the economy.

Mr. Speaker, under that we received two small cost of living adjustments: A 3.5 increase in 1992 and a 3.2 increase in 1993. Since that time we have taken action each year to freeze our own pay. So that means that for calendar year

1994, and 1995, the Congress voluntarily decided not to accept a congressional pay raise, even though other Federal employees did receive a pay raise.

The Senate has now taken an action on this bill which indicates their belief that we should do that for another year.

□ 1130

I think that probably the vast majority of Members on both sides of the aisle will share the view that under the circumstances that we face with other agencies of Government being cut, with many other programs being cut, when we are in the process of establishing budget guidelines that we will live with for either the next 5 or 7 years on our way to what people would like to think would be a balanced budget, I think that under the circumstances, it would be highly unrealistic to expect that the Congress this year would receive even a cost-of-living adjustment.

So I am simply offering this motion because I think that it is generally accepted in the House that, under these circumstances, it would be appropriate to accept the Senate position.

In doing so, I would make the following observation, however: I believe it is essential to the ability of this House over the long term to attract quality candidates, and I think it is essential to see to it that in the long term we do not have renewed pressures for providing other ways for Members to receive income by, in effect, cashing in on their own notoriety, for want of a better word, or by cashing in on their title as a Member of Congress to increase their pay. In order to prevent those actions from happening, it is going to be necessary at some time for Members of Congress to receive pay adjustments identical to those provided to other workers in the Federal Government.

I do not believe that people can expect that forever there will be no adjustments in congressional pay. But I think it is common good sense to recognize that, under these circumstances, Members of Congress are not and should not be providing themselves with an increase in pay when we are in the process of establishing a multiyear effort to reduce the deficit and cut expenditures.

So, for the third year in a row, the effect of this motion would be to deny ourselves a pay raise. I think that that is the rational thing to do under these circumstances, and I would urge support for the motion.

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

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

Mr. LIVINGSTON. Mr. Speaker, I thank the gentleman for yielding.

It is with some degree of reluctance that I rise in a bipartisan display of support. It is with some degree of reluctance that I rise in an effort to display bipartisan support for the gentleman's amendment.

I agree with the gentleman's conclusions. This Congress has made great strides in making deep cuts in the Federal budget. To date, the appropriations process has yielded net savings in fiscal year 1995 and 1996 of approximately $44 billion, and it would be highly untenable for the Congress to say, ''Well, we are going to cut the rest of the Federal budget, but we are going to go ahead and allow our own pay to escalate.''

So I join the gentleman, and I suspect that the vast majority of the Members of this House will join him. The Senate has already gone on record as supporting this effort, and so this effort is merely to conform with what the Senate has already done.

But let me say that I also have some grave concern that pay, unfortunately, becomes an aspect, an ingredient to a degree of short term politics. I frankly do not know any Members over the years that I have served in the Congress that have been defeated over the pay raise issue. But I suspect, if any have, they are very few in number.

The American people, I think, intuitively understand that public officials have to make a living, and if they do not want a body of 100 percent of millionaires in the House of Representatives or in the Senate, then obviously they have to pay them a salary.

One can argue how much that salary should be. But a few years ago, as the gentleman pointed out, we had an honoraria process whereby Members of the Congress would supplement their own income by going out and getting speaking fees. I think that the press did a pretty good job, and Members in this body and the Members of the other body stood up and talked about how that process had gone astray. That situation had done much to begin to corrupt the institution. People were not working for their pay. They were going out and cutting deals. They were walking into breakfasts and walking out with thousand dollar checks. Frankly, the whole system smelled.

So the gentleman who is presenting this initiative, and several others and I were eager to get rid of honoraria. Honoraria is now history. It is gone for Members of Congress, and I think that is good.

In an effort to compensate for what was a significant loss of income for many Members of the House and in the other body, there was a fairly significant pay increase. But really it was not an increase, because it was offsetting income that was lost.

That being said, that was several years ago, and since then Members have gotten some nominal COLA's, along with the rest of the Federal employees and military retirees and others, but not as often as the Federal employees and the military retirees. In the last 2 or 3 years this body and the other body have joined together and frozen our pay. We have not had any COLA's, even though Federal employees and military retirees have gotten their COLA's, and that is OK. We are doing it again this year.

I dare say, for one reason or another it is quite possible we may do that again next year. But I would like to offer a cautionary note to my colleagues in this body and tell you that unless you want a situation where all of the Members of the various districts, the 435 districts of this great Nation that serve in this body, if you want everyone to be a millionaire, well then just keep on freezing the pay because a person of modest means will not be able to serve here after some length of time. He will not be able to raise his family. He will not be able to send his children to college or educate his kids or meet obligations to his family. She will not be able to raise her family. He or she will not be running for Congress because he or she at some point will not be able to afford to be here. I do not think that is what we want.

I think the great thing about this country is that we have not had to depend solely on the affluent class, if you will, to serve as our public figures.

I think the great thing about this institution, particularly the House of Representatives, and I do distinguish it from the Senate, because 82 percent of them are millionaires, I am not trying to condemn anybody who has been smart enough or affluent enough or wise enough to invest their money and has made great fortune for himself or inherited great fortune. I think that is great. That is the American system. All of those that are of affluent means that serve in this body serve valiantly and serve their constituents, but our constituents should also have the opportunity to elect people who are not affluent, who are not people who absolutely can pay their way to be here.

That is why I think that is a mistake to freeze our pay year after year after year. I think there is great merit in giving the Federal employees a cost-of-living adjustment periodically. There is great merit in giving retired Federal employees, retired military personnel a cost-of-living adjustment periodically, and, yes, I think that there is great merit in providing judges and Members of Congress and heads of departments of the executive branch and other ranking leaders a periodic adjustment in their cost of living as well. Not to do so risks changing this system, risks changing this country, and not necessarily for the better, because it will not only go to those folks who are of independent means, it could go to those folks who might other wise seek to find outside income through less-than-appropriate channels. I would not want to see that happen either.

So I think that the gentleman's motion is well taken at this time. It is with some degree of reluctance that I support it, but I do urge that all of the Members of this body support it. Let us send this issue on to the conference and get it over with and address this issue next year and the years thereafter.

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

Mr. Speaker, for all of the reasons articulated by the distinguished gentleman from Louisiana, the chairman of the Committee on Appropriations, I rise in opposition to this motion. I think he is absolutely correct, and the reasons that he articulated were the reasons that undergirded the efforts of this House of Representatives to, in a fair and open manner, adopt legislation which would lead to a reasonable incremental adjustment in the pay of Members.

It is obviously a very politically difficult situation. No Member likes to vote on their raise, and, in fact, what we talk about here is not a raise in the classic sense. It is a cost-of-living adjustment; that is to say, a mechanism was established to keep Members even with the cost-of-living adjustment.

The gentleman from Louisiana pointed out that we do that for others, social security recipients, Federal retirees, and active Federal employees, some 2 million, as well as for members of the military. We do that so that their standard of living will not deteriorate as inflation occurs. That is the issue here, not a pay raise in the classic sense.

That resolution of a very thorny issue was arrived at through bipartisan work and agreement. The current speaker, Speaker GINGRICH, was a part of that, Speaker Foley and the current minority leader, the gentleman from Missouri [Mr. GEPHARDT] was part of that, the distinguished ranking member of the Committee on Appropriations, the gentleman from Wisconsin [Mr. OBEY] was part of that, and my good friend from California [Mr. FAZIO] was a leader in that effort, the current chairman of the Committee on Appropriations was a part of that, the gentleman from California [Mr. LEWIS], who was then chairman of the Republican Conference, was a part of that, in trying to deal with a very difficult issue, obviously, with our constituents so that they knew and we knew and our families knew what is the deal, how do we adjust congressional pay in a rational, reasonable way.

The failure to have done that over the years led to anomalies that outraged the American public and gave great fodder for talk show hosts.

What was that? As the gentleman has pointed out, for 3 or 4 or 5 years we would go with zero, and then because Members were falling substantially behind, the quadrennial pay commission would recommend a high figure, and we would take a portion of it, in one instance, for instance, a raise of $10,000, or approximately that figure. That is a very high figure when one hears about it being a raise and does not divide it by the 4 or 5 previous years that zero was the adjustment.

As a result, the public was outraged at our giving ourselves from this perspective such large pay raises. This, again, was an effort to avoid that consequence and to provide for an annual mechanism that would go into effect only in the event that Federal employees got a raise, so that if the other employees of the Federal Government did not get a raise, Members of Congress would not get a cost-of-living adjustment. We did that again to ensure that we were not treated differently.

We talked a lot about treating ourselves the same, covering ourselves by the same laws that we expect others to abide by, and that was the reason that we tied ourselves to other Federal employees. We are ultimately paid by the Federal Government, the Federal taxpayer. We are Federal employees, and if they did not get an adjustment, we felt we should not.

In this instance, they will get an adjustment, and the motion offered by the gentleman from Wisconsin will provide that we will not have an adjustment, and that will be the third year, and I do not think there is anybody on this floor that believes that next year the Members of Congress are going to have the ability or will to look their constituents in the eye and say, ''We are going to take one-fourth or one-half or three-fourths of or a whole of that adjustment which we have not taken.''

□ 1145

So, we will go 4 years in a row, and the difficulty that will then occur will be in 1997 there will be an effort, I predict, to do a larger number, a catchup, if you will, and the American public will then again say, ''Those guys don't get it. Why are they giving themselves such a big pay raise?'' And there will be no discussion about January 1993, or January 1994, or January 1995, or January 1996, or January 1997. That will be forgotten.

So, I rise to oppose this motion, not because I do not understand the concerns of my chairman, the concerns of my ranking member. I think I am a reasonably perceptive Member of this body in terms of the political realities of this body, and so I understand what the gentleman from Louisiana [Mr. LIVINGSTON] has said the realities are, and, having said that, I regret that we find ourselves in a position of suggesting this alternative.

Mr. Speaker, I yield such time as he may consume to the gentleman from California [Mr. FAZIO], who has forever been a Member of this body who has taken a lot of flak, a lot of heat. He has had the courage to stand up for his 434 colleagues, but, much more importantly, for this institution, and for that I not only have great affection for the gentleman, but great respect.

Mr. FAZIO of California. Mr. Speaker, I want to thank the gentleman from Maryland [Mr. HOYER] for yielding this time to me and, far more importantly, for his very kind and generous remarks, and I want to congratulate him for having had the courage, as he always does, to try to educate not only his constituents, not only his colleagues, but, I think, the country on the very, very difficult conundrum we often find ourselves in on this pay issue. There is no question that the gentleman's comments are pertinent and to the point and that, if we are not careful, we will repeat the very bitter and unhappy history that we have seen occur on this floor where periodically, perhaps once a decade, we go through this catharsis of debate and public reaction over the question of pay for Members of Congress.

I also want to associate myself with the remarks of the gentleman from Louisiana [Mr. LIVINGSTON] who, along with the gentleman from Wisconsin [Mr. OBEY] and a number of other Members, served so stalwartly on the commission that we formed in 1989 that brought the bipartisan leadership of both the caucus and the conference together to resolve this issue, and we hope once and for all. Obviously that is not the case. Lynn Martin, who cochaired that effort along with me at that time, I think would agree that we tried to put in place a very conservative and automatic process, but in fact, unless we have total bipartisan consensus in this institution from one generation, one class, to the next, it is very unlikely that we will have the courage even to allow the automatic mechanism which guarantees that we make our cost-of-living adjustment less by five-tenths of 1 percent than anything that the private sector made. It guarantees that we always get something that is very modest behind inflation, behind what is happening in the private sector.

The comments of the gentleman from Maryland [Mr. HOYER] are, therefore, on point, and I regret that we are at the point we are today, but reality, as the gentleman from Wisconsin [Mr. OBEY] has said, has crashed in. We are at a point, and I would hope that all the Members would understand that regardless of how we may feel differently on this issue, we ought to accommodate the situation, the politics of the moment, and we ought to do what we can to lower our voices and to allow this process to go, as I think we all know it must, toward the decision that I am sure we will make with great—a majority here in just a moment—to lay this issue aside for this Congress. But, as the gentleman from Louisiana [Mr. LIVINGSTON] has said and the gentleman from Maryland [Mr. HOYER] has said, to continue to do this is to create an atmosphere of crisis that will do far more damage to this institution out in the future than we can at all mitigate by the minor act we will be making here in just a moment.

Mr. Speaker, I say to my colleagues, ''Mr. HOYER, Mr. LIVINGSTON, Mr. OBEY, with this kind of leadership where our Speaker and minority leader are brought together, ultimately we can accomplish our purpose and, I think, educate the American people as to the importance of it.'' We are not there at the moment, and so, while I know the gentleman from Maryland [Mr. HOYER] speaks with great sincerity, I do hope

that his opposition, which I believe is largely symbolic here today, will not succeed.

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

Mr. Speaker, I do not see my opposition as largely symbolic. I perceive it as very real, and those that talk to me about it know that it is not symbolism that I am seeking.

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

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

Mr. Speaker, I have just one additional observation.

I recognize fully what the gentleman from Louisiana said, and I understand the position of the gentleman from Maryland. I do not think it is reasonable to expect that the only people in America who never get a pay adjustment would be Members of Congress.

I make no apology for the efforts of the past that have been engaged in on a bipartisan basis in this House, in full view of the public, not in a midnight vote, as did occur in the other body, but in full view of the public, in the afternoon, an up-or-down vote after a long discussion. I make no apology for the fact that we decided that we would make the public our only paymaster, because I believe this place is a much cleaner place for having done that. And I have no argument with the suggestion that Members of Congress should be treated the same as other Federal employees with respect to cost-of-living increases. That is probably as good a guide as any.

Unfortunately we are stuck with the job, under the Constitution, of determining our own pay. I wish we did not have that job because it is a no-win situation, and so I think, if we are to set a guideline, what happens to other Federal employees is probably as good a guideline as we can find for what ought to happen to us in terms of pay. I would gladly have somebody else set that pay, but under the circumstances I think that it is appropriate this year, given what is happening with the budget, for the Congress to freeze its own pay.

I would note that that is unquestionably a lot easier for Members of the other body to do because, as the gentleman from Louisiana [Mr. LIVINGSTON] indicated, newspaper stories indicate that there are possibly up to 80 percent of the Senate that are millionaires. I regret that condition; I think we would be better off if we had a more even spread among income groups in the other body. But we do not, and I recognize it is much easier for them to do this than it is for those on this side of the Capitol, but I think under the circumstances this is the best course of action. I think Members understand that.

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

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

The SPEAKER pro tempore (Mr. DREIER). Without objection, the previous questions is ordered.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to instruct offered by the gentleman from Wisconsin [Mr. OBEY].

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

Mr. OBEY. 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 387, nays 31, not voting 16, as follows:

[Roll No. 648]

YEAS—387

Abercrombie
Ackerman
Allard
Andrews
Archer
Armey
Bachus
Baesler
Baker (CA)
Baker (LA)
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Beilenson
Bentsen
Bereuter
Bevill
Bilbray
Bilirakis
Bishop
Bliley
Blute
Boehner
Bonilla
Bonior
Bono
Borski
Boucher
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Brownback
Bryant (TN)
Bryant (TX)
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cardin
Castle
Chabot
Chambliss
Chapman
Chenoweth
Christensen
Chrysler
Clement
Clinger
Clyburn
Coble
Coburn
Coleman
Collins (GA)
Collins (IL)
Combest
Condit
Cooley
Costello
Cox
Coyne
Cramer
Crane
Crapo
Cremeans
Cubin
Cunningham
Danner
Davis
de la Garza
Deal
DeFazio
DeLauro
Dellums
Deutsch
Diaz-Balart
Dickey
Dicks
Dixon
Doggett
Dooley
Doolittle
Dornan
Doyle
Dreier
Duncan
Dunn
Durbin
Edwards
Ehlers
Ehrlich
Emerson
English
Ensign
Eshoo
Evans
Everett
Ewing
Farr
Fawell
Fazio
Fields (LA)
Fields (TX)
Filner
Flanagan
Foglietta
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
Goodlatte
Goodling
Gordon
Goss
Graham
Green
Greenwood
Gunderson
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hancock
Hansen
Harman
Hastert
Hastings (WA)
Hayworth
Hefley
Hefner
Heineman
Herger
Hilleary
Hilliard
Hinchey
Hobson
Hoekstra
Hoke
Holden
Horn
Hostettler
Hunter
Hutchinson
Hyde
Inglis
Istook
Jackson-Lee
Jacobs
Johnson (CT)
Johnson (SD)
Johnson, E. B.
Johnson, Sam
Johnston
Jones
Kanjorski
Kaptur
Kasich
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kim
Kingston
Kleczka
Klink
Klug
Knollenberg
Kolbe
LaFalce
LaHood
Lantos
Largent
Latham
LaTourette
Laughlin
Lazio
Leach
Levin
Lewis (GA)
Lewis (KY)
Lightfoot
Lincoln
Linder
Lipinski
Livingston
LoBiondo
Lofgren
Longley
Lowey
Lucas
Luther
Manton
Manzullo
Markey
Martini
Mascara
Matsui
McCarthy
McCollum
McCrery
McHale
McHugh
McInnis
McIntosh
McKeon
McNulty
Meehan
Meek
Menendez
Metcalf
Meyers
Mica
Miller (CA)
Miller (FL)
Mineta
Minge
Mink
Molinari
Mollohan
Montgomery
Moorhead
Myers
Myrick
Neal
Nethercutt
Neumann
Ney
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Orton
Owens
Oxley
Packard
Pallone
Parker
Pastor
Payne (NJ)
Payne (VA)
Pelosi
Peterson (FL)
Peterson (MN)
Petri
Pickett
Pombo
Pomeroy
Porter
Portman
Poshard
Pryce
Quillen
Quinn
Radanovich
Rahall
Ramstad
Reed
Regula
Richardson
Riggs
Rivers
Roberts
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Rose
Roth
Roukema
Roybal-Allard
Royce
Rush
Sabo
Salmon
Sanders
Sanford
Sawyer
Saxton
Scarborough
Schaefer
Schiff
Schroeder
Schumer
Scott
Seastrand
Sensenbrenner
Shadegg
Shaw
Shays
Shuster
Skaggs
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Spratt
Stearns
Stenholm
Stockman
Studds
Stump
Stupak
Talent
Tanner
Tate
Tauzin
Taylor (MS)
Taylor (NC)
Tejeda
Thompson
Thornberry
Thornton
Thurman
Tiahrt
Torkildsen
Torres
Torricelli
Traficant
Upton
Vento
Visclosky
Vucanovich
Walker
Walsh
Wamp
Ward
Waters
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Williams
Wilson
Wise
Wolf
Woolsey
Wyden
Wynn
Yates
Young (AK)
Young (FL)
Zeliff
Zimmer

NAYS—31

Berman
Boehlert
Brewster
Clay
Clayton
Collins (MI)
Conyers
DeLay
Engel
Fattah
Flake
Gonzalez
Hastings (FL)
Houghton
Hoyer
King
Lewis (CA)
Martinez
McDermott
Mfume
Moran
Murtha
Nadler
Rangel
Serrano
Stark
Thomas
Towns
Velazquez
Watt (NC)
Waxman

NOT VOTING—16

Becerra
Dingell
Hayes
Jefferson
Maloney
McDade
McKinney
Moakley
Morella
Paxon
Reynolds
Sisisky
Stokes
Tucker
Volkmer
Waldholtz

□ 1215

Messrs. TOWNS, STARK, FLAKE, and MFUME changed their vote from ''yea'' to ''nay.''

Mr. ORTIZ, Mrs. COLLINS of Illinois, and Mrs. MEEK of Florida changed their vote from ''nay'' to ''yea.''

So the motion was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. BEVILL. Mr. Speaker, I was in a meeting on the Senate side of the Capitol during rollcall vote No. 648 on the

motion to instruct conferees on H.R. 2020. Had I been present, I would have voted ''yes.''

□ 1215

The SPEAKER pro tempore (Mr. COMBEST). Without objection, the Chair appoints the following conferees: Messrs. LIGHTFOOT, WOLF, ISTOOK, KINGSTON, FORBES, LIVINGSTON, HOYER, VISCLOSKY, COLEMAN, and OBEY.

There was no objection.

GENERAL LEAVE

Mr. LIGHTFOOT. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and that I may include tabular and extraneous material.

The SPEAKER pro tempore (Mr. BARRETT of Nebraska). Is there objection to the request of the gentleman from Iowa?

There was no objection.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 359

Mr. GEKAS. Mr. Speaker, I ask unanimous consent that my name be removed as a cosponsor of H.R. 359. When I first signed on as a cosponsor, I thought it might be a good way to address some patent department deficiencies, but since then I have changed my opinion and I respectfully ask to be withdrawn as a sponsor of H.R. 359.

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

There was no objection.

APPOINTMENT OF CONFEREES ON H.R. 1977, DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS ACT, 1996

Mr. REGULA. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 1977) making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1996, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments and agree to the conference asked by the Senate.

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

Mr. GALLEGLY. Mr. Speaker, reserving the right, I will not object, but I did want to take the opportunity to address the distinguished chairman of the Interior Appropriations Subcommittee. As the chairman knows, the Committee on Resources has approved H.R. 1332, which would eliminate the Office of Territorial and International Affairs [OTIA] and terminate its programs. This action will save taxpayers $16 million in fiscal year 1996 and $117 million over the next 7 years. This authorization bill, which I introduced, received widespread bipartisan support and is currently awaiting floor consideration.

Mr. Speaker, when the floor considered H.R. 1977, the Interior appropriations bill, I offered an amendment to delete the funding for the OTIA and its programs in accordance with our committee's work. The chairman graciously accepted my amendment. Unfortunately, the other body has gone in just the opposite direction in their appropriations bill by preserving in some ways and enhancing this unnecessary office in other ways. It is my hope that the Chair and other House conferees will stick firm to the House position in trying to eliminate this piece of bureaucracy.

At the very least I would ask that, since both authorization committees have such opposite views of the future need of the OTIA, that the chairman not accept any legislative language from the Senate involving the OTIA or its programs and that they subject any appropriation for the OTIA, its programs or former territories, to an authorization.

Mr. Speaker, this issue should be resolved by the authorization committees, and I would appreciate the chairman's consideration.

Mr. Speaker, continuing my reservation of objection, I yield to the gentleman from Ohio [Mr. REGULA].

Mr. REGULA. Mr. Speaker, I thank the gentleman, and we certainly will.

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

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

There was no objection.

MOTION TO INSTRUCT CONFEREES OFFERED BY MR. YATES

Mr. YATES. Mr. Speaker, I offer a motion to instruct.

The Clerk read as follows:

Mr. YATES moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the bill, H.R. 1977, be instructed to disagree to the amendment of the Senate numbered 158.

The SPEAKER pro tempore. The gentleman from Illinois [Mr. YATES] will be recognized for 30 minutes, and the gentleman from Ohio [Mr. REGULA] will be recognized for 30 minutes.

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

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

This is a straightforward motion instructing the House conferees to retain the moratorium on the hard rock mining claims. During House consideration of the bill, the gentleman from Wisconsin [Mr. KLUG] and the gentleman from West Virginia [Mr. RAHALL] offered an amendment to insert the existing moratorium language that has operated this year. The amendment was adopted by a bipartisan vote of 271 to 153.

My motion tells the conferees to stay with the current moratorium language. It requires them to abide by the rule of the significant majority of the House to stop the corporate welfare that has resulted in companies receiving mineral rights worth hundreds of millions of dollars for as little as $2.50 an acre.

The latest example of that, Mr. Speaker, was a few days ago when Secretary Babbitt was required to sign an application for a patent by a foreign company which is estimated to be able to mine 1 billion dollars' worth of minerals in return for a payment of $275. It is time to stop this raid on the Federal Treasury that has gone on for more than 100 years. It is time for the legislative committees to make substantive changes to the 1872 Mining Act.

Mr. Speaker, my motion is a vote for fiscal responsibility, and I urge my colleagues to support the motion to instruct.

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

Mr. REGULA. Mr. Speaker, I yield such time as she may consume to the gentlewoman from Nevada [Mrs. VUCANOVICH].

Mrs. VUCANOVICH. Mr. Speaker, I rise in opposition to the motion to instruct House conferees to accept the mining patent moratorium, and I urge my colleagues to vote ''no.''

The House adopted a 1-year moratorium on issuing mining patents. The Senate, however, took another tack. Senate provisions would require fair market value of the surface value of patented lands. The Senate also adopted a reverter clause so that, if land patented for mining is ever used for any other purposes, it reverts back to Federal control.

The Senate provisions raise revenue while the house provisions do nothing but preserve the status quo. Comprehensive mining law reform proposals are pending in both the House and the Senate. These proposals include royalties, which will lead to additional increases in revenue to the Treasury. However, past experience has shown that a patent moratorium will stifle any progress toward comprehensive mining law reform and preserving the status quo which both sides of this issue agree is not acceptable. The only responsible position is to oppose the motion to instruct, thus bringing in revenue and clearing the way for comprehensive mining law reform.

I urge my colleagues to vote against the motion to instruct.

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

I had neglected in my opening remarks to point out that the most important and significant leader in support of the patent moratorium in this House has been the chairman of this appropriations subcommittee the gentleman from Ohio [Mr. REGULA]. His speeches on this subject have been illuminating and have been very persuasive, and I know that he will be very, very persuasive in support of the House position at such time as we meet on the conference.

Mr. POSHARD. Mr. Speaker, I rise today in strong opposition to H.R. 1977, the 1996 Interior appropriations bill. Last year I supported important legislation, signed into law by President Clinton, increasing payment in lieu of taxes [PILT] by more than 100 percent over 5 years to counties which have Federal land holdings in their jurisdiction. However, the 1996 House Interior appropriations bill does not appropriate the funds necessary to implement the phased-in increase to PILT payments passed by Congress.

The purpose of last year's PILT legislation was to give additional help to counties who suffer lost tax revenue from the presence of Federal lands. The PILT program provides financial stability and opportunities for our counties which would otherwise be left without sufficient tax revenue. However, for many years these payments were not allowed to grow with inflation. In recognizing the importance and success of the PILT program, Congress made a commitment to allow for a substantial increase in these payments, an increase many counties were expecting and relying upon to provide the basic services which they deliver.

Several counties in the 19th Congressional District, which I am proud to represent, rely greatly on the PILT program. Johnson, Hardin, and Pope counties are all home to the Shawnee National Forest, and without an increase in PILT assistance, I am afraid they will be forced to face some very difficult times. It is unfair that these counties should have to suffer financially simply because they are home to one of our national forests. I believe this is a case when Government has a responsibility to provide necessary and fair compensation to counties with federally owned lands.

I have long supported efforts to balance the Federal budget, and I recognize the fact that balancing the budget will require some tough choices. However, I do not agree we should back away from providing much needed financial assistance to our counties and communities in order to pay for a package of tax cuts, many of which affect only upper-income individuals and corporations. The truth is, Congress can balance the budget, but not on the backs of those who sincerely need the help of Government.

In closing, I urge the bill's conferees to include the necessary funding to implement the increase in PILT funding as prescribed by Congress and the President. Without the inclusion of an increase in PILT funding to reflect the promise Congress made to many of our counties across this Nation, I am afraid I will be unable to support the conference report.

Mr. SKAGGS. Mr. Speaker, I urge adoption of this motion. I joined in voting for the patent moratorium when the Interior appropriations bill was on the House floor, and I intend to press for retaining the moratorium when we meet in conference with the other body.

The time has long since come for reforming the obsolete mining law of 1872. Just this week, we had another reminder of how outdated that law is when Secretary Babbitt was forced to give a foreign mining company ownership of 110 acres of Federal lands containing an estimated billion dollars' worth of minerals—for which the company paid just $275.

Let me repeat: under the mining law of 1872, the Federal Government was forced to sell lands with a billion dollars worth of minerals for the grand total of $275, with no provision for the taxpayers—the owners of the Federal lands—to get any royalties, of the kind that are routinely paid in connection when these kinds of minerals are developed on other lands.

So, the current situation is bad. But it would be even worse except for the fact that the Interior appropriation bill for the current fiscal year included a partial patent moratorium—that is, a partial moratorium on land sales under the 1872 Act. The effect of that moratorium is to reduce the number of such unfair, budget-busting sales, and so to protect the taxpayers while Congress works to reform the mining law.

In the last Congress, in addition to the partial moratorium, both the House and the Senate passed bills to replace this obsolete mining law with a modern statute. Unfortunately, however, the conferees were unable to reach agreement on a final version. So, the reform job remains unfinished.

We need to keep working on this. And we need to renew the moratorium, to continue protecting the taxpayers in the meantime. That's why the House was right to adopt the Klug-Rahall amendment—the amendment to renew the moratorium—when the 1996 Interior appropriations bill was on the floor. And that's why we should adopt this motion to instruct, in the interests of protecting the taxpayers and advancing the process of reform.

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

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

The SPEAKER pro tempore. The question is on the motion to instruct offered by the gentleman from Illinois [Mr. YATES].

The motion to instruct was agreed to.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore. Without objection, the Chair appoints the following conferees: Messrs. REGULA, MCDADE, KOLBE, SKEEN, and Mrs. VUCANOVICH, and Messrs. TAYLOR of North Carolina, NETHERCUTT, BUNN of Oregon, LIVINGSTON, YATES, DICKS, BEVILL, SKAGGS, and OBEY.

There was no objection.

GENERAL LEAVE

Mr. REGULA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and that I may include tabular and extraneous material.

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

There was no objection.

APPOINTMENT OF CONFEREES ON H.R. 2002, DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES APPROPRIATIONS ACT, 1996

Mr. WOLF. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 2002) making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 1996, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments and agree to the conference asked by the Senate.

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

There was no objection.

MOTION TO INSTRUCT CONFEREES OFFERED BY MR. COLEMAN

Mr. COLEMAN. Mr. Speaker, I offer a motion to instruct.

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

The Clerk read as follows:

Mr. COLEMAN moves that in resolving the differences between the House and Senate, the managers on the part of the House at the conferees on the disagreeing votes of the two Houses on the bill, H.R. 2002, be instructed to provide funding for the Federal-Aid Highways Program at a level which is as close as possible to the level in the House-passed bill.

The SPEAKER pro tempore. The gentleman from Texas [Mr. COLEMAN] and the gentleman from Virginia [Mr. WOLF] will each be recognized for 30 minutes.

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

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

My motion to instruct conferees is very straightforward. It simply instructs the House conferees to agree to provide funding for the Federal aid highways program at a level that is as close as possible to the $18 billion provided in the House-passed bill.

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

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

Mr. Speaker, I rise in strong support of the motions offered by the gentleman from Texas. As the gentleman already pointed out, the House bill provides $18 billion for the Federal air highway program, an increase of $840 million over the previous fiscal year. Under this, most States get more than they did in the past.

□ 1230

The Senate alternatively has elected to reduce highway spending to $17 billion, $1 billion below the House level and $160 million below last year's level. The Federal-Aid Highway Program consists of several programs designed to aid in the construction, rehabilitation, traffic management, and safety of our Nation's highways.

These programs also assist in the improvement of other modes of transportation, so it is my hope that the committee conference can agree to provide the funding for the Federal-Aid Highway Program at a level which is as close as possible to the level of the House-passed bill, realizing the competing needs of the Coast Guard and others.

Mr. Speaker, I rise in support of the motion offered by the gentleman from Texas. As the gentleman has already pointed out, the House bill provides $18 billion for the Federal-Aid

Highway Program, an increase of $840 million over the previous fiscal year.

The Senate, alternatively, has elected to reduce highway spending to $17 billion, $1 billion below the House level, and $160 million below last year's level.

The Federal-Aid Highway Program consists of several programs designed to aid in the construction, rehabilitation, traffic management, and safety of our Nation's highways. These programs also assist in the improvement of other modes of transportation. Infrastructure spending on highways is critical to the efficient movement of goods and people in the United States and has direct effects on the national economy and interstate commerce. In fact, every billion dollars spent on the highway system results in improvements in pavements and bridge conditions and reduced congestion. For example, $1 billion could fund 2,500 lane miles of pavement improvements, 375 lane miles of increased capacity, and 190 bridge improvements. Highway spending also means jobs: For a billion dollars, as many as 50,000 jobs can be supported.

It is my hope that the conference committee can agree to provide funding for the Federal-Aid Highway Program at a level which is as close as possible to the level in the House-passed bill, recognizing the competing demands of the Coast Guard, the Federal Aviation Administration, and other safety programs of the Department of Transportation.

I support the gentleman's motion and urge that the motion be agreed to.

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

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

Mr. OBEY. Mr. Speaker, I appreciate the fact that the gentleman is accepting this motion. I think it is the right thing to do.

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

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

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

Mr. COLEMAN. Mr. Speaker, my motion to instruct conferees on H.R. 2002, the fiscal year 1996 Department of Transportation Appropriations Act is very straightforward. My motion would simply instruct the House conferees to agree to provide funding for the Federal-Aid Highway Program at a level that is as close as possible to the $18 billion provided in the House-passed bill.

Mr. Speaker, one of the most significant areas of difference in the House and Senate transportation appropriations bill is the funding level recommended for the Federal Highways Program. The House bill provides an obligation limitation for this purpose that is $1 billion more than the $17 billion level recommended by the Senate. In addition to providing a funding level for the Federal Highway Program that is less than the 1995 level, the Senate has also included $39.5 million in earmarked highway demonstration projects that benefit only a few, selected areas.

Mr. Speaker, in Texas and in most other States, there is a huge backlog of roads, highways and bridges that are in desperate need of repair and rehabilitation. In 1993, the Federal Highway Administration estimated that the annual cost to maintain and improve highway conditions was $59 billion. The House bill squarely recognizes these needs and addresses them by providing the highest ever funding level for the Federal Highway Program, and by providing these funds in a manner such that every State will benefit.

As with the other appropriations bills, the House made some very difficult choices in allocating fiscal year 1996 funding for transportation programs that in total is $1 billion less than 1995 appropriations. However, in making those choices, the House determined that investing in our Nation's infrastructure should be of the utmost importance, even in austere budgetary times. Such an investment will enhance highway safety, ease congestion, create jobs, and increase our Nation's productivity. For these reasons, I believe that we should insist on making highway infrastructure spending a priority for the conferees on this bill. I urge the adoption of this motion.

GENERAL LEAVE

Mr. WOLF. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks, and that I may include tabular and extraneous material, on this legislation.

The SPEAKER pro tempore (Mr. BARRETT of Nebraska). Is there objection to the request of the gentleman from Virginia?

There was no objection.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to instruct.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to instruct conferees offered by the gentleman from Texas [Mr. COLEMAN].

The motion was agreed to.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore. Without objection, the Chair appoints the following conferees: Messrs. WOLF, DELAY, REGULA, ROGERS, LIGHTFOOT, PACKARD, CALLAHAN, DICKEY, LIVINGSTON, SABO, DURBIN, COLEMAN, FOGLIETTA, and OBEY.

There was no objection.

LEGISLATIVE PROGRAM

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

Mr. FAZIO of California. Mr. Speaker, I am happy to yield to the gentleman from Texas [Mr. ARMEY], the majority leader, for the purpose of inquiring about the schedule.

Mr. ARMEY. I thank the gentleman for yielding, Mr. Speaker.

Mr. Speaker, let me preface my remarks on the schedule for next week by informing all the Members that we have had our final vote for today and for this week. There will be no more votes today.

Mr. Speaker, the House will not be in session on Monday, September 11.

On Tuesday, the House will meet at 10:30 a.m. for morning hour and 12 noon for legislative business to take up H.R. 2150, the Small Business Credit Efficiency Act, which will be considered under suspension of the rules. However, we will not have any recorded votes until 3 p.m.

For Tuesday afternoon and the balance of the week, we plan to consider the following bills, all of which will be subject to rules: H.R. 1594, the Pension Protection Act of 1995; H.R. 1655, the fiscal year 1996 Intelligence reauthorization bill; H.R. 1162, the Deficit Reduction Lockbox Act; and H.R. 1670, the Federal Acquisition Reform Act of 1995. Members should also be advised that conference reports may be brought to the floor at any time.

On Wednesday and Thursday, the House will meet at 10 a.m. for legislative business.

Tuesday it will be our hope to adjourn around 7 or 8 p.m. On Wednesday we may work a little later, and it is our hope to have Members on their way home to their families by 6 p.m. on Thursday.

The House will meet in pro forma session on Friday, September 15. There will be no recorded votes.

Mr. FAZIO of California. Mr. Speaker, if I could further inquire of the majority leader, let me open by saying that I appreciate the fact that we seem to have returned to a more normal schedule here, and I think this will be conducive to families having an opportunity to have at least a late supper, if not a regular dinner together. I am sure we are all relieved because of the difference that this makes with the last couple of weeks that we had prior to our August recess.

I would like to ask, however, when we would be bringing to the floor the legislation on gifts and lobbying reform. We were chastised roundly earlier in the week because we attempted to use the legislative branch appropriation bill to bring that before the body. I know there are hearings in the Committee on the Judiciary. I am wondering, because of the importance of having time to appreciate and understand the changes it will require of Members and their offices, whether or not we are going to be able to see that law enacted in time to implement the rules and the statute by January 1.

Does the majority have any ability at this time to give us an indication as to when we will bring that to the floor and when it might be effective?

Mr. ARMEY. Mr. Speaker, if the gentleman will continue to yield, I thank the gentleman for his inquiry. I do appreciate the inquiry. As the gentleman noted, hearings were held this week. We are looking at that. We are talking among ourselves and with the committee, looking for an opportunity to bring that up. I am sorry we have nothing definitive to report at this time.

Mr. FAZIO of California. I would ask the gentleman, is it possible it may be added to our list of ''must pass'' legislation so it would be considered by the end of this calendar year in order to be effective in January?

Mr. ARMEY. Of course, as the gentleman knows, all things are possible. I

just simply cannot attach any probability or likelihood to it at this time until I have further discussion with other relevant people.

Mr. FAZIO of California. Mr. Speaker, could the majority leader indicate to us when we will be able to begin the process of analysis and numbers crunching on the Medicare provisions that will be a central part of reconciliation? Perhaps the gentleman could update us on when reconciliation is expected to come to the floor, and when we will be able to begin the process of understanding the full impact of those cuts in the Medicare Program that are obviously going to be very contentious and need a great deal of attention before we should be in a position to vote on them.

Mr. ARMEY. If the gentleman will continue to yield, again I thank the gentleman for asking. It is a little difficult to tell right now. We hope to complete our work. We have had a lot of people working very diligently on Medicare, and of course all the other work that is being done on reconciliation. We should begin to start seeing some of the fruits of the labor maybe as early as the end of next week, but I would say it would probably be somewhere closer to the end of September before we could really have defining work out here for us to examine.

Mr. FAZIO of California. Mr. Speaker, could the gentleman tell us when we anticipate reconciliation being brought to the floor? Has that been agreed to finally?

Mr. ARMEY. If the gentleman will again yield, I think once we get into the period of time where we have some very important recesses necessary for the Jewish holidays, that as we try to work our way around that, we might anticipate it would be perhaps the week before or the week following those Jewish holidays recess.

Mr. FAZIO of California. There is no intent to change our current schedule that has been announced and disseminated to Members on either Jewish holidays or the Columbus Day break?

Mr. ARMEY. I really appreciate the gentleman asking. Everybody should have a printed schedule in the form of calendars, and those dates for when the week begins and where it ends, and what days are off because of the holidays, those are firm. There would be no changes in there except possibly, should things go well on floor action, we might every now and then be able to have a pleasant surprise and get out a little earlier or maybe have an extra day to spend in our districts, but there would be no days in addition to those that are already in the schedule for the Members.

Mr. FAZIO of California. Mr. Speaker, I appreciate the gentleman's reassurance. I am sure the Members appreciate that. We would look forward to only pleasant surprises, and no unhappy eventualities that might set us back.

Mr. ARMEY. If the gentleman will yield further, I am sure the gentleman realizes, or maybe does not realize he misspoke earlier, but Mr. Speaker, just for the record, I want to encourage the gentleman to appreciate the fact that we do not intend to see any package in which there will be Medicare cuts.

Mr. FAZIO of California. I was wondering if the gentleman might not have caught that. Reductions in the rate of increase, is that the jargon?

Mr. ARMEY. I would like to think of it as a generous increase.

Mr. FAZIO of California. For those who note the aging of America and the increasing population of the aged and the often double digit increases in the cost of health care, perhaps this is a much more important debate than simply a semantic one. We can hold that for the eventual introduction of the Medicare increase reductions.

Mr. ARMEY. Mr. Speaker, I thank the gentleman.

ADJOURNMENT TO TUESDAY, SEPTEMBER 12, 1995

Mr. ARMEY. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 10:30 a.m. on Tuesday, September 12, for morning hour debate.

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

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

Mr. ARMEY. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule be dispensed with on Wednesday next.

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

There was no objection.

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of May 12, 1995, and under a previous order of the House, the following Members are recognized for 5 minutes each.

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

[Mr. HORN addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Colorado [Mrs. SCHROEDER] is recognized for 5 minutes.

[Mrs. SCHROEDER addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.]

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

[Mr. MCINTOSH addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York [Mr. OWENS] is recognized for 5 minutes.

[Mr. OWENS addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Texas [Ms. JACKSON-LEE] is recognized for 5 minutes.

Ms. JACKSON-LEE. Mr. Speaker, on Wednesday the House considered the fiscal year 1996 legislative appropriations bill and I do agree that the House has to take a serious look at its own fiscal affairs. However, I would like to comment on a matter that relates to the daily operation of the House and does not make financial sense.

Last week, the House folding room and all of its related operations were closed. This decision was made under the guise of streamlining and reform. However, it is nothing more than a mean-spirited, poorly conceived, and fiscally irresponsible action. It is truly reform for the sake of reform.

I applaud the House Oversight Committee in its efforts to change the way that the House does business. I was elected to Congress to help to restore the public's faith in this institution. However, by trying to save money in closing the folding room, the committee has created a bookkeeping nightmare and as Members search for new vendors to serve the printing and mailing needs of their constituents, the total franking and overall costs to the taxpayer will probably increase.

Our constituents need and deserve to be well informed about the issues that affect them. Bulk mailings and newsletters are an essential part of our jobs and voters expect to have a clear line of communications to their representatives in Washington. Certainly, a responsible use of these mailing privileges is expected; nevertheless, by closing the folding room another barrier has been created between Washington and the rest of the country.

Why were other remedies related to the House operation of a folding room not considered further? An outside company could have been brought in to run the day-to-day operations of the folding room. As it now stands. congressional staffs now have to scramble to find new vendors and much of their productivity is wasted as they endeavor to fold, stuff, and seal hundreds of pieces of normal correspondence that they churn out on a daily basis. And the job is not done well. I know of a recent bulk mailing that was improperly handled by an outside vendor and because of this precious time and money was lost.

Without the folding room, the House is a more confused and inefficient operation. Is this what the American people voted for in the last election?

And, there is a very important moral issue at play. Over 100 people lost their jobs when the folding room was abruptly shut down. Many of these people were loyal employees of the House with over 20 years of faithful service. I believe that the treatment of the folding room staff was wrong. I am very distrusted that many are starting to believe that the House is the last plantation. If the labor laws of America are to be applied to Congress, then the employees of the House should be treated with at least minimum levels of respect and decency.

I want Congress to be efficient and mindful of the taxpayers' money. However, by closing the folding room, the total money spent by the House will most likely increase, constituent service will be slowed, and the House will appear to be even more out of touch. The Oversight Committee's action are well intentioned, but poorly implemented. The House may find that it needs to look at this issue again.

REAUTHORIZATION OF THE RYAN WHITE CARE ACT

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

Mr. COBURN. Mr. Speaker, it is fast approaching the time in this country when we will reauthorize a very important health care act known as the Ryan White Care Act. This act does tremendous amounts of good in terms of offering health care for those afflicted with this dreadful disease.

We owe a tremendous debt of gratitude to the gentleman from New York [Mr. ACKERMAN] for his efforts to raise the awareness of this body, as well as this country, as to the former testing practices of the CDC, and we also owe a debt of gratitude to him for making us aware of the failed policies of the ethicists that have advised the CDC, for over this past year we have been blindly testing mothers and children for this disease, without their knowledge, and when finding positive cases we have refused to identify those positive cases and offer treatment for both newborn children and their mothers, this all at the advice of a group of ethicists that told our CDC that this was an appropriate practice.

The other disturbing thing about that is that the CDC thought it was an appropriate practice, that newborn children infected with a deadly virus and knowledge of that by our own Centers for Disease Control should not have the opportunity for the best treatment that we have available, and also their mothers should not have the knowledge or opportunity that they in fact could be treated, their quality of life could be prolonged, and complications arising from this disease could be prevented.

That, however, has not been the full story of what has happened. Because of the awareness that has come to light through the efforts of the gentleman from New York [Mr. ACKERMAN], we will be proposing, with the new Ryan White authorization, an opportunity for children to have a future.

□ 1245

There is no place today where we have and can make an impact on the HIV epidemic in this country like that associated with women of reproductive age. Today the fastest growing segment in this epidemic is women in the reproductive age category. It is growing 8 times faster in this group than in any other group in our country.

We also have the opportunity to truly impact newborn babies, because now we have a treatment that prevents, two-thirds of the time, infection in the baby from a woman who might be carrying the HIV virus.

The opportunity that will be coming before us will be shadowed in many debates, a debate on confidentiality, a debate on the rights of women not to be tested, but the ultimate debate that will come about as we reauthorize Ryan White will be the debate of how we have handled this epidemic in our country. In 1981, the first case was diagnosed, and today we have 2.5 million people in our country with this virus. We should ask if we are proud of the job that this country has done in facing this disease, in the way that our Government agencies have handled the epidemic and their approach to it.

But, most importantly, where we have an opportunity to make a difference, to prevent infection in newborn children, we should not shrink back from that. We should stand up and make the difference, the difference that not only will save several thousand babies' lives each year but also, in this time of scarce resources, will add a quarter of a billion dollars in saved health care costs just from testing mothers during their first trimester of pregnancy.

It is my hope and my wish that we will step aside from the politically correct positions of our country and look at the real harm that this infection has caused, not to make callous judgments on those who have unfortunately acquired this disease but all work together to make a new and improved effort at making a difference, saving lives and controlling this epidemic.

INTRODUCTION OF H.R. 2265, MOTOR SPORTS PROTECTION ACT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina [Mr. FUNDERBURK] is recognized for 5 minutes.

Mr. FUNDERBURK. Mr. Speaker, on Wednesday I introduced H.R. 2265, the Motor Sports Protection Act to meet the threat to professional auto racing posed by Bill Clinton's assault on tobacco.

If tobacco companies are forced to remove their sponsorship of racing the very existence of NASCAR, NHRA, and formula one is in doubt. NASCAR alone is a $2-billion industry. An advertising ban will put thousands of Americans out of work.

Richard Petty the king of racing noted: ''That all race fans can rally around this bill and I want to help stop Big Brother from attacking law abiding, family oriented, hard working citizens who enjoy racing.'' Mr. Speaker, this is not about tobacco alone. It is about whether we will stand up and fight another blatant power grab by the Federal Government. We must draw the line against bureaucratic meddling with this wholesome, all-American sport. H.R. 2265, is the first step in our fight to win back Government for our people. Please join the effort and help save racing.

THE BALANCED-BUDGET MYTH

The SPEAKER pro tempore. Under the Speaker's announced policy of May 12, 1995, the gentleman from Texas [Mr. GONZALEZ] is recognized for 60 minutes as the designee of the minority leader.

Mr. GONZALEZ. Mr. Speaker, I want to preliminarily begin with some general remarks and then as I go into my allotted time, I will be more specific in the issue that I feel is in urgent need to be discussed.

The reason I wanted to have some preliminary remarks by way of explanation is that this period set aside that we designate as special orders is a very interesting one with a very interesting history in which I am very proud of the role I played in developing it into an accepted and formal part of the procedures.

In the beginning of my career here in the House, which of course spans quite a number of years going back to 1961, it was not the custom to practice what we call today special orders. It was looked upon as a quite radical if not an unaccustomed practice, and the procedure was very, very formal, very standardized, and allowed for no real participation even during the general consideration of the full House for any but the very few selected leaders who exercised total power at that time.

Well, of course, that is a long time ago. Those of us who have managed to span these years have noticed, with some gratification, the changes since that rather straitjacketed and quite sterile period of time. Of course in the interim the country has literally been shaken to root and marrow with some very, very substantial issues and developments that have engulfed it, not because there were issues born spontaneously from within our country, but as the work shrunk and the United States after the war became an inescapable even though quite reluctant leader of

the world, has had to accept those issues and those matters that were very seldom confronted in the House in any kind of a general debate.

There have been quite radical and innovative changes since then. I am recalling a period of time in which any but the leadership, very select leadership, participated in the general procedures. There was no such thing as an individual Member, not part of that very select and small group, initiating or even addressing the full House.

So by dint of the force of circumstances and the great historical occurrences that hit the country and because of the worldwide changes, that, of course, changed the whole aspect and it has been reflected in the internal proceedings in our House. I believe that I have witnessed about every single major occurrence, or as I call it, great landslides in developmental history of this country, both social, economic, and political.

In the first place, I consider myself and want to acknowledge the privilege that I have been given by virtue of our institutional system in our country, one born of freedom, one born of equal access to all citizens depending on the citizen's own exertions and energy and whatever innovative changes he was motivated to bring about. When I first came to the House, it was not that way at all. It was very formal, very staid, very rigid.

I do not recall sessions of the House being held more than at the most 2 or 3 days a week, and of a duration of not more than 2 hours on each occasion. But, of course, this was before the great watershed developments that engulfed us as well as the rest of the world. We must remember that I am talking about a period of time that antedated the Berlin Wall crisis, which today who recalls such other at that time Earth-shaking crises, and then, of course, the internal and the vast sea changes in our domestic, economic, and social structural composition.

Now today, though, I want to take advantage of this opportunity, which is a great opportunity. I am proud of the contribution I have made to providing this hour which we call here and designate special orders, but which is really born out of one of the original legislative practices mounting back to the very first Congress, and that was the privilege, because that is what it is, it is a privilege under our system of legislative procedures based on hard and fast rules, of a multiple body in which it is quite understood and it makes common sense to understand that if you have a multiple body such as this, 435 Members, you have to have some order of selectivity in the recognition of the Members. Otherwise, it would be confusion, worse, confounded and compounded.

But today I am here to set the record straight about a very misleading slogan which is being broadcast from the rooftops and the airwaves through our country, in Washington, from various groups around the country, and last weekend from most of the speakers at Ross Perot's meeting at the Dallas Convention Center we were hearing the same refrain, quote, balance the budget, balance the budget, balance the budget.

Of course many swear their dedication to this goal or this slogan or this, I do not know what else to call it, but a myth of balancing the budget. It is said by them that once the budget is balanced, we will all be saved from the dire consequences that having the deficit in the Government budget imposes on us.

I have been one of those that from the beginning of my career have noted this balance-the-budget outcry and have followed it all through these 35-plus years in the House.

□ 1300

Now, our friends in the other party, the Republican Party, say that their miracle cure on this goal of balancing the budget will take only 7 years. However, those of us who were around during the Republican administrations of the 1980's and early 1990's find their plan to be like an arsonist; someone who sets the fire to a building, and then brags about how quickly he can come around with the firearm and put it out.

Before the first budget request of these Republican administrations, at the beginning of 1981, and recall I have been through all of this, the total Government debt, mind you, minus debt held by the Government itself, was $769 billion. that is a lot of money, but it is nothing like the $2.8 trillion debt they left behind in 1992.

Mind you, an 11-year period, and from that amount, $769 billion to $2.8 trillion is quite a bit of a difference and a accumulation of what I said then and continue to say is unacceptable debt.

During these Republican administrations, these are Republican administrations, mind you, even though it was the Democrats that were constantly pilloried as the spenders and wastrels by these same Republicans, but it was during these Republican administrations, I repeat, that the deficit of the Federal Government, that is the amount, the Federal Government spends over and above its revenues, grew to large proportion of the country's total income.

In 1983, the deficit was over 5 percent of the Nation's total income, and it was over 4 percent in 1984, 1985, and 1986. Now, in 1995, the deficit has come down. After 3 years of a Democratic administration, the deficit is slightly over 2 percent of the Nation's income. This is at least some substantial progress.

Mr. Speaker, it is not success, but it is certainly a big march down the road toward that. Now, the truth about what the deficit is going to be in 7 years, that is in the year 2002, is that nobody, under any plan, knows with any precision what that deficit might be. By the year 2002, the total income of everyone in the country will grow from its present level of about $7 trillion to somewhere around $8.4 trillion, if it grows at about 2.7 percent per year, as it is projected.

Nobody, no economist, no statistical expert, and no Republican budgeteer spewing a constant barrage of projections and balanced budget slogans could possibly tell you with any certainty whether the budget deficit will be plus or minus 2 percent of the Nation's income in the year 2002. Given the unknown course of the economy, which is now struggling through a period of slow growth, no one could even predict with any certainty what total income will be 7 years from now.

Now, many so-called experts didn't even know last year how slow income would grow this year. Certainly the Federal Reserve did not know when they doubled short-term interest rates again and again in only 13 months, and I protesting every inch of the way, and protesting since my coming to the Congress at this type of an action, because that is the heart of the matter.

Any power in any country that controls interest rates controls the life of that country. That is what I have said all along and repeat it now.

And now, they have begun to retreat with lower interest rates after they have seen the consequences of this foolish policy. In the race of the balanced budgeteers, there are now attempts in the Congress to forget about the people who have no well-heeled lobbyist working the halls of the Nation's Capitol in their behalf.

Many of us are familiar with the increasing problem of poverty in our country, even though it is not much discussed and even though it can conveniently be out of sight of the general middle-class public.

We know the people who will be hurt the most. There are numerous statistics showing the Nation's distribution of income is continually getting worse. This week an international study, the nonprofit Luxembourg Income Study, financed by the U.S. National Science Foundation, made some international comparisons that point to this critical problem in the United States.

The researchers found that the gap between the rich and the poor families with children in the United States is the largest among the 18 industrial countries that they studied and rated. The largest. Our country with the largest gap between the rich and poor families with children in the world in the industrial world.

One of the authors of the study, Timothy M. Smeeding, said that while the gap between rich and poor is generally wider in the United States than in other developed countries, U.S. social programs for the poor are less generous. In an interview this week, Smeeding is reported to have said, and I quote, ''Some people say we're such a rich country that even our poor kids are better off. It isn't true.''

So what is the Congress now doing in the face of this national tragedy? On the table there are proposals to turn back welfare legislation to the States and eliminate Federal standards and supervision. For example, there is proposed legislation to abolish the aid for dependent children, this real spinal column of all aid programs, and replace it with a temporary family assistance block grant to States. Under that program, there would be no Federal guarantees, which will mean much lower assistance to most of our Nation's citizens who happen to be poor.

This means more deprivation for poor children. This is no gimmick; this is the truth. The history of welfare payments since 1970 shows that this type of proposed legislation is misguided.

For example the State aid for families with dependent children payments have been jointly funded by the National and the State governments, but they are set at the State level. AFDC, as this program is known, began in 1937, and benefits increased for three decades. In 1940, the average States' benefit paid to a family was $287 in 1993 dollars. In 1970, it reached its top amount of $608, and then began to drop, reaching $349 in 1993, again measured in 1993 dollars. That is almost the same level as in 1940, and this is a shame.

Since 1970, these welfare benefits corrected for inflation, have declined because States have been fearful they would attract poor people if their benefits were high. This was the so-called undesirable magnet effect.

Mr. Speaker, it is a travesty to commit to a policy to further deprive the Nation's poor and destitute at a time when the problems of poverty are becoming worse. In 1993, 39.3 million of our citizens, that is 15.1 percent of the population, were considered poor under the official measure based on family income during the year.

This is an increase of 1.3 million people from 1992. In 1993 over one-fifth, 22 percent, of all children were poor and there is a good chance that new poverty figures will not show any improvement. The Government poverty-income cutoff for a family of four was $14,763. The Federal Government has a duty to provide assistance for those citizens. It does not benefit anyone in this country, rich or poor, to let conditions of poverty continue without help from the Federal Government.

One example of a beneficial effect of Government programs is the poverty rate for older people, at one time higher than that of children, which dipped below the child poverty rate in 1974 and has remained that. However, that could change if Medicare is seriously underfunded as the Republicans are now proposing in order to give a tax break—net tax break—to the wealthy.

It is an embarrassment to rational reasoning, and a con game with terrible consequences, to use the balanced budget slogan to justify gutting our already lean program designed to help the less fortunate. We should not, and will not balance the budget of America on the backs of the poor.

The CHAIRMAN. Under the Speaker's announced policy of May 12, 1995, the gentleman from California [Mr. DORNAN] is recognized for 60 minutes as the designee of the majority leader.

REPORT OF FACTFINDING TRIP

Mr. DORNAN. Mr. Speaker, we have had a fast 3 days. Started late on Wednesday, finishing early today. Pressure is building up here for a major budgetary struggle between the two major, only major parties in the world's only superpower, on all of these budgetary issues.

We have come back from a long, what we sometimes euphemistically call a district work period. We are supposed to cram in a vacation and work hard. For some of us, it is hard work.

I took one of the more difficult and fast-moving factfinding trips of my career, now that I am one of only two double chairmen out of all 435 Members of this Chamber. I chair a Subcommittee on Intelligence, the Subcommittee on Technical and Tactical Intelligence, and I chair the Subcommittee on Military Personnel, which becomes the most important of all 5 military subcommittees under the Committee on National Security, what used to be called Armed Services, and is still called Armed Services in the House of Lords or the other Chamber, the Senate.

On this trip, in discussing the issues with new young enlisted men, senior sergeants, petty officers, and the officer corps at all levels, up to and including four-star admirals, at Naples, at the major air base that is in command of all the bombing missions going on as we speak over poor torn ripped Bosnia-Herzegovina. And at Brendezy, down at the coast at the very heel of the Italian peninsula.

That is where we have our Navy Seals, where we have what was a major listening post base. In all the world, there are only five listening to everything, San Vito Air Station, using the international airport at Brendezy where we keep our AC–130 Hercules special mission Spectre gun ships.

I met with all the crews there. It is still classified whether or not they are going in at night over Bosnia. These were the aircraft that if we had them in Somalia over Mogadishu, we would have saved a dozen or more lives of our best trained Army special forces and Delta Force, Rangers and 160th Aviation Regiment, special armed squadrons.

Then I traveled with Congressman GREG LAUGHLIN, the highest ranking active reservist in the House or the Senate, of Galveston, TX, and we went to Slovenia. A fascinating, brand-new country in the world. It never had nation status, let alone a seat in the United Nations since the dissolution of the Communist country of the former Yugoslavia.

□ 1315

Then we went down to Croatia, met with Secretary General Boutros Boutros-Ghali's special representative to all of the problems in former Yugoslavia, Mr., that is his formal title, Mr. Sasushi Akashi, met with him at the U.N. headquarters, the blue helmet home plate in Zagreb, then went down along the Dalmatian coast, drove slowly through all of the destruction wreaked upon one of the world's most beautiful coastlines, looks for all the world like the California coastline between Santa Barbara and Monterey—just torn apart. The international airport in Zadar utterly destroyed except for the runways, all of the international terminal buildings, hollow shells of aluminum, like a nuclear explosion went off, the tower, all the windows shot out with AK–47's by the retreating Bosnian soldiers. They almost cut Croatia in half at that point, Zadar.

Then we went down to Macedonia, met with all of our American tripwire forces out in the front outposts along the border, flew on white helicopters, UH–60 Blackhawks that, of course, called themselves the Whitehawks, with the United Nations stenciled on the sides, went out to these American outposts, studied this poor city of Skopje, which had been destroyed by an earthquake in 1963. It has never really made it back to a stable, functioning city, still great pockets of poverty from that horrible earthquake in 1963.

Then we flew over to Albania, one of the most godforsaken but still physically beautiful countries in the world, and met with the president there, Sali Berisha, Mr. Berisha; he is a European renowned heart surgeon. His wife is a renowned doctor of pediatrics, a child doctor. What a lucky country to go from the depths of communism with a paranoidal maniac, Enver Hoxna, one of the last psychotic, paranoid Communist dictators in the world, who literally took this beautiful country of Albania, a brand new country created after World War I, not a traditional nation on the face of the Earth, and just drove it into the ground, more than a half-century of locked-up paranoia and total Communist psychotic oppression, and now they have a wonderful president who said to me and to the gentleman from Texas [Mr. LAUGHLIN], although he wants to be in the United Nations and would like to be accepted into NATO, he does not care what happens in the world if he just has the friendship of the United States, just one on one, unilateral friendship, and he thinks Albania will make it into the 21st century.

That is the identical message we got north of there in another one of the eight parts of Yugoslavia that have spun off in Solvenia, same message: ''U.S. friendship is what we want.''

In Albania, we looked at what was supposed to be a top-secret program

and is now written about in all newspapers, the Predator, unmanned aerial vehicle [UAV] program. The pilots at that base, both Albanian and our U.S. Forces there, took us in a cave that the Chinese carved out of a mountain, a cave as long as several football fields, and there I looked at 24 or 25 MiG aircraft from the vintage of when I flew almost 40 years ago. There were MiG–19, ''Farmer'' was our NATO codeword, jets that they still fly, that were Russia's response to my F–100 Supersabre, and older jets from Korea, MiG Alley, early 1950's, MiG–15's and MiG–17's, the kind of airplane my colleague, the gentleman from California [Mr. CUNNINGHAM], shot down in North Vietnam. At least of his five victories, three are MiG–17's, all of this in this giant tunnel. And the landscape of the country is scarred, marred with 700,000 to 1 million concrete bunkers, pillboxes, machine gun posts, some of them as big as the entire rostrum of this House, others as big as from here to the other lectern, a million of them, maybe, making the whole landscape look ugly, and there is no money to remove them or drag them out to the sea and make a breakwater for a small boat harbor on this beautiful Dalmatian coast of the Adriatic.

On that trip, at every stop I would take off my chairman's hat from intelligence and put on my chairman's hat from military personnel and ask our men and women at all levels of command what it will take to keep them in the military, to keep that expensive training that they were given to melt down the evil empire of the Soviet Union and stand guard over freedom and be part of the world's only superpower, and everywhere they talked about family, and quality of life; they spoke of what it would take them to earn a proper living with groceries, their compensation.

So, all around that hot area of the world, I saw again that America is so lucky, as Ronald Reagan used to quote James Michener's great fictitious, but more fact than fiction, novel from the Korean war, ''The Bridges of Toko-Ri,'' ''Where do we get such men,'' and now we can say women, ''Where do we get such men and women?'' How are we so lucky as to have them serve us?

The sad thing about this break, Mr. Speaker, is that we went through some of the greatest anniversaries with the House adjourned. The 50th anniversary of the end of the greatest crusade for freedom against tyranny in all of recorded history during our break, the 50th anniversary endings. We had adjourned by the time Sunday came up for the 50th anniversary of the bombing at Hiroshima; 3 days later Nagasaki, August 9.

On August 15 in the Pacific, on the other side of the dateline, August 14 here, the end of shooting in the Second World War; not really so; Japanese imperial warload staff beheaded prisoners, shot them, killed all the prisoners at Unit 371 in Pingfan, outside of Mukden, Manchuria. They called these godforsaken human beings ''logs,'' to depersonalize them. They had shot them, amputated all four of their limbs, one at a time, let them recover from each amputation, training over a thousand doctors to go out to all the tentacles of the imperial octopus that was so abusing the whole eastern perimeter, western perimeter of the Pacific around Asia. They had boiled them to death to see what it was like. They had frozen them to death. They had tied them to trees and hit them with bombs and shrapnel and grenades. They had put flamethrowers on them. They had infected them with anthrax, all forms of biological warfare, and none of these people that I know of were brought to justice.

That is why everybody is so grateful to the current Prime Minister of Japan, that he offered an apology that we cannot get out of their congress, their ''diet,'' but there were men killed after August 15 over there, and August 14 here. Many prisoners died.

My friend, Jack Singlaub, was parachuted in with a small OSS team to the Chinese island of Hainan, under Japanese warload control. Notice I say ''warlord,'' to distinguish ourselves from the free democracy of Japan today, and it was mostly, it was all Australian and New Zealand prisoners, no Americans there. He loaded them on trains from this prison camp on the western side of Hainan island and took them over to the biggest port on the eastern side, and five or six Australian and New Zealand prisoners died on that train, but at least they died as free men. That was a very rough 2-week period. All of the prisoners were under death orders. If the United States invasion forces of Operation Olympic had set foot on the Japanese home islands, all prisoners were to be executed. Many were beheaded and beaten to death in the streets of Japanese cities if they were unfortunate enough to bail out over their target. Many of them miraculously survived.

War crimes trials in Japan, but far less than those that were brought to the bar of justice, Hitler's war criminals.

So we passed through all of those anniversaries without a word on this House floor, because we were out. Then came V–J Day. I decided I would spend V–J Day at our airbases encircling tortured Bosnia rather than be in Hawaii, where I planned to be and was invited to go with a World War II veteran, a young-looking gentleman from Arizona, Mr. STUMP. I wanted to be on that trip, but I was so offended by the photo opportunities of the White House at the Normandy beaches to the exclusion of some of our heroes when they should have been the focus, that I did not want to subject myself to that, and I would have been pained to hear Mr. Clinton call the U.S.S. *Missouri*, the battleship upon which the Japanese surrender terms were unconditionally signed on September 2, 1945, I would have been pained to hear Mr. Clinton call it a carrier, an aircraft carrier. I would have been pained to hear him refer to the front of the ship, the bow, as the bow, as in a bow in your hair, and I guess he would call the stern the back side of the ship. If that had been Vice President Dan Quayle making verbal mistakes like that, you would all know about it. It would be headlines. But people are probably listening to C–SPAN today, 1,300,000 who think I am making that up. No, Mr. Clinton actually said those things, aircraft carrier *Missouri*, bow of it, as in bow and arrow, the bow of the ship. He got away with it. I preferred to be out with the troops in the field rather than at those wonderful closing ceremonies.

But now a word here on the floor, Mr. Speaker. Here is what has been painful to me over the last 4 years: Except for the gentleman from Mississippi [Mr. MONTGOMERY], two-star general, retired in the Army, of the Montgomery GI bill fame, and the aforementioned gentleman from Arizona [Mr. STUMP], Navy retiree, except for one 1-hour special order that they did on Iwo Jima, there has not been a single memorial on the floor of the U.S. House of Representatives or the United States Senate for any single 50-year anniversary of anything that happened all during World War II, not Pearl Harbor, not the fall of Bataan, or the Bataan death march, not Corredigor, not the comeback at Guadalcanal, not the landings in Tarawa, not the Dieppe raid along the coast of Hitler's fortress Europe, not Al Alamein, not the battles at Tobruk, not the Kasserine Pass, not the landings at Sicily in July 9, 1943; we have heard here in July 1993, not Salerno, not Anzio, not Operation Overlord on D-Day, not Operation Dragon down on the southern coast of France, nothing about Okinawa, which came after Iwo Jima or the Gilbert Islands or Marshall Islands or the Battle of the Coral Sea or the Battle of Midway or the Battle of the Solomon Islands or the Santa Cruz Islands, nothing for 4 years in the Senate or the House floor pausing for a series of 1-minute speeches or 1-minute special orders. I am not saying this to pat myself on the back; except for about 10 of my 1-hour special orders, nothing, nothing on this House floor.

I remember an Oklahoma Congressman shut this place down. I remember it because he lost his primary a few months later. I wondered if there was a connection. I think his name was Congressman Risenhoover. He shut this place down. We filled it with potted palms, and on Flag Day, June 14 in some late year in the late 1970's, I forget the year, we had the great western singers, June Carter and Johnny Cash, standing up there. We sang patriotic hymns, and we did Flag Day, and there was nothing special. It was not the 50th anniversary of Flag Day, or silver anniversary. It was just Flag Day, any June 14. The whole place shut down, palms,

potted plants all over at every entrance.

I have never seen the like of it, potted plants all around the front here. We do not do that for a State of the Union with the Commander in Chief standing up there. We did not do that for Douglas MacArthur or Winston Churchill the two times he stood up there.

□ 1330

I thought, ''Wow, we are going to do this, I guess, all during World War II. Am I lucky to be here.''

And, when George Bush got elected, because I went with President Bush to Pearl Harbor's 50th anniversary, and we stood there on that memorial across the midships of the U.S.S. *Arizona*, still a ship of the line, with the flag run up at reveille every morning. I thought, ''This is going to be great, go through all these 50-year anniversaries with a 58 combat mission Navy attack carrier pilot in the White House.''

And instead we ended up with someone who had avoided the draft three times, has insulted the military over, and over, and over with photo opportunities, using them to try to up his ratings, and thank God it fails every time, and here we are, past September 2, 1995, 50 years gone by. No memorials.

Today I have an editorial, a counter-editorial, in the USA Today. They always put in the left-right views.

They called my office at 2 o'clock yesterday, said, ''Give us something quick. Senator WARNER is not responding fast enough, the No. 2 man on Armed Services Committee in the other body.'' They said, ''Give us something on why the military should be built up.''

We pumped out something quickly. I sent a corrected copy on a fax to USA Today at 3:30, and I said, ''Well, this will be in next week,'' and it is in this morning, a turnaround of about 15 hours before it hit the streets, and I would like to read it, Mr. Speaker.

It says, ''Military Needs Buildup.'' It is what every one of these young, not-so-young, people all around the Mediterranean told me.

''ROBERT K. DORNAN, opposing view: The military budget has been hit year after year. Security demands that we spend more.''

Now I have not read the USA Today house editorial that says we must gut defense even more, but here is my response on September 8:

''After 11 straight years of defense spending cuts, Republicans are providing the national security leadership not found in the current administration.

''Indeed, President Clinton's draconian defense budget would produce another Carter-era ''hollow force'' reportedly underfunded by as much as $150 billion. Congress, therefore, is not squandering money when it votes to increase the Pentagon's budget by $7 billion more than requested. Instead, it is restoring national security funding to necessary levels.

''How soon we forget what is required to quickly and decisively win on the modern battlefield.

''Today's military modernization is tomorrow's combat readiness. Systems such as the F–117 'Nighthawk' stealth fighter and the Patriot missile were not developed overnight. They were the culmination of years of research and development. These revolutionary systems drastically reduced our casualties'' killed in acting and wounded in action) ''in Desert Storm.'' more than any other conflict in history given the level of lethality, and violence, and speed, and maneuverability.

''Today we can improve upon these systems with new weapons that will further reduce the risk to American troops.

''The B–2 'Spirit' Stealth bomber,'' I helped to name that, so of course I want to get the name in, ''carries eight times the payload of the F–117, with greater range and crew survivability.''

Keep in mind, listening audience, Mr. Speaker, and my colleagues who may be packing up their bags in their offices to head back to their districts, that the B–2 survived in this Chamber by 3 votes, 213 to 210, to defeat an amendment, mostly by people who have never served in the military, to kill and shut down the world's only bomber production line, the B–2 ''Spirit.''

''New missile defense programs, such as the upgraded Navy Aegis (A-e-g-i-s) system, provide greater range, accuracy, and coverage than Patriot missiles.''

We call that upper-tier Navy defense. Put two ships off Israel, two ships off Korea, just two ships, and the footprint from both those ships can keep Israel free from being struck with a nuclear weapon or, as we now find out from the defecting son-in-law of dictator, mad-dog killer Saddam Hussein; we now find out that, yes, they were driving to completion of a nuclear weapon and were playing around with the most deadly biological, and chemical, and nerve gas weapons since World War II and would have used them, and may have used them; the jury is out on that. So we need this Navy upper-tier Aegis system antimissile defense.

''Does the Pentagon need these expensive new programs? Ask the Air Force pilots who will not have to attack highly defended enemy targets in vulnerable, unstealthy aircraft because they will have the B–2. Ask the Marines and Army troops who will not have to worry about Scud ballistic missile attacks because of the Navy's new ballistic missile defense.''

All of this, of course, predicated upon the conference between the House and the Senate, the conference process that we are entering, that we entered this afternoon. My R&D Subcommittee is meeting as I speak. I decided that letting America know what we are doing was more important than participating in that meeting because I am not the chairman of that subcommittee; the gentleman from Pennsylvania [Mr. WELDON] is.

My close in today's USA Today:

''These and other Republican initiatives in areas such as personnel and training will not just maintain, but will enhance, the combat capability that has so quickly deteriorated under Clinton's leadership.

''Those of us who visit,'' as I did in the Balkans over this break our troops, ''and listen to our front-line troops are giving them what they need,'' what they deserve, ''including equipment that will drastically reduce loss of'' precious, ''life.''

''The Reagan revolution of the 1980's laid the foundation for'' the victory in, ''Desert Storm. The Republican revolution'' that started on November 8, ''of 1994 is laying the foundation for any future victories, if that is our fate, and the survival of U.S. combat troops well into the 21st century.''

Now, Mr. Speaker, I had intended to spend the better part of this hour special order on defense on some of the votes that we won this week. We won them all on the conservative side with the help of many conservative members of the former majority party, the oldest political party in America, the Democrats, but last night I kept a promise that I made to a Navy Seal at Brandezy, Italy. I do not want to identify him by rank, but let us put it this way. All the Seal's in the Mediterranean depend on this fine young officer and Annapolis graduate from decades ago.

He said to me, ''Congressman DORNAN, I appreciate you being in the Presidential race, although it appears you don't have much chance of victory, as I appreciate Mr. Keyes, Alan Keyes, of Maryland, because you discuss the moral issues which I believe are the critical issues of our time.''

Now keep in mind this is a senior naval officer trained to the peak of physical and mental performance for his country. He said, ''Congressman, I believe as a naval officer that the military culture is the last stable part of American life from which we can begin the rebuilding of our Nation's moral fiber, from which we can begin to defend the moral and cultural ethos that is collapsing around us.''

Now I would like to think there is a pocket of us on both sides of the aisle in the House and the Senate that also believe that we are in an advanced state of moral decline in our country.

He said to me, this naval officer, ''Did you see the cover story of Newsweek in July on bissexuality?''

I said, ''No, captain, I did not.''

He said, ''Well, I canceled my subscription with a long letter to the New York publisher and senior editors saying that this was the most vile and corrupt article I've ever seen in my life.''

And I said, ''Well, every week in my office I get 10 magazines and about 10 newspapers,'' and I said, ''I try to read as much as any human being in the

House or Senate. With all due immodesty, I've never seen anybody that reads more.''

And I said, ''I did not see this particular Newsweek. I can go weeks without even catching a cover story in Time, or Newsweek, or U.S. News and World Report, or all the other magazines that we get. Then there is all the great conservative publications, the moderate ones like New Republic I try to stay up with, and Crisis, and First Things, and cutting edge of Catholic and Protestant, conservative, magazines, and of course Bill Buckley, my old pal, with National Review—awful lot to read. We have tremendous responsibility here to stay informed on what our Speaker GINGRICH calls the ''information highway'' to be an alert, informed man or woman in this place. It is an overwhelming job if you're trying to inform yourself of all aspects of the popular culture and try to cover the economic front, the foreign affairs front, the human rights front, the defense front, all the social issues at home, gang warfare, the O.J. Simpson trial, not as a gawking ''Lookie Lou,'' but as someone aware that this trial, as the Menendez trial has done, can put our whole jury system in jeopardy.''

And I promised this Navy SEAL that I would get the Newsweek article out of my huge piles of reading material in my office and take a look at it. I have only been home since the first of September. I got it out last night and read it. Here it is, Mr. Speaker. It is the Newsweek issue of July 17, so it hit the newsstands on Monday, July 10. I read it last night, and I agree with this naval officer, assigned at a forward base in Italy, a kind of a man who will go in and put his life on the line if another Captain Scott O'Grady gets shot down along the coast. The Navy SEAL's will have the job to go in and rescue them under fire, and I agree with this naval officer. This is the most corrupt article, let alone a cover story, that I have ever read in an American magazine in my life—Newsweek.

The Washington bureau chief, and we are having our problems right now over another issue that personally involves my honor, and I will do a 1-hour special order or a personal privilege in the middle of the day—no, I would not do that in September, budget month—to defend my honor from an attack by a reporter who has only been—who was not even hired when this issue came out, who attacked my honor and said I crashed four aircraft in the Air Force. I have not crashed one. Ejected twice from totally out-of-control aircraft, but he doubled that to four and said I crashed them and said I was a black ace, one kind of black ace. The only black aces I know were an F-14 squadron called the ''Black Aces'' in the unheralded until the HBO special in the last few weeks, the 99th fighter squadron, and then the 332nd Fighter Group, the Tuskegee airmen, our young fighter pilots in the Italian theatre of African-American heritage who are finally getting their recognition 52 years after they entered combat. That is the only ''Black Aces'' I know about.

But I am having my problems with Evan Thomas, who I think is one of the better talking heads. He will be on television tomorrow, on a program called ''Inside U.S.A.,'' a handsome young man, and we are having out problems on this, but I have not talked to him about this issue, and I will. I am going to fly up to New York. I am going to go see Donald and Katharine Graham. She is chairman emeritus and has discussed this issue.

I almost wonder if I can read this in the Chamber, but listen to this. I wish you folks were not leaving up there because—well, get the CONGRESSIONAL RECORD tomorrow and read this.

Here is the article on bisexuality. It is under ''Lifestyle,'' of course.

''Bisexuality is the wild card of our erotic life. Now it is coming out in the open, in pop culture, in cyberspace, and on campus. But can you really have it both ways?'' They asked rhetorically, question mark, by John Leland. The answer is Newsweek thinks you can because in this article, one of America's great magazines—when I was a little kid coming out of St. Patrick's, I used to look at their beautiful headquarters building right there on Fifth Avenue across from Tiffany somewhere. Newsweek, which is owned by the Washington Post, one of America's three major newspapers, all of them liberal: L.A. Times, New York Times, Washington Post. They own this, so it is under Katharine and Donald Graham.

Here is what Newsweek says about this issue. Brace yourself for culture shock if you are still shockable.

They show here Theresa, and Ronelle, all these couples, Stephen and Linda. Of course, she's 47 and he's 30. They all have multiple partners, they all switch-hit, they are all AC/DC, they are dual-gaited. I remember all the cute words in New York, and, after all, I grew up in Manhattan and then west to Los Angeles, Beverly Hills, so I know all the flippant dialog.

□ 1345

Here is a woman, 48, with a young Hispanic guy, it looks like he is about 17, 18, 19; he is in his early 20's. Freud said we are all bisexual. He thought that exclusive heterosexuality was a problem. In the copy it says that he thought homosexuality was a problem, and he never got around to that, because he died and met God before he had a chance to get into that.

But the article goes on, and by its commentary, approving of this fifth gender. Bella Abzug stands up in Beijing, China, in the middle of the world's most oppressive human rights, communistic dictatorship and mentions homophobia and gets a standing ovation from all of the assembled feminists of the world. if Ms. Hillary was in the room, she would have given her a standing ovation.

So here in the picture of this blue-eyed, red-headed guy, Tim, 24, with Ellen, 30 years of age. She has done it all, it is always older women and younger guys in these bisexual things. Listen to this. ''The bisexual blip of the 1970's was an offshoot of the sexual revolution.''

Of course, Newsweek's position is the sexual revolution was just grand. Tell that to 200,000 people dead of AIDS, another million infected in this country, and 10 to 20 million affected all around the world. Make love, casual sex like alley cats, not war. So they refer to the sexual revolution in an approving way.

''The bisexual blip was an offshoot of that revolution. It was straight with a twist. By contrast, the current bisexual movement rises from the gay and feminists movements.'' Notice it did not say lesbian wing of the feminist movement, just the feminist movement. ''For a generation that came of age during the gay rights movement, same-sex relationships or experiments no longer carry the stigma they once did.'' Stigma. What would that mean? Would that mean sin? Right and wrong, evil, banal sin, mortal sin?

Newsweek magazine, with this article, Mr. Speaker, and anybody listening, make no mistake about it, Newsweek magazine, with this July 17 cover story, is a direct frontal attack on everything that I was ever taught by my parents, by every teacher I had in grade school, high school, and college. It is a direct frontal assault on Mother Theresa, on Pope John Paul II, on Billy Graham, or every Protestant, Catholic, and Jewish theologian in this Nation. It is a frontal assault on Moses, right before my eyes, on the Jewish rabbi and great lawgiver Mimones over here; it is a frontal assault on the justice code of almost all of the 23 men whose medallions you see up in this Chamber: The Pope, Pope Innocent, Pope Gregory, St. Louis, Pope Alphonse. It is an assault upon every moral code in this country, but it says, there is no more stigma to promiscuity and groping around like alley cats, and any drug-infested party you can go to, and it gets worse. No longer a stigma.

Get this next line. I hope you are watching, Evan Thomas. If my office is listening, Mr. Speaker, I hope they call Newsweek because he is in his office this afternoon, and ask Evan Thomas to please turn on the television and listen to this. This is not in quotes, this is Newsweek writing, this is John Leland writing, with the help, and I am going to mention him right now, of Steve Rhodes, contributing in Chicago, Peter Katel in Miami, Claudia Kalb and Marc Peyser in New York, Nadine Joseph in San Francisco, and Martha Brant in Washington, in the Washington office and bureau reports.

Get this next line, after there is no stigma: ''More and more of us—at work * * *'' Is this Newsweek people at work?—at school, in our families, and

in our entertainments—''move comfortably between gay and straight worlds.''

''Most of us in our work move comfortably between gay and straight worlds and in our schools?'' Then they go to a quote: ''Those of us who are younger,'' says Rebecca Kaplan, 24, a psychology major at Massachusetts Institute of Technology—what are your SAT scores to get into MIT? She says, ''those of us who are younger owe a great deal to gays, lesbians and bisexuals who came before us.''

Who came before us? That is a line for George Washington in his inaugural speech, April 30, 1789. We owe this to Benjamin Franklin and to George Mason up here, we owe it to them, Thomas Payne and those who came before us, those who died at Lexington and Concord, those who suffered during the six and a half years of the Revolutionary War. Any African-American can say, we owe this to those who died in the conflict, to the terrorist John Brown and his sons, we owe it to everybody who came before us, our freedom.

What was the greatest scene in the wonderful movie, ''Glory,'' when Morgan Freeman says to the young rebel Denzel Washington, he says, white boys have anted up and died for our freedom; now it is our time to ante up, and he rallies the 4th regiment to go against Fort Wagner, and they gave their lives in the fight for freedom to keep this country. As it says here, tolerance, liberty and union on the other side, those who went before us.

''The bisexuals, lesbians who went before us, we owe it to them.'' She is going to make a great psychologist. Still in school at age 24. She says, ''because of them,'' Rebecca continues, ''I was able to come out as a bisexual and not hate myself.'' Here is this word feminism again, not the lesbian branch of feminism. Feminism has also made romantic attachments between two women—either provisional or lasting—more acceptable, even privileged.

Do you know that I had to be a Congressman approaching my sixties before a young graduate of Holyoke told me that the majority of women at that college would say they were lesbians? That she had to form on campus a heterosexual club to defend themselves. They were not just defending virginity, they were defending normal heterosexuality. And she said, of course, most of the women are 4-year lesbians, or more accurately a 3-year, 9-month lesbian. Peer pressure, sexual lesbian experimentation, and then as, some radical lesbians have said, dripping bile from their lips, they have said, and then the sisters betray us, not in this order necessarily, and go out and get themselves a dog, a station wagon, children and a husband.

Is that what Newsweek means by provisional lesbians? Just while they were in college, at a school of higher learning, one of the privileged of the world, to get advanced education beyond high school?

Then it says, after privileged, ''as president of the National Organization for Women, Patricia Ireland sets a quiet example.'' She is a big mouth, so what does quiet mean? ''She has both a husband and a female companion.'' What kind of a wimp is her husband down there in Miami that he lets her keep a lesbian roommate up there in Washington, DC. where she does the work of NOW, preparing to send Bella Abzug to rant on in Beijing, China about homophobia? Incredible. And there were some people at NOW that voted against the Nation's most famous lesbian becoming head of NOW.

Now, this in Newsweek, and this is in quotes, ''Namely every college or university in the country and some high schools now have gay and lesbian student centers; sex with one's own gender, for anyone who is curious,'' that is you, Mr. Speaker, that is everybody in the gallery, that is these two staffers sitting here, that is our pages, that is me, ''for anyone who is curious, section with one's own gender is now a visible and protected part of campus culture.''

And protected by Newsweek, ladies and gentlemen. Queer studies. I thought queer was a politically incorrect word. ''Queer studies and gender studies are now part of the national curriculum. A popular T-shirt spotted recently in a Connecticut high school puts it this way: Do not assume I am straight.'' That is a high school kid.

''As one 17 year old bi says,'' we do not know if it is a boy or girl, 17 year old, someone over 18 rapes a 17-year-old young lady on a date, that is a statutory rape. This is a minor child that Newsweek is writing about. ''A 17-year-old minor bi says 'It is not us versus them anymore. There is just more and more of us.'' Tim Horing, but there is an umlaut—I did not know Newsweek's typewriters had umlauts over the 0—21, a sophomore—why is he a sophomore at 21? He should be a senior or junior—at City College in San Francisco, describes himself as ''typical of bisexual youth. We just refuse to label ourselves as any of the five food groups.'' That is male heterosexual, female heterosexual, male homosexual, female homosexual, and the bi's. ''We do not want to be any part of the five. We revel in the fuzziness, in the blurred images. Working class, Roman Catholic,'' and, oh, does the New York Times and the networks as CBS did in their CBS reports last night, do they love to attack Cardinal John Joseph O'Connor and the Roman Catholic Church, if they get a Catholic or practicing Baptist family or an orthodox Jewish family, oh, to get somebody from a traditional Jewish or Roman Catholic to switch over and talk about how they are a recovering Catholic or a recovering Jewish person, because of all that terrible confirmation and Holy Communion and bar mitzvah and bat mitzvah, oh, they love to get one of this.

And get this, Tom's father is a retired New York narcotics cop. A narco guy taking away another one of their flesh privileges, to get high and then grope out boy for all the warm flesh.

''Horing had his first sexual fantasies about the Bionic Woman, and then in his teens he admitted to himself in a series of difficult steps that he was also attracted to men. He came out to a few friends in school, and at his graduation when his name was called, Timothy Horing, six rows in the auditorium mischievously,'' no, not mischievously, ''yelled out 'The bisexual; Tim Horing, the bisexual.' A surprise to his parents.''

No, a gut-ripping heart seizure for his New York retired narcotics cop and his Roman Catholic mother.

''For the most part, he has been in monogamous relationships.'' You like that, ''for the most part?'' ''Usually with men.''

Oh, I see. I always said for my entire life that bisexuality was basically a cover story for homosexuality. That when they captured the adjective ''gay'' to say that they were happier than your average pair, more cheerful, more mirthful, that then, if they said they were bisexual, they could say ''Well, I date the whole base. I can date anybody on Capitol Hill. I am a switch-hitter. I am AC–DC, I am bi. I can go for anything. You are missing out on half the world.'' But we find out he basically dates men.

As we go all the way through this, most of it is male homosexuality, not bisexuality. Though he is now dating two gay men and a bisexual woman. I see. He is spreading himself around. Two homosexual men and one half-homosexual woman. What would that give him in the rating of chess pieces? What would that make him, 87.75 homosexual?

He says, young Tom, ''I never wanted a white picket fence, but I do want someone I can settle down with and raise my Benetton kids.'' Benetton. Is that the Benetton Colors out of Italy that put Ronald Reagan in major news magazines with cancer, sarcoma, AIDS sores all over his face? Is this Benetton that pushes homosexual money into every corner of America and everywhere else their clothing is marketed?

I notice that the Justice Department today under Janet Reno is investigating Calvin Klein jeans to see if they used underaged children in their soft core pornography, latest wave of disgusting ads, and Klein, unless he gets taken to court, is laughing all the way to the bank again, because negative soft- or hard-core pornography sells in modern America.

They just had an adult bookstore convention in the Sheraton Universal Hotel in Los Angeles, and I am reading in one of my Los Angeles Times clippings that the business, in spite of the January 17 earthquake 2 years ago, has rebounded and doubled. You do not see porno theaters in your markets anymore, because it is in all the hotels for traveling businessmen to demean somebody else's sister, wife, somebody else's daughter, who did not have the

love of a father, and it is in all the video stores, including Blockbuster. The ripping apart of these young gals from these transitional neighborhoods who never new the loving touch, the moral touch, of a father, to hug them and kiss them and guide them through school.

They are out there as the young whores of our society being used by the porno industry. And no matter how many commit suicide like Karen Applegate from a beautiful little town in Wisconsin.—I have spoken to her mother. No matter how many kill themselves. Six playmates have killed themselves over the years. When I asked Hugh Hefner that once to his face, he turned red and did not want to discuss it and said it was a lie. I knew them each by name, starting with Marilyn Monroe, his first playmate.

□ 1400

But this guy says he wants to raise his Benetton kids in a swinging orgy household. His partner may be a man or woman, he says. I don't feel forced to choose. I don't have to make any tough choices.

Then it shows this very pathetic human being with his baby. He has gone through every orgy situation available to the humankind. And when people ask him what his little baby is, man or woman, he says ask the baby. He has a little boy or girl and he says, ask the baby. Smart aleck. Pray for him. He is 42 and he has three or four people on the hook. It goes on and on as it gets worse.

Softening tensions. Softening tensions. This is Newsweek. That is a paragraph title. For many bisexuals, it has not been easy. When I came out in '88, says Melissa Merry, 31, energetic Chicagoan who calls herself Mel: I was told by people from local lesbian support groups not to come out as a bisexual or I would be asked to leave.

They did not want the fence straddling. Well, when I got to some of these paragraphs about high schools, the first thing that flashed in my mind, as an Irish-American, was William B. Yeats poem read when Hitler started World War II. And he died that year, Yeats. It is called ''The Second Coming,'' about the beast being born, the Antichrist and slouching off to Bethlehem to be born. Those are the last lines, but it begins turning and turning in the widening gyre, as in gyrations, falcons, circle. Turning and turning in the widening gyre, the falcon no longer hears the falconer. Things fall apart. The center cannot hold. Everywhere the blood din tide is loosed. Everywhere the ceremony of innocence is drowned.

The ceremony of innocence is drowned by Newsweek. The best lack all conviction and the worst are full of passionate intensity. There is an intensity to this article and it is evil and it is the worst.

When I saw in here they are claiming James Dean, the actor who died at age 24 after only three movies, when I see they are claiming Marlene Dietrich as a bisexual lesbian, and Cary Grant, my favorite actor as a young man because of everybody's favorite movie quote-unquote ''Gunga Din,'' when I saw that, I went to the end to see how many women participated in—what is the author's name again, with John Leland in this disgusting, vile piece—and while I was back at the tail end of the article reading all the violence—by the way, if this were in Time we would not know who contributed to this. I could not call any of these people and say have you lost your moral compass totally at this magazine? Does Donald Graham read this, this cover story of this corruption, this drowning of innocence? And as I was reading, I decided I would look before I finished the story at the last line.

Now, let me tell you a story about myself personally. When I was a young man in Beverly Hills, just out of high school, and I heard these rumors, because my uncle is the Tin Man in the Wizard of Oz, Jack Haley, I grew up in that community. I knew who dodged the draft. I knew the heroes who went off to combat, like James Stewart and Tyrone Power. We know who all the ones that were rumored to be homosexuals. I knew about Rock Hudson 10 years before it came out in the press.

I had a small bit part in a movie ''Gathering of Eagles,'' and he minced across the set and the director said cut. And Rock turned around and said was I mincing too much? And the director said, just do it again, Rock. I witnessed that, and everybody talks behind the scenes. Just as in fashion design, in ice skating, in supernumeraries, on Broadway stage, in ballet, and now in some parts of government there is a larger percentage than the 1 percent of homosexuals out there across America. And when I worked on the sets of Hollywood trying to feed my five children and dreaming about running for Congress someday, I had long philosophical discussions with a lot of young homosexual men in their 20's, and they would tell me about Rock and all the stars that they just were dying to get with some night; wanted them, and then to see them up there 50 feet high up on the silver screen and know that you had sexually been with them. What a trip.

And how did I rationalize Cary Grant when I was in high school? I remember working out a rationale that when God gives you a lot of talent and you make a lot of money in your 20's or 30's—what did Robin Williams say after he came off cocaine and watched his friend John Belushi die? He said cocaine is God's way of telling you you are making too much money.

It was the same way in Hollywood. Always has been. Or in any profession where money flows fast into the hands of the young. Look at all our rock stars. Look at Kurt Cobain blowing his brains out. Look at Jerry Garcia. Look at Marilyn Monroe. Look at Elvis. Look at Jimi Hendrix. Look at Jim Morrison. Look at Janis Joplin. Whether it is booze or heroin or drugs, and orgies for all of them.

I watched Elvis Presley using his staff to pimp for him. I thought what a tragedy for this polite young man from Tupelo, MI. I am trying to sell him a script called the 101st American, about Vietnam, because he had served honorably in the Army, and I am watching his staff hit on young pretty extra girls for him. They rented a big mansion up in Beverly Hills below the head of the owner of the L.A. Rams, who is now dead, and you could hear the orgies going on all night long.

He died naked, on drugs at 42 years of age, and now you can get a postage stamp and lick Elvis and stick him on your letter and say there went the most talented man in rock singing in our lifetime dead at 42. And in that suite of stamps you can get Marilyn Monroe. Do we forget how old she was in August of 1962 when she died? 36 years old. 36 years old! At my age, that is a kid. We are celebrating these two deaths with their most glamorous picture.

Remember the debate in the Post Office department: Do we want the fat, older drug besotted Elvis or the younger Elvis in his prime? We picked the younger one. And he was a polite young man. What a tragedy!

So I watched all these people corrupting themselves, and I watched others, like Jimmy Stewart and my Uncle Jack and others. I remember Danny Thomas telling me I have never told a dirty joke in my life, Bob. Do not ever forget that. My uncle told me, never stoop to dirty humor on the stage. It is too easy to get laughs. Today I watch all these comedians. It is a category with the medical word for male organ. That is all they do, are jokes on genitalia.

It is sickening what is going on in Hollywood. But what was my rationale for Cary Grant? Here it was, I remember it vividly, I was in my teens. I said when you have too much money, and you can have any beautiful woman in the world, and you start going to wild Hollywood parties and drinking too much—we did not know about drugs much in those days—and you start drinking too much, and you are at an orgy, whatever moves, I guess. It is all a mortal sin. It is all promiscuity. It is all flesh. Flesh is flesh, so you experiment with everything.

So I do not think Cary Grant was a homosexual or a bisexual. He just got carried away at those orgies. That was my rationale so I could like Sergeant McChesney of Gunga Din with McLaglen and with Sergeant Ballentine Douglas Fairbanks, Jr.

Years later, in a debate running for the Senate seat that Pete Wilson eventually won, I am debating one of the candidates back in the pack, because I am still back in the pack in the Presidential race, he was a State senator, he was raised as a German-American

Roman Catholic, he was a colonel in the Marine Reserve, and I pointed out to him in a radio debate in 1982 at a station in Pasadena, KRLA—how is that for a memory—I said, you know something my State Senate friend, reaching out and grabbing any kind of flesh, whether heterosexual or homosexual, lust is lust. It is one of the seven deadly sins. It is all a mortal sin whether normal or abnormal.

He went ballistic. Would not accept that. Then I found out he had a scandal brewing. He had two college students where he taught as a professor, a marine officer, who were pregnant with children out of wedlock. He bragged, quite properly, at least he was pro-life. I could not understand why he took such exception to saying that God is not going to judge a promiscuous homosexual any more harshly than he will judge a promiscuous heterosexual. It is all lust. It is all the ceremony of innocence being drowned as we do this to our children.

So there it is, when I am a teenager rationalizing Cary Grant and arguing on a radio show in a California Senate race in 1982. Here is my point for telling those two little tangential tales. My eyes jump above all the bylines of these people, Steve and Peter and Claudia and Mark and Nadine and Martha, and here is the last line of this disgusting, vile, decadent piece from the Graham empire of the Washington Post Newsweek magazine and other small newspapers.

It says in the last paragraph, in San Francisco recently Tim Horing—remember him, Roman Catholic, parents retired New York narco cop father—he was telling his friends about how he changed his approach to picking up boys. How old was Horing? 21. Hey, Newsweek, did you slip here in your investigative reporting? Telling his friends how he had changed his approach to pick up boys? Is he a 21-year-old chicken hawk hitting on runaway young men on the street who also, in most cases, until recently, when peer pressure overwhelms even good attentive Jewish Christian mothers and fathers. In the old days, last year, last decade, it was young boys who never knew a father's masculine touch, a mother's hug, a mom or dad taking them to a baseball game or fishing. It was young men who ran away from inattentive alcoholic families that ended up on the street of once glamorous Hollywood Boulevard to be preyed upon, P-R-E-Y-E-D upon, to be taken off for porno films and turned into midnight cowboy male street whores all along Selma Boulevard behind beautiful Jesuit Blessed Sacrament Church in Hollywood.

I drove down that street when I did Michael Reagan's show a month ago, and there they are, still huddling in the driveways with less business because now most of them are infected with AIDS. So Tim Horing—I have to check if he was 21. Yes, he is 21. He says the boys that I pick up now—he has changed his approach. ''I used to say are you queer? Then I switched to, do you like boys? Now his favorite line is, do you like me?''

As he sees it, ''I have gone from the political to the historical attraction to the very personal. All that matters is if they like me.'' This is the new bisexual moment, Newsweek says. This is their close in a nutshell.

And I close with this line, Mr. Speaker. ''Hard fought, hard thought, and distinctively individual. It is a thorny narrative, fraught with questions of identity and belonging. And in the end, it is really about the simple, mysterious pull between warm human bodies when the lights go out.''

My teenage rationale for Cary Grant. We are in advanced moral decay, Mr. Speaker, and I am going to stay in the Presidential race as long as I can, because there is not anyone in the race like Congressman ROBERT K. DORNAN at age 62.

BALANCING THE BUDGET

The SPEAKER pro tempore (Mr. FOX of Pennsylvania). Under the Speaker's announced policy of May 12, 1995, the gentleman from Connecticut [Mr. SHAYS] is recognized for 60 minutes as the designee of the majority leader.

Mr. SHAYS. Mr. Speaker, I appreciate the opportunity to address this Chamber in a special order, and to say that I am interested in talking on a very different issue than the previous speaker, and to say for those who are in staff and want to know what time we are going to end, I do not intend to use the full hour. Twenty minutes is my goal.

Mr. Speaker, I have been in public life for 20 years. I have served 13 years in the statehouse and now 8 years in Congress, but I was in the statehouse and I looked at Congress, an institution that I revered as someone who in high school and college was an American history major, and wondered why Congress would not do its most basic responsibility, and that is to get its own financial house in order. I knew we had to do that at the State level, but I saw Congress continually deficit spend and wondered why it was happening.

I realized it was not the fault necessarily of one party or the White House versus Congress or the Congress versus the White House. Republicans did not want to control military spending, and Democrats did not want to control the growth of what we call entitlements, Medicare, Medicaid, food stamps, other programs. By law, you were entitled to the benefit, entitlements never being voted on by Congress on automatic pilot.

So Republicans did not give on defense. Democrats did not give on entitlements, and then they got together each year to vote on budgets with large deficits, Republicans and Democrats together, the White House and Congress.

During these 8 years I have served in Congress, I have noticed and felt a real privilege of being part of a small group really championed by JOHN KASICH, our Budget Committee chairman, who 8 years ago introduced budgets to get our financial house in order and only 30 Members at that time supported it.

But each year I notice something very distinct. Each year I notice that more and more Members were troubled by the fact that we were increasing our national debt to such a point. It went up in the last 20 years from $800 billion to now $4.9 trillion.

□ 1415

Each year I would notice 30 would vote for it, then 50, then 70, and during the last Congress, we had a hard core of 160 who were concerned about getting our financial house in order. In fact, at one point, there was a bipartisan effort, unique in this Chamber, comprised of Democrats and Republicans, called the Penny-Kasich proposal, which sought to make over $100 billion of cuts in Government spending.

I went to the White House to encourage them to support this proposal, and if they could not support it, to at least not oppose it. They opposed it. It was defeated by only four votes, Republicans and Democrats uniting to get our financial house in order. We needed 218 votes, and we had about 213.

We now as Republicans have an opportunity to lead Congress, and it is the first time in 40 years. We have, under our watch, the opportunity to get this country back in balance. We have three basic goals. One of our goals is, first, to get our financial house in order and balance our Federal budget.

Our second is to preserve, protect, and strengthen our trust funds, particularly Medicare, which we will see shortly is going bankrupt in 7 years. It is starting next year to go bankrupt. The Medicare trust fund is the trust fund that working people pay into, 1.45 percent is their share; if they are self-employed then they pay double that, 2.9 percent, into a trust fund that pays for the hospital costs of Medicare.

Our third effort is to transform our social and corporate welfare state into an opportunity society, where the most disadvantaged in our communities can have a better future.

Mr. Speaker, as a moderate Republican I am very comfortable using an opportunity society, because that is what we need and that is what we are seeking to have. When we try to get our financial house in order, this first chart basically shows that overall, we are going to spend more money. When we talk about cuts, we are going to cut some programs. Foreign aid is going to be cut. We are going to spend less next year than we spend today. There are certain programs in what we call discretionary spending that are going to be cut. We are going to spend less in those programs than next year. We are going to eliminate some programs. We are going to consolidate some departments.

There are some programs that are going to stay even. Defense spending

under our proposal stays even. I would like it to be a reduction, but it is a hard freeze for the next 7 years. In real dollars it is a cut. In absolute dollars it is the same.

In some programs, like Medicare and Medicaid, we are going to spend more dollars. We are not cutting Medicare and Medicaid, we are increasing it. It is only in Washington, when we increase spending but do not spend as much as some people say we should spend, we call it a cut.

One of the ironic things that I found when I became a Member of Congress 8 years ago was that if Congress spent $100 million for a program, in the next year to run the same level of service it has to spend $105 million. If we spend $103 million, even though we were spending $3 million more, Congress, the White House, and the press would call it a $2 million cut in spending, whereas most people I know back in my district would say, ''My gosh, you spend $100 million this year, next year you are going to spend 103, so that sounds like a $3 million increase.''

In our original spending we are at $1.5 trillion. Under our proposal in the seventh year we are going to be spending $1.8 trillion. We are going to be spending more dollars in the seventh year than we spend now. We are going to change, though, the spending line, which is in red, so it automatically, in 7 years, will intersect revenues, which is in blue.

That green line is our conference agreement. We are tilting down the spending level of Government, still allowing it to increase, but knowing that it will intersect revenue and therefore have a balanced budget in 7 years.

The challenge for us when we balance our budget, and in this pie chart it illustrates it quite well, the purple colors are what we call entitlements: Social Security, which we are not going to change at all; Medicare, Medicaid, other entitlements. If you fit the law, you get the benefit of the program.

What you see in yellow is interest on the national debt. Because of Congress' and the White House's failure to control spending, having annual deficits, at the end of each year the annual deficits are then brought over to the national debt, the national debt keeps increasing.

These added deficits added to our national debt that have meant we spend $235 billion this year in interest on the national debt, 15 percent of our budget, is interest on the national debt. We cannot spend it on programs for children, we cannot spend it on programs for the middle class, we cannot spend it on programs for the elderly. We are having to spend $235 billion on interest on the national debt.

Interestingly enough, now, we pay more in interest on the national debt than we have as a deficit. If we did not have to pay so much interest on the national debt, we would not have deficits. What I vote on as a Member of Congress is about a third of the budget. I vote on defense spending, which is about 17 percent; foreign aid and the State Department, about 1.4 percent of the budget; and I vote on 16 percent of the budget, domestic discretionary spending, all what we call, in the pink, discretionary spending, and what we vote on in the Committee on Appropriations every year, I just vote on the pink, it is a third of the budget.

Then I am making decisions on what we spend on defense, what we spend to run the executive branch and the administration in its entirety, all the branches. I vote on what we spend for the judicial branch and what we spend for the legislative branch. In the executive branch, I am voting on all the grants that I have to make decisions on, but it is only, basically, one-third of the budget I vote on.

The blue I do not vote on. It just happens. It is on automatic pilot. We refer to what is in blue and what is in yellow. Two-thirds of the budget is mandatory spending, and we have not touched it in years.

When people say how come those of you who remember Gramm-Rudman, you were going to control deficits and eliminate them and not keep adding to the national debt. The reason Gramm-Rudman failed is that it only focused in on the pink, it only focused on domestic discretionary spending and defense spending, foreign aid. It ignored all the entitlements.

Now what we are looking to do is to focus in on other programs, Medicare and Medicaid in particular Medicare and Medicaid are 17 percent of our budget. These areas here, 17 percent of our budget, just two programs, are equal to all domestic spending. We are not looking to slow the growth. We are looking to not have Medicare and Medicaid grow at 10 percent a year. For a few years it actually grew at 20 percent a year.

As these programs become larger and larger, and they are mandatory, they are entitlements, what is in the pink, what I vote on every year, becomes smaller and smaller.

The budget is just simply getting out of control. We want to improve and protect and strengthen Medicare and Medicaid. We think, and we believe with all our heart and soul, we can have a better Medicare and Medicaid Program at an increased cost, but not have a 10-percent increase each year.

What is our budget doing? Our budget is having an annual decrease in domestic discretionary spending of 1.6 percent a year. We are having an annual decrease in foreign aid of 4.5 percent a year. Defense spending is not going up, and it is not going down. Some people would say, ''How can you have such a large program and not cut it at all, just keep it constant?'' I would like it reduced, but there is one serious issue that we are faced with. The Congressional Budget Office says that the defense budget in the next 7 years is over $100 billion oversubscribed. We have weapons system that if we funded all the weapons system that we have authorized, we would have $100 billion over what we are going to be allowed to spend. The Government Accounting Office, the GAO, says we are $150 billion oversubscribed. We are going to have cuts in defense spending just to stay at a constant no increase in spending.

Finally, we have interest on the national debt, which under our plan is going to grow at 2.7 percent a year. That is the interest payments that we have to pay. By the way, when we pay interest, we are not reducing the national debt, we are just carrying the cost. If it was your home mortgage, you are setting some aside on interest in the national debt and you are paying off some of the principal. We are not paying off the principal, we are just paying off the interest and trying to stay harmless. Other entitlements are going to grow at 4.1 percent a year, Medicaid, and going to grow at 4.9 percent a year, basically 5 percent each year.

We are not cutting Medicaid. Medicaid is health care for the poor, it is nursing care for the elderly. It is going to go up at basically 5 percent a year. Medicare, health care for the elderly, is going to grow at 6.3 percent a year. You have heard that Republicans intend to cut Medicare and Medicaid. It is not true. What we intend to do is slow their growth. In the process, we are looking to change these programs.

Basically, Social Security is going to grow at 5.3 percent a year. We have not looked at Social Security. We are not going to touch Social Security. We are going to focus in on these other parts of the budget. What are we looking to do with Medicaid? We intend to have Medicaid go from $89 billion in this year, to the year 2002 when it is going to go up to $124 billion. That is a significant increase in the seventh year.

It continually goes up, but what we have done is we have reduced the rate of increase. We are not cutting Medicare, we are increasing Medicare spending quite significantly. In fact, Medicaid spending in the next 7 years, we are going to spend $773 billion. In the last 7 years we spent $444 billion. We are going to spend $329 billion more in the next 7 years than we spent in the last 7. Only in Washington, when you spend $329 billion more, do they call it a cut. I know nowhere else in the country, when you spend more money do people call it a cut. We are going to spend $329 billion more.

With Medicare part A, which is health care for the elderly, money that goes to hospital costs, what we know from the trustees report, five of the members were appointed by President Clinton, three of them are Cabinet officials, and one is head of Social Security, all appointed by the President, and they issued a report earlier this year. They said conservatively that Medicare will start to have more money going out of the fund, Medicare part A trust fund,than comes into the fund. Remember, what comes into the

fund is what you pay, that 1.4 or 1.5 percent every week or every 2 weeks or every month out of your paycheck. That goes into a fund and it should be building up, but we have 136 billion this year, it is going to go down $1 billion, and by the year 2002, 7 years from today, that blue line goes to zero. There will be no money in the trust fund. Then the only way we fund Medicare would be as the money comes into the fund, it immediately gets taken out. The Medicare part A trust fund is going bankrupt.

We have four ways to save this fund. We can affect the beneficiaries, those that get the service, we can affect the providers, those who give the service, we can decide to raise taxes on those who are working today. However, we must realize that if you are self-employed, 15 percent of your paycheck—before—you pay your income tax is going into Social Security and Medicare. We have intention whatsoever in increasing that tax. We are not going to increase the tax.

We have one other choice. We can change and transform the system and, in the process, benefit beneficiaries and benefit providers. We are looking to transform the system. We are looking to protect it. We are looking to preserve it. We are looking to strengthen it. We are looking to allow Medicare patients to have the same kind of health care that everybody else has. What their children and their children's children have, we want for seniors. If they want to stay in traditional fee-for-service, the traditional Medicare program, what they have now, they will be able to do that, but we are going to try to encourage more Americans in Medicare to get into the private sector, where they can have a variety of new services, and we believe at less cost. Medicare part A is going bankrupt. We are looking to preserve, protect, and strengthen that program.

Are we going to spend less on Medicare? We are going to slow its growth. We are going to spend more on Medicare. We are going to have it go from $178 billion to $274 billion in the seventh year. We are looking to spend 50 percent more, over 50 percent more on Medicare than we spend today in the seventh year. It is going to go up that much.

□ 1430

In fact, in the last 7 years, we spent $926 billion on Medicare and we are looking to spend $1.6 trillion, $1,601 billion more, in the next 7 years. That represents $675 billion of new money. Only in Washington when you spend $675 billion of new money do they call it a cut. We are not cutting Medicare. We are going to spend $675 billion more, a total of $1.6 trillion, in the next 7 years. It goes up from the sum of $178 billion to the sum of $274 billion.

The President had at first said that we should not, quote-unquote, cut Medicare and Medicaid. He described the efforts of Congress to slow the growth of Medicare and Medicaid as a cut. But then a few months ago he came in with what he called his 10-year budget.

I want to say without any hesitation that I am very grateful, and I mean this sincerely, that the President has weighed in and said, yes, we need to balance the budget, we said 7 years, he said 10 years. But there are some of us who believe it should be 5 years, not 7, some of us stretched out into 7, but the President said we should balance the budget in 10 years.

He also said that we should slow the growth of Medicare and Medicaid. So he has weighed in on admitting and acknowledging that we need to slow the growth of these two programs, and he said we are going to spend more but we cannot spend as much as we were originally intending.

What was interesting, though, was when the Congressional Budget Office looked at the President's 10-year plan, they said it does not get balanced in 10 years. They said he is more optimistic on revenue than he should be, he is more optimistic that we can control other costs than he should be, and they said his budget never gets in balance in those 10 years.

One of the reasons why I am here today is the President constantly is referring to his 10-year budget and that he has weighed in on the balanced budget. The Congressional Budget Office says it is not balanced.

How does he say it is balanced? Because the Office of Management and Budget with their numbers, done out of the White House, have said that it is a balanced budget. They are using different economic projections.

When the President was at that dais there when he spoke to us, he said that it was important for us to sing out of the same hymnal, he said it was important for us to use the same referee, the same umpire, and he said it should be the Congressional Budget Office. We have dealt with the conservative projections of the Congressional Budget Office, in part because that is our obligation, in part because the President said that is who it should be. When we look at what the Congressional Budget Office has said about what is under current law, current law is what passed last year and the year before, if you remember, there were tax increases 2 years ago, there was a lot of disharmony, there was the thought that tax increases would slow the deficits, the Congressional Budget Office has weighed in and said under current law, the national debt is $175 billion today, the deficit, excuse me, will be $175 billion. Remember, deficits are the annual difference between revenue and spending, and they say it will be $175 billion. They say the next year under current law it will go to 210, to 230, to 232, to 265, to 296, to 310, to 340, to 372, to 408, to 454. That was the President's tax plan of 2 years ago. It does not begin to head us in a balanced budget. It is the top line, it is in black, it is current law, it goes in this direction. That is the whole debate. We have got to get that line which is headed up to head down so it gets to zero and does not keep going up.

The President's budget of February, which is hard to see, it is just below the current law, and it is only a 5-year projection, they say that the President's February budget, which the President asked us to act on, would have a deficit of basically $177 billion, 211, then it goes to 232, 231, 256, 276.

The President's budget of February keeps going up. What do they say about the President's 10-year budget? That is in red. When CBO scored the President's budget, they said it goes from 175 to 196, 212, 199, goes down, then it goes up, 213, 220, 211, 210, 207, 209, 209. It never gets below $200 billion a year. That is the President's 10-year budget. That is the budget that he says balance in 10 years.

He can say it because the Office of Management and Budget have given him numbers that allow him to say it. But when the Congressional Budget Office scores it, the organization he said should judge our budget and his budget, when we look at that budget, it never is in balance. It is in a constant deficit of over $200 billion.

When the Congressional Budget Office scores what we intend to do, and what we intend to do is have cuts in discretionary spending, cuts in foreign aid, eliminating some programs, consolidating other programs, eliminating some departments and agencies, reducing others, having a freeze on defense spending, allowing Medicare to go up, allowing Medicaid to go up, they say that our budget goes from $175 billion to 170 to 152 to 116, to 100, to 81, to 33, to minus 6 in the 7th year. Obviously we are estimating. We could be off, we could reduce the deficit a little sooner, it could go out a little more. so every year we are going to have to look at it and be firm that we get to a balanced budget in the next 7 years.

Some people said that when Congress voted for a balanced budget amendment and said they would vote to balance the budget that we, Congress, boxed ourselves in. We did box ourselves in. We felt that if we were in support of a balanced budget in 7 years, a balanced budget amendment, which is the easiest thing to vote for, all you have to do is vote for saying we will balance it, we said that the important thing is that we vote to balance the budget, and so we boxed ourselves in.

We were much like Cortez when he left the old world for the new world and was to conquer the new world. He landed in this new world and he came with sailors and soldiers and the sailors and soldiers looked back at the old world longingly, Cortez did something quite dramatic, he burned his ships. He said there is no retreat.

We have no retreat. We did box ourselves in. We have committed to balancing this budget. We are not looking back at the old world. We are looking at the new world. We are looking to get

our financial house in order, we are looking to balance the budget, we are looking to save our trust funds, particularly Medicare which is in the most trouble, and we are looking to transform this social corporate welfare state into an opportunity society where the poor have a future, and we have boxed ourselves in eagerly so. There is no retreat. There is no going back to the old world. We are in the new world and we are out to conquer the new world and to transform our society. The worst that could happen is we would fail. What is the alternative, to go back to the old world?

When the Congressional Budget Office and OMB's numbers are put together, you can learn some very interesting information. Thr red line that goes parallel horizontal is the President's budget scored by the Congressional Budget Office. The red line with black dots is the President's budget scored by the Office of Management and Budget, the President's own office. They say he balances his budget in 10 years.

Now, when we look at the congressional budget, scoring our budget, they say we balance, this green line here, they say we balance the budget in 7 years. If we use the Congress's numbers using the Office of Management and Budget, in other words, have the Office of Management and Budget score our budget using the same projections, then they say we balance the budget in 6 years.

My greatest fear, or one of my greatest fears is that we will have a budget disagreement and people call it a train wreck, I do not call it a train wreck, a train wreck implies tremendous destruction and it is pretty irresponsible to have a train wreck.

What we have is a disagreement between the White House and the President. The President says he wants us to balance the budget in 10 years but it is never balanced according to the Congressional Budget Office. We want to balance it in 7 years. The President has opinions about our spending cuts and our changes to the growth in spending. We have opportunity to have dialog on that issue.

There are things that Republicans are going to, and this majority in Congress is going to hold firm on and there are other issues that I think should be open to debate. One thing that is firm in my judgment is that we need to balance the budget in 7 years. My goodness, we should balance it in 5 years.

I think another issue that clearly is one in which we will hold to strongly, we need a tax cut. When we talk about a tax cut, understand that $145 billion in the next 7 years of loss in revenue. In a spending of over $11 trillion in the next 7 years, we are going to spend over $11 trillion in the next 7 years and we are saying let us just reduce taxes by $245 billion. Half of that tax cut is going to be a $500 tax credit to families under $200,000 for every child. If you have 3 children, you will get $1,500 back from the Federal Government. Now some people might think of that as a gift. I do not.

Mr. Speaker, I notice I am going over 20 minutes. I apologize. I am getting to my end here. Some people think of it as a gift. I do not think of it as a gift. I think of it as trying to direct money where it is nost needed, for families.

I come from a family of 4 boys. I happen to be close to 50. In fact, my biggest shock was I got an invitation to join AARP a few months ago. I do not know if you know what that is like, to get an invitation to be a member of AARP when you are still in your 40's. But my family, my dad and mom, were able to deduct in today's dollars per child from their income tax over $7,000 per child. The laws in the 1950's and early 1960's allowed you to deduct per child over $7,000 per child. Today you are only allowed to deduct $2,450, I believe, per child. So that meant in today's dollars if you were a family of 4, you could deduct $28,000 from your income, you would subtract it, and if you made $50,000, then you had only $22,000 that was taxable. That is if we had the same system now that we had when my family was raising their 4 boys. We were far more family friendly then.

People say, well, we need to be more family friendly. We need to help families. What is the best way to do it? To have a government program where the government takes off a certain amount of money before it directs it to a child? Or to allow families to decide how to spend money on their family? What we want to do with half the tax cut is to give $500 per child. If you have 5 children, you can figure out pretty clearly what you are going to be able to get from that. The other is we want a capital gains exemption.

What do I think is going to basically happen in this budget disagreement? Republicans are going to hold firm to 7 years, Republicans are going to hold firm to a tax cut. The President should weigh in and say I do not like where you are making your spending cuts and tell us how he would do it differently and we can come to some agreement, he may say we are having too large a tax cut, but ultimately I think the issue should be can we make the tax cut apply to families that are not as high income.

For instance, the President has advocated having the child tax credit apply to families with $75,000 income or less. That is an area that it seems to me makes sense for there to be compromise. Have the tax cuts, just have it apply to families that make less income, so we get away from any argument that he may have that it is going to wealthy people.

What is going to happen with Medicaid and Medicare? We are going to spend in Medicaid in the 7th year $124 billion. He has suggested spending $150 billion. There is not much difference between us. But what the President does is he says he is saving $54 billion from Medicaid and Republicans are saving $182 billion. The problem is his $54 billion is scored by OMB and he is using our $182 billion scored by CBO. If we are going to be fair, if we use the number that we are reducing the growth in Medicaid by $54 billion, that is his number, then our number has to be $114 billion. We are not that far apart. If we use our number of $182 billion of slowing the growth of Medicaid, then CBO says his number is $122 billion. We are simply not that far apart. We have the ability to work out our differences.

Finally, with Medicare, the President says he wants to slow the growth, he wants to spend $260 billion in Medicare in the 7th year and we want to spend $244 billion. There is a difference. The program if we made no change would be over $300 billion on the 7th year. He uses the number of $127 billion, OMB says he is reducing the number $127 billion, then he says Republicans in the majority want to reduce it $270 billion.

In fact, if we use OMB to OMB, if he uses $127 billion scored by OMB, then our number is $205 billion. We are simply not that far apart. If we say we are slowing the growth $270 billion using CBO, his number is not $127 billion, that is scored by OMB, we have to use CBO's number. They say he is slowing the growth of Medicare by $192 billion.

□ 1445

We are simply not that far apart. On a per beneficiary basis, we are spending $4,800 per beneficiary today to Medicare, and in our 7th year we would spend $6,734 per beneficiary. Not only did we have a 50-percent growth in Medicare, but a 40-percent growth per beneficiary. The President wants to spend $7,128 per beneficiary. We are simply not that far apart.

In conclusion, Mr. Speaker, and thank you for this time, I know you have other things to do and I appreciate it. Mr. Speaker, in conclusion, we are going to get our financial house in order. We are going to balance our Federal budget and we are going to do it in 7 years and we are going to have a tax cut.

I am hopeful that the President will weigh in and make that tax cut more responsive to low-income people. I am hoping he will weigh in and look at some of our spending reductions and make suggestions that we can compromise on. There is no reason for us to have ultimately a disagreement.

But I do know this. As a Member of this majority party, when our debt ceiling, the amount that we are allowed to borrow based on our national debt, being at $4.9 trillion, when the President comes in and says, ''I need you to raise the debt ceiling, because we have to increase the national debt above $5 trillion,'' myself, NICK SMITH, and a whole host of other Members on this side of the aisle intend to not raise the debt ceiling. We will not allow this House to increase the debt unless the White House weighs in on a 7-year budget.

Is that a train wreck? Is that gridlock? In one sense it is gridlock. We have never had gridlock on the budget. When I started out, Republicans and Democrats agreed. Democrats did not want to control the growth of entitlements and Republicans didn't want to control the growth of defense spending. So they both agreed to pass budgets with large deficits.

These budgets with large deficits have been agreed to by both Republicans and Democrats, but you have this majority Congress agreeing that we are going to get our financial house in order. It is an unprecedented thing to have Congress say it wants to spend less. Usually Congress wants to spend more.

We do not intend to waste this opportunity that we have. We have been in the minority for 40 years. We are in the majority. It is under our watch, and we look forward to getting our financial house in order.

We will have gridlock until the White House recognizes that we are determined not to increase the debt ceiling, we are determined to balance the budget in 7 years, we are determined to have what we consider a very fair tax credit. But that gridlock will end when the President agrees to a 7-year budget using real numbers, not numbers cooked by OMB, and then the debate will be in my judgment how we spend those dollars and how we effect the tax cut.

Mr. Speaker, I would like to thank you for the opportunity to address the House.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. VOLKMER (at the request of Mr. GEPHARDT), for after 11:30 a.m. today, on account of illness of spouse.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. LUTHER) to revise and extend their remarks and include extraneous material:)

Mrs. SCHROEDER, for 5 minutes, today.

Mr. OWENS, for 5 minutes, today.

Ms. JACKSON-LEE, for 5 minutes, today.

(The following Members (at the request of Mr. POMBO) to revise and extend their remarks and include extraneous material:)

Mr. MCINTOSH, for 5 minutes, today.

Mr. COBURN, for 5 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mr. LUTHER) and to include extraneous matter:)

Mr. FRANK of Massachusetts.

Mr. JACOBS.

Ms. DELAURO in three instances.

Mr. ACKERMAN in three instances.

Mr. FARR.

(The following Members (at the request of Mr. POMBO) and to include extraneous matter:)

Mr. WALSH.

Mr. CRANE.

Mr. RIGGS.

Mr. KIM in three instances.

(The following Members (at the request of Mr. SHAYS) and to include extraneous matter:)

Mr. EHRLICH in two instances.

Ms. DELAURO.

Mr. VISCLOSKY.

Mr. DEUTSCH.

Mr. MENENDEZ.

Mr. ORTON.

Mrs. MALONEY.

Mr. UNDERWOOD.

ADJOURNMENT

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

The motion was agreed to; accordingly (at 2 o'clock and 48 minutes p.m.), under its previous order, the House adjourned until Tuesday, September 12, 1995, at 10:30 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1395. A letter from the Director, Office of Management and Budget, transmitting notification of the President's intent to exempt all military personnel accounts from sequester for fiscal year 1996, pursuant to Public Law 101–508, section 13101(c)(4) (104 Stat. 1388–589); to the Committee on Appropriations.

1396. A letter from the Assistant Secretary of Defense, transmitting notification that the Department of Defense will terminate its leasehold interests in the former emergency operating facility at the Greenbrier Hotel, White Sulphur Springs, WV; to the Committee on National Security.

1397. A letter from the Director of Defense Research and Engineering, Department of Defense, transmitting a report entitled, ''Fiscal Year 1996 Department of Defense Master Plan for Science, Mathematics, and Engineering Education,'' Public Law 101–190, section 829(a); to the Committee on National Security.

1398. A letter from the Secretary of the Treasury, transmitting the Department's fourth monthly report to Congress, as required by section 404 of the Mexican Debt Disclosure Act of 1995, pursuant to Public Law 104–6, section 404(a) (109 Stat. 90); to the Committee on Banking and Financial Services.

1399. A letter from the Acting Director, Office of Thrift Supervision, transmitting the 1994 annual report on enforcement actions and initiatives, pursuant to 12 U.S.C. 1833; to the Committee on Banking and Financial Services.

1400. A letter from the Secretary of Education, transmitting Final Regulations—Administration of Grants to Institutions of Higher Education, Hospitals, and Nonprofit Organizations; Direct Grant Programs; State-administered Programs; and General Provisions Act—Enforcement, pursuant to 20 U.S.C. 1232(d)(1); to the Committee on Economic and Educational Opportunities.

1401. A letter from the Secretary of Energy, transmitting the quarterly report on the Strategic Petroleum Reserve for the second quarter of 1995, pursuant to 42 U.S.C. 6245(a); to the Committee on Commerce.

1402. A letter from the Fiscal Assistant Secretary of the Treasury, transmitting notification that no exceptions to the prohibition against favored treatment of a government securities broker or dealer were granted by the Secretary for the calendar year 1994, pursuant to 31 U.S.C. 3121 note; to the Committee on Commerce.

1403. A letter from the Director, Office of Legislative and Intergovernmental Affairs, Federal Communications Commission, transmitting a report on the progress on reinventing the FCC; to the Committee on Commerce.

1404. A letter from the Secretary of Energy, transmitting a report on the status of coal-fuel mixtures; to the Committee on Commerce.

1405. A letter from the Secretary of Health and Human Services, transmitting a copy of a report entitled, ''Alcohol and Other Drug Abuse Prevention: The National Structured Evaluation,'' pursuant to Public Law 100–690, section 3522(a); to the Committee on Commerce.

1406. A letter from the Director, Office of Management and Budget, transmitting OMB's estimate of the amount of discretionary new budget authority and outlays for the current year (if any) and the budget year provided by H.R. 1944, pursuant to Public Law 101–508, section 13101(a) (104 Stat. 1388–578); to the Committee on Government Reform and Oversight.

1407. A letter from the Assistant Secretary for Indian Affairs, Department of the Interior, transmitting a proposed plan related to the use and distribution of the Mission Indian's judgement funds in Docket 80–A, before the U.S. Court of Federal Claims; to the Committee on Resources.

1408. A letter from the Under Secretary for Oceans and Atmosphere, Department of Commerce, transmitting a report related to the economic conditions of the U.S. Gulf of Mexico and South Atlantic shrimp fishery; to the Committee on Resources.

1409. A letter from the General Counsel, Department of the Treasury, transmitting a draft of proposed legislation to authorize the Secretary of the Treasury to establish a flexible procedure for facilitating timely payment on claims on account of Government checks; to the Committee on the Judiciary.

1410. A letter from the Administrator, General Services Administration, transmitting informational copies of various lease prospectuses, pursuant to 40 U.S.C. 606(a); to the committee on Transportation and Infrastructure.

1411. A letter from the Commissioner, General Services Administration, transmitting a report on Federal building consolidations; to the Committee on Transportation and Infrastructure.

1412. A letter from the Director, Office of Personnel Management, transmitting the 1993 and 1994 combined annual report on Veteran's Employment in the Federal Government, pursuant to 38 U.S.C. 4214(e)(1); to the Committee on Veterans' Affairs.

1413. A letter from the Secretary of Agriculture, transmitting notification of the intention of the Departments of the Army and

Agriculture to interchange jurisdiction of civil works and national forest lands at Lake Ouachita in the State of Arkansas, pursuant to 16 U.S.C. 505a; jointly, to the Committees on Agriculture and Transportation and Infrastructure.

1414. A letter from the Secretary of Transportation and Administrator of the Environmental Protection Agency, transmitting a joint report entitled ''Administrative Assistance to the States: Compliance with Nitrogen Oxides Requirements of the Transportation Conformity Rule''; jointly, to the Committees on Appropriations and Commerce.

1415. A letter from the Administrator, Environmental Protection Agency, transmitting a report on the Agency's implementation of the Waste Isolation Pilot Plant Land Withdrawal Act, pursuant to Public Law 102–579, section 23(a)(2) (106 Stat. 479); jointly, to the Committees on Commerce and National Security.

1416. A letter from the Director, Defense Security Assistance Agency, transmitting the quarterly reports in accordance with section 36(a) and 26(b) of the Arms Export Control Act, the March 24, 1979 report by the Committee on Foreign Affairs, and the Seventh report by the Committee on Government Operations for the third quarter of fiscal year 1995, April 1, 1995 through June 30, 1995, pursuant to 22 U.S.C. 2776(a); jointly, to the Committees on International Relations and Government Reform and Oversight.

1417. A letter from the Administrator, Agency for International Development, transmitting the annual report to Congress on activities under the Denton Amendment Program for fiscal year 1995, pursuant to 10 U.S.C. 402; jointly, to the Committees on International Relations and National Security.

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. YOUNG of Alaska: Committee on Resources. H.R. 1743. A bill to amend the Water Resources Research Act of 1984 to extend the authorizations of appropriations through fiscal year 2000, and for other purposes; with an amendment (Rept. 104–242). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. SHAW (for himself, Mr. FORD, Mr. CAMP, Mr. MCCRERY, Mrs. KENNELLY, Mr. COLLINS of Georgia, Mr. ENGLISH of Pennsylvania, Mr. LEVIN, Mr. NUSSLE, Ms. DUNN of Washington, Mr. RANGEL, Mr. ENSIGN, and Mr. STARK):

H.R. 2288. A bill to amend part D of title IV of the Social Security Act to extend for 2 years the deadline by which States are required to have in effect an automated data processing and information retrieval system for use in the administration of State plans for child and spousal support; to the Committee on Ways and Means.

By Mr. BUYER (for himself, Ms. WATERS, Mr. STUMP, Mr. MONTGOMERY, Mr. BARR, Mr. COOLEY, Mr. HUTCHINSON, Mr. SCHAEFER, Mr. CLYBURN, Mr. MASCARA, and Mr. EVANS):

H.R. 2289. A bill to amend title 38, United States Code, to extend permanently certain housing programs, to improve the veterans employment and training system, and to make clarifying and technical amendments to further clarify the employment and reemployment rights and responsibilities of members of the uniformed services, as well as those of the employer community, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. FOX:

H.R. 2290. A bill to amend the medical device provisions of the Federal Food, Drug, and Cosmetic Act; to the Committee on Commerce.

By Mr. GEKAS (for himself and Mr. REED):

H.R. 2291. A bill to extend the Administrative Conference of the United States, and for other purposes; to the Committee on the Judiciary.

By Mr. HASTINGS of Washington:

H.R. 2292. A bill to preserve and protect the Hanford Reach of the Columbia River, and for other purposes; to the Committee on Resources.

By Mr. LAFALCE:

H.R. 2293. A bill to establish audit authority in the Comptroller of the State of New York over the Niagara Falls Bridge Commission: to the Committee on Transportation and Infrastructure.

By Mr. MOORHEAD (for himself, Mr. HYDE, Mr. CONYERS, and Mrs. SCHROEDER):

H.R. 2294. A bill to amend the Federal Judgeship Act of 1990 to allow affected judicial districts to receive the full benefit of temporary judgeship positions as provided in that act; to the Committee on the Judiciary.

By Mr. SMITH of Michigan:

H.R. 2295. A bill to extend the discretionary spending limits set forth in title VI of the Congressional Budget Act of 1974 and to extend the Balanced Budget and Emergency Deficit Control Act of 1985 until fiscal year 2002; to the Committee on the Budget.

MEMORIALS

Under clause 4 of rule XXII,

158. The SPEAKER presented a memorial of the General Assembly of the State of Nevada, relative to small landfills with environmental regulations; to the Committee on Commerce.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII,

Mr. STUPAK introduced a bill (H.R. 2296) for the relief of Robert and Verda Shatusky; 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. 72: Mr. WELDON of Florida.

H.R. 359: Mr. ZIMMER.

H.R. 394: Mr. FRAZER, Mr. NORWOOD, Mr. HOKE, Mr. RIGGS, and Mr. MCDADE.

H.R. 426: Mr. STENHOLM.

H.R. 752: Mr. FOGLIETTA, Miss COLLINS of Michigan, Mr. FORBES, Mr. SKELTON, and Mr. BILBRAY.

H.R. 820: Mr. TAYLOR of Mississippi, Mr. MANZULLO, Mr. FORD, Mr. MASCARA, and Mr. MOORHEAD.

H.R. 1114: Mr. JONES, Mr. BUNNING of Kentucky, Mr. SAXTON, Mr. PETERSON of Florida, Mr. SHADEGG, Mrs. WALDHOLTZ, Mr. FRAZER, Mr. GUTKNECHT, Mr. BARCIA of Michigan, Mr. MOORHEAD, Mr. GANSKE, Mr. GALLEGLY, and Mr. CRAMER.

H.R. 1204: Mr. GALLEGLY, Mr. DELLUMS, and Ms. DELAURO.

H.R. 1385: Mr. OBERSTAR.

H.R. 1446: Mr. RAHALL.

H.R. 1488: Mr. BUNNING of Kentucky, Mr. SCARBOROUGH, Mr. NORWOOD, Mr. HASTINGS of Washington, Mr. KOLBE, and Mr. ALLARD.

H.R. 1506: Mr. BARR.

H.R. 1552: Mr. SHADEGG, Mr. SHAYS, Mr. NETHERCUTT, Mr. DAVIS, Mr. JOHNSTON of Florida, Mr. COLEMAN, and Mr. NEAL of Massachusetts.

H.R. 1661: Mr. HOLDEN, Ms. SLAUGHTER, Mr. MASCARA, Mr. CALLAHAN, Mr. HEFNER, Mr. KING, Mr. ENSIGN, and Mr. BURTON of Indiana.

H.R. 1753: Mr. RANGEL, Mr. BEVILL, Mr. ENSIGN, and Mr. DAVIS.

H.R. 1791: Mr. LEWIS of Georgia, Mr. TRAFICANT, Mr. CANADY, Mrs. MEEK of Florida, Mr. NEY, Mrs. LINCOLN, Mr. ANDREWS, Mr. HALL of Texas, Mr. WYDEN, Mr. HOKE, and Mr. GANSKE.

H.R. 1885: Ms. DANNER.

H.R. 1893: Mr. WELDON of Pennsylvania, Mr. FATTAH, Mr. MCHUGH, Mr. PARKER, Mr. SOLOMON, Mr. HINCHEY, Mr. TOWNS, Mr. YATES, Mr. FRISA, Mr. INGLIS of South Carolina, Mr. VENTO, Ms. SLAUGHTER, Mr. STUPAK, Mr. SPRATT, Mrs. JOHNSON of Connecticut, and Mrs. LOWEY.

H.R. 1930: Mr. GENE GREEN of Texas, Mr. SHAYS, Mr. STEARNS, and Ms. SLAUGHTER.

H.R. 1933: Ms. VELAZQUEZ, Mr. FRAZER, and Mr. FROST.

H.R. 1975: Mr. HAYES.

H.R. 2009: Mr. STUDDS, Ms. MCKINNEY, Mr. SERRANO, and Mr. DELLUMS.

H.R. 2013: Ms. MOLINARI.

H.R. 2137: Mr. LUTHER, Mr. LOBIONDO, and Mr. BEREUTER.

H.R. 2219: Mr. BACHUS and Mr. FOX.

H.J. Res. 100: Mr. BERMAN and Mr. DREIER.

H.J. Res. 106: Mr. COLLINS of Georgia, Mr. KLUG, Mr. KOLBE, and Mr. SCHIFF.

H. Con. Res. 42: Mr. SHAYS, Mr. KENNEDY of Rhode Island, Mr. SERRANO, Mr. DAVIS, Mr. REED, Mr. SCARBOROUGH, and Mr. KING.

H. Res. 30: Mr. MCCOLLUM, Mr. KENNEDY of Rhode Island, Mr. GORDON, Mr. PETERSON of Minnesota, Mr. DORNAN, Mr. WYNN, Mr. HEFLEY, Mr. HEFNER, and Mr. DE LA GARZA.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, sponsors were deleted from public bills and resolutions as follows:

H.R. 359: Mr. GEKAS.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

38. By the SPEAKER: Petition of the Thibodaux Chamber of Commerce, LA, relative to Federal support programs for sugar; to the Committee on Agriculture.

39. Also, petition of the Southern Governors' Association, relative to regulation E of the electronic benefit transfer [EBT] system; to the Committee on Banking and Financial Services.

40. Also, petition of H.E. Voorn of Arnhem, relative to the death penalty; to the Committee on the Judiciary.

AMENDMENTS

Under clause 6 of rule XXIII, proposed amendments were submitted as follows:

H.R. 1594

OFFERED BY: MR. GENE GREEN OF TEXAS

AMENDMENT NO. 1: Insert after section 4 the following new section (redesignating section 5 as section 6):

SEC. 5. PROTECTION OF DOMESTIC INVESTMENTS.

Nothing in this Act shall be construed as prohibiting the investment by an employee benefit plan (within the meaning of paragraph (3) of section 3 of the Employee Retirement Income Security Act of 1974) in domestic investments, as distinguished from foreign investments.

H.R. 1655

OFFERED BY: MR. BERMAN

AMENDMENT NO. 1: Page 6, strike the closing quotation marks and period.

Page 6, after line 6 insert the following:

''SUNSET

''SEC. 903. This title shall cease to be effective on the date which is three years after the date of the enactment of this title.''

Page 6, after line 9, strike the closing quotation marks and period on the line relating to section 902 and insert after such line the following:

''Sec. 903. Sunset.''.

H.R. 1655

OFFERED BY: MR. TRAFICANT

AMENDMENT NO. 2: Page 10, after line 17, insert the following:

SEC. 308. COMPLIANCE WITH BUY AMERICAN ACT.

No funds appropriated pursuant to this Act may be expended by an entity unless the entity agrees that in expending the assistance the entity will comply with sections 2 through 4 of the Act of March 3, 1933 (41 U.S.C. 10a–10c, popularly known as the ''Buy American Act'').

SEC. 309. SENSE OF CONGRESS; REQUIREMENT REGARDING NOTICE.

(a) PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS.—In the case of any equipment or products that may be authorized to be purchased with financial assistance provided under this Act, it is the sense of the Congress that entities receiving such assistance should, in expending the assistance, purchase only American-made equipment and products.

(b) NOTICE TO RECIPIENTS OF ASSISTANCE.—In providing financial assistance under this Act, the Secretary of the Treasury shall provide to each recipient of the assistance a notice describing the statement made in subsection (a) by the Congress.

SEC. 310. PROHIBITION OF CONTRACTS.

If it has been finally determined by a court or Federal agency that any person intentionally affixed a fraudulent label bearing a ''Made in America'' inscription, or any inscription with the same meaning, to any product sold in or shipped to the United States that was not made in the United States, such person shall be ineligible to receive any contract or subcontract made with funds provided pursuant to this Act, pursuant to the debarment, suspension, and ineligibility procedures described in sections 9.400 through 9.409 of title 48, Code of Federal Regulations.