United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 104th CONGRESS, SECOND SESSION

Vol. 142 WASHINGTON, THURSDAY, JANUARY 25, 1996 No. 10

House of Representatives

The House met at 10 a.m. and was called to order by the Speaker pro tempore [Mr. TAYLOR of North Carolina].

DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
January 25, 1996.

I hereby designate the Honorable CHARLES H. TAYLOR 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:

Among all the gifts, O gracious God, we treasure the gift of peace—in our hearts and in the world. On this day we remember with appreciation and gratitude those men and women of our armed services who seek by their skill and dedication to contribute to stability and security among those who have been at enmity. We earnestly pray that they and their families will be sustained under the shelter of Your grace and upheld by our thoughts and prayers. May the duty and honor of serving You and their country ever enable them to take pride in their calling and make them faithful in Your service. 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 New Jersey [Mr. PALLONE] come forward and lead the House in the Pledge of Allegiance.

Mr. PALLONE led the Pledge of Allegiance as follows:

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

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 1494. An act to provide an extension for fiscal year 1996 for certain programs administered by the Secretary of Housing and Urban Development and the Secretary of Agriculture, and for other purposes.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will receive ten 1-minutes per side.

STATE OF THE UNION ANALYSIS ON TARGET

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

Mr. BALLENGER. Mr. Speaker, the pregame analysis about Tuesday night's State of the Union Address was completely on target. All the pundits and talking heads agreed that President Clinton would come to Capitol Hill and make a centrist-sounding, middle-of-the-road, warm and fuzzy speech. This time the pundits got it right. The President was his usual split-the-difference self: not too liberal, not too conservative.

But there are things that even he missed. Like reality. He said that the era of big government was over. Well, he is right. But not because of anything Bill Clinton has done. In fact, the President has become big government's little buddy. Just this month he vetoed the first major overhaul of the welfare state in a generation. And last year he vetoed the first balanced budget to reach a President's desk since 1969.

Mr. Speaker, if this truly is the end of big government, it is only because Republicans in Congress have had the courage to stop Washington liberalism and say ''no'' to Washington spending.

CALL FOR A CLEAN DEBT CEILING

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

Mr. PALLONE. Mr. Speaker, we are getting perilously close to default. When I listen to some of the comments that are being made by Speaker GINGRICH and the Republican leadership about the debt ceiling and when we are going to bring up a clean debt ceiling, or whether we even will, I get very concerned.

Yesterday I listened to the Speaker, and he said that the debt ceiling or the possibility of bringing up extension of the debt ceiling was going to be linked in some way to a budget agreement, or further action on other legislation before this House. I think that is the wrong way to go.

President Clinton said very emphatically in his State of the Union Address that we should have a clean debt ceiling and we should not wait around much longer to do it. Already it is a possibility that after today we will not be in session either next week or for a few weeks thereafter, and so far I have heard no statement by the Republican leadership that they are going to bring up a clean debt ceiling bill to extend

☐ This symbol represents the time of day during the House proceedings, e.g., ☐ 1407 is 2:07 p.m.
Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

Printed on recycled paper containing 100% post consumer waste

the debt and to allow us to prevent default. When is this going to come up?

How much longer are we going to have to wait around here for the Republican leadership to play around with this issue? Already it is having a negative impact on our economy and I think it is about time that we faced up to our responsibility and brought up a clean debt ceiling bill so this Government does not go into default.

DEBT CEILING MUST BE LINKED TO BALANCED BUDGET

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

Mr. HAYWORTH. Mr. Speaker, I listened with great interest to my friend from New Jersey again and again and again using the word ''clean.'' I would suggest to my colleagues, Mr. Speaker, that is inappropriate for this fundamental reason: We have failed to clean up this city. Thus far, the mission is still in front of us, to try to reconcile the problems of our Nation but not to always resort to big government as the answer.

The point was made at this podium 2 nights ago. The President of the United States came in, and on the headline in the Washington Post it said the President embraces GOP themes. Well, let us break it out from party authorship or pride of authorship and let us work together.

The problem remains the same. The budget has yet to be brought into balance despite the fact that this new majority gave the President a balanced budget with some votes from the other side of the aisle. To clean up our situation, we must embrace fiscal sanity, and these things are joined together, and we have to reconcile the differences.

PROTECT MEDICARE

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

Mr. DOGGETT. Mr. Speaker, last evening we had another reminder that democracy is alive and well in this great country. Yes, on national television Speaker GINGRICH conceded that his effort to dismantle Medicare this year, in his words, let it wither on the vine, has failed. That failure results directly from the voice of the American people, those who spoke out, those who wrote, those who demanded that their elected Members in Congress be accountable for protecting one of the most effective programs in American history, Medicare, which assures the security for health care of millions of older Americans and people with disabilities.

I commend the Speaker. Even though he pledged to try again to dismantle Medicare next year, he has finally yielded to the voice of the American people.

But I disagree with him on this. Mr. Speaker, we cannot walk away from our commitment to a balanced budget. We do not need a minimal down payment on the deficit. We need to bring the deficit down just as the last speaker said. And we can do that without bringing Medicare down with it. That is what the American people want. Protect Medicare, assure a balanced budget. We can deliver on that.

LET US JUDGE THE PRESIDENT BY PAST PERFORMANCE

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

Mr. STEARNS. Mr. Speaker, in his State of the Union Address, President Clinton painted a rosy picture of our Nation's economy. He takes credit for reducing the deficit and a drop in crime rate.

What he did not tell you is that since President Clinton took office, our national debt has increased by $800 billion, causing the debt to rise from $4.1 to $4.9 trillion. In addition, under the Clinton balanced budget proposal, our deficit would also increase from $172 billion in 1996 to $223 billion in 2002.

As for the economy, which he claims is moving in the right direction, the economic growth is questionable. From 1982 until 1990, it a averaged about 4 percent a year. Under Clinton's watch, it only increased by 1.9 percent in the last year.

If there has been a drop in the crime rate, it can be attributed to our Governors implementing tough truth-in-sentencing and three-strikes-and-you're-out.

Mr. President, it is time to stop all the rhetoric and get down to business. We need a balanced budget and we need to lower our national debt.

10-YEAR-OLD TO BEAR CHILD

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

Mr. TRAFICANT. Mr. Speaker, a 10-year-old girl in Houston is pregnant. The child of this child is due in about 2 weeks. The father of this child's child is the mother's boyfriend. This 22-year-old boyfriend is being charged with aggravated sexual assault. The mother's boyfriend has been with this child since she was 8 years old, and evidently the mother was completely cognizant of that fact.

Mr. Speaker, a woman who bears a child is not necessarily a mother and a man who sires a child is not necessarily a father, and this 22-year-old so-called man is not the only person at fault. This so-called mother should not pass ''go.'' She should go directly to the damn slammer. Think about it.

ACTIONS SPEAK LOUDER THAN WORDS

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

Mr. KNOLLENBERG. Mr. Speaker, I wonder if the President has joined the flood of other former Democrats that have switched parties? If you watched the same State of the Union speech I did, one might think so.

But it is really not what the President said that matters, because he had said it all before. What matters is what he does.

I was hoping the President would present a real plan to reduce the size of government, lower taxes, save Medicare, and reform the failed welfare system.

Instead he gave us a mirage filled with double speak. It looks good from a distance, but the closer you get, the more you realize nothing is there. The President cannot have it both ways.

Our future is too important to risk with a mirage. Now it is time to draw the line in the sand, and stand up for our principles.

The old adage is ''Actions speak louder than words.'' The President has given us a lot of words. Now he needs to follow up with his actions.

STATE OF THE UNION ANALYSIS

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

Mr. TIAHRT. Mr. Speaker, the President gave a speech Tuesday night filled with great rhetoric about downsizing government, cutting spending, and returning power to the people. However, we know from experience that these policies of higher taxes, more government spending, and bigger Federal bureaucracy prevail. The President's record, it speaks louder than his words. He vetoed a balanced budget amendment, or a balanced budget bill. He vetoed a pro-family, pro-jobs tax cut. He vetoed real welfare reform, emphasizing work, family, and responsibility. He vetoed legislation returning power to the States, communities, and families, and he vetoed a long-term solution for Medicare.

Mr. Speaker, the President's actions are clear contradictions to his words. He will say anything and then support the liberal policies of the status quo. Big government bureaucracy, big government spending, and a big government intrusion into our lives. As Majority Leader DOLE said, ''It's time to walk the walk and talk the talk.''

DUMB AND MUCH DUMBER

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

Mr. SCHUMER. Mr. Speaker, if this were a movie, it would be called

''Dumb and Much Dumber.'' It was dumb to shut the Government down for a month, but it would be much dumber to default on the national debt.

Yesterday Moody's, the world-renowned bond rater, put $400 billion of U.S. securities on the credit watch list, and Moody's has reason to worry. Many in this House, exhibiting a combination of arrogance and ignorance, a dangerous combination, want to allow us to default, in the vain hope it will bring a budget agreement. Not in the 220 years of our country's existence has America's credit rating ever been downgraded from triple A.

Some in the Republican Party are playing with fire, and if they are not careful we will all get burned. The Speaker is dancing on the edge of a fiscal abyss.

□ 1015

He may go down and take all of us with him if he does not stand up to the extremists in his own party.

Mr. Speaker, a month ago I would have said not even this Congress would be stupid enough to default on the debt. Today I am not so sure, because the inmates in a real sense, are running this asylum.

AVOCADO IMPORTATION

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

Mr. CALVERT. Mr. Speaker, it would seem Secretary of Agriculture Dan Glickman is on a one-man crusade to destroy California's multibillion-dollar fruit and vegetable industry.

That is exactly what will happen if he allows the importation of Mexican avocados. These avocados will bring fruit flies, seed weevils, stem borers, and other pests that will destroy California's economy.

''Not to worry,'' says Secretary Glickman, ''we have used good science.''

That is not true.

An independent report by University of California Riverside, Cornell University, Boston University, and Oregon State University states that ''there is no rational basis for USDA's estimate of risk.'' The importation of Mexican avocados could mean catastrophe for California.

The introduction of these pests will destroy our oranges, our avocados, and our grapes. Not for one season, but for a generation. This is bad public policy, based on bad science. Do not ruin California's economy.

Mr. Secretary, institute a credible peer review process, now.

CONGRESS MUST BE RESPONSIBLE ON BUDGET

(Ms. JACKSON-LEE of Texas asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, this is no time to gloat, even though the Republicans raised $16 million at a fundraiser last night. I think it is time to listen to the President's message. We should never, never, never shut the Government down again.

But if we do not pass a new debt ceiling limit, I will tell you what we will do. We will not be able to pay Social Security payments on March 1. We will not be able to pay veterans benefits on March 1. And, yes, we will not be able to pay our troops in Bosnia on March 1.

How outrageous. Wall Street is trembling. Six former Secretaries of the Treasury said this is outrageous that we would bring a government, a nation, to its knees.

Congress, wake up, stand up, and work together. Pass a new debt ceiling limit and be responsible to the American people. This is no time to play with our lives and jeopardize the lives and the hopes and dreams of our seniors, our veterans, and our men and woman laying their lives on the line in Bosnia.

ERA OF BIG GOVERNMENT OVER?

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

Mr. BARTLETT of Maryland. Mr. Speaker, no one gives an upbeat speech better than our President. Analyst Kevin Phillips described the President as a chameleon because of his extraordinary ability to delivery a conservative message that masks his liberal government agenda.

For instance, in his State of the Union Message, our President twice told Americans that the era of big government is over.

However, in the same State of the Union Message, the President twice told Americans that we cannot fend for ourselves.

Which is it, Mr. President?

Liberals believe that Americans can't fend for ourselves. That's why liberals built up the monstrous Federal Government in Washington over the last 30 years.

Americans want the Government off our backs.

Mr. Speaker, if the President is really serious about ending the era of big government, why did he propose to expand or create no less than six new Federal Government programs in his State of the Union?

Actions speak louder than words.

LIMITING INCREASE IN MARKETABLE DEBT

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

Mr. SMITH of Michigan. Mr. Speaker, I am introducing a bill this morning that I would invite all Members to cosign with me. It is a bill that says there shall be no increase in net marketable debt after December 31, 2001.

Mr. Speaker, both sides of this issue on how we reach a balanced budget have agreed to have a balanced budget and not have an increase in debt. I think when you analyze the President's budget though, we need to remember two figures: $300 billion and $200 billion. The President's budget proposal for balance has $300 billion more spending than the Republican proposal. It has $200 billion more taxes than the Republican proposal.

Mr. Speaker, if one wants to continue to tax and spend, then it is OK to go with the President's proposal. The Republicans cannot accept that if we give a hang about what happens to our kids and grandkids. Let us at least agree on the final line, the final resolution, to not increase net marketable debt after the year 2001.

''DON'T LET ME HAVE TO TELL YOU TWICE''

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

Ms. NORTON. Mr. Speaker, my mother always said, ''Do not let me have to tell you twice.''

We heard you, Moody's. We do not need to hear from Standard & Poor's, too. We need to respond that we are not the kamikaze Congress. The markets actually responded positively all during our tortured balanced budget negotiations. There were Dow Jones records broken. The reason, of course, is that they expected a balanced budget. A more balanced budget compromise would have the same effect, only this time the benefits would not be only to the markets, but also to jobs, to renewed confidence in our economy, and especially in much needed renewed confidence in the Congress of the United States.

WHAT THE DEBATE IS ABOUT

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

Mr. WALKER. Mr. Speaker, any time you hear Members come to the floor advocating the President's balanced budget, you need to understand what that means. The fact is the President did as he was requested to do. He came in with a balanced budget that does meet balance in 7 years. The problem is that it always reflects his sense of priorities, and in that balanced budget the President has told us he wants to spend more, he wants to tax more, he wants bigger government, not less government, and that is what the debate is about. It is not whether or not you get to balance; it is how you get there and what you are doing, what are the programs and the priorities that you espouse.

The programs and the priorities espoused by President Clinton lead us to

more problems for the future. Why? Well, it is a little like going on a diet and telling yourself I am going to lose 20 pounds this month. In the President's budget, what he does is says we will not lose one pound in the first 29 days of the month, and then in the last 2 days of the month we will lose the other 19 pounds. In our budget, what we do is say let us make the hard choices up front. That is a big difference.

SCHOOLS AND INFORMATION SUPER HIGHWAY

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

Mr. FARR. Mr. Speaker, I rise, first, to thank the President for challenging this Nation and those who are elected to govern it, and also for his reasonable stand on our budget crisis.

Second, I want to thank the President for recognizing the importance of educational technology in our schools. While serving in the California State Legislature, I authored the California Educational Technology Act, which now drives public schools throughout California into modern technology.

In his State of the Union Address, the President spoke of continuing and expanding on this project.

The California Educational Technology Act highlights the importance of computer technology in the classroom.

In my district, children at Manzanita Elementary School in Seaside, use computers to communicate with students from around the world to learn about geography, different cultures, and languages.

They can also communicate with scientists doing research in the Monterey Bay National Marine Sanctuary together with the National Weather Service to learn more about science.

This project is an outstanding example of the benefits that come from local, State and Federal Government partnerships with private industry.

Connecting our schools to the information super highway is exactly the type of program that will prepare America's youth to lead American economic growth and technological development into the next century. Thank you, Mr. President, for your leadership in education.

SCARE TACTICS AND DEMAGOGUERY

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

Mr. HOKE. Mr. Speaker, for the past 8 months liberal interest groups have been advertising in my district, and we have heard a drum beat of the same message here in the Congress from the minority, where millions of dollars have been spent trying to scare seniors about Medicare and mislead the public about what Congress is trying to do to secure America's future.

Most people recognize that the ads and the rhetoric are completely politically motivated and dismiss them, but the problem with the big lie is that if it is repeated often enough some people will believe it. And the real tragedy will be if it works, because, let us face it, it really does not matter if I am back or any particular individual is back, but what matters very, very deeply is if our Nation misses this extraordinary opportunity to stop stealing from our children's future to save Medicare from bankruptcy, most importantly, to renew the American dream and to get our country back on the right track. That would be an incalculable tragedy.

So, Mr. Speaker, I just hope that you are listening and the American people are listening, and that this demagoguery and scare-mongering is not effective.

DANGEROUS CUTS IN EDUCATION

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

Ms. WOOLSEY. Mr. Speaker, last night I spoke on the House floor about the devastating cuts House Republicans are making to education.

After I left the floor, a Member on the other side of the aisle challenged the accuracy of my remarks—forcing me to repeat the facts to my colleagues and the American people today.

Fact: According to the Department of Education, the Labor-HHS appropriations bill passed by the House last year cuts education programs by 13 percent in 1 year alone. In fact, almost one-half of the bill's cuts come from education.

Fact: According to the Department of Education, if the Gingrich Republicans continue to fund education at the level in the current continuing resolution, education will be cut by a total of $3.1 billion below last year—resulting in the largest cut to education in the history of this country.

□ 1030

The facts are clear, but if my colleagues on the other side of the aisle can't do the math, I'd suggest that they go back to school for a little math refresher course. Then, maybe they'll learn that their cuts to education are both real and dangerous.

WAIVING REQUIREMENT OF CLAUSE 4(b) OF RULE XI WITH RESPECT TO SAME DAY CONSIDERATION OF CERTAIN RESOLUTIONS REPORTED BY COMMITTEE ON RULES

Mr. MCINNIS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 342 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 342

Resolved, That the requirement of clause 4(b) of rule XI for a two-thirds vote to consider a report from the Committee on Rules on the same day it is presented to the House is waived with respect to any resolution reported from that committee before March 16, 1996, and providing for consideration or disposition of any of the following measures:

(1) A bill making general appropriations for the fiscal year ending September 30, 1996, any amendment thereto, any conference report thereon, or any amendment reported in disagreement from a conference thereon.

(2) A bill or joint resolution that includes provisions making further continuing appropriations for the fiscal year 1996, any amendment thereto, any conference report thereon, or any amendment reported in disagreement from a conference thereon.

(3) A bill or joint resolution that includes provisions increasing or waiving (for a temporary period or otherwise) the public debt limit under section 3101(b) of title 31, United States Code, any amendment thereto, any conference report thereon, or any amendment reported in disagreement from a conference thereon.

The SPEAKER pro tempore (Mr. TAYLOR of North Carolina). The gentleman from Colorado [Mr. MCINNIS] is recognized for 1 hour.

Mr. MCINNIS. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Massachusetts [Mr. MOAKLEY], pending which I yield myself such time as I may consume. During the consideration of this resolution, all time yielded is for the purpose of debate only.

Mr. Speaker, House Resolution 342 is a simple resolution. The proposed rule merely waives the requirement of clause 4(b) of rule XI for a two-thirds vote to consider a report from the Committee on Rules on the same day it is presented to the House for resolutions reported from the committee before March 16, 1996, under certain circumstances.

This narrow waiver will only apply to special rules providing for the consideration or disposition of measures, amendments, conference reports, or items in disagreement from a conference that: make general appropriations for fiscal year 1996; include provisions making continuing appropriations, that includes provisions increasing or waiving the public debt limit.

Mr. Speaker, House Resolution 342 is straightforward, and it was reported by the Committee on Rules with unanimous voice vote. The committee recognizes the need for expedited procedures to bring these legislative measures forward as soon as possible. I urge my colleagues to support House Resolution 342.

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

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

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

Mr. MOAKLEY. Mr. Speaker, today's rule marks not the first but the second time my Republican colleagues have waived the two-thirds requirement for

same day consideration of bills this session and this session just started.

Mr. Speaker, it's looking an awful lot like my Republican colleagues are having trouble running the Congress.

Today we are one-third of the way into the fiscal year and the Government is barely running—when it is it's doing so by the skin of its teeth, thanks only to a series of hastily passed continuing resolutions.

For those who may have forgotten why the Government keeps shutting down for those who may not realize why all these continuing resolutions are necessary in the first place.

It's because the Republican Congress has failed to fulfill its most basic responsibility.

The responsibility to pass 13 appropriations bills by October 1.

Those appropriations bills are probably the most important job Congress has and despite an unprecedented amount of wasted time and paper last year this Republican Congress has accomplished less than any Congress since World War II.

Mr. Speaker, October 1 was 116 days ago—what's the hold up?

I certainly hope this rule will prove to be the magic bullet. I certainly hope this rule the second time around will give my Republican colleagues what they need to get this Congress working and this Government running, for good.

Mr. Speaker, I recognize the need to act quickly on these long overdue bills.

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

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

Mr. Speaker, I think what is an important issue to remember here is that this decision on this budget is the most important economic decision of this generation. Not only is it the most important decision of this generation; it is the most important economic decision this generation is going to make for the next generation.

So, I find it a little interesting that my colleague and my friend over on the other side of the aisle sits there and talks about the time it has taken to change the last 24 years of deficit spending; 24 years, by the way, which were under Democratic control.

It is time that people in American have a balanced budget. It is time the people in America can expect this Congress to step forward, and if it takes some time to reverse 24 years of mismanagement of this budget, the American people can expect us to step forward with some solid decisions.

Mr. Speaker, I am a little surprised by my colleague on the other side who stands up and says that perhaps it is a badge of courage, or a badge of accomplishment, if we pass a lot of legislation. I do not think we need more laws in this country. I think we have a lot of laws in this country. The IRS has 72,000 regulations. We need more laws to tell the American people that we are doing a good job in Washington, DC?

I think what the American people are saying is, why not take a look at what we have got on the books? Is it working?

This is the first time since the days of the Great Society that a Congress has had enought guts to stand up and say, hey, what happened to individual responsibility? Should this program be questioned? Is it accountable? Those kinds of questions ought to take priority over passing a bunch of laws.

If we are going to measure the accomplishments of the U.S. Congress by a score board on how many laws we pass, geez, talk about inefficiency, that is not what we are going to do over on this side of the aisle. If we are going to pass a law, it is going to mean something, and we have passed legislation here that meant something.

But, Mr. Speaker, you know what is good? We have stopped legislation that is bad legislation.

Why not talk about what we have stopped in these Chambers that was bad legislation? I think that, first of all, it is kind of a diversion from the rule. This rule came out of the Committee on Rules on a unanimous decision. There wasn't this kind of discussion in the Committee on Rules last night. But I guess it did offer an opportunity on the House floor to try and take one more shot at discrediting what the Republicans are trying to do.

But I think the biggest credit for the Republicans is taking a look at 24 years of deficit spending, a Government right now that spends $30 million an hour and adds that to its debt every hour of the day. Some $30 million more going out than coming in, that is what we ought to take at look at.

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

Mr. SOLOMON. Mr. Speaker, well, I just want to commend my good friend from Colorado for his statements.

Mr. Speaker, I heard the gentleman from Massachusetts [Mr. MOAKLEY], my good friend, question the leadership of the Republican Party and in being able to run this place. Let me just remind him and everyone else, ''It's the spending, stupid.'' This is what got us into this mess.

Mr. Speaker, all we have to do is look at what is happening to America today. This country is going down the tubes because of the irresponsible spending habits of this U.S. Congress. And let us not go blame it on Presidents in our past; let us blame it on this Congress, particularly this House of Representatives which controls the pursestrings. They are responsible. They are the ones that have driven this deficit to a point where we are now drowning in a sea of red ink that threatens the very future of our country, especially for our children and our grandchildren.

Mr. Speaker, $5 trillion in debt? When we look at the pie that makes up the Federal budget, that huge pie of $1.5 trillion, and when we consider that $250 billion of that hunk of the pie goes to pay just the debt service, that means the interest that is due on the debt that is accumulated over these years, $250 billion. Do the American people realize how much money that is? It is almost as much money as we spend on the national defense budget of this country.

We hear the other side of the aisle railing about how much money we spend on national defense. Imagine, we spend as much on the interest payments each year as we spend on national defense.

We are kind of fortunate right now because interest rates are low and inflation rates are low. But what happens when we continue on this kind of spending spree? Interest rates rise and inflation rises like it did back in the 1970's when inflation was running rampant at about 13 percent and interest rates, the prime interest rates that small businessmen had to borrow money at from banks, was running at 22 percent. A small businessman had to pay about 2 percent over that; I know because I was one, 24 percent interest.

What would happen if interest rates go back up and inflation goes back up? That hunk of the pie would be about $400 billion. That means an additional $150 billion in interest payments. And where do we think that comes from? It comes out of those funds that might be available to help those people that are truly needy.

Mr. Speaker, I was shocked back at the beginning of last year when the President gave us a budget and projected spending for the next 5 years. He projected an increase in the deficit of over a trillion dollars, over $1 trillion. Mr. Speaker, can you imagine that? We can talk about all of the programs that we have, but the only way we are ever going to get these deficits under control is by curtailing spending, either the growth of it or actually cutting programs.

I was very proud at the beginning of last year to introduce a budget, along with 16 of my colleagues, that actually balanced the budget in 5 years, not 7 years. And it did so by making the cuts in the early years, in years 1 and 2, not in years 4, 5, 6, or 7. That is how we are going to balance this budget. That is what we are going to stick to.

Make no exception about it, no matter what happens, we are not going to veer off this course. There are those of us in this Congress that are going to stick to this. We are going to force this Congress to vote on every single one of these issues to finally put this House back in order financially, and we can count on that.

So, Mr. Speaker, I just want to say to the gentleman, he may not like the way this Congress is being run, but it is going to be run that way; as long as the Republican majority is in control in this House, there is going to be no more deficit spending.

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

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

Mr. Speaker, they will not be calling that economic index Standard and

Poors; if we keep going like we are going, it will be just poor.

Mr. Speaker, I submit the following material for the RECORD:

FLOOR PROCEDURE IN THE 104TH CONGRESS; COMPILED BY THE RULES COMMITTEE DEMOCRATS

Bill No.	Title	Resolution No.	Process used for floor consideration	Amendments in order
H.R. 1*	Compliance	H. Res. 6	Closed	None.
H. Res. 6	Opening Day Rules Package	H. Res. 5	Closed; contained a closed rule on H.R. 1 within the closed rule	None.
H.R. 5*	Unfunded Mandates	H. Res. 38	Restrictive; Motion adopted over Democratic objection in the Committee of the Whole to limit debate on section 4; Pre-printing gets preference.	N/A.
H.J. Res. 2*	Balanced Budget	H. Res. 44	Restrictive; only certain substitutes	2R; 4D.
H. Res. 43	Committee Hearings Scheduling	H. Res. 43 (OJ)	Restrictive; considered in House no amendments	N/A.
H.R. 2*	Line Item Veto	H. Res. 55	Open; Pre-printing gets preference	N/A.
H.R. 665*	Victim Restitution Act of 1995	H. Res. 61	Open; Pre-printing gets preference	N/A.
H.R. 666*	Exclusionary Rule Reform Act of 1995	H. Res. 60	Open; Pre-printing gets preference	N/A.
H.R. 667*	Violent Criminal Incarceration Act of 1995	H. Res. 63	Restrictive; 10 hr. Time Cap on amendments	N/A.
H.R. 668*	The Criminal Alien Deportation Improvement Act	H. Res. 69	Open; Pre-printing gets preference; Contains self-executing provision	N/A.
H.R. 728*	Local Government Law Enforcement Block Grants	H. Res. 79	Restrictive; 10 hr. Time Cap on amendments; Pre-printing gets preference	N/A.
H.R. 7*	National Security Revitalization Act	H. Res. 83	Restrictive; 10 hr. Time Cap on amendments; Pre-printing gets preference	N/A.
H.R. 729*	Death Penalty/Habeas	N/A	Restrictive; brought up under UC with a 6 hr. time cap on amendments	N/A.
S. 2	Senate Compliance	N/A	Closed; Put on Suspension Calendar over Democratic objection	None.
H.R. 831	To Permanently Extend the Health Insurance Deduction for the Self-Employed.	H. Res. 88	Restrictive; makes in order only the Gibbons amendment; Waives all points of order; Contains self-executing provision.	1D.
H.R. 830*	The Paperwork Reduction Act	H. Res. 91	Open	N/A.
H.R. 889	Emergency Supplemental/Rescinding Certain Budget Authority	H. Res. 92	Restrictive; makes in order only the Obey substitute	1D.
H.R. 450*	Regulatory Moratorium	H. Res. 93	Restrictive; 10 hr. Time Cap on amendments; Pre-printing gets preference	N/A.
H.R. 1022*	Risk Assessment	H. Res. 96	Restrictive; 10 hr. Time Cap on amendments	N/A.
H.R. 926*	Regulatory Flexibility	H. Res. 100	Open	N/A.
H.R. 925*	Private Property Protection Act	H. Res. 101	Restrictive; 12 hr. time cap on amendments; Requires Members to pre-print their amendments in the Record prior to the bill's consideration for amendment, waives germaneness and budget act points of order as well as points of order concerning appropriating on a legislative bill against the committee substitute used as base text.	1D.
H.R. 1058*	Securities Litigation Reform Act	H. Res. 105	Restrictive; 8 hr. time cap on amendments; Pre-printing gets preference; Makes in order the Wyden amendment and waives germaneness against it.	1D.
H.R. 988*	The Attorney Accountability Act of 1995	H. Res. 104	Restrictive; 7 hr. time cap on amendments; Pre-printing gets preference	N/A.
H.R. 956*	Product Liability and Legal Reform Act	H. Res. 109	Restrictive; makes in order only 15 germane amendments and denies 64 germane amendments from being considered.	8D; 7R.
H.R. 1158	Making Emergency Supplemental Appropriations and Rescissions	H. Res. 115	Restrictive; Combines emergency H.R. 1158 & nonemergency 1159 and strikes the abortion provision; makes in order only pre-printed amendments that include offsets within the same chapter (deeper cuts in programs already cut); waives points of order against three amendments; waives cl 2 of rule XXI against the bill, cl 2, XXI and cl 7 of rule XVI against the substitute; waives cl 2(e) od rule XXI against the amendments in the Record; 10 hr time cap on amendments. 30 minutes debate on each amendment.	N/A.
H.J. Res. 73*	Term Limits	H. Res. 116	Restrictive; Makes in order only 4 amendments considered under a ''Queen of the Hill'' procedure and denies 21 germane amendments from being considered.	1D; 3R
H.R. 4*	Welfare Reform	H. Res. 119	Restrictive; Makes in order only 31 perfecting amendments and two substitutes; Denies 130 germane amendments from being considered; The substitutes are to be considered under a ''Queen of the Hill'' procedure; All points of order are waived against the amendments.	5D; 26R.
H.R. 1271*	Family Privacy Act	H. Res. 125	Open	N/A.
H.R. 660*	Housing for Older Persons Act	H. Res. 126	Open	N/A.
H.R. 1215*	The Contract With America Tax Relief Act of 1995	H. Res. 129	Restrictive; Self Executes language that makes tax cuts contingent on the adoption of a balanced budget plan and strikes section 3006. Makes in order only one substitute. Waives all points of order against the bill, substitute made in order as original text and Gephardt substitute.	1D.
H.R. 483	Medicare Select Extension	H. Res. 130	Restrictive; waives cl 2(1)(6) of rule XI against the bill; makes H.R. 1391 in order as original text; makes in order only the Dingell substitute; allows Commerce Committee to file a report on the bill at any time.	1D.
H.R. 655	Hydrogen Future Act	H. Res. 136	Open	N/A.
H.R. 1361	Coast Guard Authorization	H. Res. 139	Open; waives sections 302(f) and 308(a) of the Congressional Budget Act against the bill's consideration and the committee substitute; waives cl 5(a) of rule XXI against the committee substitute.	N/A.
H.R. 961	Clean Water Act	H. Res. 140	Open; pre-printing gets preference; waives sections 302(f) and 602(b) of the Budget Act against the bill's consideration; waives cl 7 of rule XVI, cl 5(a) of rule XXI and section 302(f) of the Budget Act against the committee substitute. Makes in order Shuster substitute as first order of business.	N/A.
H.R. 535	Corning National Fish Hatchery Conveyance Act	H. Res. 144	Open	N/A.
H.R. 584	Conveyance of the Fairport National Fish Hatchery to the State of Iowa.	H. Res. 145	Open	N/A.
H.R. 614	Conveyance of the New London National Fish Hatchery Production Facility.	H. Res. 146	Open	N/A.
H. Con. Res. 67	Budget Resolution	H. Res. 149	Restrictive; Makes in order 4 substitutes under regular order; Gephardt, Neumann/Solomon, Payne/Owens, President's Budget if printed in Record on 5/17/95; waives all points of order against substitutes and concurrent resolution; suspends application of Rule XLIX with respect to the resolution; self-executes Agriculture language.	3D; 1R.
H.R. 1561	American Overseas Interests Act of 1995	H. Res. 155	Restrictive; Requires amendments to be printed in the Record prior to their consideration; 10 hr. time cap; waives cl 2(1)(6) of rule XI against the bill's consideration; Also waives sections 302(f), 303(a), 308(a) and 402(a) against the bill's consideration and the committee amendment in order as original text; waives cl 5(a) of rule XXI against the amendment; amendment consideration is closed at 2:30 p.m. on May 25, 1995. Self-executes provision which removes section 2210 from the bill. This was done at the request of the Budget Committee.	N/A.
H.R. 1530	National Defense Authorization Act FY 1996	H. Res. 164	Restrictive; Makes in order only the amendments printed in the report; waives all points of order against the bill, substitute and amendments printed in the report. Gives the Chairman en bloc authority. Self-executes a provision which strikes section 807 of the bill; provides for an additional 30 min. of debate on Nunn-Lugar section; Allows Mr. Clinger to offer a modification of his amendment with the concurrence of Ms. Collins.	36R; 18D; 2 Bipartisan.
H.R. 1817	Military Construction Appropriations; FY 1996	H. Res. 167	Open; waives cl. 2 and cl. 6 of rule XXI against the bill; 1 hr. general debate; Uses House passed budget numbers as threshold for spending amounts pending passage of Budget.	N/A.
H.R. 1854	Legislative Branch Appropriations	H. Res. 169	Restrictive; Makes in order only 11 amendments; waives sections 302(f) and 308(a) of the Budget Act against the bill and cl. 2 and cl. 6 of rule XXI against the bill. All points of order are waived against the amendments.	5R; 4D; 2 Bipartisan.
H.R. 1868	Foreign Operations Appropriations	H. Res. 170	Open; waives cl. 2, cl. 5(b), and cl. 6 of rule XXI against the bill; makes in order the Gilman amendments as first order of business; waives all points of order against the amendments; if adopted they will be considered as original text; waives cl. 2 of rule XXI against the amendments printed in the report. Pre-printing gets priority (Hall) (Menendez) (Goss) (Smith, NJ).	N/A.
H.R. 1905	Energy & Water Appropriations	H. Res. 171	Open; waives cl. 2 and cl. 6 of rule XXI against the bill; makes in order the Shuster amendment as the first order of business; waives all points of order against the amendment; if adopted it will be considered as original text. Pre-printing gets priority.	N/A.
H.J. Res. 79	Constitutional Amendment to Permit Congress and States to Prohibit the Physical Desecration of the American Flag.	H. Res. 173	Closed; provides one hour of general debate and one motion to recommit with or without instructions; if there are instructions, the MO is debatable for 1 hr.	N/A.
H.R. 1944	Recissions Bill	H. Res. 175	Restrictive; Provides for consideration of the bill in the House; Permits the Chairman of the Appropriations Committee to offer one amendment which is unamendable; waives all points of order against the amendment.	N/A.
H.R. 1868 (2nd rule)	Foreign Operations Appropriations	H. Res. 177	Restrictive; Provides for further consideration of the bill; makes in order only the four amendments printed in the rules report (20 min. each). Waives all points of order against the amendments; Prohibits intervening motions in the Committee of the Whole; Provides for an automatic rise and report following the disposition of the amendments.	N/A.
H.R. 1977 *Rule Defeated*	Interior Appropriations	H. Res. 185	Open; waives sections 302(f) and 308(a) of the Budget Act and cl 2 and cl 6 of rule XXI; provides that the bill be read by title; waives all points of order against the Tauzin amendment; self-executes Budget Committee amendment; waives cl 2(e) of rule XXI against amendments to the bill; Pre-printing gets priority.	N/A.

FLOOR PROCEDURE IN THE 104TH CONGRESS; COMPILED BY THE RULES COMMITTEE DEMOCRATS—Continued

Bill No.	Title	Resolution No.	Process used for floor consideration	Amendments in order
H.R. 1977	Interior Appropriations	H.Res. 187	Open; waives sections 302(f), 306 and 308(a) of the Budget Act; waives clauses 2 and 6 of rule XXI against provisions in the bill; waives all points of order against the Tauzin amendment; provides that the bill be read by title; self-executes Budget Committee amendment and makes NEA funding subject to House passed authorization; waives cl 2(e) of rule XXI against the amendments to the bill; Pre-printing gets priority.	N/A.
H.R. 1976	Agriculture Appropriations	H. Res. 188	Open; waives clauses 2 and 6 of rule XXI against provisions in the bill; provides that the bill be read by title; Makes Skeen amendment first order of business, if adopted the amendment will be considered as base text (10 min.); Pre-printing gets priority.	N/A.
H.R. 1977 (3rd rule)	Interior Appropriations	H. Res. 189	Restrictive; provides for the further consideration of the bill; allows only amendments pre-printed before July 14th to be considered; limits motions to rise.	N/A.
H.R. 2020	Treasury Postal Appropriations	H. Res. 190	Open; waives cl. 2 and cl. 6 of rule XXI against provisions in the bill; provides the bill be read by title; Pre-printing gets priority.	N/A.
H.J. Res. 96	Disapproving MFN for China	H. Res. 193	Restrictive; provides for consideration in the House of H.R. 2058 (90 min.) And H.J. Res. 96 (1 hr). Waives certain provisions of the Trade Act.	N/A.
H.R. 2002	Transportation Appropriations	H. Res. 194	Open; waives cl. 3 0f rule XIII and section 401 (a) of the CBA against consideration of the bill; waives cl. 6 and cl. 2 of rule XXI against provisions in the bill; Makes in order the Clinger/Solomon amendment waives all points of order against the amendment (Line Item Veto); provides the bill be read by title; Pre-printing gets priority. *RULE AMENDED*.	N/A.
H.R. 70	Exports of Alaskan North Slope Oil	H. Res. 197	Open; Makes in order the Resources Committee amendment in the nature of a substitute as original text; Pre-printing gets priority; Provides a Senate hook-up with S. 395.	N/A.
H.R. 2076	Commerce, Justice Appropriations	H. Res. 198	Open; waives cl. 2 and cl. 6 of rule XXI against provisions in the bill; Pre-printing gets priority; provides the bill be read by title..	N/A.
H.R. 2099	VA/HUD Appropriations	H. Res. 201	Open; waives cl. 2 and cl. 6 of rule XXI against provisions in the bill; Provides that the amendment in part 1 of the report is the first business, if adopted it will be considered as base text (30 min.); waives all points of order against the Klug and Davis amendments; Pre-printing gets priority; Provides that the bill be read by title.	N/A.
S. 21	Termination of U.S. Arms Embargo on Bosnia	H. Res. 204	Restrictive; 3 hours of general debate; Makes in order an amendment to be offered by the Minority Leader or a designee (1 hr); If motion to recommit has instructions it can only be offered by the Minority Leader or a designee.	ID.
H.R. 2126	Defense Appropriations	H. Res. 205	Open; waives cl. 2(l)(6) of rule XI and section 306 of the Congressional Budget Act against consideration of the bill; waives cl. 2 and cl. 6 of rule XXI against provisions in the bill; self-executes a strike of sections 8021 and 8024 of the bill as requested by the Budget Committee; Pre-printing gets priority; Provides the bill be read by title.	N/A.
H.R. 1555	Communications Act of 1995	H. Res. 207	Restrictive; waives sec. 302(f) of the Budget Act against consideration of the bill; Makes in order the Commerce Committee amendment as original text and waives sec. 302(f) of the Budget Act and cl. 5(a) of rule XXI against the amendment; Makes in order the Bliely amendment (30 min.) as the first order of business, if adopted it will be original text; makes in order only the amendments printed in the report and waives all points of order against the amendments; provides a Senate hook-up with S. 652.	2R/3D/3 Bipartisan.
H.R. 2127	Labor/HHS Appropriations Act	H. Res. 208	Open; Provides that the first order of business will be the managers amendments (10 min.), if adopted they will be considered as base text; waives cl. 2 and cl. 6 of rule XXI against provisions in the bill; waives all points of order against certain amendments printed in the report; Pre-printing gets priority; Provides the bill be read by title.	N/A
H.R. 1594	Economically Targeted Investments	H. Res. 215	Open; 2 hr of gen. debate. makes in order the committee substitute as original text	N/A
H.R. 1655	Intelligence Authorization	H. Res. 216	Restrictive; waives sections 302(f), 308(a) and 401(b) of the Budget Act. Makes in order the committee substitute as modified by Govt. Reform amend (striking sec. 505) and an amendment striking title VII. Cl 7 of rule XVI and cl 5(a) of rule XXI are waived against the substitute. Sections 302(f) and 401(b) of the CBA are also waived against the substitute. Amendments must also be pre-printed in the Congressional record.	N/A
H.R. 1162	Deficit Reduction Lock Box	H. Res. 218	Open; waives cl 7 of rule XVI against the committee substitute made in order as original text; Pre-printing gets priority.	N/A
H.R. 1670	Federal Acquisition Reform Act of 1995	H. Res. 219	Open; waives sections 302(f) and 308(a) of the Budget Act against consideration of the bill; bill will be read by title; waives cl 5(a) of rule XXI and section 302(f) of the Budget Act against the committee substitute. Pre-printing gets priority.	N/A
H.R. 1617	To Consolidate and Reform Workforce Development and Literacy Programs Act (CAREERS).	H. Res. 222	Open; waives section 302(f) and 401(b) of the Budget Act against the substitute made in order as original text (H.R. 2332), cl. 5(a) of rule XXI is also waived against the substitute. provides for consideration of the managers amendment (10 min.) If adopted, it is considered as base text.	N/A
H.R. 2274	National Highway System Designation Act of 1995	H. Res. 224	Open; waives section 302(f) of the Budget Act against consideration of the bill; Makes H.R. 2349 in order as original text; waives section 302(f) of the Budget Act against the substitute; provides for the consideration of a managers amendment (10 min.) If adopted, it is considered as base text; Pre-printing gets priority.	N/A
H.R. 927	Cuban Liberty and Democratic Solidarity Act of 1995	H. Res. 225	Restrictive; waives cl 2(L)(2)(B) of rule XI against consideration of the bill; makes in order H.R. 2347 as base text; waives cl 7 of rule XVI against the substitute; Makes Hamilton amendment the first amendment to be considered (1 hr). Makes in order only amendments printed in the report.	2R/2D
H.R. 743	The Teamwork for Employees and managers Act of 1995	H. Res. 226	Open; waives cl 2(l)(2)(b) of rule XI against consideration of the bill; makes in order the committee amendment as original text; Pre-printing get priority.	N/A
H.R. 1170	3-Judge Court for Certain Injunctions	H. Res. 227	Open; makes in order a committee amendment as original text; Pre-printing gets priority	N/A
H.R. 1601	International Space Station Authorization Act of 1995	H. Res. 228	Open; makes in order a committee amendment as original text; pre-printing gets priority	N/A
H.J. Res. 108	Making Continuing Appropriations for FY 1996	H. Res. 230	Closed; Provides for the immediate consideration of the CR; one motion to recommit which may have instructions only if offered by the Minority Leader or a designee.	
H.R. 2405	Omnibus Civilian Science Authorization Act of 1995	H. Res. 234	Open; self-executes a provision striking section 304(b)(3) of the bill (Commerce Committee request); Pre-printing gets priority.	N/A
H.R. 2259	To Disapprove Certain Sentencing Guideline Amendments	H. Res. 237	Restrictive; waives cl 2(l)(2)(B) of rule XI against the bill's consideration; makes in order the text of the Senate bill S. 1254 as original text; Makes in order only a Conyers substitute; provides a senate hook-up after adoption.	1D
H.R. 2425	Medicare Preservation Act	H. Res. 238	Restrictive; waives all points of order against the bill's consideration; makes in order the text of H.R. 2485 as original text; waives all points of order against H.R. 2485; makes in order only an amendment offered by the Minority Leader or a designee; waives all points of order against the amendment; waives cl 5© of rule XXI (⅗ requirement on votes raising taxes).	1D
H.R. 2492	Legislative Branch Appropriations Bill	H. Res. 239	Restrictive; provides for consideration of the bill in the House	N/A
H.R. 2491 H. Con. Res. 109	7 Year Balanced Budget Reconciliation Social Security Earnings Test Reform.	H. Res. 245	Restrictive; makes in order H.R. 2517 as original text; waives all pints of order against the bill; Makes in order only H.R. 2530 as an amendment only if offered by the Minority Leader or a designee; waives all points of order against the amendment; waives cl 5© of rule XXI (⅗ requirement on votes raising taxes).	1D
H.R. 1833	Partial Birth Abortion Ban Act of 1995	H. Res. 251	Closed	N/A
H.R. 2546	D.C. Appropriations FY 1996	H. Res. 252	Restrictive; waives all points of order against the bill's consideration; Makes in order the Walsh amendment as the first order of business (10 min.); if adopted it is considered as base text; waives cl 2 and 6 of rule XXI against the bill; makes in order the Bonilla, Gunderson and Hostettler amendments (30 min.); waives all points of order against the amendments; debate on any further amendments is limited to 30 min. each.	N/A
H.J. Res. 115	Further Continuing Appropriations for FY 1996	H. Res. 257	Closed; Provides for the immediate consideration of the CR; one motion to recommit which may have instructions only if offered by the Minority Leader or a designee.	N/A
H.R. 2586	Temporary Increase in the Statutory Debt Limit	H. Res. 258	Restrictive; Provides for the immediate consideration of the CR; one motion to recommit which may have instructions only if offered by the Minority Leader or a designee; self-executes 4 amendments in the rule; Solomon, Medicare Coverage of Certain Anti-Cancer Drug Treatments, Habeas Corpus Reform, Chrysler (MI); makes in order the Walker amend (40 min.) on regulatory reform.	5R
H.R. 2539	ICC Termination	H. Res. 259	Open; waives section 302(f) and section 308(a)	
H.J. Res. 115	Further Continuing Appropriations for FY 1996	H. Res. 261	Closed; provides for the immediate consideration of a motion by the Majority Leader or his designees to dispose of the Senate amendments (1hr).	N/A
H.R. 2586	Temporary Increase in the Statutory Limit on the Public Debt	H. Res. 262	Closed; provides for the immediate consideration of a motion by the Majority Leader or his designees to dispose of the Senate amendments (1hr).	N/A
H. Res. 250	House Gift Rule Reform	H. Res. 268	Closed; provides for consideration of the bill in the House; 30 min. of debate; makes in order the Burton amendment and the Gingrich en bloc amendment (30 min. each); waives all points of order against the amendments; Gingrich is only in order if Burton fails or is not offered.	2R
H.R. 2564	Lobbying Disclosure Act of 1995	H. Res. 269	Open; waives cl. 2(l)(6) of rule XI against the bill's consideration; waives all points of order against the Istook and McIntosh amendments.	N/A

FLOOR PROCEDURE IN THE 104TH CONGRESS; COMPILED BY THE RULES COMMITTEE DEMOCRATS—Continued

Bill No.	Title	Resolution No.	Process used for floor consideration	Amendments in order
H.R. 2606	Prohibition on Funds for Bosnia Deployment	H. Res. 273	Restrictive; waives all points of order against the bill's consideration; provides one motion to amend if offered by the Minority Leader or designee (1 hr non-amendable); motion to recommit which may have instructions only if offered by Minority Leader or his designee; if Minority Leader motion is not offered debate time will be extended by 1 hr.	N/A
H.R. 1788	Amtrak Reform and Privatization Act of 1995	H. Res. 289	Open; waives all points of order against the bill's consideration; makes in order the Transportation substitute modified by the amend in the report; Bill read by title; waives all points of order against the substitute; makes in order a managers amend as the first order of business, if adopted it is considered base text (10 min.); waives all points of order against the amendment; Pre-printing gets priority.	N/A
H.R. 1350	Maritime Security Act of 1995	H. Res. 287	Open; makes in order the committee substitute as original text; makes in order a managers amendment which if adopted is considered as original text (20 min.) unamendable; pre-printing gets priority.	N/A
H.R. 2621	To Protect Federal Trust Funds	H. Res. 293	Closed; provides for the adoption of the Ways & Means amendment printed in the report. 1 hr. of general debate.	N/A
H.R. 1745	Utah Public Lands Management Act of 1995	H. Res. 303	Open; waives cl 2(l)(6) of rule XI and sections 302(f) and 311(a) of the Budget Act against the bill's consideration. Makes in order the Resources substitute as base text and waives cl 7 of rule XVI and sections 302(f) and 308(a) of the Budget Act; makes in order a managers' amend as the first order of business, if adopted it is considered base text (10 min).	N/A
H. Res. 304	Providing for Debate and Consideration of Three Measures Relating to U.S. Troop Deployments in Bosnia.	N/A	Closed; makes in order three resolutions; H.R. 2770 (Dornan), H. Res. 302 (Buyer), and H. Res. 306 (Gephardt); 1 hour of debate on each.	1D; 2R
H. Res. 309	Revised Budget Resolution	H. Res. 309	Closed; provides 2 hours of general debate in the House	N/A
H.R. 558	Texas Low-Level Radioactive Waste Disposal Compact Consent Act	H. Res. 313	Open; pre-printing gets priority	N/A
H.R. 2677	The National Parks and National Wildlife Refuge Systems Freedom Act of 1995.	H. Res. 323	Closed; consideration in the House; self-executes Young amendment	N/A
		PROCEDURE IN THE 104TH CONGRESS 2D SESSION		
H.R. 1643	To authorize the extension of nondiscriminatory treatment (MFN) to the products of Bulgaria.	H. Res. 334	Closed; provides to take the bill from the Speaker's table with the Senate amendment, and consider in the House the motion printed in the Rules Committee report; 1 hr. of general debate; previous question is considered as ordered.	N/A
H.J. Res. 134 H. Con. Res. 131	Making continuing appropriations/establishing procedures making the transmission of the continuing resolution H.J. Res. 134.	H. Res. 336	Closed; provides to take from the Speaker's table H.J. Res. 134 with the Senate amendment and concur with the Senate amendment with an amendment (H. Con. Res. 131) which is self-executed in the rule. The rule provides further that the bill shall not be sent back to the Senate until the Senate agrees to the provisions of H. Con. Res. 131.	N/A
H.R. 1358	Conveyance of National Marine Fisheries Service Laboratory at Gloucester, Massachusetts.	H. Res. 338	Closed; provides to take the bill from the Speaker's table with the Senate amendment, and consider in the House the motion printed in the Rules Committee report; 1 hr. of general debate; previous question is considered as ordered.	N/A

*Contract Bills, 67% restrictive; 33% open. **All legislation 1st Session, 56% restrictive; 44% open. ***Legislation 2d Session. 100% restrictive; 0% open. ****All legislation 104th Congress 59% restrictive; 41% open. *****Restrictive rules are those which limit the number of amendments which can be offered, and include so-called modified open and modified closed rules as well as completely closed rules and rules providing for consideration in the House as opposed to the Committee of the Whole. This definition of restrictive rule is taken from the Republican chart of resolutions reported from the Rules Committee in the 103d Congress. ******Not included in this chart are three bills which should have been placed on the Suspension Calendar. H.R. 101, H.R. 400, H.R. 440.

Mr. MOAKLEY. Mr. Speaker, I do not disagree with many of the things that my colleagues on the other side have said but there is still no excuse why all of the appropriation bills have not been finished on time.

We can do this without regard to the budget. We have done it when we were in the majority. And there is no reason that they could not have done it; and that is the reason we are here today in this capacity.

Mr. Speaker, I yield 6 minutes to my friend and colleague, the gentleman from Massachusetts [Mr. FRANK].

Mr. FRANK of Massachusetts. Mr. Speaker, I was surprised to hear the gentleman from New York [Mr. SOLOMON] say that there will be no more deficit spending with the Republicans in control. I had understood the Republican budget to accept the reality of the fact that there will be deficit spending for the next 6 years.

The 7-year budget means that the deficit ends in the seventh year, but for the first 6 years of the Republican budget there is a deficit. So, to say that there will be no more deficit spending is to assume that we will go into a coma for 6 years and then come out in the seventh.

Mr. Speaker, the gentleman from New York did have a tougher budget. It is true. It was a very tough budget. That is why I believe a majority of the Republicans voted against it.

But the key here is procedural and not substantive. I gather this is the first time the House has been asked, not at the end of the session when we are trying to clean things up, but at the very outset of a session to change the rules substantially to diminish the chance to discuss publicly major legislation.

Mr. Speaker, this is doing away with the two-thirds vote. For a group that came in boasting about how open and democratic they were going to be, this is an extraordinary diminution of our ability as a legislative body to discuss things.

□ 1045

And the reason for it is simple. I want to be very clear. I am not impugning the motives of my colleagues in this regard. I would not do it even if the rules allowed me, in this one case at least. I do not think they came intending to diminish openness and fairness. I do not think it was part of their explicit program to do so. But they have a problem. The problem is their own incompetence. They have been unable to do the business of the public sufficiently well to stick to openness. And authoritarianism is the result of incompetence.

We will not have a chance fully to debate these issues because they are so disorganized, so unable to cope with their own internal divisions, apparently surprised, one of the things I have heard is Members on the other side have said, it is not our fault, there is something called the U.S. Senate, they have said. In the U.S. Senate they have something called the filibuster, and that has interfered with us.

Some of us, a year or two ago, were urging that in our rules of reform we deal with Senate filibuster. We said we did not like it. Universally the Republicans said, no, you cannot do that. That is a bad idea. So they were the great defenders of the Senate filibuster when we last talked about rules reform. When some of us talked about trying to curtail the filibuster through the mechanism of rules reform, the joint rules, Republicans said that was a terrible idea. Now they are apparently shocked to find on it that this filibuster causes some problems.

But the Republicans control the Senate and the Republicans control the House. And under Republican control, we have compiled the worst record in simply doing our job that I can remember. The appropriations bills were not passed. They were passed in November and December. They were all supposed to be passed by October 1.

So how do they deal with this problem? They come in today with a resolution that substantially diminishes the ability of the American public to look at these things and hear them debated because they abolish the rule that says you cannot do them all in the same day.

Part of the problem may be this and we have seen this from the Republican side. The Republican leadership comes up with a proposal and the Republican membership immediately attacks it. It may be that what we are being given here is an effort not to throttle the Democrats, not to keep the press out, but it may be that the Republican leadership has finally figured out that they cannot give their own membership time to read these things. Maybe they figure that Republican freshmen, being new to this place, will not be able to figure it out in a day. It will take them 2 days and they will have had it passed already. Because what they are saying is they should be able to bring up major legislation involving their failure to do appropriations bills and pass it the same day, not have that 1-day waiting period when it goes in the press, when it can be talked about on

television, when the public has a chance to react. That is what we are talking about.

What we are talking about now is the ability of, apparently, the Republican leadership to bring up legislation dealing with the appropriations and get it passed the same day, lest it be talked about.

I have to say, since we are the minority, unanimously we do not have the votes to stop them from doing what they are doing. What they are afraid of are their own Members. What they are afraid of is the kind of, oh, we cannot do this.

The problem is that there is a gap; there is a gap between the views of many of the Republican Members and reality. And their fear is that the Republican leadership, now that they have learned that shutting down the Government is disruptive and unpopular and in fact fiscally quite irresponsible, since it adds to Government costs, the Republican leadership does not want again to have a Government shutdown. But they have a problem, because they have difficulty in getting the votes on their own side and with their own colleagues to pass legislation that keeps the Government working.

One way they have decided that they can minimize that difficulty is to reduce the possibility for public input, to reduce the chance for discussion, to speed this up. And that is why we have an extraordinary motion today from the advocates of procedural fairness and openness, substantially to diminish the time which the U.S. House of Representatives will have to discuss the expenditure of billions of dollars.

I regret very much that they have not been competent enough and sufficiently organized within themselves to deal with the difficult task of governing. But I do not think that democracy ought to be the victim of that incompetence.

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

When I stand here and listen to the gentleman from Massachusetts, I would kindly remind my colleague that there has been more discussion and more debate about a balanced budget in these Chambers in 1 day than they have had in the last 24 years on the Democratic side of the aisle. We are serious about this situation.

We have determined there are more people riding the wagon than there are pulling the wagon. It is about time we get some people helping contribute to this. The gentleman talks about management as if the last 24 or 26 years of deficit is good management. He talks about competency as if this Congress is held out by the American people as being economically competent.

Go out and ask the American citizens, would they let the U.S. Congress run their checkbook? Go out across this country and say to somebody, If you got a gift of $100 million and you wanted to donate $10 million to the needy people of this country, would you send that check to Washington, DC, for distribution? Of course, they would not do that.

The other point that should be brought up here is part of the delay in this process is there are Members on their side of the aisle who are devoting their resources and their energy not into helping us find a solution for this budget deficit but in making sure we are not the ones that find the solution.

We want them to join the team. The time has come for economic reality. The President of this country stood up here and said the era of big Government, which was supported by that side of the aisle for the years that it had control, it is over. Power needs to shift back to the States; power needs to go back to the individuals. We have moved the President, but I am not sure we have moved many on your side of the aisle.

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

Mr. MOAKLEY. Mr. Speaker, I yield 8 minutes to the gentleman from Maryland [Mr. HOYER].

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

Mr. Speaker, first of all, what are we considering? We are considering, as both gentlemen from Massachusetts have already pointed out, a rule which allows for 1 day of consideration of matters, which means that neither Members nor the public will have an opportunity to review that which is being proposed.

I do not know whether the gentleman representing the majority on the Committee on Rules knows, but perhaps he can inform me at the end of this debate whether or not this kind of rule has ever been proposed prior to June 30 of any legislative year in the history of the Congress.

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

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

Mr. MOAKLEY. Mr. Speaker, if the gentleman from the other side does not know, I will tell him, no, it has never been proposed before June 30.

Mr. HOYER. I thank the gentleman for his comment.

Why do I ask that question? I ask that question because, when the Republicans were in the minority, they used to rail regularly about the arbitrariness of the Committee on Rules controlled by the Democratic Party. That pushed them to the position that they could not reflect or debate on issues confronting the Congress.

So what do we see? We see for some reason an incredible motivation to get out of town. This is January. We are beginning the session, the second session of the 104th Congress, the historic 104th Congress, as our Speaker, a historian himself, tells us regularly.

So how do we begin this Congress? With one of the most arbitrary rules that we have. Is there precedent for such rules? Yes, there is. Did we utilize them? Yes, we did. When did we utilize them? At the end of sessions, either because we were going on summer break in August or we were going out of session in October or November or December so that we could accelerate the process at the end of sessions. But now we have a rule that says, at the very beginning, in the first instance, before we really do any substantive business, we are going to have a rule that says we will not take the time.

Apparently, we are going to go on 30 days break, as I understand it. We are not in control, and I am not sure about that, but that is what I understand. What is the reason for this rule? I cannot figure it out.

Let me say in addition, my friend said something about management. That is an interesting concept over the last 40 years as to how long the Republicans have been in management. Under the Constitution of the United States, article II of the Constitution of the United States, article II of the Constitution gives executive authority, that is management authority, to the President of the United States. The Presidency of the United States in the last 17 or 15 years has been in the hands of Republicans 12 out of those 15 years. In fact, we hear the Republicans railing about how the President will not cooperate. That is why they cannot do their agenda.

To some degree, they are correct. But my, my, my, I never hear the Republicans say why Ronald Reagan or George Bush did not stop the irresponsibility of which they accuse the Democratic Congress. I never hear them say that for 6 of those 12 years there was a Republican leadership in U.S. Senate.

My colleagues, the fact of the matter is, we do have a serious problem. It is a budget deficit on a regular basis that this country nor its children can afford. That is why this Member of the Congress has voted three times to pass a constitutional amendment to require a balanced budget. That is why this Member of Congress right here voted for a budget which cut deficits faster and further than the Republican alternative and is, frankly, in my opinion, the budget that we ought to pass. I think the President would sign. And it would reduce deficits further and faster than the Republican alternative.

My colleagues, this martial law rule is proposed because we need to come to grips with this year's fiscal policies, which we have not yet adopted. The fiscal policies in my opinion of the Republican leadership during the past year are worthy of careful consideration by the American public and then deserving of the American public's contempt.

The Republican shutdown of Government and the Gingrich premeditated tactics of forcing America to default prospectively on its debts, both, my colleagues, are arguably historically the most irresponsible fiscal policies proposed by any leadership of the House of Representatives in its history.

We ought to have a rule on this floor which says that we will pass a clean

debt limit extension. Secretary Donald Reagan wrote me a letter and said that is what we ought to do, not on this one but when the Republicans had the Presidency. Secretary of the Treasury Jim Baker asked me to do the same. Secretary Brady asked me to do the same.

All three of those Secretaries of the Treasury said it would be the height of irresponsibility not to accommodate past policies and pay America's bills. Moody's has just yesterday made an observation that they may change the cost of borrowing in America by changing our rating. If they do that, every homeowner, every person who goes into the Hecht Co. in this area or Woodward and Lothrop or K-Mart and uses a credit card will pay more.

□ 1100

Every foreign government will up its price of money to the U.S. taxpayer. The fact of the matter is I do not know of a responsible financial person that I have talked to in my district or in this country that thinks that putting the American Government into default is anything other than insanity. Yet, it was a proposed policy by Speaker GINGRICH earlier this year. That is why I called it a premeditated policy of placing America at risk of defaulting on its debts.

Mr. Speaker, this rule is not inherently evil. It is a rule that will accommodate action. I understand that. I do not allege that it is, in and of itself, a rule that is particularly pernicious. But its timing is historic because we never found the need to do this before, in my opinion, in the history of the House of Representatives, because we were always prepared in January, February, March, April, and May to consider matters in a timely fashion. It was only at the end that we needed to accelerate.

Mr. Speaker, the President of the United States said we ought to come together. We ought to jettison confrontation and adopt cooperation and put this country on a sound fiscal footing, make a commitment that we are not going to shut down government, not just for Federal employees, but for Americans who rely on government on a daily basis, that they will not be at risk, and that we ought to commit ourselves to quickly passing a clean debt limit extension, so we can tell all the world America, America can be relied on.

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

Mr. Speaker, the gentleman that just spoke is an eloquent speaker, and not exactly on point, but he is an eloquent speaker. I guess the gentleman brings up that we finished talking about the word management. Now let us talk about the word participation. The gentleman acts as if there was no opportunity to participate last night. The Committee on Rules had an open meeting.

By the way, the meetings under the Republican management of this Congress have been open, sunshine. They are open to the press. By the way, we do not have proxy voting anymore. Under the old management team, the Democratic management team, you could go home to your district and you could have a proxy vote cast on your behalf. You did not even have to be at a committee hearing.

What did we do? We said, ''Wait a minute, we are going to change the management around here. We expect you to be at your meetings. If you are going to cast a vote, you are expected to be there and cast a vote in person.'' The gentleman does not bring up the point that last night his colleagues on the Democratic side of the aisle did not carry this kind of debate in the Committee on Rules. In fact, they voted for this rule. In fact, they voted for it unanimously. We did not even do a rollcall vote on it. We did a voice vote on it. I think it is important to remember those kinds of things.

I think it is important to take a look. I think the gentleman is credible when he starts talking about his personal efforts at balancing the budget. I think he is terrific in that area. But my big question is, Why did his party not follow him? The party had 26 years since the last time this country balanced their budget, and I do not know how many years the gentleman has served over there. I know it is many, and I know he has served with distinction. But my question that I would like at some point to be answered is, Why did the gentleman not convince his own party during the period of time that he served to balance the budget? That is all we are trying to do.

Mr. Speaker, the gentleman brings up the point about the interest rates. Do Members want to lower interest rates for the working Joe and working Jane in this country? Then balance this budget. Quit spending more money than you bring in.

There is not a family in America that gets to operate under these fiscal rules. There is not a special district, there is not a city, there is not a county, there is not a State in this country that gets to operate under such crazy fiscal rules. Constantly, for a period of 24 years, you spend more than you bring in.

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

Mr. SOLOMON. Mr. Speaker, I just am really taken aback by my good friend, the gentleman from Maryland [Mr. HOYER], when he says this rule is not inherently evil. I thought this gentleman wanted this rule in the worst way. I know that the Federal employees that I represent want this rule in the worst way. A number of them on my way to work this morning approached me and said ''We hope you can deal with this problem today. Please do not furlough us again next week.''

That is exactly what this is meant to do. I understand that Speaker GINGRICH received a call from Air Force One, from the President, last night where they talked about putting together this continuing resolution that was going to continue the Government, keep it working, and that is exactly what we are trying to do here today.

Mr. Speaker, someone, I guess the gentleman from Maryland [Mr. HOYER] mentioned that this procedure had never been done before.

Mr. HOYER. Prior to June 30.

Mr. SOLOMON. We have a whole list of when it was done in the 103d Congress. Let me just point out, here is a list of all of the vetoes and the veto overrides of all of the Presidents since George Washington.

I have to point out to the gentleman, because I was here during the Reagan years, and all during those Reagan years when you had a very philosophical President with an opposing party in this body of Democrats opposing him, never once did Ronald Reagan fail to sit down and negotiate these appropriation bills that keep the Government functioning. There were several occasions when, for 1 day, we overlapped; in other words, we did not quite make it, but there was no prolonged argument.

Ronald Reagan knew that he had to govern. He recognized that this House of Representatives had control of the pursestrings. Unfortunately, he never accomplished what he wanted to accomplish, because he could not do it with these Democrats in control of this House.

Let me point out, right now most of the appropriation bills have been enacted into law. There are four major ones that have not. There is one that deals with the Department of Veterans Affairs, the Department of Housing, the National Space Center, the Environmental Protection Agency, and 47 other smaller agencies. We negotiated that with the Senate. There was no holdup over in the other body. We sent that to the President. The President vetoed it, because the cuts were too deep in the Environmental Protection Agency, he said, and a couple of other things.

We told him that there is an increase in medical care delivery systems for veterans of about $400 million, and we will not negotiate that, because that has to stay. But if you want to shift that spending in the rest of that bill, you do what you want to do. We will reenact the bill and send it to you. That whole portion of the Federal Government will be working, without any question.

The Interior Department appropriations, which funds all the national parks, the Department of Energy, Endowment for the Arts, Endowment for the Humanities, so forth, he said that the cuts were too deep in that. We told him, ''Change it any way you want to. We do not care where the funding lies, but as long as you stay on the glide path to the balanced budget.'' He never gave us any of his recommendations.

Finally, the Commerce, Justice, State Department, that funds the Department of Commerce, Department of State, Department of Justice, he said the cuts were too deep there. Basically, he said, ''We cut Commerce, technology, we cut international operations, we cut peacekeeping activities and the Legal Services Corporation too much.'' So we told him, ''Change it any way you want to, as long as you stay in the glide path, and all of those employees will go back to work permanently through September 30, the end of this fiscal year.''

I would say to the gentleman, we have been doing everything we could to cooperate, but when you stand here and say this rule is not inherently evil but it is a bad rule, I am willing to put it up to a vote, and let us let whoever wants to vote for it vote for it. But this is a rule that is going to keep this Government functioning for the next 6 weeks so we can try to work out these differences.

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

Mr. SOLOMON. I yield briefly to the gentleman from Maryland, who knows that I fight for his rights for his employees.

Mr. HOYER. Mr. Speaker, I want to say to the public, notwithstanding the philosophical differences, the gentleman who chairs the Committee on Rules, the gentleman from New York [Mr. SOLOMON], and I are good friends, and we work closely together on a number of issues. I respect him, and believe he respects me.

The gentleman raises a number of interesting points. First of all, I do not believe I said this was a bad rule. I said the timing of this rule was historic, and the reason being because we apparently are going to go home, Mr. Speaker. Let me further say that, very frankly, the reason you need this rule is not because there could not be a unanimous consent resolution on our side which says we will keep Government working past the 26th at the levels currently in force, by unanimous consent. You would not need a rule for that.

Mr. MCINNIS. Reclaiming my time, Mr. Speaker.

POINT OF ORDER

Mr. HOYER. Point of order, Mr. Speaker. I believe the gentleman yielded to the gentleman from New York [Mr. SOLOMON] who yielded to me.

Mr. SOLOMON. Reclaiming my time, I would just continue to yield to the gentleman from Maryland for 30 seconds, but I have to consider the manager of the bill.

The Speaker pro tempore. The Chair recognizes the gentleman from Colorado [Mr. MCINNIS] who has reclaimed the time, and therefore would be the one to yield the time. The gentleman from New York [Mr. SOLOMON], if yielded to, may yield to the gentleman from Maryland for a question.

The Chair recognizes the gentleman from Colorado [Mr. MCINNIS].

Mr. MCINNIS. Mr. Speaker, I yield 30 seconds to the gentleman from New York [Mr. SOLOMON].

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

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

Mr. HOYER. Mr. Speaker, the gentleman pointed out under Ronald Reagan and George Bush what happened was, because we could not override the President's veto any more than you can override President Clinton's veto, and what happened from our perspective, I tell my friend, the gentleman from New York, is that the Democratic Congress accommodated President Reagan and President Bush on issues on which there was strong feeling on this side, on which the President said he will not sign a bill if it has, for instance, pregnancy termination rights, which was one of the issues on which there was deep difference.

We accommodated the President. Why? Because we could not override the veto, and there was no intent to shut down the Government. I understand what the gentleman is saying. I understand the purpose of this rule, and I understand that it if goes forward, perhaps we could have movement.

Mr. SOLOMON. Vote for the rule. It is a good rule.

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

Mr. FRANK of Massachusetts. Mr. Speaker, first I want to thank the gentleman from New York for pointing out that Ronald Reagan signed every appropriation bill, so the next time you hear people say this terrible deficit happened purely because of the Democrats, quote the gentleman from New York. Remind people that the gentleman from New York said that Ronald Reagan and George Bush signed every appropriations bill. No penny was spent during the Reagan and Bush administrations that they did not sign. As my friend, the gentleman from Maryland, points out, in some cases they wanted more spending. So every dollar in the deficit that we have was with the joint participation of Reagan, Bush, and the Congress. I appreciate the acknowledgment.

Second, he said we needed this rule to keep the Government open. In the first place, a two-thirds vote would allow us to pass the CR today. If you were not trying to be excessively controversial, you would not need this rule. It is a two-thirds vote. So it is not that we need this rule to pass it today, we need it to do it without a two-thirds vote.

Even more important is this point: Why are we at the point where we need to bring up a complicated policy-oriented continuing resolution and pass it the same day? It is because the other side has been too incompetent.

They have been too incompetent to do it better than this. No; it is not good management to bring it up and vote on it the same day. They have created the crisis by shutting down the Government, by their own internal ideological turmoil, and now they come to us and say ''We are going to solve the crisis.'' They lurch from one self-created crisis to another, and then, like the arsonist who sets the fire, take credit for putting it out. It is a shambles of how to run the place.

Mr. Speaker, I will say, I admire one thing about the gentleman from Colorado, Mr. MCINNIS. At no point has he defended this rule. He has talked about balancing the budget, he has talked about everything else, but in the last couple of conversations he has not defended the rule, because what we have is one more self-created crisis that the Republicans have tried to solve.

Mr. MOAKLEY. Mr. Speaker, I yield 2 minutes to the gentlewoman from Texas, Ms. EDDIE BERNICE JOHNSON.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I have listened to the debate. I am seldom up on a rule. But all of us can see through this rule. We can say whatever we want to say about the rhetoric. All of us understand each other. All of us, 100 percent of us, want to balance the budget. There is no question about that. The question is balancing the budget in two diverse ways.

For the most part, the people on the Democratic side of the aisle do not want to balance the budget by cutting education, cutting all of Medicaid, cutting all of Medicare, and making sure that people do not have access to clean and safe water. We want considerations.

All of us know that when we start altering the rules of the House, coming up with different rules to get by, it is to muffle those voices. All of us know that the reason why the Government has been shut down is because the attempt has been to pass these drastic, draconian cuts in the continuing resolution. Let us not play games with each other. It is time for us to give the American people a sensible solution, and we cannot do it by forgetting that they exist.

□ 1115

They exist and they need to be given attention. We just cannot steamroll it through and think that we are taking care of the business of the American people. The bulk of the people in this Nation, 80 percent of them, care about the education of their children for the future.

We have all said we need better educated, better trained work forces. How are we going to get them with all of the opportunities to cut, and we know that that is what we are doing in a rule that simply passes all of the philosophical types of draconian cuts in a continuing resolution, knowing full well that we are going to blame the Republicans, because that is where we sincerely feel it is going to be. The Republicans are going to blame the

Democrats in saying they do not want to balance the budget.

All of us want to balance the budget and all of us know that. It is the way in which we want to balance it. I would say it is time for us to stop playing games with the public and with ourselves.

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

I would be interested to know how the gentlewoman from Texas voted on the balanced budget amendment, after she stands down here and talks about how everybody supports a balanced budget.

Furthermore, I should point out to the gentlewoman from Texas, with all due respect, she had 26 years to balance the budget her way, 26 years to do something. The gentlewoman had the President of her party last year; she had at least 2 years while I was here to balance this budget.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, will the gentleman yield?

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

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, we might have had 26 years, but the budget was unbalanced during the Reagan-Bush years on the backs of the same people we are victimizing now.

Mr. MCINNIS. Mr. Speaker, if I may reclaim my time, I notice I did not get an answer to my question which was, how did the gentlewoman vote on the balanced budget amendment?

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, during that 12 years when we went toward a downward spiral, the whole philosophy was trickle-down. We are trying to reinvent that. It does not work. It did not work then; it will not work now.

We cannot victimize and enslave all of the people of this Nation just to say we are balancing the budget to give this tax break to the wealthy. It will not work.

Mr. MCINNIS. Mr. Speaker, reclaiming my time, I assume that answer means the gentlewoman voted ''no'' on the balanced budget.

Let me move on to the rule. The gentleman from Maryland [Mr. HOYER] stated that we have never before June 30 ever had the same day two-thirds requirement waived, and my good friend, the gentleman from the Committee on Rules stated another statement similar to that. But I felt in order to be more credible up here I would use your statistics on has this occurred before.

Waivers of the two-thirds vote requirement for same-day rules in the 103d Congress before June 30: House Resolution 61, Family Medical Leave Act, February 3, 1993. House Resolution 111, emergency unemployment, March 3, 1993. House Resolution 142, budget resolution, March 30, 1993. House Resolution 150, supplemental appropriations, April 1, 1993. House Resolution 153, supplemental appropriations April 21, 1993. I go on. House Resolution 322. House Resolution 356. Emergency supplemental appropriations. House Resolution 395.

The point that I am making here is that it is somewhat incredible for Members I guess opposed to this rule, and I am not even sure they are opposed to the rule, to show up at the microphone and say we are setting history or a new precedent. This whole book, which is your statistics, is full of the precedent.

Mr. Speaker, we need to have a management tool. I believe last night, if I heard the gentleman correctly and I will yield to him so he has an opportunity to correct me if I am wrong, but last night in the Committee on Rules the gentleman said, we understand the need for management. This went out of the Committee on Rules unanimously. There were not these kind of eloquent speeches last night in the Committee on Rules.

Mr. Speaker, I yield to the gentleman from Massachusetts.

Mr. MOAKLEY. Mr. Speaker, first of all, the bills that my friend speaks of were single-purpose bills. This is a general bill that would allow anything to happen. Those were specific reasons to waive the two-thirds rule, but anything could be waived under this.

Yes, last night, we did not want to present an obstacle by raising any ruckus in the Committee on Rules, but that does not mean that we voted in favor of it; we just did not raise any opposition.

Mr. MCINNIS. Mr. Speaker, reclaiming my time, I should point out, Mr. Speaker, that first of all to the gentleman from Massachusetts, the waiver is very specific. He said it is not specific at all. It is very specific.

Second of all, I guess the gentleman is going to sing in a different tune now. I do not remember that when he said prior to June 30 he specified it or restricted it to certain conditions or a single subject. The fact is we had this rule for a purpose. The rule was not just created last night in the Committee on Rules, it is there as a management tool.

One of our responsibilities in the Committee on Rules is to manage these bills primarily today so that we can keep the Government operating, which is a concern of everybody in this Chamber.

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

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

I do not want to prolong the management tool. I mean, we can chop down a cherry tree with an ax or we can knock it over with a bulldozer. I think this is not a general-purpose, two-thirds waiver. Anything, any budget, any bill could be taken up in the same day.

As I say, the matters that the gentleman from Colorado referred to were specific instances in the two-thirds vote that was waived for that specific instance.

Mr. Speaker, I yield such time as she may consume to the gentlewoman from Colorado [Mrs. SCHROEDER].

Mrs. SCHROEDER. I thank the gentleman from Massachusetts for yielding me this time.

Mr. Speaker, I find this interesting because maybe somewhere on this floor there is this bill that we are talking about, but I cannot find it. My understanding is we now have this martial law rule for a bill that is not here. So after we pass this, then I guess we are going to go into recess while they are still writing it.

Someone told me that there have now been over 30 different versions of this bill, and we have not seen it yet. Maybe that is misinformation. But what we are doing is giving permission for them to write anything they want, bring it here and then it is take it or leave it, or shut the Government down again.

Mr. Speaker, I do not really care what George Washington did, nor do my constituents today. They do not want a history lesson. They want to know what we are going to do today, and they are a little tired of the fact that we have wasted almost $2 billion of their money on this stop and start of the Federal Government, and we are about to do it the third time.

The gentleman from Colorado, I guess it was the gentleman from New York, said Federal employees want this in the worst way. That is right. They are in the worst way. It gets shut down tomorrow if we do not do this. So we are being told as Members of the House, accept this bill that we have not shown you yet, give us this rule to bring it up any way we want, and then take it or leave it one more time. I do not think that is the democratic process.

Mr. MILLER of California. Mr. Speaker, will the gentlewoman yield?

Mrs. SCHROEDER. I yield to the gentleman from California.

Mr. MILLER of California. Mr. Speaker, the reason that this rule is being put forth today is because obviously, I say to my colleague, the reason you put the martial law issue, at some point you want to decide you want to end the debate, you want to stifle debate and you do not want to allow alternatives, you do not want to allow amendments. We were here and we are here today because apparently at one time there was just a high principle of 7 years, CBO-scored and a balanced budget. Apparently that all evaporated sometime Tuesday night.

What we now find out is that 7 years is no longer important; CBO is no longer important; a balanced budget is no longer important. The authentic revolutionary who stood there the first day of the session in the chair of the Speaker has now become an incrementalist. Because the Speaker has now become an incrementalist, they now want to stifle the debate. They were willing to throw people out of their jobs, at risk in the Social Security system, at risk in the AFDC payment system. They were going to put them all at risk because they were

going to save this country with the 7-year CBO balanced budget. Today they want to take it off the floor, they want to deny the President $700 billion in savings that he has already agreed to. They do not want to give us the alternative for $700 billion in savings.

What they want to do is patch up the system in the same old way of business as usual. That is why they need martial law, because if they do not have martial law, they have to accept amendments, they have to accept debate, and they have to accept the discussion. But they brought in their freshmen, they said there was nothing more important to the country.

Well, they have just decided that apparently something else is more important, and that is apparently the tax cut or patching up this system and getting out of town for a month and not coming back. They would rather get out of town than have a debate about whether or not we should still go for the hundreds of billions of dollars in savings that this administration has already agreed to. That is why they need martial law. And they should be denied martial law.

As was pointed out, they have martial law for a bill that we have not even written yet. That is not the democratic process, that is not an open process, and that does not allow for comment. I thank the gentleman for yielding to me.

Mrs. SCHROEDER. Mr. Speaker, reclaiming my time, I think the gentleman from California hit it right on the head. That is exactly what is happening here. We are asked to be able to bring this thing to the floor because if we do not take it, by gosh, the Government shuts down tomorrow, and guess what? We are going to be out of town, because they are planning to go off again for another 3 weeks or whatever it is. I think that is absolutely ridiculous.

What is really happening is, if we vote for this rule, what we are voting for is the right for them to write anything they want in some dark room somewhere. I happen to believe government is not a fungus, it can thrive in sunshine, and then they can bring it out here and say you either have to agree to what we wrote in the dark room with none of you around, or we go down on the Government for the third time.

Let us be real clear. That is what it is about. It is not about how many vetoes George Washington had or anything else. This is about the fact that they are all over the lot over on that side.

Mr. MILLER of California. Mr. Speaker, will the gentlewoman yield?

Mrs. SCHROEDER. I yield to the gentleman from California.

Mr. MILLER of California. Mr. Speaker, this is about the fact that they have had the most massive meltdown in failure on their side after putting people at risk in this country that now what they want is a minimalist bill and get out of town. This is about just getting out of town so that nobody will discover that they have dramatically changed apparently the priorities of this Nation. They have gone from a balanced budget to business as usual.

Mrs. SCHROEDER. Mr. Speaker, reclaiming my time, I thank the gentleman for his statement, because I think that is absolutely right. People are already out of this Chamber. I wish I knew, I wish I had the bloodhounds to go find out where they are meeting and where we are now having the rewrite of this bill or whatever it is. But if this rule passes, then we are going to be faced with having a bill out here with whatever they put in it. It is going to be one more manufactured crisis. And do not forget, we are now in the fourth or fifth month of this fiscal year without having our work done. That is unbelievable. I think the American people are sick and tired of it.

I think that to constantly manufacture these crises is costing us a tremendous amount of money. As I say, now they are saying almost $2 billion for these prior shutdowns, and then putting it here where we either take it or leave it or one more time we go through this. We look terrible in this country. I have never seen this done before.

Now, I must say, on the other hand, I am one of the people who is retiring and I am sitting here in the front row thinking, why am I giving this job up? This is great. You get great pay, you show up 3 days a month. This is fabulous. You do not have to make decisions on anything. They do martial law, they go meet somewhere, they bring it out here, you duck, you do not have any responsibility, but that is not what the democratic process is about. It is not about giving people permission to meet in dark rooms and do what they want.

Mr. DOGGETT. Mr. Speaker, will the gentlewoman yield?

Mrs. SCHROEDER. I yield to the gentleman from Texas.

Mr. DOGGETT. I would ask the gentlewoman, is the thrust of this rule to give even more power to a Speaker who already has extraordinary power?

Mrs. SCHROEDER. Mr. Speaker, reclaiming my time, the gentleman from Texas asks a very good question. I do not know where this meeting is going on, and I do not know why we do not have the bill in front of us that this rule affects.

Mr. DOGGETT. If the gentlewoman would yield further, this rule is for a bill that we do not have.

Mrs. SCHROEDER. Mr. Speaker, I would say in response to the gentleman, we do not have it on our side. And I ask if anybody had it over there. I do not see it on the table; nobody seems to be coming up with it.

My understanding is that we are going to vote for this rule that will allow whatever bill they are now writing. Whether it is in the Speaker's office or someplace else to come up and be immediate law and, once we vote on this rule, we will all go into recess for a while, do special orders until they finally get it written. But I do not think there are any Democrats in the room, I can tell you that. I do not know who is in that room, I do not even know where the room is, but I know we should be debating here in public those issues.

Mr. DOGGETT. Mr. Speaker, if the gentlewoman would continue to yield, I heard the Speaker of the House, who will have extraordinary power, announce last night on national television that his effort to dismantle Medicare this year has failed and that he is giving up on it.

What I do not understand is why he is walking away from a balanced budget as well. He talks about some minimal down payment at a time we ought to be bringing the whole budget deficit down without bringing Medicare down with it. Is that not involved centrally, and the reason they want to walk out of town rather than debate what this is all really about?

Mrs. SCHROEDER. Mr. Speaker, reclaiming my time, I guess so. I am very troubled by that. I am also very troubled by the fact that Moody's came out and said they are close to making the bonds of this great Nation almost the junk bond. Mr. Speaker, if we are going to play fast and loose with the credit rating of this great Nation, which has never been done before, and what they are doing is, they are meeting somewhere we do not know. And we are supposed to give them authority to do anything. We get out of town, and then who knows if the credit rating sinks or falls? I do not know. I am very confused about that.

I do not know why the Speaker would say that on public television and not be willing to come here and defend it.

□ 1130

Mr. DOGGETT. They may well take us, in the month of February, right to brink of fiscal disaster, to default on this Government's full faith and credit. And when they get there to the cliff, if they mishandle this whole issue of Government default the way they have mishandled the governance in this House for the last year where they have accomplished so little after expending so much time here on the floor of this House, then we may actually fall into default.

Mrs. SCHROEDER. The gentleman is right. This is just one crisis after another, all artificially manufactured.

The SPEAKER pro tempore (Mr. TAYLOR of North Carolina). The time of the gentleman from Massachusetts [Mr. MOAKLEY] has expired.

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

For the gentleman from Texas, the gentleman from Texas who just spoke, I want to assist the gentleman a little. We are not talking about a rule on a bill. The gentleman's procedure, if he was following procedure, we are discussing a rule on a rule. I just want to

point that out to the gentleman from Texas.

The gentlewoman from Colorado, of course, stands up and talks about the gentlewoman is leaving the U.S. Congress and that we get great pay back here. I would also remind the gentlewoman we have great retirement funds back here.

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

Mr. MCINNIS. No, the gentlewoman has had her time. All of you have had your time. In fact, your time has expired.

To the gentleman from California, if the Republicans did nothing else this year, just to hear the gentlewoman from Colorado and the gentleman from California and the gentleman from Massachusetts talk about a balanced budget is a victory for this country.

We have had lots of debate. We have had more debate in 1 day, and I bet some days we have had more debate in 1 hour than the Democratic Congress has had in 26 years. You have had an opportunity to do this. We are trying to reverse that.

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

Mr. MCINNIS. The gentlewoman has had her opportunity with time. The gentlewoman took several minutes up there. The gentlewoman's time has expired. I ask that she allow me to continue with my time which I intend to do.

There was some statement made about martial law. The gentleman from California talked about martial law. I wonder if the gentleman from California made those same kinds of allegations to the Democrats, the distinguished Democrats who serve on the Rules Committee. I wonder what their feeling would be if the gentleman from California went up to these four Democratic Members who last night voted unanimously by voice vote for this rule, went up and said, ''You just put in the Marshall plan,'' or, ''You put in martial law.'' Of course, he is not going to say that to them. What are they doing? It is rhetoric.

Mr. Speaker, this rule has been used on a regular basis, and I gave citations, statistics to the Democrats. It is a management tool; it is a rule on a rule. Now the gentlewoman brought up the issue, what about the bill?

The bill is not here because right now negotiations are going on with the administration, in good faith, to determine what the administration can live with and what they cannot live with. Once we determine some kind of an agreement, we will get it over here because we do not want this Government to shut down.

It is a waste of our resources to go ahead today and slap a bill together without consulting with the Democratic administration, sending it over there and finding out the President is not going to approve it. Come on. We need to work as a team, and that is what we are encouraging. The Committee on Rules last night worked as a team. That is why this came out as a unanimous vote. I think that all of us should work unanimously to try to get our business done today so that we can keep the Government open tomorrow.

Mrs. SCHROEDER. Could the gentleman from Colorado at least tell us where they are meeting?

The SPEAKER pro tempore. The gentleman from Colorado [Mr. MCINNIS] will not yield.

Mr. MCINNIS. Addressing the gentlewoman from Colorado once again, the gentlewoman has had her time. The gentlewoman knows we are each allotted an equal amount of time. You have consumed all of your time; we now wish to continue with the allotted time we have.

Mr. Speaker, let me repeat another important part of the rule. We got somewhat diverted on the balanced budget issues. We went the whole spectrum, from there to whether this rule has been utilized. We covered the spectrum of the balanced budget, we talked about retirement pay, we talked about pay increases.

Let me refocus this issue back on the rule. It is a rule on rules, and it says, in our rule, this narrow waiver will only apply to special rules providing for the consideration or disposition of measures, amendments, conference reports or items in disagreement from a conference that makes general appropriations for fiscal year 1996, include provisions for making continuing appropriations for fiscal year 1996, or any bill or joint resolution that includes provisions increasing or waiving the public debt limit.

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

Mr. MCINNIS. I will not yield to the gentlewoman from Colorado.

What I think is important is that the Rules Committee is ably represented from the Democratic side, at least during the period of time that I have been able to serve on that committee. I can assure my colleagues that at any time when I was present, I have attended almost all of the meetings, at any time that I was present when members of the Democratic side felt that a rule was somewhat unfair, was somewhat nondemocratic, even had the slightest inkling of cutting the Democratic side short, they opposed it and they debated and they were well within their rights to do it, and I would say they did it, I think, very profoundly.

Last night we did not have that. Last night, not one Democratic member of that Committee on Rules stood up and made any of the kind of statement that we heard from the gentleman from California or from Maryland or Massachusetts or the gentlewoman from Colorado.

They understood last night, we need this as a management tool. They understood we need to put the Government back to work. They understood that it took teamwork. They understood that it was going to take cooperation. That is why this rule passed with a unanimous vote and not only did it pass with a unanimous vote, it passed with a voice vote.

What has happened today, what we have witnessed today, is some people who—by the way, many of the people who spoke today did not take the time last night to come to the Committee on Rules, to attend that Committee on Rules and see what was said. Instead today they have tried to divert from a procedure and try and get into peripheral arguments dealing with everything from the Marshall plan to the history of pay of the Congress, to how many days the U.S. Congress works.

This debate today is on a rule. This is a procedural debate. I would encourage all of my colleagues to vote for this rule and to follow the lead of the Committee on Rules.

The SPEAKER pro tempore. All time has expired.

Mr. MCINNIS. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the resolution.

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

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

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

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 229, nays 191, not voting 13, as follows:

[Roll No. 17]

YEAS—229

Allard	Clinger	Frelinghuysen
Armey	Coble	Frisa
Bachus	Coburn	Funderburk
Baker (CA)	Collins (GA)	Gallegly
Baker (LA)	Combest	Ganske
Ballenger	Cooley	Gekas
Barr	Cox	Gilchrest
Barrett (NE)	Crane	Gillmor
Bartlett	Crapo	Gilman
Barton	Cremeans	Goodlatte
Bass	Cubin	Goodling
Bateman	Cunningham	Goss
Bereuter	Davis	Graham
Bilbray	Deal	Greenwood
Bilirakis	DeLay	Gunderson
Bliley	Diaz-Balart	Gutknecht
Blute	Dickey	Hancock
Boehlert	Doolittle	Hansen
Boehner	Dornan	Hastert
Bonilla	Dreier	Hastings (WA)
Bono	Duncan	Hayes
Brownback	Dunn	Hayworth
Bryant (TN)	Ehlers	Hefley
Bunn	Ehrlich	Heineman
Bunning	Emerson	Herger
Burr	English	Hilleary
Burton	Ensign	Hobson
Buyer	Everett	Hoekstra
Callahan	Ewing	Hoke
Calvert	Fawell	Horn
Camp	Fields (TX)	Hostettler
Campbell	Flanagan	Houghton
Canady	Foley	Hunter
Castle	Forbes	Hutchinson
Chabot	Fowler	Hyde
Chambliss	Fox	Inglis
Christensen	Franks (CT)	Istook
Chrysler	Franks (NJ)	Johnson (CT)

Johnson, Sam
Jones
Kasich
Kelly
Kim
King
Kingston
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Laughlin
Lazio
Leach
Lewis (CA)
Lewis (KY)
Lightfoot
Linder
Livingston
LoBiondo
Longley
Lucas
Manzullo
Martini
McCollum
McCrery
McHugh
McInnis
McIntosh
McKeon
Metcalf
Meyers
Mica
Miller (FL)
Molinari
Moorhead
Morella
Myers
Myrick
Nethercutt
Neumann
Ney
Norwood
Nussle
Oxley
Packard
Parker
Paxon
Petri
Pombo
Porter
Portman
Pryce
Quillen
Quinn
Radanovich
Ramstad
Regula
Riggs
Roberts
Rogers
Rohrabacher
Ros-Lehtinen
Roth
Roukema
Royce
Salmon
Sanford
Saxton
Scarborough
Schaefer
Schiff
Seastrand
Sensenbrenner
Shadegg
Shaw
Shays
Shuster
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Stearns
Stockman
Stump
Talent
Tate
Tauzin
Taylor (NC)
Thomas
Thornberry
Tiahrt
Torkildsen
Upton
Vucanovich
Walker
Walsh
Wamp
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wolf
Young (FL)
Zeliff
Zimmer

NAYS—191

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

NOT VOTING—13

Archer
Chapman
Chenoweth
Jefferson
Klug
Lewis (GA)
McDade
Serrano
Waldholtz
Waters
Waxman
Wyden
Young (AK)

□ 1158

Mr. KENNEDY of Massachusetts changed his vote from ''yea'' to ''nay.''

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mrs. CHENOWETH. Mr. Speaker, on rollcall No. 17, I wish to be recorded as voting "yes." My vote was missed because I was detained by a medical emergency.

□ 1200

PARLIAMENTARY INQUIRY

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

The SPEAKER pro tempore (Mr. TAYLOR of North Carolina). The gentleman will state it.

Mr. VOLKMER. Mr. Speaker, I would like to inquire of the Chair if the rules of the House would permit the clerks to move their chairs over a little bit, so that Members who wish to sign Discharge Petition No. 8 will have plenty of room. I see there are many standing there to sign the Discharge Petition No. 8, if they could move over.

The SPEAKER pro tempore. The Chair believes there is sufficient room.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will now entertain 1-minutes and special orders with prejudice to further legislative business later today.

NOW IS THE TIME TO WORK TOGETHER TO RAISE THE DEBT CEILING

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

Mr. VOLKMER. Mr. Speaker, the other evening, on Tuesday night, the President said, ''Let us work together,'' on many things. Now is the time to work together to make sure that we increase the debt limit that needs to be done so that the financial conditions of many, not only of the U.S. Government, but of many of our municipalities, our States, and even some of my school districts that have Treasury bonds, do not have their bond rating reduced.

Mr. Speaker, we can work together to do this. All we have to do is come forward and sign the Discharge Petition No. 8 that provides that we will have before this House a clean debt limit extension so that we can do it and we can get past this hurdle.

Mr. Speaker, I am afraid that if we do not do this, that under the leadership of our Speaker, the gentleman from Georgia [Mr. GINGRICH], we are not going to get it done, and we are going to see a chaotic financial condition throughout this country for no purpose whatsoever.

There is no reason that we cannot increase the debt limit and do it now. Now is the time to do it, not to wait until the Government has to default on their bonds.

So if Members want to prevent that from happening, the easiest way to do it is to sign Discharge Petition No. 8. Any Member can sign it. They do not have to be a Democrat; Republicans can sign it, and I welcome Republicans to sign the discharge petition.

INCREASE IN DEBT CEILING MUST BE LINKED TO BALANCED BUDGET COMMITMENT

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

Mr. WELDON of Florida. Mr. Speaker, the President the other night asked for a clean increase in the debt ceiling. Prior to coming to Congress, I was a practicing physician. I treated a lot of people with not only medical problems, but also with some psychological and emotional problems. One of the things that I did occasionally see is people with serious gambling problems, and the last thing that I would ever recommend for a bank to do would be to give somebody with a gambling problem a line of credit.

Mr. Speaker, we have a President that does not want to balance the budget. He has fought us on balancing the budget, he has fought us on welfare reform, he has fought us on tax cuts, even though he cannot pay for all of those things; and now he wants us to give a clean increase in the debt ceiling so that he can go on his merry way with liberal tax-and-spend programs, the programs that have driven this country almost into bankruptcy, 5 trillion dollars' worth of debt, $18,000 for every man, woman, and child.

Mr. Speaker, if we are going to increase the debt ceiling, we need to get on the road to balancing the budget and not fairy tale stories about balancing the budget, not saying that we support the balanced budget and then opposing it for the last year, like he has.

HONORING PAST COMMITMENTS IS NOT A GAMBLING DISORDER

(Mr. HOYER asked and was given permission to address the House for 1

minute and to revise and extend his remarks and include extraneous material.)

Mr. HOYER. Mr. Speaker, I had not intended to give a 1-minute at this point in time, but the previous speaker is brandnew to the House, and very frankly, he is incorrect, totally, absolutely incorrect. I hope his advice as a physician was far better for his patients than his advice just now in his 1-minute.

The extension of the debt limit has to do with policies that were signed by Ronald Reagan and George Bush, as well as previously adopted policies of this Congress. Not prospective. Not prospective.

Mr. Speaker, if the gentleman does not want to pay Social Security on March 1, I understand that. He can get up and say that. If he does not want to pay veterans' benefits that are committed and expected, I understand that, and he can get up and say that. But to imply for 1 second that extending the debt limit so that America can pay its bills that is has already incurred is somehow like giving a person that has a gambling disorder additional money is totally, absolutely inaccurate and unfortunate.

REVIEW OF PAST DEBT EXTENSIONS

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

Mr. CHRYSLER. Mr. Speaker, I yield to the gentleman from Michigan [Mr. SMITH], my neighbor and good friend.

Mr. SMITH of Michigan. Mr. Speaker, I think it would be good for all of us to review exactly where we have been in debt extensions: Since 1980, H.R. 7428, a debt extension with increases in the import fee. In 1985, H.R. 3721, a debt ceiling increase with an increase in the cigarette tax and expanded benefits for unemployed.

In House Resolution 372, debt extension with a Gramm-Rudman attached. In 1986, debt extension with budget reconciliation, with a large increase in social spending.

In 1987, a long-term debt limit extension with liberal modifications to Gramm-Rudman. It goes on and on. We have tied everything in the past to debt ceilings that we wanted to get a President that did not pay attention. This is going to continue.

APPEAL FOR A CLEAN DEBT LIMIT EXTENSION

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

Mr. STUPAK. Mr. Speaker, the previous speaker has been here only 3 years, the same as I, but in the last several months he voted three times to extend the debt limit.

In his budget reconciliation bill, in these budget bills, in these horrendous bills that the other side put forward to give $245 billion in tax breaks to the wealthiest and cut Medicare and Medicaid, Mr. Speaker, if we look in those bills, three times my Republican colleagues have already voted to extend the debt limit. So what is the problem? Give us a cleaner CR. Let us increase the debt limit.

The other speakers would say we are spending money prospectively. Brimley School District in the Upper Peninsula is waiting for its $600,000 impact aid payment it cannot have because the other side will not pass a full, clean CR. They will not pass a debt limit extension. They will just sit on their hands as this school district has to go out and borrow money to stay afloat; while they stand here and say, ''We never did this.'' But my Republican colleagues have done it three times already this year.

Mr. Speaker, let us be honest with the American people. Let us get a clean bill up here. Let us get a clean CR and let us raise the debt limit, as they have already voted to do three times.

CONGRESS SHOULD SUPPORT SANCTIONS AGAINST CASTRO

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

Mr. DIAZ-BALART. Mr. Speaker, I take the floor today because a most distinguished colleague of ours took the floor earlier this morning and said that he had a meeting with dissidents in Havana, Cuba, last week, and he mentioned a couple of names of dissidents who were opposed to our sanctions against Castro.

Mr. Speaker, it is not fair to mention those names and not mention that in that same meeting, in that same meeting, the most prestigious members of the internal opposition of Cuba came out in favor of sanctions and in favor of our Helms-Burton bill. I think that is only fair to mention.

It is also fair, and I have got the names. I only have 1 minute, so I will submit them into the RECORD. I have the names of those people who got up and told our colleague that they supported sanctions. Also, another most prestigious member, Osvaldo Paya Sardinas, when an aids of our colleague wanted a show of hands, said, ''That's an internal intervention into our affairs and if the Congressmen of the United States want to support Cuba, they should support the internal opposition, support democracy, and start getting on the issue or putting pressure on Castro,'' like we have done on other dictatorships in the past, such as South Africa or Chile.

Mr. Speaker, I just want to set this record straight.

RUSSIAN ROULETTE POLITICS CAN BRING NATION DOWN

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

Mr. KENNEDY of Massachusetts. Mr. Speaker, let us recognize what is going to happen in the next few weeks if this debt limit is not extended. We are going to raise the cost, if the interest rates in this country go up just 1 percent, the average cost of a home mortgage will go up $1,200. The cost of borrowing by the Federal Government will go up by $150 billion; more than our entire education budget in the course of the next 7 years.

Mr. Speaker, my Republican colleagues are talking about fiddling with the fundamental economic system that this world has developed to pay its bills. What we can have here is the extremism of the Republicans. Not that they want just a balanced budget, which I want; not just a balanced budget scored by CBO, which I want; but, they want their particular version of the balanced budget or else they say they are going to send the entire debt of the United States of America into default.

Mr. Speaker, it is blackmail. It is the kind of Russian roulette politics that brings a nation down, and does not make it greater. We have a Constitution in this country that divides power between the President and the Congress, the House and the Senate. Let that policy of compromise move forward. Do not let one particular group of freshmen Republicans put their extremist views on the people of this country.

MEMBERS' PIQUE OVER TRAVEL OFFICE FIRINGS DOES NOT INCLUDE PRE-CHRISTMAS FIRINGS OF HOUSE EMPLOYEES

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

Mr. MORAN. Mr. Speaker, yesterday about two dozen Republican Members of the House Government Operations Committee told the former members of the travel office how mortified they were, how terrible they felt that they had lost their jobs. Of course, all of them but Mr. Dale have gotten other jobs. Mr. Dale has some serious management problems and some indictable offenses that he is dealing with. But none of these Members raised a pique when 11 people who worked for the Clerk's office were fired before Christmas. One guy had four little children. They do not care what happened to him.

Mr. Speaker, they were given no justification; just fired so that the House management would not have to pay for the comp time those people had earned by working late hours. That is why. Because we voted to apply private sector laws to the Congress. Because we did,

they did not want it to apply to them and so they fired them before Christmas.

But, Mr. Speaker, not one peep in their defense. Not one peep. What hypocrisy.

□ 1215

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. TAYLOR of North Carolina). Under the Speaker's announced policy of May 12, 1995, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from the District of Columbia [Ms. NORTON] is recognized for 5 minutes.

[Ms. NORTON 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 Florida [Mr. GOSS] is recognized for 5 minutes.

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

FULFILLING OUR RESPONSIBILITIES

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 of Texas. Mr. Speaker, I think that once again it is important to explain to the American people really what is going on in this body. The American people have sent us to work. There are millions and millions of citizens every day going to work. They hold in this body a great deal of trust. The responsibility of funding and financing this Nation, of ensuring defense, of presiding over the commerce and making sure that the economy is both healthy and provides opportunity for jobs belongs to this Congress. Yet now we find on January 25 we do not have a budget, primarily because the Republican majority never completed the task of providing the right appropriations bill in early fall of 1995.

We find now that we are discussing not lifting the debt ceiling limit and frivolously bringing this Nation to the brink of economic destruction. We have six former Secretaries of the Treasury who have indicated that, if we do not lift this debt ceiling and default on the full faith and credit of these United States, we will send this Nation into a tailspin that will be comparable to the Depression of the 1930's. Yet, we find that being still raised as a possibility by the leadership of the Republican majority.

My plea is not personally. It is not a personal plea. I will be here to work, for it is the duty I owe to my constituents and my responsibility is to be here in the U.S. Congress to ensure that we have a budget. My plea is for those Social Security recipients on March 1 who will not get their checks. My plea is for the veterans who will not get their checks on March 1. And my plea, again, is for the Bosnian troops who will not get their checks on March 1.

It is for the working man and woman, who have a variety of credit cards. They might not want all those credit cards, but on each one is an interest amount. That will go up if we do not raise the debt ceiling by a certain period of time. So will the consumer loans, so will the education loans, all of that, the interest will be outrageous.

I do not believe that there has been a great deal of compromise to date. Much of the media reported the fact that the President spent most of the holiday in one-on-one meetings with the Republican majority leadership of the House to discuss saving Medicare, to discuss saving Medicaid, to discuss saving education opportunities for our young people and protecting the environment and to discuss balancing the budget.

Many great leaders have fallen over the last couple of weeks, and most of them were the kind of leaders who said government is not a win/win situation; government is the art of compromise and the ability to work together. Government should not allow diverse interests, singular interests to take over, but it should work toward common ground, focus, funnel your energies toward what is best for all of America.

I stand before this House because I am saddened as a freshman to believe that we have forgotten the Founding Fathers' wisdom, for we would imagine that they did not have the strength of mind to understand that this Nation would be some 200 million citizens plus when only at that time there were some 4 million in a few colonies.

They had a vision by establishing a presidency, the judiciary and these bodies of Congress, both House and Senate. They gave us our special responsibilities, the House being in control of the purse strings, getting through the budget and ensuring that this Nation stood strong with a solid economy.

Yet, I believe that the Republican leadership has forgotten the words and wisdom of our Founding Fathers, and that was that these bodies of government should work together, that we should not overtake each other but, in fact, in our own wisdom and responsibilities, we should each play our role. The President having responsibility for all of this country, and we, as a collective body, representing our constituents, coming together for the best common good.

This has not happened. So my challenge is that we must pass a clean resolution that lifts the debt ceiling to ensure that veterans are paid, to ensure that Social Security payments are made, that the troops who are laying their life on the line in Bosnia are paid and their families back home are protected and that we never, never, never again shut this Government down. We owe this not only to our working Americans but to all America, because it is a tragedy that we have forgotten the words of our Founding Fathers that we are to work for the common good and together. We must do that.

CONTINUING RESOLUTION

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

Mr. VOLKMER. Mr. Speaker, here we go again. There are not many on the floor again. We are not doing anything. Day before yesterday we did a few minor bills. Yesterday we did one conference report that everybody basically agreed with, very few Members disagreed with.

What have we done so far today? Nothing. What are we going to do today? I do not know.

Talk about lunacy. A mental institution, that is what this is. I never saw any place that operates like this. There is one Member, we are supposed to take up a continuing resolution today to continue the operations of the Federal Government that are not funded because the Republicans have not passed the appropriation bills. They have been working behind closed doors, some of them, maybe 5 or 10 of them at the most, not one Democrat, not one member of the public, not one member of the media been working on that bill. Nobody knows what is in it.

I have been told that there is one Democrat, one that just recently got a copy of what he thinks might be the latest version, which has gone through many changes on what they are proposing to do this afternoon to keep the Federal Government open.

It is very easy. All they have to do is come up here with a resolution that is clean and says that the Government shall be funded, those that are not shall be funded continuously for another 30 days, 60 days, up to September 30, anything they want to do. That is all they have to do. And it will pass here overwhelmingly. It will pass the Senate and the President will sign it and we can get out of here. But, no, not the way they are going to do it. It is lunacy.

What they are going to do is come up here with something nobody has seen. I doubt if one Member that is sitting here form the other party can tell me what is in that resolution. The gentleman from Michigan, can you tell me? No. The other gentleman from Michigan? No. None of them can. They cannot tell us. They do not know what is in it. I will yield to them. I want them to tell me what is in that continuing resolution.

Mr. SMITH of Michigan. Mr. Speaker, will the gentleman yield?

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

Mr. SMITH of Michigan. Mr. Speaker, I thank the gentleman for yielding to me.

I wanted you to know, it is not totally perfected yet. It is a continuing resolution. My understanding is it will go to March 15. It takes those appropriation bills the President has vetoed. It reinstates some of that funding to give the President another chance to keep Government open. It takes targeted legislation at appropriations that are going to extend all the way through the rest of this fiscal year.

Mr. VOLKMER. Do you know the ones that are being targeted and the ones that are not being targeted?

Mr. SMITH of Michigan. Mr. Speaker, I think the argument is still going on, including Democrats in that argument, but the fact is, no, I do not know the final resolution of that bill.

Mr. VOLKMER. None of us know.

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

Mr. VOLKMER. I yield to the gentleman from North Carolina.

Mr. HEFNER. Mr. Speaker, I serve on the Committee on Appropriations, and I have been to quite a few meetings. When were these appropriations bills due?

Mr. VOLKMER. They were due to be done by September 30. We all know that. The American public does not know. They think that we as Democrats have had something to do with the closing of the Federal Government. We do not have anything to do with it. We cannot write the legislation. We cannot bring the legislation. It is only those Republican members who can do it.

Mr. HEFNER. Mr. Speaker, there was a rumor out earlier today, they seem to persist around here, that they were on the 30th resolution of this CR and had not come up with one that is acceptable even for the Republican Party.

Mr. VOLKMER. The 30th draft.

Mr. HEFNER. Hopefully we will get there when we get to——

Mr. VOLKMER. I would just like to mention one other thing, folks, that is going on here that they are planning to do, this great majority that is running this Congress. They cannot get a dang thing done. I could use a harder word but it is not permissible on the House floor.

They did not do anything the first session. You can look at the total bills that they passed. It is the worst record since 1933. Do you know what these, I do not know what you call them, people are proposing to do today? They are going to finally bring in something here that asks us to vote for it, which we have never seen, and then they are going to say, OK, bye-bye, we are going.

They are going to send it to the Senate. They do not know what the Senate is going to do with it. And if the Senate does not pass it that way, because it has to be done that way, you cannot change one t in it, one i in it, one period in it. If they do not take it, then the Government closes down. They are not going to stay here to wait and see if they can work something out with the Senate. No, they want to leave here. Get out of here.

I say stay here, stay here until we make sure that the Senate does it. And if the Senate does not do it, we work it out with the Senate. And then after it is all worked out and we know if it takes until tomorrow we know then that the Federal Government is going to continue to operate, then we do it.

But the way you are proposing to do it, you are saying to the Senate, take it or leave it. I do not think the Senate is going to do that.

BUDGET IMPASSE

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

Mr. SMITH of Michigan. Mr. Speaker, I also say, let us stay here, let us resolve the issue. It seems to me that again we need a review of what is happening with this budget process.

The Democrats criticize the Republicans for probably biting off more than they can chew in terms of spending cuts. As it turned out, those Democrats were probably right. We had a lot of ideas that we wanted to accomplish to bring spending under control. But, Mr. Speaker, I say to the American citizens, wake up, America.

Anybody under 50 years old better start putting in some studying time on what is happening to this Federal budget, what is happening to overspending, overtaxing and overborrowing, because it is going to affect your lives. It is going to affect your kids' lives. We have now mounted a huge Federal debt of $4.9 trillion, plus the extra $100 billion that Secretary Rubin has creatively come up with that is no less an obligation of this country to pay back.

We are looking at a situation now where we have made such huge promises in social programs that we cannot afford to pay for them. Civil service retirement has an unfunded liability or a so-called actuary debt of a half a trillion dollars; Medicare, $5 trillion actuary debt; Social Security, $3.2 trillion actuary debt.

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

Mr. SMITH of Michigan. I yield to the gentleman from North Carolina.

□ 1230

Mr. HEFNER. Mr. Speaker, I do not intend to be argumentative. I will not speak about the CR as such. I want to speak just a minute about the debt limit. I would like to make a point. The gentleman is a man of real intelligence and very well respected here.

On the extension of the debt limit, absolutely we have no choices, it has to be done. We have spent the money in my district, in your district, in 435 districts around this country. Every Member of this Congress has something in his district that calls for Federal funds. We have to do that. Why are we making such a production and tying this up? Because it has to be done. It is just like death and taxes.

Mr. SMITH of Michigan. Reclaiming my time, Mr. Speaker, it is a moral obligation to pay the bills we owe. Why it is reasonable to attach the debt limit to the consideration of an overhaul of spending is because Congress has lost its control over spending for 50 percent of what this Government spends. those are now on automatic pilot in the so-called welfare and entitlement programs. Those programs are the biggest reason that we need additional debt limit in the future. So it is reasonable to tie these two together.

I mentioned earlier today, Mr. Speaker, in a 1-minute, all of the previous debt limit extensions forcing Presidents to do things that they did not otherwise want to do by increasing taxes. The most recent, of course, was the 1993 bill, where we had the largest tax increase in history, but also George Bush in 1990, where the large tax increase was tied to that debt limit extension.

Mr. Speaker, I yield to the gentleman from Michigan [Mr. CHRYSLER].

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

Mr. Speaker, I would like to make the point, the question is really this: Mr. President, why did you not submit the balanced budget that you submitted on January 6 on December 15, and then the Federal Government would not have been shut down? It was available to them since last July, because it was the budget of Senator DASCHLE. We would have been able to keep the Government employees working and we would have kept the Government going.

So whose fault is it that this Government shutdown happened? Clearly, the President could have submitted that budget. Clearly, he could have kept the Government running. Most importantly, he could have kept his word to the American people.

Mr. SMITH of Michigan. Reclaiming my time, Mr. Speaker, I think it is absolutely correct. The eastern media do not say it, but it takes two to tango. We need to bring both sides to this table. If we are serious about a balanced budget, we can do it. The fact is that it is much easier to say you want a balanced budget than to come up with the spending cuts to do it. It is too easy for the other side to demagog every spending cut, to go to that interest group and say, Look at these mean-spirited Republicans and what they are doing to you.

Mr. Speaker, we have overcommitted ourselves. We are no longer the rich Nation we were. If people under 50 years old want anything left in Social Security, Medicare, Medicaid, the kinds of programs that we should be

running, it is important that we start being reasonable. We not only reduce spending and stop deficit overspending, but we start paying back some of that huge, huge debt that we already owe.

Mr. CHRYSLER. If the gentleman will continue to yield, Mr. Speaker, we have put forth a bipartisan budget. Every budget that we have submitted in this Congress has had bipartisan support, where the President, who has now submitted five budgets, has yet to receive the first Democrat and/or Republican and/or independent vote for any of the budgets that he has supported.

So, certainly, we have a good, strong bipartisan effort, and I think that is what we are going to see come to the floor in the next few weeks, and the President has yet to get his first vote for anything.

Mr. SMITH of Michigan. There are two numbers that I think the American people and all of us should remember about the President's budget. One number is $300 billion, one number is $200 billion. He spends $300 billion more than Republicans. He increases or has higher taxes, $200 billion more, than the Republican proposal.

CUTTING BUDGET DEFICITS

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

Ms. SCHROEDER. Mr. Speaker, I yield to the gentleman from North Carolina [Mr. HEFNER].

Mr. HEFNER. Mr. Speaker, I want to set the record straight here, talking about all the budgets the President has submitted. If you want to be honest about this thing, in all honesty, the budget you people offered there was not the President's budget. You made a big to-do about it. You took some numbers out of some statements that were made. It was not a budget that was offered by the President of the United States. That is totally wrong.

Mr. Speaker, when you wanted to rewrite history, you offered a budget. The budget passed. The President vetoed it. You went into deliberations with the President of the United States. You said, ''We will not talk anymore until the President offers a balanced budget scored by CBO.'' That was the big argument in this House and in the Senate and across this country, scored by CBO.

The President came up with a budget that was scored by CBO. It was not to your liking, so you said, ''No, that is not good enough. You have to move closer to where we want to go. And if you do not, if you do not accept our deal, there will be no deal and we will shut the Government down.''

Let us not rewrite history here in these 5-minute speeches. The President in good faith offered a 7-year budget scored by CBO. The President stood in this well on his State of the Union Address and said, ''We have got enough cuts to balance the budget in 7 years.'' Why do you not agree to take these cuts and balance the budget, and then we will talk about these philosophical arguments later?

You mention Medicare, you mention Social Security, you mention Medicaid. When you start talking about these programs, gentlemen, I hate to say it, but you do not have any credibility. You opposed all of these programs since their inception. You opposed Social Security, you opposed Medicare, and one of the candidates for President of the United States, our dear Senator from the other body said, ''Thirty-five years ago I stood and said it would not work. I fought Medicare.'' Your Speaker of this House said, ''It is going to die on the vine. Medicare, we hope it dies on the vine.'' Your majority leader said, ''Social Security should never have been established.'' So your record ain't good on these programs.

If you want to talk about philosophy and these things, we can talk about that, but there is a proposal that the President of the United States has offered that balances the budget in 7 years, and it is scored by CBO.

Mrs. SCHROEDER. Mr. Speaker, I yield to the gentleman from Michigan [Mr. DINGELL].

Mr. DINGELL. Mr. Speaker, I thank the gentlewoman for yielding to me.

My good friend from Michigan is a wonderful Member, and I am very fond of him. But his memory is short; it tends to be a little on the convenient side. The gentleman has forgotten where this big debt came from.

When Jimmy Carter left office and Ronald Reagan came in, the national debt of the United States was $700 billion. With Reagan's first budget, the so-called Gramm-Latta budget, Democrats over here warned that the practical consequences of that was going to be that it was going to enormously increase the debt because it immensely increased military expenditures, cut expenses in other programs slightly, and gave a massive tax cut to the well-to-do.

Mr. Speaker, as a result of that, the national debt by the time that Mr. Reagan left office went from $700 billion to $4.5 trillion. It multiplied somewhere between 5 and 7 times.

My Republican colleagues, in talking about debt, deficits, and fiscal irresponsibility, forget the fact that it was their budget. They also forget the fact that the Democrats during that period of time who controlled the House cut, cut the Reagan budgets by $49 billion, and they reapportioned the money so we spent less on defense and we spent more on environment, on health, on senior citizens, on education, and on things that are really important to the long life of this country.

I want to tell my good friend something else. He is complaining about the entitlement programs. The Republicans on this side of the aisle came up with a great idea, that cost-of-living should be included in Social Security. Up until that time, the Congress always raised Social Security payments and adjusted the income and the outgo so that the two figures would be roughly in balance, and so that the fund would remain safe and secure and solvent. There was a congressionally managed program, which we managed very carefully.

My Republican colleagues did not like voting on that, and they figured that the best way they could get out of casting that vote was to then tie it to the cost-of-living, so that is how Social Security began to get out of balance, because my Republican colleagues came up with a splendid idea that Social Security should become essentially a pay-as-you-go, rather than a trust fund program. That is why we have that program to address today. That is why the budget is in such a mess.

AMENDING TITLE XI, D.C. CODE

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

Mr. DAVIS. Mr. Speaker, I am going to speak today on a bill that we have introduced, H.R. 1855. This is a bill that amends the District of Columbia Code, title XI of the D.C. Code, but basically what it does is it allows Dr. Elizabeth Morgan and her daughter Ellen to return to the United States.

This bill is the product of my own deepest feelings and knowledge, and as a society, we are far more sensitive to the pain that children can feel than we were when I was coming of age. Legislative bodies across the land at every level have recognized the importance of listening more carefully to what children say, and the laws that we now pass arise from an enormous and growing body of evidence that in many cases of domestic stress and conflict, it is too easy to lose sight of who is being harmed.

Commonsense actions to slice through the Gordian knot of pride and anger can often prevent permanent emotional damage and allow wounds to heal as quickly and completely as possible. That is what H.R. 1855 attempts to do. That is all H.R. 1855 intends to do.

Domestic conflict and stress can take many forms. Its victims are too often unintended and innocent. As a local jurist has said in connection with the very situation that gives rise to this bill, when elephants fight, the grass suffers, so I believe that I would not be true to the great lessons I have learned in life were I to just take the easy way out when confronted with a difficult situation involving a child's life.

Yes, it would be easy for me to ignore Ellen Morgan, a soon-to-be 13-year-old American child who is afraid to come back to our country, our country, unless this bill is passed. It might be easy for us to ignore Ellen Morgan, to wash our hands of her unusual and tragic situation, but I believe that would be

wrong. I believe very strongly that I owe it to this 13-year-old child still within me to try to intervene to break the truly vicious cycles that have impacted Ellen Morgan's life.

What I want to do and what this bill does is to permit Ellen Morgan to be and feel free to return to the United States with no cloud of legal intervention over her head. She deserves to have that choice. In the real world she does not have that freedom now. This bill is an opportunity, perhaps the last chance, to heal the wounds that are all too fresh in Ellen's life.

If there were another approach that Ellen could take, I know she would have taken it by now. We have attempted to allow the District of Columbia Superior Court to make appropriate motions to rehear this case, to revisit the situation, and as of yet they have been unable to do so, even though several years have elapsed since 1989, when this body and the other body put forward a bill that allowed Elizabeth Morgan to get out of jail for contempt and resume habitation with her daughter in New Zealand.

If I felt that Ellen was free to return to this country unfettered I would not do anything about this bill, but this bill, I think, represents the best approach that can be taken under all the circumstances. The bill is straightforward. It seeks to make out only very minor and temporary changes in title XI of the District of Columbia Code.

Under the Home Rule Act, the District government cannot amend title XI, and thus cannot legally legislatively affect this case. Only Congress can make these changes. These changes are only temporary and will sunset when Ellen reaches the age of majority and custody-visitation issues would be moot.

H.R. 1855 reflects the commonsense basic principle that the law ought not to compel one who has reached the age of reason from being forced to be unsupervised with someone by whom that person asserts they have been sexually abused. As a practical matter, such visitation cannot be enforced, and would create even greater danger if it were. Permitting a child of 13 and above to choose whether or not such custody or visitation should occur under the strict and limited strictures of this bill is the only sensible course.

The basic facts which form the necessary background of this bill bear repeating. There is an outstanding court order for the District Court for the District of Columbia dated August 28, 1987, in the case of Morgan versus Foretich. Under that order Dr. Morgan was jailed for civil contempt in the District of Columbia after she hid her child, Hilary, now known as Ellen, and refused to give that child up for court ordered unsupervised visitation with her father. At that point her income approached $1 million a year. She gave that up to go to jail for 2 years to protect her daughter. She spent over 2 years in the District of Columbia jail.

In September 1989, Congress enacted H.R. 2136, sponsored by my friend and colleague, the gentleman from northern Virginia [Mr. WOLF], Public Law 101–97. This law limited to 12 months the amount of time that an individual could be imprisoned for civil contempt in the family division of the D.C. Superior Court. This legislation essentially freed Dr. Morgan from jail.

□ 1245

From there she went to Australia, where she is exiled today, until this legislation can pass. Mr. Speaker, I intend to do everything I can in the coming months to move this bill out of committee and to move this bill to passage.

BRING THE MORGANS HOME

The SPEAKER pro tempore (Mr. HEFLEY). Under a previous order of the House, the gentleman from Virginia [Mr. WOLF] is recognized for 5 minutes.

Mr. WOLF. Mr. Speaker, let me begin by seconding and commending my colleague, the gentleman from Virginia [Mr. DAVIS] for moving this legislation.

I want to bring the House up to speed on where we are on this so when this issue comes up, we can pass it very, very quickly.

Back in 1989, Dr. Morgan was in jail for 2 years. We passed the legislation, that passed this House overwhelmingly, to have her released from jail. She and her daughter then went to New Zealand, and they are there wanting very desperately to return home.

Why is it important that we allow this to take place? Dr. Morgan has had a very serious life-threatening operation in New Zealand and will need two additional operations.

Second, Dr. Morgan's mother, who is 81 years old, who is in New Zealand taking care of both Dr. Morgan and the daughter, Ellen, is elderly; and the concern is, what if something were to happen to her, and with Dr. Morgan ill, what would happen with regard to Ellen?

Third, Dr. Morgan's father, who is in his 80's, is in a hospital now and not very well, and we do not know what is going to happen with regard to that.

Last, Dr. Morgan's husband, who lives in the Washington, DC area, can only visit her twice a year; and it is very difficult to commute to New Zealand, cost-wise and time-wise, so he visits her twice a year.

Since this Congress has acted in the past on this issue, what we are going to be asking, through the leadership of Congressman DAVIS, is that we bring this bill up early and get it out so that Dr. Morgan and her daughter, Ellen, can return to the United States without fear of Judge Dixon, without fear of incarceration.

It is the humanitarian thing to do; it is the right thing. All you have to think of is, if you have a daughter in this case, what would you do? It reminds me of the story years ago about a man without a country. These are people, frankly, without a country, that cannot get back into their own country.

I would like to also submit for the RECORD, if I may, a copy of the letter from Dr. Morgan's husband, detailing the medical condition and the circumstances surrounding Dr. Morgan.

I have pledged to the family that I am going to work with Congressman DAVIS, and we will put this bill on any bill that moves, any appropriations bill; and if we get to the end of the year and it has not passed, then as chairman of the Subcommittee on Transportation, Committee on Appropriations, I will put this bill in the transportation appropriations bill so that it will be passed and be signed.

Our goal is that Dr. Morgan and her daughter, Ellen and her mom will be allowed to return to the United States early this year, hopefully before the springtime is over.

So in closing, when Members have the opportunity to vote on this, we would hope for unanimous consent and complete support, and I want to commend my colleague, Mr. DAVIS, for taking the leadership to allow Dr. Morgan and Ellen Morgan and Mr. Morgan's mom to return to the United States.

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

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

Mr. DAVIS. I appreciate the gentleman yielding.

Mr. Speaker, it is important for the House to know that Dr. Morgan and her daughter are, frankly, gagged right now from even communicating with Members of Congress or lawyers in the United States because a New England gag order has come as a result of legal efforts by her former husband to do that, and that has made this more difficult. So we are communicating through friends as we approach this, but our efforts to speak directly have now been thwarted, too, which I think adds to the urgency of moving this legislation through at this time.

Mr. WOLF. Mr. Speaker, reclaiming my time, the gentleman is right. Many times all we hear about on both sides are economic issues. We have passion for them. We should also have passion and compassion for people who are in a situation like this, and through the Davis bill, this family will be able to be reunited and come back to the United States, hopefully before, it would be nice, before the end of springtime.

A copy of the letter mentioned earlier follows:

U.S. COURT OF APPEALS
FOR THE FEDERAL CIRCUIT,
January 23, 1996.

Hon. TOM DAVIS,
Cannon House Office Building,
Washington, DC.

Hon. FRANK R. WOLF,
Cannon House Office Building,
Washington, DC.

DEAR CONGRESSMEN DAVIS AND WOLF: As you requested, I provide the following update concerning my step-daughter, Ellen Morgan,

and my wife, Dr. Elizabeth Morgan, based on my visit with them in New Zealand from December 21 to January 18.

Ellen talked of feeling rejected from still being in exile, as she has been since 1987; because of the inaction so far on the bill to allow her safe return, she fears abandonment. The high point of her life, she said, was having Congressman Davis read her letter into the record at the hearing on August 4, 1995. She said this was the first time anyone in authority ever listened to her. After the hearing, however, Ellen suffered dashed hopes as control of her future seemed to slide back to the hands of Judge Dixon after Ellen's father moved to modify Judge Dixon's orders.

As you may know, contrary to his promise to the subcommittee, in his motion to Judge Dixon Dr. Foretich did not withdraw his requests for custody and visitation, but asked Judge Dixon to remove custody from Dr. Morgan and to order visitation. To my knowledge, after holding a hearing in December, Judge Dixon has not ruled on Dr. Foretich's motion. Nor has he ever ruled on Dr. Morgan's motions of 1987 and 1988, for example to reconsider his visitation orders and admit the evidence of the abuse of Ellen's half-sister.

With respect to Dr. Morgan, I am sorry to report that she has suffered a health calamity. After months of increasing frustration, including watching Ellen's demoralization, Elizabeth developed serious ulceration throughout her large intestines. In early January, following our move to Auckland, Dr. Morgan collapsed, was hospitalized and underwent major surgery. Her entire colon was removed (colectomy) and she also had an ileostomy, as a result of which she now has to wear a bag. Fortunately, she is now home and, so far, convalescing well. Nevertheless, she faces two more operations, attempting to repair her digestive system. She must also regain the weight and energy she lost during the month she was unable to eat or drink, and from the surgery itself.

It is no exaggeration to say that she could have died prior to the operation because of what her doctors described as ''toxic mega colon.'' Although lab tests results are still awaited, the New Zealand doctors assure me that they believe grave danger has passed. In turn, I believe that she received good care in Auckland Hospital even though a week passed between her emerging admission and her emergency surgery. While I have confidence in her New Zealand doctors, I remain concerned because, in my view, nowhere in the world can one receive the quality of medical care for serious conditions that is available here in the United States.

Another factor which I believe contributed to Ellen's discouragement and Elizabeth's health crisis was Dr. Foretich's escalating efforts throughout 1995 to gag Ellen. I am informed that he now asks the New Zealand Court to prohibit Ellen from talking with any Member of Congress, staffer, private lawyer, or journalist without his prior review, a court hearing on his objections and the Court's agreement. It is my understanding from Dr. Morgan's New Zealand lawyer that pending decision, Ellen is prohibited from discussing anything about her past with such officials and persons. Therefore, in contrast to last year when, at his request, she wrote freely to Congressman Davis and spoke to him on the phone, today she may be barred from doing so. From Ellen's discussions with me, I know how upset she feels over the present success of her father in silencing her while he continues to talk publicly. It aggravates her growing frustration with her father's success so long keeping her away from home, family and country.

Although the New Zealand Court has fully protected Ellen from contact with Dr. Foretich and has thus protected her physically, her emotional well-being has not been as successfully assured. For example, in the New Zealand Court, since January 1995, Dr. Foretich has blocked Ellen from being deposed in a lawsuit he himself brought against ABC Television for the documentary movie about Ellen and Elizabeth. This has enraged Ellen since she wishes to be heard in this sealed deposition about what happened to her and to contradict Dr. Foretich's own deposition denying everything. Indeed, the court-appointed psychiatrist in New Zealand, I understand, has opined that since Ellen herself wants to testify, such an opportunity to be heard may further heal Ellen from the trauma of her earlier years.

My report would not be complete without briefly mentioning Ellen's grandparents, Dr. William J. and Antonia Morgan, who hid and thus protected her from 1987 when the Washington Family Court refused protection until 1990 when the New Zealand Family Court gave protection. Bill is seriously ill in Suburban Hospital in Bethesda, Maryland, suffering from congestive heart failure and kidney failure. Only last week Ellen told me how horrified she feels that if her grandfather were to die, she would be prevented from attending his funeral. She is upset enough about missing the May, 1996 wedding of her step-sister, Margaret Michel, but expressed herself as finding the possibility of missing a family funeral intolerable. Antonia, now 81 and frail, remains in New Zealand helping my wife and Ellen to have as normal a family life as the courts have allowed. Understandably, however, Antonia finds it anguishing that in her twilight years family reunification for her as for everyone else seems forever deferred and delayed. Her other children and grandchildren and husband, of course, are here.

Contrary to what some people may assume, the difficulties of life in exile for all three of the women in my New Zealand family grow, now diminish, while each passing year. The recent setbacks of the gagging of Ellen and her resulting despondency and the ulcerative colitis that nearly killed Elizabeth only exacerbate those difficulties. In addition, Ellen's teenage years are not helped by being deprived of family life with her step-father. As it is, she sees me only two months each year. My long-suffering family thus suffers still—and, in the ways described above, even worse.

I cannot express how grateful I am that, in the midst of the issues you and your colleagues face, you two Congressmen have not forgotten the plight of a mother and daughter left in legal limbo and thus trapped in endless exile.

Sincerely,

PAUL R. MICHEL.

IN CHILD CUSTODY—NEW LAW LIMITS CIVIL CONTEMPT

On September 23, President Bush signed my legislation limiting the amount of time an individual can be imprisoned for civil contempt of court in a District of Columbia child custody case. The limits imposed by this new law brought about the release of Dr. Elizabeth Morgan, a local surgeon who had spend more than two years in jail for refusing to disclose the whereabouts of her daughter.

The case of Elizabeth Morgan has drawn national attention and some recent commentaries on the new law have obscured many of the important issues concerning my legislation. I believe it is important to explain the background and the effect of the new law.

Every American understands that all individuals who face significant punishment deserve to have their case heard by a jury of their peers. That is fundamental to our system of justice.

Yet in most jurisdictions no such right exists for individuals imprisoned for civil contempt of court. Such was the situation of Dr. Elizabeth Morgan. She was incarcerated for over two years and had never been accused or convicted of any crime and her case had never been heard by a jury.

My legislation, now public law 101–97, addressed this fundamental flaw in the D.C. legal system without taking sides in any specific dispute before the court.

Imprisonment for contempt of court is designed to coerce an individual to comply with a court order. Over time, however, if compliance does not occur, it becomes likely that further incarceration will not produce the desired result. In that situation, coercion has become punishment.

My legislation closed a loophole in District of Columbia law that allowed an individual to be imprisoned indefinitely for civil contempt of court in a child custody case.

With the new law in effect, no individual imprisoned for civil contempt of court in a D.C. child custody case can spend more than one year in jail unless they are charged with criminal contempt or court and given a jury trial to determine their guilt or innocence.

The legislation, written with input from the academic and legal communities, took great care to protect the ability of the court to enforce its rulings. While the jury trial provision in my legislation protects the individual from indefinite incarceration, it also protects the power of the court by creating a means by which the court can pursue additional coercive measures. Individuals cannot simply ''wait out'' the year-long period and expect to walk away from their obligation to obey the court. Under public law 101–97, Dr. Elizabeth Morgan technically could still be charged with criminal contempt of court and be brought before a jury.

My legislation was modeled after laws currently on the books in California and Wisconsin that limit to six and 12 months respectively the amount of time an individual can be imprisoned for civil contempt of court. Neither of those states have the jury trial provision included in my legislation.

Furthermore, an additional precedent for my legislation can be found in federal law which prohibits a recalcitrant grand jury witness from being imprisoned for more than 18 months.

I have written to the governors of the 48 remaining states asking them to consider using the new D.C. law as a model for enacting reforms in their own states.

Some individuals have characterized the congressional action as an inappropriate interference into the affairs of the District of Columbia. It should be known that under the 1974 Home Rule Act, the United States Congress is the only legislative body with jurisdiction over the District of Columbia courts. Not even the D.C. City Council was capable of changing the D.C. civil contempt statute. D.C. Congressman Walter Fauntroy was an original cosponsor of my legislation, and City Councilman James Nathanson testified in favor of a congressional remedy similar to the one that was eventually enacted. House District of Columbia Committee chairman Ronald Dellums of California was also instrumental in guiding the legislation through Congress.

I believe that my legislation meets the most important test of all—common sense. Everyone would want a jury trial, for themselves or a loved one, if they were threatened with prolonged imprisonment. We must continue to work for the day when all Americans, even those imprisoned for civil contempt of court, will enjoy this most basic protection.

LET THE BULLIES BEWARE

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

Mr. DORNAN. Mr. Speaker, I thought I would take this opportunity during a special order break in the legislative business of the House, because we will have an important vote here at some point today to continue the Government, since tomorrow is the shutdown date, to discuss the abuse of the word ''bully'' in the press over the last few months, an absolute bass-ackwards concept of what bullying is.

When President Lyndon Baines Johnson used the IRS and the FBI to intimidate people, it was considered bullying in the extreme and you would even occasionally see, in conservative and liberal circles, the use of the word ''fascism,'' as in police state tactics. When President Nixon corrupted the Central Intelligence Agency, a body formed to gather intelligence only outside the boundaries of the 50 United States and its territories, you saw much comment using the word ''fascism.''

But when the current occupants of the White House corrupt the Federal Bureau of Investigation as a way to intimidate and attempt to destroy the lives of the seven people in the travel office, to procure government contracts for Hollywood cronies and/or second cousins who are just 23 years old to run an office that had a bipartisan and press approval rating through 4 or 5 or 6 Presidents, that is bullying in the extreme.

That is bullying, and Billy Dale, the senior member of the travel office, who got a standing ovation last night at the largest political fundraiser in the history of the free world—I had never been in the D.C. armory, did not have time to put on a tuxedo, was the only 1 of 9 Presidential candidates who showed up, which was bizarre in the extreme, and still it raised over $16 million, I got extremely strong, pleasant applause, I can take that—but the two standing ovations were for a dignified retired Army general of Jamaican heritage, Colin Powell, and another standing ovation for Billy Dale of the heretofore-mentioned travel office.

This man is a courageous man. Unfortunately for the other side, he has a big, handsome, open face; it reminds me of the great Irish-American actor, Pat O'Brien, a star of the 1930's, 1940's, and 1950's, and Billy Dale has asked the people in the White House, including my pal Bill Bennett's brother, Bob—''Bill, control your brother, Bob,'' is what I would say, Mr. Speaker—Billy Dale has asked the occupants in the White House, and top, inside-the-beltway, high-powered, highly paid lawyer Bob Bennett, ''Stop slaughtering my reputation. Mr. Clinton has apologized to me,'' to Billy Dale, ''and wished me well in life. Stop having your hatchet men abuse my reputation and tear me up.''

I am told by writers that, first, we may end up here yet with taxpayers' dollars paying the lawyer fees of all seven members of the travel office who had the FBI sicced on them within days of FBI director sessions being relieved of his job by the White House. I forgot, it was a few days after. It all surrounded the Vince Foster suicide, if it was that, all such a sleazy period. And when people call in when you are on a talk show or a radio show, in a townhall meeting, and say, Be careful, Congressperson, it sounds a little tabloid, what you are discussing here.

My response, thanks to my wife, Sallie, is when the occupant of the White House has lived a tabloid life, how do you discuss it without sounding a little bit like a tabloid? That is the problem we have. Bullying, filthy Phil Donahue and all of this disgusting talking-head mess that you unleashed on this country when you are talking about witch-hunts and bullying and protecting certain occupants of the White House who were not elected, remember, to sic the FBI or the IRS, whether it is a Republican administration or a Democrat administration, to do that to any human being, taxpaying citizen of this country, or anybody, whether they pay taxes or not, that is flirting with fascism and police state tactics.

We know where the bullying has taken place. As I check my Clinton countdown watch, 284 days to change it.

STATE OF THE UNION MESSAGE LACKS FACTS

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

Mr. MICA. Mr. Speaker and my colleagues, we heard in this Chamber just a few days ago the President of the United States give his State of the Union, and I think some of the things that he alluded to should be responded to. I am going to try to use as many facts as I can in my consideration of the State of the Union.

The President came before the Congress and he talked about how good the economy is and how things are going and how people felt good about economic data. I pulled up the economic data from the Joint Economic Committee, the last report that they had, and here is what they said:

> Recent data shows the economy has slowed considerably. Manufacturing has contracted for 4 straight months, the lowest since 1991. Housing starts have fallen for 3 consecutive months. Both new orders for durable goods and leading economic indicators fell in October. Industrial production fell. New home sales fell.

This is the information that I have. In talking to the people of my district, too, during the recent recess and also around the country, I found that people are concerned about the future, that the major jobs that the President has talked about creating under this administration are, one, low-paying jobs, part-time jobs, and service jobs, all again low-paying jobs.

I heard, I think it was Senator BRADLEY, talking about one of his constituents who said he heard the President talk about this and said that several years ago the husband and wife had two jobs. And he says, now we see where the job increase has resulted. Because now we have four jobs to keep the income level that, in fact, we had some years ago.

Then we heard the President talk about the 200,000-job cut in Federal employment. Folks, that is strictly smoke and mirrors. I chair the House Subcommittee on Civil Service. We looked at the cuts. The cuts are almost 95 percent in the civilian defense work force and relate primarily to base closures, civilian defense employees. The bulk of bureaucrats, the 350,000 that we have just within 50 miles of the U.S. Capitol are still well entrenched, and there have not been cuts in that core bureaucracy.

The President talked about values, and he led off with V-chips and regulating cigarettes, and maybe he forgot that there is already a turnoff switch. Then he got to welfare. Maybe he had his priorities mixed up, because I see the crime, I see the problems in our society; and the people I have talked to say that it is coming from the welfare system that we have created in 40 years of Democratic rule of this House. It has perpetuated the problems that we see. It is not just answered by a V-chip or regulating cigarettes.

Then I heard him talk about immigration, and he said, immigration, illegal immigration is down. Well, I had a press report where 1,000 Haitians left his success story to come to the United States and had to be brought back, where over 40 died at sea in the last couple of months.

Then he talked about tightening up immigration. Well, he has, in fact, begun to talk about tightening it up, but what we have done in fact is changed our policy so many times it has been the policy de jour, like the soup de jour. In fact, we have imported into my State of Florida over 20,000 Haitians and Cubans in the last year. They have been flying them in at 500 a clip.

So this is the policy that I see, a failure. No economic plan in Haiti. We have empowered one party who has really executed the opposition, and we have no hope. We have put the entire country on a Clinton-style economic welfare program.

Then we heard about EPA, and that really galls me, because I served on the committee that oversees EPA; and the real argument with EPA is some of the policy that they have and also the operations that they have.

□ 1300

They have increased their number of employees from less than 12,000 about 10, 12 years ago, to now 18,000. They

have almost as many employees, 8,000 people in Washington today, just a few miles from here, as they had in the entire program a little over a decade ago.

So this is the kind of debate that we have.

I served on that committee. We had a report that EPA wasted a half a billion dollars in a management information system. They could not even tell us where any of this money was spent.

Then we heard the President talk about cleaning up hazardous waste sites. We spent 85 percent of our money for studies and attorney's fees. I submit that that is not the way to go.

U.S. CREDIT RATING

The SPEAKER pro tempore (Mr. HEFLEY). Under the Speaker's announced policy of May 12, 1995, the gentlewoman from Connecticut [Ms. DELAURO] is recognized for 60 minutes as the designee of the minority leader.

Ms. DELAURO. Mr. Speaker, what I want to try to do is, I am here this afternoon along with several of my colleagues to talk about an issue really of great importance of the United States, the people of the United States, and, that is, in effect, what is going to happen to the credit rating of the United States in the next several weeks, a very critical issue that is on the minds of folks here, not only on their minds but we are going to have to take some action with regard to the credit rating of the United States.

The situation, just to go back a little bit. Last month, Mr. Speaker, the House Republican leadership shut down the Federal Government in an effort, and in a well-described effort by themselves, to try to blackmail the President into signing their extreme agenda. Again by their own admittance, they failed to do that. But before they have indicated that they failed in that kind of a tactic, they shut the Government down twice.

They are now at it again. This is the best way that I can describe this. They are at it again. The crowd who brought us two Government shutdowns now is threatening to destroy the Nation's credit rating by defaulting on the debt.

If Speaker GINGRICH has his way, the world will be faced with a spectacle of the United States defaulting on the obligations that it has, its financial obligations, for the first time in the history of this country.

The Republican threats of Government default have sent unbelievable shock waves up and down Wall Street. In fact, and I know several of my colleagues are going to be more detailed about this, just yesterday Moody's Investors Service warned that it is considering lowering the U.S. credit rating because of the threat.

We all understand what a credit rating is about. We all have a credit rating. We all know that when we go to purchase something and we need to use credit, that is examined. And we know when we have a low credit rating what that means in terms of our ability to purchase and to get by.

Anything that hurts that credit rating hurts our families deeply. So that playing politics with our economy is bad news for Wall Street and the world in terms of the United States, but it is disastrous for Main Street and disastrous for families in this country.

If the Government financially goes belly up, which is what we are talking about, interest rates go higher and higher. That means higher and higher mortgage payments, higher and higher car loan payments, and higher and higher credit card payments.

Sometimes people think that what happens here does not affect their lives. I talk to kids and students about this all of the time. What we do in this Chamber, how our votes are registered on this board, has a direct effect on the lives of every single American. And, my fellow Americans, understand the import of what happens when the credit rating of the United States is destroyed and what it means to your lives.

Mr. DOGGETT. Would the gentlewoman yield for a question there?

Ms. DELAURO. I would be happy to yield to my colleague, the gentleman from Texas.

Mr. DOGGETT. I have known people that have gotten a bad credit rating, they maybe have lost a job, gotten behind on their bills, or maybe they just borrowed too much.

Ms. DELAURO. Exactly.

Mr. DOGGETT. That stigma of a bad credit rating has stayed with their family and prevented them from borrowing, when they had necessities that they needed for their family, for years.

Does the gentlewoman have any idea of how long, if the Gingrich leadership forces a default for the first time in 220 years, how long it will affect the Nation to have its credit rating suddenly go below junk bonds and how much that will cost taxpayers for generations to come?

Ms. DELAURO. In terms of what happens, the United States will never get out of that hole. Our credit, our word that says we will pay our bills, will no longer be believed by the rest of the world.

I will say, and I think people can attest to this, that even if it is 15, 20 years ago, if there is a stigma on your credit rating, they look 15 years, 20 years back. That is what this is about.

The United States will never be able to say to the rest of the world, ''We will make good on our credit and our financial obligations,'' because of what will be done in this House in the next several weeks.

I would be happy to yield to my colleague from California.

Mr. FAZIO of California. I think the gentlewoman makes an excellent point, and I think we all understand this from our own personal experience. If we go out to borrow money to furnish our living room and we default on our debt to the finance company or to the retailer who sold us the furniture, a mark goes on our record. Our credit report at the credit bureau downtown is there for every other retailer to look at before they decide to extend us credit or not. It may be that they will not extend us any more credit.

Our failure to pay our bills will be a black mark that we will not be able to live down, and we will not be able to borrow again. Or, as I think in the analogous case with the Federal debt, we will have to pay far more the next time we borrow because we are a risk. We are somebody who is a deadbeat, we are somebody who does not really pay our bills.

As a result, when we want to go back to the retailer and borrow some more money, we are going to have to pay 3.5 or 4 or 5 percent more, and that is a huge increase in what we have to pay as a family in order to be able to attain the goods and services that we need.

It is very similar to what each of us in our own life have to deal with. If you default on your mortgage, the next time you want to buy a house, you may be unable to get a mortgage, or you will pay so much it might make it impossible for you to maintain the level of standard of living, the kind of home you have come to understand that you would like to live in.

So the consequences for this country are just like they would be for us as individuals if we become a deadbeat and fail to pay our bills.

Ms. DELAURO. I think you have said it very accurately.

Mr. MILLER of California. Mr. Speaker, will the gentlewoman yield?

Ms. DELAURO. I yield to the gentleman from California.

Mr. MILLER of California. I think we should also be aware of the fact that not only is it the actual default that could cause economic havoc, but the discussion of it and the anticipation of it. Millions of Americans have personal loans at the bank, credit card loans at the bank or their credit union, what have you, they have the mortgages on their home that are tied to indexing and to indexing averages that are tied to the interest rates on various indexes.

When you take the best credit rating in the world, which is the United States of America, it is what all other credit is rated according to. When that moves on a daily basis because of the uncertainty, because of the potential risk, whether we ever default or not, you have already cost homeowners, credit card borrowers, you have already cost them money because the average is higher than it would have otherwise been over the 30-, 60-, 90-day period of time. When they reconfigure your adjustable rate mortgage or your credit card or your home mortgage, it will be higher or not as low as it might have been when we see interest rates dropping as we have seen over the last couple of months.

So, bumping around that index, every day the Republicans threaten to impeach the Secretary of Treasury, they

threaten to shut down the Government, they threaten to default on the debt, to expose our credit rating to this kind of questioning, you pay instantly as a homeowner, as a person out looking and using consumer debt in this country.

So this is not free, this discussion. This is not free, their threats. This happens immediately to people in terms of how those average indexes are used for their adjustable rate mortgages. What they are doing is, by their irresponsibility, by their threatening our credit rating, they are immediately impacting the cost of credit to every American family in this country.

Ms. DELAURO. The gentleman is absolutely right. The transition here is that they want to do that very loud and clear, as recently as reported in the Washington Times, they want to do it as a specific strategy of blackmail, of holding hostage in the same way that they did with the Government shutdown.

They are making no bones. It is a tactical maneuver to force the President to do something, and they are willing to play so fast and loose with every single individual's life in this country.

Mr. HEFNER. Will the gentlewoman yield?

Ms. DELAURO. I yield to the gentleman from North Carolina.

Mr. HEFNER. I would just like to put this on a personal basis. Someone had made a statement here earlier that we were demagoguing this issue and playing fast and loose with the truth.

I think it is a bit hypocritical of any of us to go home to our constituents and say, ''I am not going to vote to increase the debt of this country, I am not going to vote to borrow any more money. Let the Federal Government live within its means.'' That makes a good sound to a group that you are talking to.

But there is not a single Member, be he Democrat or Republican, that does not partake of the goodies that are in the budget every year. What it amounts to, the President of the United States borrows money to keep this Government going, to pay for these things, and he borrows it on behalf of every Member of this Congress.

Let me just give a little scenario. I have three district offices, and the people who work in my office work very, very hard, and they worked in the times when the Government shut down. Some people come and say, ''I'm having trouble with my veterans benefits. I haven't been getting my check.''

He says, ''Oh, well, you come on in.'' And I do not care whether it is a Republican or a Democrat, he gets right on it to solve this problem for his constituents, whether it is veterans benefits, Social Security, Medicare, Medicaid, whatever. Every Member that sits in this House, unless he does not participate in Government at all, only comes for this Congress and he does not participate in any programs is responsible for his portion of this debt. To come and to tie conditions and blackmail to keep extending this debt is totally, in my view, hypocritical.

I would like to make one other point. We have borrowed this money, we have spent this money, we have spent this money for disasters, in Oklahoma, in California, in Washington, all over this country, North Carolina, and other places, we have paid for things that benefited the American people. We owe the money. It is a legitimate debt. There is no way you can escape it unless you go bankrupt and throw the country into total chaos.

For people to tie contingencies to this and say, ''No, I am not going to vote to increase the debt,'' in my view is the height of hypocrisy. We owe the debt. We are the greatest Nation on the face of the earth morally, militarily, and economically. We owe these bills; they are legitimate debts. It goes beyond politics. This is something that we owe. It is a moral obligation. That goes to the question of character.

□ 1315

Do we have the character to do the thing that is right, to pay our bills, to support the American people and the things that we stand for as a moral society? It is absolutely the height of hypocrisy for anybody to come to this well and say ''I am not going to support the increase of this debt,'' that every Member, be he Republican or Democrat, liberal or conservative, has an obligation for a certain portion of this debt, and it is absolutely the height of hypocrisy for anybody to deny that. It has to be paid.

I would challenge the Republicans, let us do the moral and right thing and pass this debt extension, where we will keep our country from having to go into default and embarrassing us on the world stage as the greatest country on the face of the Earth, look after our Social Security people, Medicare, veterans, because this would have dire circumstances to all these people that depend on us to do what is right for this country.

Ms. DELAURO. I thank the gentleman. Before I recognize my colleague from Connecticut, Mrs. KENNELLY, I just want to tell you what kind of leader she has been on this issue. In the Hartford Courant today, the headline reads ''The Nation's Credit Is at Stake.'' They say especially what we have been talking about here. It says, ''It is the height of irresponsibility if we continue to deal with lowering the credit rating of the United States.'' It says ''Someone has to be a grown-up. Democratic representative BARBARA KENNELLY of Connecticut has introduced a bill to raise the debt ceiling with no strings attached.'' The next line says, ''Congress should pass it.''

That is what this is all about. I would like to yield the floor to my colleague from Connecticut, Mrs. KENNELLY.

Mrs. KENNELLY. Mr. Speaker, I thank the gentlewoman. I thank her for saying that and for taking this hour about the debt ceiling. It is a subject that I have been interested in, and I think anybody who understands what goes on in the financial world is certainly interested.

I have to hark back to when I was a major in economics at college, Trinity College right down here on Michigan Avenue, and then I went on to graduate school in economics, and I can well remember the phrase ''full faith and credit of the United States of America.'' That is an impressive phrase.

The reason it is impressive is because there is something very impressive behind that phrase, and that is the securities of the United States of America. Up until now, they have been the safest in the world. The reason they have been the safest and the reason that results in our having the safest credit rating in the world is the people feel fully free, whether you are an individual buying bonds of the United States of America, whether you are a foreign country buying bonds of the United States of America, the reason our securities are so safe is that people understood across this Nation and across the oceans that the United States of America never played fast and loose with their credit rating.

I know it has been said, and it continues to be said at various gatherings here as we address this whole situation, is that in the past, in the past, other things have been attached to the debt limit. I remember some time ago when that in fact was true. But the point of the matter is, and it is something that I keep trying to bring forth, is that this is not an issue of politics. This is an issue of governance, this is an issue of policy.

So lifting the debt limit should not be a matter of politics, because one does not have to go back in history to remember when Mr. Tom Foley was Speaker of this House, and before that majority leader, and in fact we, the Democrats, were in the majority. I can remember Mr. Foley being so adamant that you could have debate, you could have discussion about lifting the debt limit, but the fact of the matter was that because we, the Democrats, were in the majority, we could not step aside from the point that we had the leadership, and it was the responsibility of those in leadership, those in the majority, no matter which party, had to raise the debt ceiling, because you just did not fool around with that.

I remember that so, so clearly. Now we do not happen to be in the majority. The opposite side of the aisle, the Republicans, are in the majority. Therefore, it still should be an issue of policy, of governance, that we lift the debt ceiling.

The point is, as the gentleman from North Carolina just made, we are not talking about anything in the future. We are talking about money owed, money that has already been spent, money that has to do with the running of this country, and there should not be

any argument in substance, because in fact the majority voted on the budget reconciliation bill that had raising the debt ceiling up to $5.5 trillion. Our President of the United States has asked for the debt ceiling of the United States to be raised to $5.5 trillion.

There is no difference. So my colleague from Connecticut, having taken this hour, I just hope we can remember that it really does not do any of us any good to politicize this issue; that what we have to remember is that this is something so serious, this is something so important, that I, as a former economist, hate to even mention the word that is being floated around this floor, the word ''default.'' To me, that is a word we should not even talk about, we should not even be saying out loud, because to me, and I think to anybody in any responsible position, that is something that we do not even consider. A, it has never happened in the United States of America. B, we do not know what would happen. But we know that none of it would be good.

Mr. MILLER of California. If the gentlewoman would yield, when Orange County could not meet its debts, they paid a premium for just the discussion of default because they said nobody has ever repudiated their debt in municipal bonds. You now have under active discussion the repudiation of your debt. You pay a premium for having that discussion. The discussion is not free. Forget the act, how horrible that would be. Just the discussion changes the way other investors look at this, because they are banking other people's money when they buy these securities and this debt of the country.

Ms. DELAURO. If I can make a point with what the gentleman said, and I would ask my colleagues to comment, in terms of our colleague from California talked about Orange County, this has enormous reverberations for every county, every mayor, every first select person, every State in terms of what happens to bonds that are issued, whether it is a school board, whether they are a general obligation. The bonds out there are in trouble.

Mrs. KENNELLY. I would like to end up by saying something about where we are. Since November 15 we should have raised the debt ceiling. We have not done it. As a result, and this is another thing that just kind of boggles my mind, we have not done it, so as a result, the Secretary of the Treasury, Mr. Rubin, has had to use legal ways of paying the bills of the United States of America, without going beyond the debt limit.

Then we hear, oh, my heavens, he is doing something that is not correct because we in the Legislature, we, the House of Representatives, we have the purse strings, and therefore he should not be trying to pay the bills. But we are the ones that can vote to raise the debt limit.

It is another interesting thing that has happened here. Mr. Rubin has such an excellent reputation because he was in fact a financier, a very successful one. He gave of his time and has come to Washington to help us by being a public servant, and he has come to Washington and he is trying to do his job. He has taken an oath not to allow the Government of the United States ever to default, and he has done some things he would rather not have done, but they are perfectly legal, to make sure we pay our bills.

Then we have some saying he should not do that. And another word I do not like to use, ''impeach.'' Yet the same people are saying he should be impeached, will not allow him to do what he should be doing.

Then it gets even stranger and weirder. There are those on Wall Street that say, hey, the Secretary of the Treasury, Mr. Rubin, is such a fine gentleman, who knows exactly what he is doing, and he is not like those Washington kinds, so he would never allow default. The weirdness and the strangeness keeps going on.

So let me end by saying to the gentlewoman from Connecticut [Ms. DELAURO], we can end all this. We can stop it all. If in fact the majority of this House, if in fact the Speaker put on the calendar that we vote in this House on a clean debt limit, we could end all the discussion. I do not even like hearing it take place. We can raise the debt limit, pay the bills we owe.

We are always saying we have to conduct ourselves and be treated like everybody else in the United States of America, like we should be. Here is a perfect example. We should make it possible to pay the bills of those we have to, because, and I end here and I thank the gentlewoman from Connecticut, because the fact of the matter is, come March 1, there are a lot of checks that have to go out from the Government of the United States, to the citizens of the United States who have paid into their Social Security, to the citizens of the United States who have served to protect their country in the military, to the citizens of the United States who in fact are owed that check on March 1.

Mr. Speaker, let us end the conversation, raise the debt limit, and get on with balancing the budget of the United States of America in 7 years.

Ms. DELAURO. I thank my colleague. Just one point that the gentlewoman from Connecticut [Mrs. KENNELLY] made, which is the abdication of leadership. That is precisely what is happening here, when you do not want to reaffirm the credit rating of the United States and say yes, we will be there. But I will tell you this, and I will just say I do not know what we can expect, what more we can expect from the folks in the leadership in this House.

This is the group of folks who said to the President of the United States, give us a 7-year balanced budget according to our economic assumptions, Congressional Budget Office economic assumptions. He did that, and now they are walking away from that. They have just walked away from what they have been asking the President of the United States to do, lo, these months and why they closed the Government twice.

Mr. DOGGETT. If the gentlewoman would yield, just one question about that point. These are also the same Republican leaders who for decades have presented themselves to the American people as the party of fiscal prudence, of fiscal integrity. And now they are the ones who are engaged in this most imprudent act of threatening our credit rating for the first time in 220 years, for, as the gentlewoman from Connecticut said, even threatening to impeach the Secretary of the Treasury for trying to avoid that default.

All year long I have heard them call themselves revolutionaries. Do you think is what they meant by revolutionary, that they are now going to become the party of fiscal imprudence and jeopardize our credit rating?

Mr PALLONE. If the gentlewoman would yield, I just wanted to follow up on what the gentlewoman said about this whole concept of hostage. As the other gentlewoman from Connecticut said before, we are already in a hostage situation. I think the only reason why we have not paid as much attention, if you will, to this whole problem of the credit rating, is because we faced the Government shutdown as the hostage.

In other words, for the last few months the Republican leadership and Speaker GINGRICH were holding us hostage because they threatened to shut down the Government. The only reason that we were able to continue to pay our debts was because of the effort that was being made by the Secretary of the Treasury to continue to find ways to continue the whole Government process without going into default. But now that the Republicans are saying, OK, we are not going to shut the Government down anymore, at least we hope not, we are still waiting to have an answer today, now they are saying OK, but we want to wait a little longer as this credit rating problem continues to persist.

The bottom line is, as the gentlewoman from Connecticut [Mrs. KENNELLY] said, on November 15 we were supposed to extend the debt ceiling, which would have allowed for our credit rating to remain intact and not have the threat of default. It is almost, what, 2 or 3 months later now, and we know by March 1, if we do not do something, if we do not act, if not sooner, we are very likely to go into default.

I do not think we should wait another day. One of the things I would like to mention is we have not even heard any vote being scheduled on the issue of the debt ceiling. We may very well end up passing some kind of continuing resolution tonight and be in recess or be adjourned until the end of February, and there has not been any effort to even suggest that we schedule a vote to deal with this problem of the credit rating.

In addition to that, we are now being told by GINGRICH and the Republican

leadership that we will only consider dealing with the credit rating and extending the debt ceiling if you do other things, if you make certain spending cuts or do certain tax breaks or whatever.

Without commenting on the worthiness of the spending cuts or the tax breaks, or whatever, the bottom line is it is totally inappropriate to hold this Government hostage or to make this linkage between those issues and our credit rating. We are supposed to be responsible here. I am amazed, years past this session of Congress, I have never seen such irresponsible activity to suggest it is OK to threaten the credit rating.

We already know that certain reports have come out, I know my colleague from Texas is going to comment on it today, that indicate that the bond markets and the various groups that look at these things are now concerned about our ability to pay our debts. So it is not something that is pie in the sky. This is real. This is a real thing that is happening right now.

I can just go back to American history, because I listened to what the gentlewoman from Connecticut [Mr. KENNELLY] said before. I remember, I do not remember all the specifics, but I remember from back in grade school when we took American history, and we remember, that after the Revolutionary War, one of the main things that the Government wanted to do, and I think it was Alexander Hamilton who was the main proponent, was that the Government, the new American Government, back in the 1700's then, had to be put on a sound financial system. He wanted to make sure that our credit was good. He wanted to make sure we were paying our debts, and that is why from day one, this country has been successful economically. It is one of the foundations of the whole Nation that we pay our debts, that we do not go into default, and we send a message by doing that to the rest of the world that that is what every one should do.

□ 1330

What kind of a message is this Republican leadership sending to the rest of the world when the greatest economic power and the one that drives world economy in this global market that we face is now sending a message that we are seriously thinking about going into default? It is just incredible to me. Maybe I am being naive, but I cannot believe that we are actually hearing this discussion from the Republican leadership.

Ms. DELAURO. It is taking a 200-year history of this great Nation of ours and truly trashing it, and saying that it is not worth it. I would have thought that the Speaker, who is a historian, when you brought up your frame of reference, I think what we need to do is to have some civics lessons here, and if we want to then try to really build on what the Founding Fathers have, their legacy, or whether we want to turn this country into, to quote a popular phrase today, deadbeat dads so that we are not meeting what our responsibilities are.

I see that my colleague, the gentlewoman from New York [Mrs. MALONEY], is on her feet. Let us get the gentlewoman into the discussion.

Mrs. MALONEY. I would like to add my voice to the lodge politics that is being practiced in this body.

My colleagues, the Republicans are practicing winner-take-all politics. If you do not do it my way, then we will shut the Government down for 21 days. If you do not do it my way, we will default on the Government bonds and the full faith and credit of the U.S. Government, even if this default would trigger a global financial catastrophe, not only in the United States, but globally.

This is not a revolution. My colleague, this is destruction, pure and simple. Compromise is a way of life in public policy. It is called give-and-take. It is called checks and balances. It is called making a decision and moving the Government forward even if you do not get everything you want. My way or no way is the mindset of a 5-year-old, not the leading legislative body of the Western World.

The Republicans, my colleagues know that the Republicans demanded over and over and over a 7-year balanced budget using CBO numbers. The President met that demand, but this is Stairmaster politics. The President steps up, meets the demand, only to find that he has to step again to the same place just to stay in the same place. Every time they make a demand, they just raise the bar a little higher and make another demand.

The bad faith, winner-take-all negotiating stand is unreasonable, it is irresponsible, it is dangerous. It is time for the Republicans to moderate their position, join with the President and move the country forward.

The Republicans should not be playing Russian roulette with the full faith and credit of the United States Government.

I would like to be associated with the comments of my colleagues here and the discussion that the Republicans should put forward a clean bill on debt ceiling so that we may raise it, pay our bills and move forward and stop playing Stairmaster politics.

Ms. DELAURO. I want to thank my colleague from New York.

I just remind people again that the world effects are there. Families will suffer here as well. I believe it was the Speaker who said back in September, ''Even if we have to delay tax refunds, we should have our Government default.'' What happens with Social Security payments, with veterans' payments and military payments, all coming around. We are going to get in a few minutes our colleagues from Massachusetts to talk about that.

I see my colleague, the gentleman from Texas [Mr. DOGGETT], and let me ask you to get back into this.

Mr. DOGGETT. So much of our discussion here this afternoon has been on what might happen in the future, and the prospects are dire, indeed.

But I think it is important for the American people to understand what has already happened as of yesterday afternoon because at the same time our colleague, the gentleman from Texas [Mr. BENTSEN], and I were trying to bring some sanity to this body and bring up a motion to go ahead yesterday and deal with the debt limit. Unknown to us, one of the leading credit rating agencies in the country was issuing a warning for the first time in history concerning the obligations of the U.S. Government. And I just turned to this morning's newspaper noting that, ''In a warning shot fired at Washington, one of the Nation's leading credit rating services announced late today that it was considering lowering its ratings.''

Already, even before they take us right to the edge of that cliff and jump off in a kamikaze fashion, they have already issued this warning, and it would signal that the United States might soon have to pay more to borrow money.

We have talked about Orange County, and we have talked about the United States. That is us. That is every American taxpayer. Everyone who pays taxes in these United States has a stake because we will all have to pay more money just like we are paying out billions of dollars now for the excesses of the Reagan years when he signed all those appropriations into law that escalated the Federal budget deficit.

Mr. HEFNER. If the gentleman would yield, I wanted to raise one point here. People keep talking about that this money is going to be used to give the President a credit card where he can go spend. I want to remind all of my colleagues that have lived in areas where there have been disasters, like in Oklahoma and California and even now in Pennsylvania, we have got Ohio and places where we are paying for disasters that have hit this country.

This is money that is going to be spent. We have made arrangements for the money. This is not a debate about amendments and what is going to be done. This is something that has to be done. This is just as certain as death.

If the country continues to stand, this has to be extended. There is no negotiation about it, no percentage negotiation. It is something that absolutely has to be done, and the longer we put it off the more it costs us. It is just like an operation: If you put it off too long, you can become terminal and it can do permanent damage that you never recover from.

I thank the gentlewoman for taking this time, and I think if the American people would just stop and listen to the consequences of this and get on and tell their Representatives, everybody is affected by this: the old, the young, our senior citizens, our veterans, our armed services people, the people in Bosnia. If we do not have the money to

pay these bills, it is going to be dire circumstances for us, and to play with this, make it a political game, in my view, as I said earlier, it is totally irresponsible and it is the height of hypocrisy for anybody to say that we do not have to do this and tie contingencies to it.

Mr. DOGGETT. I would just conclude by noting the reaction of one person, an investment banker, to note what may happen if they carry us over the cliff, but what already happened yesterday in taking us right up to the brink of disaster as this Gingrich-led Congress has done at a time when the President has come here and called for conciliation and goodwill and cooperation. Instead of doing that, they take us up to the edge of the cliff of financial disaster. The reaction of one investment banker was that this is a very strong warning to the system.

The whole notion that the U.S. bonds are on some kind of credit watch is wild. This is the kind of things that happens to some of our companies, not to the United States. It is embarrassing. And it is an embarrassment, but it is an embarrassment we are going to have to pay for.

In Texas, there are a lot of stickers and signs around that say, ''Don't mess with Texas.'' We are saying today, Don't mess with the credit rating of Texas and these United States.

If these Republican colleagues want to go mess up somebody's credit rating, go mess up their own. Do not mess with my credit rating. I have worked to defend and preserve it. And that is what the American people should be saying to this Gingrichite leadership: Do not mess with our credit rating. We worked hard to preserve it, and you ought not to use these crazy, extremist political tactics to destroy the credit rating the generations of Americans have preserved.

Ms. DELAURO. I want to say thank you to the gentleman from Texas, and pardon me for not mentioning it earlier, and I see that our colleague also from Texas [Mr. BENTSEN], has come on to the floor, and I am going to recognize the gentleman from Massachusetts [Mr. KENNEDY] in a moment, but I want to compliment my two colleagues for your resolution of talking about a clean bill and not holding this country hostage. I know all the work that you have done.

One of the most incredible things is that they are going to do this; they have taken us to the brink and now they want to just say, Let us recess and go home, and no one knows what is going on. Talk about, as the gentlewoman from Connecticut [Mrs. KENNELLY] pointed out, an abdication of leadership. You cannot govern if you do not want to make the decisions and make the choices and let this country keep moving in a forward direction.

Let me just recognize the gentleman from Massachusetts [Mr. KENNEDY], who has also a piece of legislation, who sits on the Committee on Banking and Financial Services and clearly understands the ramifications of this, whether in the global market or whether it is for seniors, for veterans, for homeowners, or anyone else. Thanks for joining us this afternoon.

Mr. KENNEDY of Massachusetts. Let me thank the gentlewoman from Connecticut [Ms. DELAURO] for making certain that this issue is understood more clearly by the American people and by all of those that might think that this is some sort of simple political maneuver that is entirely expected out of those rascals that run Washington, DC, these days.

This is a highly unusual and very provocative and extremist tactic that is being employed to bring about the imposition of a particular set of political beliefs by a particular group of Republicans.

I think it was interesting that, in the newspapers from Boston Globe to the New York Times and a number of others in today's news reporting, that they reported that Speaker GINGRICH just yesterday evening had offered a compromise to allow the debt ceiling issue to be avoided in the Congress. Yet, in all of the discussions that are taking place today on the House floor and among Republicans, we find that there is, in fact, no real agreement among Republicans to, in fact, come to grips with this debt ceiling.

I, in fact, debated early this morning with the leader of the movement in the Republican Party, the gentleman from Michigan [Mr. SMITH], over the issue of the extension of the debt limit. I did not get any sense that he and many other Republicans are now in a process of being willing to compromise on extending the debt limit. Rather, I think that there are a number of Republicans that have signed, in their belief in a contract which requires them to hold the debt limit at its current spending levels in order to impose upon this country the set of beliefs that they ran on when they ran for the Congress of the United States.

The truth of the matter is that we have a system in this country which has worked for well over 200 years which does not say that just simply because one gets elected to the Congress that you can impose your set of beliefs on the entire country. We have a process that is set up where you have to get a bill passed by the House of Representatives, passed by the U.S. Senate, if you get it passed by both of those, then you have to get it signed into law by the President.

If the President were to sign into law all of the provisions that the Republicans, this extreme group of Republicans, want in their contract, then, in fact, we might be able to go along and have this debt ceiling raised without any controversy. The truth of the matter is there are a number of people in this country that do not believe that we ought to be gutting the Medicare Program, gutting the Medicaid Program, that do not believe that we ought to be doing that at the same time providing an enormous tax cut to the wealthiest people in the Nation. As a result of that specific provision, the Republicans are intending on dumping the entire debt of this Nation and potentially upsetting the whole apple cart of the world's economic finances and the trust that has been established over 200 years or more of history in terms of the United States being the premier creditor Nation in the entire world.

So, what essentially is taking place here is very simple. A small group of Republicans have held up the rest of the Republicans and have put a gun to the head of the entire American people and said, ''You either accept our particular belief on how this country ought to move forward or else we are going to, No. 1, not pay our debt.''

OK, we do not pay the first debt that is over $380 billion that is going to come up in the next month. Wall Street has told us that if that debt is defaulted on, we can expect a minimum rise of 1 percent in our borrowing cost. A 1 percent borrowing cost increase for anybody with an adjustable rate mortgage is going to cost them $1,200 a year.

□ 1345

Now, the entire tax break that the Republicans are insistent upon in order to get this is not even worth $1,200 a year. So they are going to give away more to interest rate increases than they are going to get out of the tax break. This is the most ludicrous proposition that one could possibly design.

President Clinton has reached out to the Republicans and said that he will in fact come up with a 7-year balanced budget, with a CBO balanced budget; he will do it with cuts. What he will not do is go beyond the cuts that are required to get to a balanced budget and actually provide an enormous tax break, the lion's share of which goes to the wealthiest people in this country. It is a principled position. It is a reasonable thing to believe in in this country, a system of government that has been set into place, that does not allow an extremist view to come in and impose itself upon the rest of the Nation.

Those differences are what we are elected to then work out a reasonable compromise. We have a system of this country that allows that compromise to move forward. What we ought not to do is sit back and allow the imposition of a particular viewpoint to be rammed down the throat of the rest of the Nation while we sit back and diddle.

I believe that it is important for us to have this debate. It is important for us to make certain that the American public understands that if in fact we go ahead and default on this debt, that this is not a tactic that anybody, many Republicans, JOHN KASICH included, have ever endorsed. I would ask JOHN KASICH and I would ask other moderate Republicans to join with over 150

Democrats that in just 1 day have signed a clean discharge petition. All you have to do is walk up to that front desk. Ask the clerk to provide you, they will even give you a pen. They will give you that pen. You put your name to the paper, and we can make this issue go away, provide the credit of this country with the service that it needs and provide this country with the kind of compromise solution that has worked for over 200 years of American history.

I thank the gentlewoman from Connecticut.

Ms. DELAURO. Thank you for your work, Congressman KENNEDY. Well said.

My colleague from Texas, Mr. BENTSEN, who has really been the coauthor of the resolution to look at a clean debt limit extension, love to have you in this conservation. I welcome also, I might say, the ranking member of the Committee on the Budget, who will join us in this discussion in a few minutes.

I yield to the gentleman from Texas [Mr. BENTSEN].

Mr. BENTSEN. Mr. Speaker, I thank the gentlewoman from Connecticut for yielding to me. I would like to take a second to talk about what is going on here.

I was asked by a reporter yesterday as to why my colleague, the gentleman from Texas [Mr. DOGGETT], and I introduced a privileged resolution to bring a clean debt limit extension to the floor. My first response was, because it is the obligation of the Congress to make sure that America pays its obligations. The Speaker has chosen not to schedule on the calendar a clean debt limit extension, which has very serious implications.

Additionally, we have had to follow what Mr. KENNEDY of Massachusetts is trying to do through a discharge petition to bring this up, because we have a small band of self-described revolutionaries who do not think that we ought to do this.

Let me briefly remind this House that the last small bank of revolutionaries who chose not to pay their obligations were the Bolsheviks who in the early 20th century decided that they would not pay the obligations of the nation of Russia and thus defaulted on what were then called czar bonds, and even today there is no market for other obligations. Even today, the former Soviet Union, which has now broken the shackles of communism, still finds trouble entering the capital markets because of that.

Let me briefly describe for the House what would happen in the event that we followed through with the default on our national debt. Not only would payments not be made on U.S. obligations, not only would Social Security checks not go out, veterans' checks, salaries to the men and women who are serving our Nation throughout this world in the armed services, including in Bosnia. But in addition, you would see a downgrade occur on the part of most debt held by State and local governments, school districts, water districts, which is backed by U.S. Treasury obligations.

You would also see a situation where there would be no secondary market for Treasury securities as pension funds and other holders, individuals, other nations would have to in effect dump their Treasury holdings. I would predict, quite confidently, that you would see interest rates on the long Treasury bond, the 30-year Treasury bond head up toward the 20-percent range, which is really quite unacceptable. I think that the impact on the stock market would be well expected to see a significant drop.

Mr. FAZIO of California. Let me ask my colleague, who understands the financial markets as well as any of the Members on our side of the aisle, if it is true, as I understand it is, that today the difference between our triple A bonds, which are the most secure bonds, the U.S. debt, and those that are graded at what Moody's says they may have to be graded at, triple B, I guess, that is about a 3.5-percent difference, is it not, in terms of additional burden that anybody borrowing with the full faith and credit of our Government would have to incur; is that about right?

Mr. BENTSEN. That is about right, around 3 to 3.5 percent, 350 basis points. That is a substantial additional interest cost. What you in effect do is you turn interest into principal and you thus incur more debt. It costs you money in the long run.

We would be raising the cost not only to the American taxpayers through the Federal Government, but we would also be raising the cost to State and local taxpayers, school districts. This is before people who have adjustable rate mortgages, which are coming due in the month of February and March, find out that exactly what that cap on their mortgage meant. If it was a 2-percent cap or a 3-percent cap, they are going to hit that cap.

This is sort of the version, the financial version of mutually assured destruction. This will cause a payment crisis in the U.S. markets that will transcend through every household in this country. It will preclude the Treasury from making Social Security payments. It is totally unwarranted. It should not be done.

The Speaker should bring this bill up, and the last thing, the last thing we ought to do in this situation is to adjourn and go home so some people can campaign or run for President. For doing this, they should probably run away from their constituents for causing this to happen, but they should not be out campaigning. We should stay here, do the Nation's business and avert a default. I thank my colleague from Connecticut for having this time. I appreciate you yielding the time.

Ms. DELAURO. Thank you very, very much, for your help in the education process.

Let us now try to get into the discussion here, the distinguished gentleman from Minnesota [Mr. SABO], the former budget chairman and the ranking member on the Committee on the Budget. No one knows this better than MARTIN SABO.

I yield to the gentleman from Minnesota [Mr. SABO].

Mr. SABO. I thank the gentlewoman from Connecticut for yielding.

Let me commend the gentleman from Texas [Mr. BENTSEN] for his outstanding work in defining this issue to both the Congress and to the American public and to the gentleman from Massachusetts [Mr. KENNEDY] for having had the foresight to introduce some time ago a bill to extend the debt ceiling.

I introduced a more recent version. For the first time in my career in Congress, I signed a discharge petition. I am not one who believes that that should be done lightly or for simple political reasons or for trivial issues. But here we are dealing with just the fundamental management of the financial integrity of this country.

I can think of nothing more foolish for the Congress to do than to refuse to extend the debt ceiling so that we go into default on our credit, so that we find ourselves in a position where we cannot send benefit checks that millions of Americans are expecting. And then the incredible long-term impact; when we look at the long-term potential of balancing the budget, one of the important ingredients that we manage is interest costs. If we are going to do foolish things now, playing political games, we may jeopardize our ability to reach any type of balanced budget over the next several years, simply because we are going to drive the interest cost factor in the Federal Government out of sight. It is foolish. It hurts people. It hurts other units of government and for no good, no good reason.

We should simply go about extending the debt ceiling so our credit remains the best in the world.

Sometimes people talk about we should run ourselves like a business. Can you imagine any business that would unilaterally go out and try and destroy their credit rating for no good purpose? That would only be described as dumb. So let us not be dumb. Let us be smart and extend the debt ceiling. I thank the gentlewoman.

Ms. DELAURO. I thank the gentleman. Aptly put, it is dumb, and to hark back to something our colleague from Texas said, that the Soviet Union is still trying to dig out of that morass of defaulting on those czar bonds. That is a history lesson well worth taking.

Let me ask my colleague from California to jump in.

Mr. FAZIO of California. I want to thank the gentlewoman from Connecticut for helping us focus on what would be one of the worst self-inflicted wounds I have ever seen this Congress contemplate. The Wall Street Journal, leading financial newspaper in the country, today talks about Moody's,

which is the national version of your local credit bureau, considering downgrading the United States debt to the tune of about $387 billion to in fact create much higher costs for all of us in this country in paying that debt, rolling it over on a periodic basis. It also includes an article about the Mexican economy and the fact that in their credit crunch, loans are today almost impossible to get; and, if you can get them, they are ranging at the 50-percent level.

The reason I bring that up is this is a country that is in deep trouble today just for contemplating default. This country stepped in and helped prevent that and still, just because they flirted with default, today it is almost impossible to get a loan in that country.

We would be, by this action here that is being brought about by the freshman Republicans and others who are irresponsible, in my view, about how they want to conduct our public policy debate, are courting this kind of disaster.

We are about to move to a point where our U.S. bonds, which are the best bonds you can get anywhere in the world, which pay the lowest interest rates because of their security and lack of risk, will fall into the category of almost junk bonds. Here we are, a country that theoretically has learned about the perils of junk bonds, having come through our S&L crisis, we understand that these kinds of high yield bonds we call junk bonds, pay a premium, because of the risk involved, because of the potential for default.

It is a lesson we have got to remember as we continue to do our business in this Congress. Hopefully, the effort that Mr. KENNEDY is leading and Mr. BENTSEN and others to get this Congress to adopt a clean debt limit extension, what we mean by that is to deal with the credit rating of this country without encumbering it with any other extraneous activities, any other legislation that ought to be dealt with in separate vehicles.

We think, and I think Members of the Republican Party honestly agree with us, that if we know what is good for our country, we will act precipitously today, tomorrow, next week, whenever we can possibly get the attention of the leadership of this institution to guarantee that we do not allow ourselves to slip into default and to provide long-term detriment, additional cost to us as individuals and as taxpayers and as a Nation.

We need to sign this discharge petition. We need to bring our Republican colleagues of good will, who are willing to be independent and stand up for what is right for this country, to join us so that we can have sanity reign here and so that we are not going to find extortion and blackmail on something as fundamental to this country as the extension of that debt limit occurring.

Remember, we have written the checks. It is a question of whether we are going to cover those drafts when they come to the bank. I want to thank the gentlewoman from Connecticut for taking the time to give the American people and our colleagues a better understanding of something that I think we never really entertained, never thought was possible, until just recently when we began to see just how far irresponsibility was leading the minority, the majority party in the direction of bringing about a real financial disaster for this country.

Ms. DELAURO. I want to thank my colleague from California for just outlining what it is all about. I want to thank my other colleagues who joined with us this afternoon, and I just want to say that the issue is credit rating, the credit rating of the United States.

□ 1400

When you hear the words ''debt limit, debt extension,'' put that aside. Credit rating, that is what this is about, and whether or not we are going to say that the United States will continue to have the best credit rating in the world, which it currently has.

I would just say to you that we do have people, we have a group of people in this House that are willing to do harm to the credit rating of the United States by defaulting on our debt. This would be for the first time in this Nation's history. They are prepared to do this, and even have talked about this in terms of a strategy for holding the President hostage, for blackmailing the President to try to get something from him on the issue of the budget.

We have put to rest the issue of the balanced budget. The President has laid one on the table. It is now my Republican colleagues who are walking away from the balanced budget that the President has put down, which they asked for.

What I am begging the leadership, the Republican Gingrich leadership of this House to do, listen to Wall Street when they say what difficulty we will be in in the world if this happens to the United States; listen to Main Street; listen to the working men and women of this country, who will see their adjustable rate mortgages on their homes go up $1,200 as my colleague, the gentleman from Massachusetts, has said. Credit card payments, because the interest rates will go up, will be higher. Towns and cities and States will find, and school districts and water districts, that their bonds will be in difficulty. That is all the result of tampering with the credit rating of the United States. It will have a disastrous effect on the United States and on the people of this country.

We cannot let this happen. What we need to do is to send the President of the United States a clean debt limit credit rating bill, so that in fact we can continue on as the great Nation that we have been, and that our Founding Fathers sought for us.

Ms. BROWN of Florida. Mr. Speaker, if we don't pass a debt limit extension and the country defaults on the national debt, the result will be devastating.

The Republicans don't believe Treasury Secretary Rubin when he warned of default. Instead, they have resorted to a dangerous game of chicken with our Nation's economy.

If we do default on the national debt, it will have an adverse effect on so many people. Social Security and veteran benefit recipients may not receive checks. Interest rates would rise dramatically, affecting home, car, and student loans. Bond prices would fall dramatically, causing people to sell in fear of this.

First, the Republicans held Government employees hostage in their attempt to get the President to cave in to their extreme balanced budget plan. And now, they are fooling around with the possibility of defaulting on the debt.

They just never learn that their extreme bullying tactics just aren't going to work.

We can't afford to default on the national debt. We need a clean debt limit extension.

VOTING BALLOTS PRINTED IN FOREIGN LANGUAGES, ANOTHER EXAMPLE OF GOVERNMENT EXCESS

The Speaker pro tempore. Under a previous order of the House, the gentleman from Wisconsin [Mr. ROTH] is recognized for 5 minutes.

Mr. ROTH. Mr. Speaker, I rise today to call attention to another example of Government excess. In the spirit of so-called multiculturalism, the Federal Government has mandated since 1965 that voting ballots and materials be printed in dozens of languages other than English. Today there are some 375 voting districts across this country that are required to print ballots in foreign languages.

In a classic example of an unfunded mandate gone amok, politicians in Washington are forcing States and localities to provide multilingual ballots without providing the funds to implement the ballots. This Don Quixote mandate, the legislation that has caused this mandate is the voting Rights Act of 1965. Under the law, countries must provide multilingual voting information and ballots in the language of any minority groups with more than 10,000 eligible voters in that county.

In the real world, these services should not be needed at all. Voting rights are extended to citizens of this country, and one needs to demonstrate some fluency in English to become a U.S. citizen, so why all of these ballots. In other languages other than English? In practice, this requirement for citizenship has been unenforced, but that does not change the facts. By law, English is the requirement for citizenship in this country. We should not be providing Government services, in direct contradiction with the spirit, if not the letter, of the law's requirement.

Morevoer, these services are expensive, as well as unnecessary. It might surprise supporters of multilingual ballots to know that very few people actually request such special treatment. By and large multilingual ballots are rarely requested, and even less often used, even when they are provided. That is

what makes these costs and their cost to the local taxpayers all the more shocking.

Election officials in Alameda County, CA, told me recently that they spent almost $100,000 to produce ballots in Spanish and Chinese for the entire country, yet only 900 were ultimately requested. You can do the math. The taxpayers of Alameda County spent over $100 for every multilingual ballot that was actually used in that June 1994 election. This appears to be a trend.

The last election in Los Angeles saw ballots printed in six languages other than English. Among them were Spanish, Chinese, Japanese, Vietnamese, Tagalog, and Korean. It cost the city government over $125,000 to prepare the materials. Yet, and listen to this, only 927 ballots were used. Los Angeles spent over $135 for each voter the city helped.

Even small communities are not immune. Long Beach spent a relatively modest $1,026 preparing multilingual materials for its eligible voters when only 22 requests came in. The township spent over $280 per multilingual voter. As a frustrated election official told me recently, ''This is a lot of money to help a few people.'' That official could not be more right.

These ballots have other, more serious costs associated with them, too. Providing these special services creates the fiction that newcomers to this country can enjoy the full benefits of citizenship without the language of the land, which is English. How can a citizen cast an informed ballot in a foreign language when most candidates' platforms, stump speeches, and media coverage are in English? Exercising one's rights of citizenship involves more than just casting a vote. It means making a thoughtful decision regarding an issue or a candidate.

Multilingual voting ballots give individuals the right to vote without granting the power to cast an informed vote. The logical extent of the argument behind the multilingual ballots is to provide these services in all the languages spoken in the country. After all, why should we privilege one linguistic minority over another? Should we not provide news reports and election coverage in all these languages, so these citizens have access to all the information they need to cast an informed vote? The simple and obvious answer is that we cannot. There are 327 languages spoken in the United States today. We cannot provide these services in all of these languages. What is more, we should not.

CALLING FOR A MUTUAL UNDERSTANDING BETWEEN TAIWAN AND THE PEOPLES REPUBLIC OF CHINA

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

Mr. TORRICELLI. Mr. Speaker, it is said that in history, great conflicts begin more often from miscalculation than by purposeful design. Even in our own time, it is said that the Korean war may have begun by the unfortunate statement of Mr. Avenuees that the defense perimeter of the United States began in the Sea of Japan, and not the 38th parallel.

A few years ago the United States Ambassador to Iraq suggested to Saddam Hussein that in a dispute between Kuwait and Iraq, the United States would regard the matter as an internal problem in the Arab world. Today in the straits of Taiwan a foundation may be being laid for a similar misunderstanding.

I take the floor today, Mr. Speaker, as one Member of this institution, in the hope that the leaders of our country, our great allies in the People's Republic of China, come to some mutual understanding of events that are taking shape even as we speak between Taiwan and the People's Republic of China.

Only weeks ago the Peoples Republic fired missiles into the airspace and the shipping lanes around Taiwan. It is now openly being discussed what further actions, including military measures, might be taken. The leaders in Beijing are displeased with comments or activities of President Li after the Taiwanese elections.

It is the policy of the United States Government to have formal diplomatic relations with the People's Republic and to recognize it as the sole legitimate Government of China, but the Taiwan Relations Act is infinitely more complex. It also permits, and indeed, in my judgment, provides a responsibility for the United States Government to continually reassess our role and obligations if the security situation of Taiwan were to deteriorate.

I recognize that the relationship between Beijing and Washington is one of the cornerstones of world peace. It is one of this Nation's most important economic, cultural, and security relationships. I want it to be strong and I want it to be sound. But I also recognize, and history bears witness, the United States keeps its obligations, recognizes its relationships, and meets the needs of its friends.

I trust and I hope that Beijing in the coming months will act responsibly, retain the commitment that any dispute it might have with the people on Taiwan and the question of the larger China is resolved peacefully, responsibly, and diplomatically. But simply because Members of this institution and the larger U.S. Government are committed to good relations with Beijing, simply because we want good political relationships, increased investment and trade, simply because of the progress of all these years, they should not put aside that this is still a nation that keeps its obligations, defends the weak against the strong, and holds democratic governments with pluralistic governments in a singular and special category.

This is, after all, not the Taiwan of 20 years ago. There is a free press, a pluralist democracy, and now, a popularly elected President. That does not negate aspects of, or in its totality, the Taiwan Relations Act. It is simply an attempt to make an effort on my own part to communicate with the leaders in Beijing to let them know that the firing of the missiles was not only wrong, but threatening military action is irresponsible.

However they may calculate it, whatever their advisers may say, at the end of the day, in spite of all the investment and all the hopes for good relations with China, the world will not watch a military incursion, a renewal of hostilities, or even irresponsible acts that threaten the peace.

So I hope each in our private ways, parties to this potential dispute, will again renew their commitment to peace and ensure that our actions remain responsible, but that all parties at the end of the day recognize that the United States will not witness the forceful end of the Government of Taiwan.

TRAVEL HABITS OF THE SECRETARY OF THE DEPARTMENT OF COMMERCE

The SPEAKER pro tempore. Under the Speaker's announced policy of May 12, 1995, the gentleman from Michigan [Mr. CHRYSLER] is recognized for 40 minutes as the designee of the majority leader.

Mr. CHRYSLER. Mr. Speaker, once again, the Commerce Department has made news. But it's not news about any new trade deals it won for American business. It's for the travel habits of the Secretary of Commerce. It seems that the Secretary has a penchant for travel, one that has cost the taxpayers of this country millions of dollars.

In fact, the current Secretary's travel costs have increased by over 145 percent from that of his predecessor. One can only assume he is using the same travel agency as the Secretary of Energy.

This weekend, the Los Angeles Times reported that the Department of Commerce's own inspector general was sharply critical of Secretary Ron Brown's travel expenses, noting that ''His spending levels are particularly striking since he took over the job from a Republican administration that was often under fire for incurring excessive travel costs.''

The Los Angeles Times goes on to add, ''Brown, a former chairman of the Democratic Party, was accused by his critics of using his travel budget to gain favor with political allies and party contributors, many of whom have been invited to accompany the secretary on his extensive foreign trips.''

Mr. Speaker, I include for the RECORD the Los Angeles Times article.

The article referred to is as follows:

[From the Los Angeles Times, Jan. 22, 1996]

AUDIT CITES TRAVEL COSTS OF COMMERCE SECRETARY

(By Sara Fritz)

WASHINGTON.—Under Commerce Secretary Ronald H. Brown, travel expenses for the secretary's office have risen at least 145% over those of a well-traveled GOP predecessor, while many of Brown's aides are improperly using government credit cards for personal purchases, according to a confidential audit report obtained by The Times.

The report by the Commerce Department's inspector general also sharply criticizes Brown for supplementing his escalating travel budget with millions of dollars that Congress intended for other purposes.

In addition, it questions the Commerce Department's practice of paying in advance the expenses of nongovernment workers who travel as ''consultants'' for the administration. It notes that more than $360,000 in travel advances to these private citizens have never been repaid.

The report, which generally calls into question Brown's financial management of the Commerce Department, comes to light in the wake of the controversy over excessive travel spending by Energy Secretary Hazel O'Leary, whose penchant for numerous and expensive foreign trips was detailed by The Times.

Brown is already under investigation by a court-appointed independent counsel on a variety of charges unrelated to his travel expenditures—most of them involving his personal finances.

His spending levels are particularly striking since he took over the job from a Republican administration that was often under fire for incurring excessive travel costs. In particular, the extensive travels of former Commerce Secretary Robert A. Mosbacher, who served in the Bush administration, were often questioned by Democrats in Congress.

Like Mosbacher, Brown, a former chairman of the Democratic Party, was accused by this critics of using his travel budget to gain favor with political allies and party contributors, many of whom have been invited to accompany the secretary on his extensive foreign trips.

Carol Hamilton, Brown's press secretary, said the increased spending reflects the secretary's determination to be more of an activist than his predecessors in promoting the interests of American business.

''The Brown Department of Commerce is a far more activist Commerce Department, particularly in terms of export promotion,'' she said.

At the same time, she said, the department has taken steps to clamp down on the misuse of credit cards and to eliminate other problems cited by the auditors.

Judging from individual expense reports filed by Brown and his traveling companions, which also were obtained by The Times, the Commerce secretary's costs have risen in part because he makes numerous domestic and foreign trips. But records also show that he adds to the cost by taking along a sizable entourage of advisors and security personnel, along with an advance team whose tasks include arranging for hotel accommodations and ground transportation.

Overall, according to the audit, travels by Commerce Department employees cost the taxpayers nearly $68 million in 1994, exceeding the budget set by Congress by about 55%. One Commerce Department agency alone, the National Oceanic and Atmospheric Administration—which helps pay for Brown's trips—exceeded its travel budget by $22 million in 1994.

Auditors found that the secretary and his office staff spent nearly $1.4 million from their own budget on travel during 1994, nearly 1½ times more than the $552,389 spent in 1991 by Mosbacher and his aides.

In addition, auditors found, the secretary has supplemented his travel budget with hundreds of thousands of dollars drawn from other agencies within his department, including NOAA, the International Trade Administration and the Economic Development Administration.

For example, the report says the ITA and the EDA transferred funds from their budgets to pay for Brown's trips to Russia in March 1994 and to India in January 1995. Records indicate that NOAA routinely pays for Brown's bodyguards, both on foreign and domestic trips.

As a result of Brown's decision to use other agencies' funds for his trips, auditors were unable to determine precisely how much money the secretary has spent on travel. But the report quotes ITA officials as saying his travel expenditures from their budget reached $2 million in 1994 alone.

The inspector general's office says the practice of transferring funds between agencies was troublesome, but not illegal. ''We found no violation of the letter of the appropriations law,'' the report says. ''But we are concerned that the transfers weaken the integrity of the budgeting and appropriation process and expend funds in ways not anticipated by Congress.''

Hamilton said Brown disagrees with the inspector general's criticism.

The report was first obtained from the Commerce Department by Citizens Against Government Waste, a conservative, Washington-based watchdog group, and the inspector general's office has declined further comment on it.

But on Capitol Hill, where decisions about Brown's travel budget are made, a spokesman for Rep. William F. Clinger Jr. (R-Pa.), chairman of the House Government Reform and Oversight Committee, expressed strong dissatisfaction with Commerce Department spending practices.

Brown's travel spending, he said, appears to be ''in violation of Congress' power of the purse.'' Clinger, who also has a copy of the audit report, added that Americans would prefer to have their economic development funds spent on local community projects, not on foreign trips for Brown.

The auditors found widespread abuse of government credit cards within the Commerce Department, including ''unpaid charges, use of charge card for personal purchases and automated teller machine advances not related to official travel.'' Among those issued these credit cards, according to Hamilton, are some nongovernment workers—some of them political associates of Brown—who are hired as consultants to accompany the secretary on his trips, often to make advance arrangements.

Specifically, they identified 293 employees with delinquent accounts and 567 who had used the card for ATM advances or personal charges, such as meals at fancy Washington restaurants, liquor, jewelry, flowers, books and music, online service fees and automobile insurance.

Hamilton described the problem as simply a ''bookkeeping issue'' and said department administrators have assured Brown that the money was not ''inappropriately spent.''

When confronted by the inspector general with these apparent abuses of government credit cards, according to the audit report, most agencies within the Commerce Department appear to have made a good-faith effort to ferret out the problem and respond in writing.

But Brown's own office appears to have been less cooperative. The report notes: ''The coordinator in the office of the secretary gave us oral explanations for some of the questionable accounts, but told us that because of other pressing duties, she did not have sufficient time to provide written explanations.''

At NOAA, the expense account coordinator complained that she could not possibly do a thorough job of monitoring credit card expenditures because she was the only person responsible for 5,000 to 6,000 cardholders.

Although the department subsequently made arrangements with American Express Co. to automatically block retail expenditures made with a government credit care, the inspector general noted that the system was far from foolproof.

The Commerce Department's efforts to collect repayments of travel advances from consultants also have been inadequate, according to the report. As of March 31, 1995, these nongovernment personnel had received 525 advance payments totaling $360,110 that had never been repaid.

Of the 83 nongovernment workers who traveled with the Commerce Department between 1992 and 1994, the report says, only two of them repaid their travel advances in full. While most of them made some accounting of their expenditures, however inadequate, nine of them filed no vouchers.

The report says 260 of the advances, totaling $119,552, were more than a year old and probably uncollectable. Recipients of 367 advances, totaling $195,861, had ignored four government notices seeking repayment.

Perhaps the hardest criticism leveled in the inspector general's report points to a lack of concern within the Commerce Department about these matters of financial management. ''Oversight of travel spending by agencies appears virtually nonexistent beyond the commitment of funds,'' it concludes.

Earlier this year, 60 of my colleagues and I introduced legislation that would have dismantled the outdated and unnecessary bureaucracy at the Department of Commerce.

The Commerce Department is typical of the old way of Washington thinking that I was sent to challenge. While the Department is supposed to be helping the Nation's businesses, the truth is that business leaders from across the country have indicated their overwhelming support for eliminating the Department.

A Business Week poll of senior business executives taken last year indicated that those business leaders favor eliminating the Commerce Department by a two to one margin. A survey of business executives in my home State taken by the Detroit Chamber of Commerce found only 6 percent of executives and business owners in favor of keeping the Department as it is.

Yet despite this resounding vote of no confidence from the very people the Department is supposed to be serving, Secretary Brown and his liberal allies continue to defend the Department and justify ever bigger budgets.

If the Department of Commerce were truly the voice for business it claims to be, it would be supporting the things that business wants: a balanced budget and the lower interest rates and stronger economy it will bring; legal reform; and regulatory reform.

Instead, the Department has advocated against all these things, in the mistaken belief that American businesses are looking for a Secretary of

Commerce with a lot of frequent flyer miles.

Is it any wonder that the majority of business leaders in this country say get rid of Commerce?

I think I speak from some experience when I talk about dismantling the Commerce Department because I came to Congress from the business world. I started a company from the corner of my living room that went on to provide jobs to over 1,200 families and did business in 52 countries.

During the whole time I ran my company, I never once called on the Department of Commerce for their help, and they never called me to offer any.

And as a businessman, if the vast majority of my customers said they thought my company was no longer needed, I would think it was time for some major reengineering.

That is precisely what the Department of Commerce faces today. When over two-thirds of the Nation's businesses—the Department of Commerce's customers—say it should be dismantled, it is time for some serious reengineering.

Our Department of Commerce Dismantling Act provides a serious and responsible blueprint for the reengineering of the Department.

It streamlines the beneficial programs of the Department, consolidates the duplicative programs, privatizes the programs better performed by the private sector, and eliminates the unnecessary programs.

□ 1415

One of the other key features to this dismantling act is that we have found a way to consolidate many of the programs. We have 115 different trade programs that my good friend from Florida, Mr. MICA, will talk to us about, that we have consolidated into one office of trade.

If I could yield to my good friend from Florida, Mr. MICA, maybe he could embellish on that, because it was his amendment to this bill that gave us a concept for trading that puts us on a level playing field with all of our major trading partners in this country.

Mr. MICA. I thank the gentleman for yielding.

I do want to say what a pleasure it has been to work with the gentleman from Michigan and the refreshing viewpoint that he brings to the Congress, and also the background and knowledge. He is not an attorney, I am not an attorney. We both come from a background of business. He has dealt in international trade, knows what he is talking about. I ran a small consulting business that represented big and small firms around the world that was involved in international trade, and we think we have some idea of what is going on out there and what we need to do.

I spoke earlier on the floor to my colleagues about what the President said and what he did not say. One of the things that people were concerned about that I talked to and that I am concerned about is our opportunities for trade. The President talked about global competition. I cannot think of any country, major industrialized country that is more ill-prepared than the United States to deal from a government standpoint in international trade. The gentleman from Michigan [Mr. CHRYSLER] has seen it, I have seen it, and others who have been involved in international trade.

The President did not tell you that the trade deficit that we are facing, that this Nation is facing, is the most staggering from last year in probably the history of the recorded statistics, that we are going down the tubes, that we are losing jobs, we are losing opportunities for the future. We are losing good-paying jobs because we do not have our act together.

It is easy to stand here and criticize, but in fact, the President and this administration are blocking the proposal that Mr. CHRYSLER and I and others have worked on. It was not an easy task to come up with a reorganization of this Department of Commerce.

Let me tell you how disorganized our trade effort is. There are 11 committees of jurisdiction; Mr. CHRYSLER and I went to at least 5 or 6 of these committees with our dog and pony show to explain what was going on, to say we needed to make a change, we needed to reorganize the Department of Commerce, not just to spend money wildly or in excess, like you have seen the abuses outlined by Mr. CHRYSLER, but in some organized, cohesive fashion.

That is what we propose. That is what is in this budget that we have proposed, and that is what has been sitting on the President's desk and has been sitting for consideration and ignored. Unless these kinds of program changes are made, we will continue to lose our shirts and our pants and our wallets and our opportunity for the future, because we do not have our act together.

Now, that is some of the bad news. Let me tell you, it gets worse. You think about the Department of Commerce. Now, what does the Department of Commerce do? Do they help commerce? Are there a few folks involved?

Let me give you the exact statistics. There are 37,009 employees in the Department of Commerce. Do you know how many are in Washington, DC?; 20,199 as of last January, 20,199. Now you think they would all be involved in helping promote commerce. Wrong, wrong again. What they are involved in, 16,000 of them are involved in the Weather Service; 16,000 in the Weather Service. Less than 3,300 are involved actually in trade and commerce and international export promotion. But we have scattered throughout 17, 18 other Federal agencies this responsibility for export promotion, for assistance for finance and for the other things that will help our medium and small businesses compete.

In fact, we propose to bring together trade assistance, trade negotiation, trade promotion, and trade finance. You cannot cut a deal in business unless you have the ability to finance. Our medium and small businesses cannot compete. When you have the right hand not knowing what the left hand is doing and 18 agencies involved in this spending of over $3 billion in a disorganized fashion, this is what you get, the biggest trade deficit in history.

The White House continues to ignore this, and most of the people here know nothing about it. They have never been in business. Most of them are attorneys and most of them have been running for office most of their life. This new group has come in and said: We do not want business as usual, we want to conduct international business. We want our people to have good-paying jobs, and we need to get our act together.

But let me tell you. It does not matter if it does not work; they want to continue doing it that way. It does not matter if it is ineffective. They want to continue doing it that way. It does not matter if it is costly, we will spend more money on it. And you see the results of what you get with someone like Mr. Brown running the Agency.

So we have to make some changes. Even in the Weather Bureau, with 16,000 people, you know, they are still there. Let us put our thumb out and see what the weather is, our finger. That is how they did it 10 years ago, not recognizing that there are technology changes, not recognizing that we also have a Weather Service with the Department of Defense and FAA. How about some consolidation? How about some elimination of positions of duplication?

So we propose an organized attempt for this country to get together. The freshmen are called extremists. Well, yes, they are extremists if they want to see your dollars spent properly. Yes, they are extremists if they want to see 2 or 3 people doing the same job that used to take 10. Yes, they are extremists if they see us losing our pants in competition. Yes, they are extremists if they see 30,000 people in the Department of Commerce and 20,000 of them in Washington, DC, right here.

Now, folks, we have to get a grip. This Congress has to get a grip. The American people have to grip and look at what is happening with their money and look at what is happening in the area in which we have the most opportunity for the future.

This country always depended on domestic trade. Now we have to compete in an international arena the President said, and yet they do not have one idea. They will not come forward and accept this well-thought-out, well-negotiated proposal to allow us to compete, to allow us to get our act together, to allow us to give some opportunities for the future.

Mr. Speaker, one of the first things I did as a Member of Congress as a member of the Aviation Committee, I flew out to Washington. I was there because they were laying off over 10,000 employees at Boeing. We cannot allow this to

happen. That was one of the few areas where we excel and exceed in exports. Now they are beating our pants off with Airbus and other activities. We are not able to compete.

We have to have a new relationship between business and Government working together to create jobs, to create opportunities, and to compete with the other guys who are beating our pants off. The Germans, the Japanese, the English, they have been trading with the Europeans for centuries with international markets as part of the nature of things. We have relied on domestic markets. Now we have to change.

Now, this class of freshmen who are not all attorneys, who are business people like Mr. CHRYSLER, have come here. They are bringing their knowledge, their experience, and applying it to an agency like the Department of Commerce. They wanted to do away with four or five agencies. Did you see the parade the other day when they started coming in, the Cabinet members? My goodness, they took up a whole row of the House of Representatives. There is not enough room for the Cabinet to sit at the table anymore.

Even Mr. Panetta, when he was on this floor and a Member of this House, had recommended that we downsize to seven Cabinet members. We are talking about consolidation of one activity, the most important, commerce, commerce and business that pays the bills for all of the rest of it. It pays for welfare, it pays for Medicare. None of this is provided by the tooth fairy; it is provided by the taxpayers, and then we get the funds and we spend them. But we have to have some basis for that, and that basis is business. Our best opportunity for business is export and getting the Department of Commerce together.

I yield back to the gentleman, and I thank him so much for the leadership he and his class has provided, for the abuse you have taken in trying to bring this country into the 21st century as far as business, economic opportunity, and I salute you.

Mr. CHRYSLER. I thank the gentleman from Florida [Mr. MICA]. I appreciate the help of the gentleman and his expertise in the area of trade.

Trade is a very important issue to this country, but we need to do it so we can compete on a level playing field with all of our trading partners.

In this Commerce dismantling act that we have passed here in the House, over 7 years the plan will save taxpayers $7 billion of their hard-earned money, money that will not be going to fund Secretary Brown's worldwide junkets any longer. And just getting rid of the Department of Commerce, which is the mother of all corporate welfare, giving away over $1 billion a year in the Department of Commerce, if you do not have a Department of Commerce for 25 years, you do not give away $25 billion of taxpayers' money.

□ 1430

Dismantling the unnecessary and duplicative bureaucracy at the Department of Commerce is a hefty down payment that we can make today on our efforts to balance the budget. If the President is serious about getting rid of wasteful Government spending, as he indicated the other night in his State of the Union Address, he should join us in this effort to make Government more effective and more efficient.

Certainly, one of my colleagues that has worked extremely hard at that in this 104th Congress is the gentleman from Kansas [Mr. BROWNBACK]. He has worked to try to right-size this Government. He has worked to dismantle not only the Department of Commerce but the Department of Energy, the Department of Education, and HUD. I am proud to say that three of those four departments were included in the Balanced Budget Act of 1995 in the House bill.

If you want to protect the status quo, then you will continue to do what Alice Rivlin indicated the other day when we met with her and said, well, she was not ready to look at dismantling the Department of Commerce because she wanted to keep it around.

I would like to yield to my friend, the gentleman from Kansas [Mr. BROWNBACK], and let him tell us a little bit about his experiences of trying to right-size Government while trying to eliminate the wasteful spending of a Secretary with the total disregard for the taxpayers' money that he has shown here.

Mr. BROWNBACK. I thank the gentleman from Michigan for yielding.

I want to recognize what the gentleman from Michigan [Mr. CHRYSLER] has been doing. Here is a businessman coming into the Congress. Normally, people would say, well, this would be the type of person that would defend the Department of Commerce, help the Department of Commerce because it is going to deliver goodies back to him or to his organization or people that he knows. Instead, he is going in saying, ''Why do we have this Department of Commerce the way it is currently configured and can we not save money and help the American people and help the American taxpayer in the process?'' I think that is a very worthy goal and objective and something that the gentleman from Michigan [Mr. CHRYSLER] has really put forward.

Mr. Speaker, the other night I was really attracted to very supportive to very supportive of the President's statement in the State of the Union where he said at the outset, ''The era of big Government is over.'' The era of big Government is over. It is over.

He said that, and he said that we have got to get on past this point in time. I was very appreciative of him saying that, that the era of big government was over. And I anticipated that shortly thereafter in the speech, the State of the Union, that he would call for the elimination of the Department of Commerce as an indication that the era of big government is over and here is something we can do without and we can save $7 billion in doing this, $7 billion. We can cut corporate welfare in the process of doing this, as well, and we can deal with some of these issues of excessive travel expenditures in the process, too. We can show a smaller, more focused, more limited Federal Government.

We can do as the gentleman from Florida [Mr. MICA] has talked about previously as well, consolidate our trade functions. Instead of 19 different agencies and entities doing trade promotion, get it into one, and we can have an effective, focused force in international trade that will help us, although I think the biggest help we can do to help ourselves in international trade is negotiate good treaties, have less regulation, have less litigation, have less taxation and a balanced budget to cut interest rates by 2 percentage points, and if we could get the Federal Government as a smaller percentage of the gross national product, that is going to do more than anything else to help us promote international trade and get our balance of payments.

I would be happy to yield back to the gentleman from Michigan.

Mr. CHRYSLER. I just want to remind the gentleman from Kansas [Mr. BROWNBACK] also of the Freedom to Farm Act. That is the one we need to get through, too.

Mr. BROWNBACK. Yes, to be able to allow farmers to decide themselves what they want to plant rather than somebody that is planning for this out of the centralized bureaucracy in Washington telling my dad and my brother what they can plow on their farmland in Linn County near Parker, KS. They sit out there now and they go, ''Now who is telling me that I have got to plant this many acres of corn and this many acres of wheat,'' and they are saying, ''Well, OK, I will go along because that is what the system is.''

But you have got to question, is that really the way it should be decided? Should the marketplace not send those signals and then individually decide in that system? And they would much rather do that.

I would say, as well, there are a number of very good things done by the Department of Commerce that we keep. Patent and Trademark Office, you have to keep that and you want to keep that. The National Weather Service does a very good job. I think we could probably do some more with some increase in technology, but they do an excellent job as well, and there are other things within that agency that do a good job.

But it is also well known about the political nature of many of the appointments within the Department of Commerce. There are problems that it has had recently, and we have seen these recent reports about the Secretary in the Department of Commerce.

I think overall, as a statement of faith and as a statement of commitment from the President of the United States and this Congress, that the era of big government is over, we should take this very first step and eliminate the Department of Commerce, keeping the core functions that are good and necessary, eliminating the corporate welfare, getting it out, saving the American people $7 billion in the process, and showing them a smaller, more limited, more focused Federal Government.

I would be happy to yield back to my colleague, the gentleman from Michigan [Mr. CHRYSLER], who has brought this debate thus far with a great deal of difficulty.

Mr. CHRYSLER. I thank the gentleman from Kansas [Mr. BROWNBACK].

The gentleman mentioned the era of big government is over, and it is true the President of the United States said that three times in his speech.

This is the same President that wanted to give us the biggest health care, national health care program, in the history of this country, gave us the biggest tax increase in the history of this country, and then presented a balanced budget to us on January 6 which he could have just as easily presented to us on December 15 and we would have had no Government shutdown. So we ask ourselves, Who shut down the Government? Only the President, the President that could have submitted that budget when the law that he signed said he would. So he broke the law, did not keep his word and shut down the Federal Government. That is very easy to understand.

In that budget, $400 billion went for a bigger government here in Washington, DC. There was also another $200 billion tax increase. And Bill Clinton has again just demonstrated that he is a tax-and-spend, liberal Democratic President. This, when he is standing there saying out of the other side of his mouth, the era of big government is over.

At this point, I yield to my good friend, the gentleman from Michigan [Mr. SMITH].

Mr. SMITH of Michigan. Mr. Speaker, first let me thank the gentleman from Michigan [Mr. CHRYSLER] for the tremendous work he has done looking at wasteful government spending, and, make no mistake, there is a lot of waste.

You are exactly correct that Republicans probably made a mistake when they simply said we want the President as a starting point to give us his balanced budget that balances in 7 years as scored by CBO. So what does he do? He gives us a budget that increases taxes, does not cut spending and said, well, this is it. But do the people of this country really want to continue down that path of more taxes and more spending and more borrowing.

On the Department of Commerce, I think when we have a department that is not necessary and we start appointing political cronies to head up those departments, there is a danger of misuse of their positions.

So I am not only concerned about Secretary Brown's international travels, I am also concerned about his domestic travels. This is an individual who was chairman of the National Democratic Party, who was the major fundraiser for Democrats, who does a political evaluation test for the people that he brings in to make sure that they are partisan Democrats.

I think what happens is not only a waste of taxpayers' money but a misuse of the Department, when instead of appointing the highest qualified individuals, you go to those political patronage jobs who have done the most for your political Democratic Party or for your reelection as President and you say this is the person I am going to bring in to head this Department.

So it is no wonder that there is an abuse of travel. When we investigate this, and I would hope everybody would just take the time to read the Monday, January 22 Los Angeles Times article where it cites the travel costs of the Commerce Secretary that are 145 percent higher than his predecessor, that has evidence of misuse of credit card by the staff of that department. Here is not only the head of the Department but essentially a whole department that should be wiped out, eliminated from the Federal Government. The useful functions of that department can well be accomplished by other agencies and other departments at much lesser cost.

We have got a problem in this country, and it is about time we face it. It is about time that every individual, say, at least under the age of 50 years old, better start looking at this Federal budget, they better start looking at the ramifications that this overspending and overtaxing and overborrowing is going to have on their future lives. Because if you look at how long Social Security is going to last, the estimates are now that Social Security is going to be broke by the year 2020, that Medicare is actually this year spending out more money than it is taking in. We have made overcommitments, we are overspenders.

Politicians in the past have decided that by promising more and more good things to people, it increases their chances of being reelected. The U.S. American citizens, when they go to the poll every election, better be saying, Is this person going to be doing what is right for my future, my kids' future and our grandkids' future? We are in a big battle now.

I will yield back to the gentleman from Michigan [Mr. CHRYSLER]. He can yield maybe on this point.

Mr. CHRYSLER. I thank the gentleman from Michigan [Mr. SMITH]. I appreciate the gentleman's comments this afternoon, and certainly they are very, very well noted.

I yield at this point to the gentleman from Georgia [Mr. KINGSTON].

Mr. KINGSTON. I thank the gentleman from Michigan [Mr. CHRYSLER] and the other gentleman from Michigan.

I wanted to say that it is interesting that just this morning I was speaking to a senatorial candidate from Georgia, and he said he started politics in 1974. In 1974 the big issue, when he was running for the State legislature, was let us balance the budget, we cannot have these deficits going on and on forever. He said, finally, after all these years, 17, 18 years later, we finally have a Congress who is doing something about the budget.

When I hear a lot of the folks back home who are bureaucracy brokers and status quo preservers saying, Oh, you can't do this, you can't do that, nobody said it was going to be easy to balance the budget. Nobody said that you could just do it overnight. We did not get in this situation overnight, and we will not get out of it overnight.

I always think it is kind of like dismantling an old white-elephant kind of house, one board at a time and maybe 1 year at a time. Perhaps we underestimated how quickly we could turn this government around. But we got used to borrowing money. Back in the days of Lyndon Johnson, we got used to borrowing money. It got so bad that by 1969, we said good-bye to our last balanced budget, and since then we have just been comfortable year after year of borrowing money.

While that would terrify our constituents back home, our moms and dads running households, to us it is not as terrifying because we have always been able to print more money. But I am glad that this Congress is taking a critical, crucial step. I wanted to just support what the gentleman from Michigan was saying in that regard.

Mr. CHRYSLER. I thank the gentleman from Georgia [Mr. KINGSTON].

□ 1445

Mr. MICA. Mr. Speaker, I thank the gentleman for yielding and my other colleagues that have come out to talk about the scandal at the Department of Commerce and our meager attempts to try to reorganize one agency in this huge bureaucracy. I talked about 37,000 employees in the Department of Commerce, and 20,199 just in Washington, DC.

Here we are trying to balance the budget, we are trying to make some tough choices. It is not any fun to tell people they are going to get less, or the increases will not be as much, or some programs have to be eliminated. But then you have the responsibility, and I serve on the House Committee on Government Reform and Oversight, charged with looking at investigations and audits of these Federal agencies, and then these are the reports that we get about the Department of Commerce that Mr. CHRYSLER is highlighting today. Listen to this. Here is what these 20,000 people are doing in the Department of Commerce just in Washington.

This audit specifically identified 293 employees with delinquent accounts. They had Federal Government credit cards within the Department of Commerce, including unpaid charges and use of credit cards for personal purchases, even with ATM's—293 employees had delinquent accounts. Now listen to this; 567 had used the card for ATM advances for personal charges for meals at fancy Washington restaurants, liquor, jewelry, flowers, books, music, on-line service fees, we do not know what that is, and automobile insurance.

Would not all of my constituents in the Seventh District of Florida like to have one of these handy cards? This is not just a few folks; this is 567.

Now, we came, we looked at the Department of Commerce, and we saw disorganization. We saw 20,000 people out of 36,000 just here in Washington, DC. We saw us losing our shirt and pants and economic opportunity in the international trade arena, and we tried to reorganize it. We proposed that and got slammed in the face. We have been ignored.

Then we have the President come here and talk about global competition, and no one is less prepared than the United States of America to compete in this global market.

So here is what is going on. These are the choices we have to make. These are the choices Americans have to make, and we have got to do something about it. We wanted to change much more. We acceded to one department, and this is what the people are getting for their money. Their money is being wasted. We are not competing.

You heard Mr. BROWNBACK. The answer that the gentleman gave is true. We can do more for business with a balanced budget. We can do more to promote business with less taxation, less litigation, less government regulation. Those are all part of our agenda here, what we have tried to do in a sensible, responsible, commonsense business fashion.

But people do not want to listen to that. They want to stand up and say the Republicans are hurting the elderly, environment, and education. It sounds good and gets on a bumper sticker, but it does not jibe with the facts.

These are the facts, that this department and other departments are out of control, that this Federal bureaucracy is out of control. When you have 350,000 Federal employees within just a few miles of my speaking distance from the floor of the House of Representatives, that is what this argument is about.

These freshmen have come here from business, from every walk of life, and they do not care whether they get reelected. That is the difference here. They do not care whether they get reelected. They came here to get this country's finance in order. They came here to get this Government in order. That is what they care about. They do not care about the next election, they care about the next generation.

When you see this country, the threat of our debt carrying us into a lower credit rating on the international market, when you see the President talking about responsibility with pension funds, while Secretary Rubin, the Secretary of the Treasury, is rocking the shreds that are left of our Federal employees' retirement funds. It is a pitiful state of affairs for this country, for this Congress, and for the future of any American.

So I thank the gentleman. I get a little bit wound up on this, but I care too, and I know the gentleman cares, and that is why we came here. It does not matter whether we come back, because others will come to this job. It has to be done. It must be done, and it will be done for the future of this country.

Mr. CHRYSLER. I thank the gentleman and appreciate those words. The gentleman mentioned 37,000 employees in the Commerce Department. Two-thirds of those employees were deemed nonessential during the first Government shutdown, 24,000 employees. My legislation only reduced it by one-third, or about 12,000 employees, which says we are not extreme, just conservative. The extreme position is when you want to protect the status quo, and we are here to change it.

To that point, I would sure like to yield some time to my good friend from Arizona [Mr. HAYWORTH].

Mr. HAYWORTH. Mr. Speaker, I thank my friend from Michigan. As we are gathered here on the floor to have a little straight talk, I think it is very interesting again to recall the words of our Chief Executive, who stood here at the podium 2 nights ago and who said the days of big government are over.

Well, maybe there is a word we should insert there, because I think what the American people want to know is that the days of big spending government are over. For how could the President make that assertion 2 nights ago, and be here in this Chamber with his Cabinet officers, including two of the biggest spenders the executive branch has ever seen? If not the biggest spenders, certainly two of the most well traveled Cabinet secretaries this country has ever seen?

I exchanged pleasantries with Secretary O'Leary. Much as been made, and, indeed, the record of her travels has been chronicled for all in this free society to see. And apart from recognition of those problems, the White House has turned a deaf ear. Of course, this White House, goodness knows, has problems of its own.

Then Secretary Brown. It is almost as if the receptionist at the Commerce Department could make a recording that rhymes: ''Mr. Brown is out of town.'' That in itself would not be so bad, I suppose, Mr. Speaker, but Mr. Brown is out of town, and he is on your expense account, you, the American taxpayer.

Mr. Speaker, all of us in here, all of the American people who pay their taxes, who play by the rules, are financing trips that need some oversight, expenditures that this Congress should take a very real look at, and, again, not questioning the sincerity of the service, but instead looking at the evidence, the compelling evidence.

A few years before we got here there was criticism of another Secretary of Commerce who served under a Republican President, and previous Congresses chose to investigate that Secretary of Commerce. And yet expenditures for the current Secretary of Commerce are some 145 percent above his Republican predecessors. Now, I realize in this town, and given the kind of quirky mathematics employed by the liberals inside the beltway, they will probably try to say that is a cut. But it is an increase, and it is to the credit of the gentleman from Michigan that he has brought it to our attention and a credit to the fact that it has not gone on his credit card, but has been brought to the attention of the American public.

Mr. CHRYSLER. Now more than ever it is time to dismantle the Department of Commerce.

BALANCING THE BUDGET

The SPEAKER pro tempore (Mr. HEFLEY). Under the Speaker's announced policy of May 12, 1995, the gentleman from Connecticut [Mr. SHAYS] is recognized for 20 minutes as the designee of the majority leader.

Mr. SHAYS. Mr. Speaker, I appreciate the opportunity to address the House.

Mr. Speaker, former Prime Minister Rabin made it very clear that he felt that politicians, elected officials, were elected by adults to represent the children, and that is in fact what our responsibility ultimately is, to represent the children and to leave this country a better place than we found it.

When I was elected in the statehouse in 1974, really at the end of the Vietnam War, our national debt was $430 billion. In the 22 years since the end of the Vietnam war, our national debt has grown to $4.9 trillion. We have seen a tenfold increase since the last really extensive war. So we fought the Revolutionary War, we fought the war with the pirates, we fought the War of 1812, we fought the Civil War, we fought the Spanish-American War, we fought World War I, we fought World War II, we fought the Korean war, we fought the Vietnam war, and our national debt was about $430 billion.

Admittedly those dollars bought more in past years, but since then our national debt has grown to $4.9 trillion.

I was elected to the statehouse, and I looked at Congress with some awe, that it is an amazing place. It is a magnificent opportunity to serve in Congress. But I looked as a State legislator and said I have to balance our State budget in Connecticut. I cannot let it be unbalanced.

I understand when times are bad you might have a year or two when you

want to generate economic activity and get out of a recession, but you would not just have this systematic deficit spending that has added tenfold to our national debt.

When I was elected in 1987, I vowed that the most important thing would be to save our country from bankruptcy. Not to ''balance the budget,'' but, no, to save it from bankruptcy, to not mortgage this country so that our children would not have a country.

I became part of an effort that the gentleman from Ohio [JOHN KASICH] started in 1989, at least that is the first time I remember voting for one of his major deficit reduction bills, and there were 38 of us that voted for it. Each year that number kept increasing.

We have three main objections as this Republican majority: We want to get our financial house in order and balance our Federal budget; we want to save our trust funds from bankruptcy, particularly Medicare from insolvency, as it is going now to bankruptcy in the year 2002, 7 years from now, now 6 years from now; and, third, we want to transform this caretaking social and corporate welfare state into a caring opportunity society.

Now, on the first area, getting our financial house in order, as a Member of Congress, I vote on one-third of the budget. I do not vote on entitlements, unless we make a proactive effort to change. What comes out of the Committee on Appropriations is one third of the budget. When I was in the statehouse, it was basically 100 percent of the budget, except for the debt issue. So we vote only one-third of the budget.

Gramm-Rudman focused on one-third of the budget. You control the budget by appropriations, but it was only one-third. Then entitlements kept growing so that they are now half of our budget.

What we are looking to do, this is the first Congress, and Wednesday are doing something that Leon Panetta, the Chief of Staff, the former head of the OMB, but then the former chairman of the Committee on the Budget said we have to do, that we will only get a handle on our budget and get our financial house in order if we look to control the growth of entitlements.

So I take tremendous pride in being part of an effort with my colleagues on this side of the aisle, who have been willing to take on every special interest to represent the children to get our financial house in order so that we do not have such large debt. And this debt is consuming 42 percent of all of our savings.

Now, what does that mean? It means that when people save money for new plant and equipment, to have it be invested in this country, 42 percent of it gets taken away to fund our national debt. So what are we doing? We are cutting some discretionary programs. We are doing that. We are downsizing Government. We are looking to have the Commerce Department not be a department anymore, to downsize and reduce the number of departments and become more efficient and not have 11 layers of decision makers within our departments; but to reduce that, like we have in the private sector.

But when I hear the word ''cut,'' it applies to some things and not others. We are not cutting the earned income tax credit. We are not cutting the school lunch program. We are not cutting the student loan program. We are not cutting Medicare and Medicaid. Maybe we should in some instances be cutting some programs. We are not. We are allowing them to grow. They are going to grow and grow and grow, but we are trying to slow their growth.

The bottom line to this is what the earned income tax credit is is a payment that the Federal Government makes to the working poor. We are going to continue that, but it is not going to go to married couples without children, it is not going to go to single people. And we ultimately are going to cap it so it does not go to people making incomes of $35,000 or more. We are going to allow the earned income tax credit to grow from $19 to $25 billion.

□ 1500

The School Lunch Program is to grow from $5.2 to $6.8 billion. The Student Loan Program is to grow from $24 to $36 billion; that one really gets me. We are getting student loans. They are growing by 50 percent. Only in this place and in this city, when you cut the growth and allow it to continue to grow by 50 percent, do people say you are spending less.

Mr. HAYWORTH. Would the gentleman yield?

Mr. SHAYS. Yes, I will yield briefly.

Mr. HAYWORTH. I am so glad to see my friend from Connecticut here, because once again he returns to the key point in this debate. We are trying to realize budgetary savings, not by eviscerating programs but by reducing the rate of growth.

I cannot help but note with great interest when our friend who visited two nights ago, the gentleman who lives in the big White House at the other end of Pennsylvania Avenue, talks about budgetary savings, he is talking about the same type of exercise, yet he remains unchallenged on that by our friends on this side. Yet that curious mathematical exercise, where increases are called cuts, runs rampant in this institution; and I salute my good friend from Connecticut for once again bringing it to our attention.

I would like to inquire of my friends from Connecticut, because this is something that intrigued me: In the latest budget our President has offered us, he himself talked about the days of big Government being over; but as I understand it, his plan calls for some $200 billion in higher taxes and some $350 billion in additional spending over and above the real savings that you have labored so hard for to try and right-size this Government. That, to me, is especially confounding, and I am wondering why the reports of, dare I say it, budgetary neglect or overspending are not really chronicled in the White House budget offer. It is very curious what transpires inside this beltway with the representations of certain budgetary exercises.

Mr. SHAYS. The gentleman has asked a very important question, and I would like to get into that issue; but what I first want to do is be very clear about what we are doing, because I am not all that clear about what the President is doing.

I am clear about what he is saying in terms of his message, and I want to compliment the President on a few issues. And the gentleman is welcome to stay, but I want to go through a few key points; and I might have time at the end that we would have this type of analysis of the President's presentation.

We are not cutting the earned income tax credit; it is growing. The Student Loan Program is growing. The student lunches are growing. Student loans are growing by 50 percent. Every student is going to get the same amount of loans under our plan as they would get under the President's plan.

There is a difference. We are saying, with the students in that period of when they graduate to when they get a job, and we allow a 6-month, what they call grace period, interest free, we are going to have that interest paid by that student, but we are going to allow that interest to be amortized during the entire repayment of the loan. It amounts to $9 more a month. It is a movie theater and popcorn. It is a pizza. It is something that we are asking students to do. They will still have all the loans, but it is $9 more a month, and that is because we do not want the taxpayer to pay that.

We are saving, admittedly, $4 billion in the next 7 years, the taxpayers are. Medicaid is growing from $89 to $127 billion. Medicare is growing from $178 to $289 billion.

Medicare is the one that really gets me. Medicare is growing at 7.2 percent more a year, and we did it by not increasing copayments and not increasing the deduction or increasing the cost of the premium to the beneficiary. We leave it at 31.5 percent. The taxpayers will pay 68.5 percent. We left it at 31.5 percent. Under existing law, it would have dropped to 25 percent.

Why would we ask the taxpayers to pay even more? We want to be at 31.5 percent. As health care costs go up, 31.5 percent is going to be slightly higher, but the taxpayers are going to pay slightly higher at 68.5 percent, because they pay the balance of it.

The bottom line is, we are looking to get our financial house in order and balance our Federal budget, and we are doing it by cutting some programs in discretionary spending and slowing the growth of entitlements, which are 50 percent of the budget. They are on automatic pilot, and we are looking to change that, and we are doing it for our children.

Now, when we get to Medicare, in particular, we know it is starting to go insolvent. What does that mean? This year, more money is going out of the Medicare Part A fund that pays for our hospitals than is coming in; and in the seventh year, all of it is out of the fund; there is no money left. Then the only way we pay for Medicare Part A is, the money goes into the fund and it immediately disappears and it will not be enough to pay for all the costs of Medicare Part A.

So we are looking to restore $132 billion of funds to put into that system, to slow the takeout and to provide the funds to be in that system until the year 2010. And when I think about this, I am thinking about Medicare, it is growing at 7.2 percent a year. Per beneficiary, it is $4,800 to $7,100. And I am going to say it again: Only in this place, when you spend so much more, do people call it a cut. It is a 49-percent increase to beneficiaries.

Let me go through one last part. When we get to this third part, we want to get our financial house in order. We want to save our trust funds, particularly Medicare, from bankruptcy. Transforming this caretaking, social and corporate welfare state into an opportunity society is a very big part of what we are about. Instead of giving people the food, we want them to learn how to grow the food. Instead of giving them the food, we are giving them the seed to grow the food. We are looking to make people responsible.

This gets me to the President's presentation. The President gave a speech that Ronald Reagan, for the most part, would have been proud to give, and I would be. He talked about personal responsibility. He talked about downsizing Government, making it smaller. He talked about what we have been fighting for during this last year. And I want to be respectful of the President, because he was respectful of us and he is our President.

To his credit, he said that this Republican Congress is trying to do some heavy lifting and get our financial house in order. He acknowledged that, and in the end, he acknowledged what we have done with congressional accountability and the gift ban and lobby disclosure. He said it happened under this Congress, and I consider that a positive and honest statement.

I also believe in a lot of what he said about cherishing our children and our family, and dealing with crime and dealing with education issues, and the need, in fact he scolded Congress on the environment, and I happen to agree with his scolding of Congress on that one issue. The pendulum is too far this way, and unfortunately, I think too many of us on our side of the aisle want to go too far the other way. We may have an honest disagreement on that, but that is democracy.

But the bottom line is, I wrestle with this, 12-year-olds having babies. I wrestle with 14-year-olds selling drugs. I wrestle with 15-year-olds killing each other and 18-year-olds who cannot read their diplomas. I wrestle with 24-year-olds who do not have a job, not because jobs do not exist, but because those McDonald's jobs are dead-end jobs.

My dad, bless his heart, would have said to me, Son, how many hours are you working there? I would have said, 10. He would have said, Son, it just increased to 12 or 15. No job is a dead end, because it teaches you to come to work on time and to get up in the morning and to be of service. And it teaches you that you get something in return.

And so I just make this point, that if we succeed in balancing the budget, if we succeed in saving our trust funds, but we do not transform this social and corporate welfare state into an opportunity society, we have ultimately failed. And I say that as a moderate.

I say, as someone who recognizes that some of what Government has done, and some of what I have voted to have Government do, has failed.

Could I ask the Speaker how much time we have left. I want to make sure I am thoughtful of my colleague who has joined me.

The SPEAKER pro tempore (Mr. HEFLEY). The gentleman has 5 minutes left.

Mr. SHAYS. Mr. Speaker, sometimes a liberal is the person who sees someone drowning out 50 feet from the pier and runs to the end of the pier and grabs 100 feet of rope and throws this excess rope. The rope is dangling around the person, and finally it is taut and ready to be pulled in, and that liberal takes the rope, drops it, and says, I have done my good deed and on to the next.

I have criticism of conservatives if they take this position: They see someone drowning 50 feet out and they take 25 feet of rope and say, Here, I will throw 25 feet of rope. You swim halfway, and I will meet you and pull you in.

They may need 50 feet of rope, but they may need something more, and I believe this side of the aisle has not taken that view. It has taken the view that we need not only give people the seed, but show them how to grow the food. But we do not necessarily give them the food indefinitely.

Mr. Speaker, I am happy to yield to the gentleman from Arizona [Mr. HAYWORTH].

Mr. HAYWORTH. Mr. Speaker, I think my friend offers an interesting analogy, and what I have often said, despite some of the labels and names that have been bandied about this Chamber, what difference does it make if an idea is called conservative or liberal or whatever, if it makes sense? The notion being this: that if we are able truly to empower the individual, if we are able to make sure that society has a safety net instead of a hammock, then that should be our goal.

Mr. Speaker, I thank my friend from Connecticut for his diligence in looking at budgetary issues and acknowledging, while sometimes we may not see completely eye to eye on every item that comes down the pike, certainly there is a broad consensus within this new majority to address the problems.

But even as we had our friend from the other end of Pennsylvania Avenue join us the other night and say that the days of big government were over, I was intrigued by the statement that followed that. On one occasion he said, ''But we cannot fend for ourselves,'' or words to that effect. And I believe that we have to be very careful of that type of blanket statement, for what it does is contradict the previous statement.

For it is not the role of government to step into every home, to step into every situation; to say, Washington calling, and we are here to provide you certain safeguards, or we are here to step in and intervene in every avenue of your life. Of course not.

The notion is this: that for society's poorest, that for society's sickest, that for society's weakest, government can exist to help make sure that rights are enforced, that individual liberties are not taken away; but we must remain ever vigilant that the same government who works to empower us with those rights does not in the process take away a person's well-being, both mentally and financially.

Mr. SHAYS. Mr. Speaker, reclaiming my time, as the gentleman points out, there is a tremendous balance in that whole effort. The bottom line is, the President talked about personal responsibility, and that is where it is at.

I would like to close by making this point. I know there are a number of Members of Congress who are not running again. Some of them happen to be moderate Members. And the news media said they are not running again because this is no longer a fun place or that this is no longer a nice place. And I just want to take a little bit of a different view of that issue.

Mr. Speaker, my view is, very frankly, this is not a fun place anymore. Why would it be a fun place? Because we are doing heavy lifting. There is nothing fun about having to confront the elderly and the young and every other special interest group and say, We are going to have to do some things differently to save this country from bankruptcy. It is not a fun place.

But what bothers me is that some of the people who are leaving were here as this country went down into a deep hole of debt, and now that we are in this deep hole of debt and we have to get out of this deep hole of debt, at least stop the deficits, they are quitting. So I contend that they may be quitting, not because this is not a fun place anymore because people are not nice, but because we have to do heavy lifting.

The bottom line, Mr. Speaker, we are doing heavy lifting. This is an epic battle. We are not going to necessarily agree with our colleagues on the other side. We should continue this battle and fight it out.

PRESIDENT'S BUDGET MEETS THE TEST

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

Mr. MILLER of California. Mr. Speaker, we have heard since the election of November last, and all of last year, that the goal of the Republicans in Congress was a 7-year, CBO-scored, balanced budget. And the challenge over the last several months apparently was to get the President of the United States to agree to put on the table a 7-year, CBO-scored, balanced budget.

The President of the United States has done that. He has met that test. CBO has scored that budget. There is some $700 billion in savings in that proposal sufficient to balance the budget in these 7 years; and yet we now find that rather than take those savings and balance the budget, the Republican majority would rather end the negotiations. So those negotiations have been ended when there is $700 billion in cash sitting on the table that all they have to do is walk in and pick it up and walk out, and the American taxpayers get all the benefits that we have all talked about from balancing the budget.

□ 1515

Rather than do that, apparently now there is an idea afoot that what we will have is a downpayment, a downpayment on the deficit. I have been here 20 years, and I have only seen one downpayment on the deficit that lowered the deficit. That is what President Clinton did 2 years ago when the deficit was over $250 billion, and today it is $167 billion. All the other downpayments on the deficit never quite got around to lowering the deficit.

So right as we are on the eve of a balanced budget, we find ourselves in the unusual position of the people who claim to have been the strongest proponents of that balanced budget, and I do not think there is any question that they have done everything to move this Congress toward a balanced budget, they now walk away from the negotiations because it is not everything that they could have had.

Rarely in negotiations, whether it is in business or sports, in your family or in the Congress, do you get your sway on everything. And so we are talking about $700 billion in savings sitting on the table, waiting for somebody to pick it up. It is $297 billion in discretionary cuts, $124 billion changes in Medicare, $73 billion in interest savings, $67 billion in other mandatory spending changes, $59 billion changes in Medicaid, corporate subsidies and compliance, $56 billion and $41 billion in welfare changes. This is a lot of money, my colleagues. This is the largest deficit reduction that we have seen. But now we are going to turn it down because it is not perfect? Because it is not exactly apparently what the majority wanted?

We can still make these changes in Medicare. We can have a separate vote on this floor. We can have a separate vote on this floor on medical savings accounts, make them part of it, either in or out. But we do not have to hold up the changes necessary to get the largest entitlement program in the country under some control.

We can make changes and we can still discuss whether Medicaid is going to have nursing home standards or it is not going to have nursing home standards, whether it is going to be an en bloc entitlement or a personal entitlement. We can have those debates afterwards. We can spend this whole year debating that subject. But we can get the budgetary savings, we can get the deficit reduction now while it is real. That is when it is important.

We know that essentially, that essentially we would dramatically change, under the coalition welfare bill that was passed, that was voted on in this Congress, I believe every member of the Democratic Party voted for, dramatically restructures welfare as we know it in this country, dramatically restructures your ability to stay on welfare forever without meeting your responsibilities to try to find a job and to go to work, substantially changes your obligations if you are going to receive taxpayer dollars. The requirements of going to work, the requirements of time limits on welfare, all of that can be achieved and $41 billion in savings at the same time. But we are going to turn it down because it is not exactly what the Republicans wanted in their bill.

This is incredible. This is incredible that we would be here on this eve, and now we are going to back up and we are going to create some kind of stopgap budget reduction legislation with a tax cut, and we are going to sort of give some kind of partial savings.

I just find that when we see that the President of the United States has come this far and is this willing to make these kinds of concessions and these kinds of changes, changes that are needed in each and every one of these programs, that somehow the Republican majority in this Congress will not give the American people those savings, those savings that will bring the budget to balance, those savings, as one of the previous speakers in the well said, will provide for reductions in interest rates on home mortgages, on credit cards, on student loans, and all of the things that America borrows for, that will provide real money in the pockets of working families in this country, is now going to be turned down by the Republican majority.

MAJOR RULING IN ENFORCEMENT OF GATT AGAINST UNITED STATES

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

Mr. COBURN. Mr. Speaker, I find it interesting that the gentleman that just spoke on the Republicans not wanting to get to a balanced budget and not negotiating, the very gentleman that spoke voted against the first balanced budget act this country has seen in 30 years.

Mr. Speaker, it is no surprise to me that the first ruling of the World Trade Organization in enforcement of the General Agreement on Tariffs and Trade was against the United States. Many people had predicted that that would happen if we in fact gave up our sovereignty to the World Trade Organization as far as our international trade is concerned.

The World Trade Organization argued that the Clean Air Act, one of the most important environmental laws that we have, unfairly discriminated against foreign oil refiners whose fuel cannot meet our clean air standards. It was predicted that this was going to happen, but everyone ignored this prediction saying it would not happen. It has happened now. Everyone said it could not, but it has.

Rather than target the harsh and blatantly protectionist regulatory regimes of our major competitors, the World Trade Organization has now predictably chosen to target U.S. environmental laws. This ruling gives major competitors against the United States a huge bonus while overturning U.S. laws written to protect the health of our citizens in one fell swoop.

And as unbelievable as all this sounds, our executive branch of Government, the President, has not decided whether to appeal this ruling. It is outrageous. This decision should be appealed immediately and, further, we should withdraw from the World Trade Organization, and we should use our contributions to reduce our deficit.

We should give significant and clear consideration to a repudiation of the last GATT treaty. Congress and the American public have clearly and consistently supported clean air standards and set an example for the world of the importance of the clean air environment. Are we now going to let the World Trade Organization thwart the will of the American people and overturn American laws? Are we going to let foreign arbiters of the World Trade Organization now dictate to this Congress, to the U.S. Congress what laws we can and cannot pass? I for one will not stand by while foreign judges of the World Trade Organization rule on the validity of the American environmental and labor laws. I will not surrender our sovereignty to the World Trade Organization, nor should we.

American business and manufacturers have invested billions of dollars in complying with the Clean Air Act. It is not correct, it is not right, it is not fair for foreign competitors that have not been faced with the kind of investment

that our businesses have been faced with to import into the United States to the disadvantage of U.S. companies who have complied with our laws.

I say that we should not have any special breaks for foreign oil companies, if they cannot meet our environmental requirements, and that we should say no to the World Trade Organization or to any foreign organization telling this government what we will or will not do.

Mr. MILLER of California. Mr. Speaker, will the gentleman yield?

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

Mr. MILLER of California. Mr. Speaker, I want to thank the gentleman for the remarks he just made.

I represent a district that has a very substantial amount of refining as part of the economic makeup of our district. It has been that way for many years in northern California. Those refiners, based upon these Federal laws, have invested billions of dollars in clean fuels projects at each of these refineries and have had to make that decision. As the gentleman knows, they were very uneasy about making that decision because the question was, what would the market be for the gasoline and would the consumer pay more for these clean fuels. They went ahead and did that on these assurances.

Now we find out that people who were on the same notice in Venezuela and elsewhere, they could have made this investment in their refineries to meet this market but they have chosen instead to go to the World Trade Organization and to challenge this legislation, to get it overturned so they can continue to sell a product into the market that undermines the decisions that this Congress made about the health and safety of our citizens.

I want to thank the gentleman very much for his remarks. I would join him. We have tried to get others in the Congress to understand that this is just the beginning of the assault on a number of environmental health and safety laws where this Congress has made a determination about those benefits for the American people that can be undermined by foreign competitors who want to continue to challenge them as though they are indirect trade tariffs when in fact they are not. They are health and safety laws for the benefit of the people of this country.

Mr. COBURN. The other thing that we ought to pay attention to is, this is the beginning. It is not just going to be on environmental laws. It is going to be on every other law that this Congress has passed that the World Trade Organization is going to try to subvert and undermine the laws that this very Congress passed for the well-being and benefit of this country.

We should stop it now before it continues, and we should appeal. And we should force, through a resolution of this Congress, the President to ask for an appeal of this ruling.

Should we not get that, then we should do the legislatively responsible thing to reverse our participation in the World Trade Organization.

ON THE CONTINUING RESOLUTION

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

Mrs. MORELLA. This is the time, Mr. Speaker, that we talk about what action is going to take place on the floor of this Chamber later today, because quite frankly, it is critical that we pass this continuing resolution today, whatever we call it, to avoid another partial Government shutdown. A partial Government shutdown leads to a massive Government slowdown. This is something we can ill afford.

The previous two shutdowns cannot be repeated. They were devastating to Federal employees, to contractors, to their families, to the local economy, universities, researchers, and the entire American public. The previous two partial Government shutdowns, as I mentioned, have resulted in a massive slowdown and an erosion of confidence in Government.

A longer-term solution is still necessary. Agencies cannot make long-term spending decisions without long-term appropriations. Vendors with long-term contractors cannot be paid. It may be unwilling or unable to continue on a month-to-month basis. Contractors, Federal employees and their families remain very anxious about their future.

Etymologically, the word ''disease,'' if you look at the Oxford English Dictionary, comes from the words ''absence of ease.'' There is really an absence of ease out there in our country, a disease, so to speak. This is something that we in Government can correct.

I hope that this continuing resolution, whether we call it the balanced budget down payment act or whatever, that will come up today will be the first step in increased cooperation to resolve the issues surrounding the remaining appropriations bills and a balanced budget agreement, not the first in a series of continuing resolutions that we are going to revisit every month or every 6 weeks.

I strongly urge my colleagues on both sides of the aisle to compromise on the provisions that are keeping these bills from being passed. Of course I ask the President to engage fully in coming up with a balanced budget. We must find a real solution to end the disruption we have caused in the lives of our Federal work force. So I hope, Mr. Speaker, today will be the day.

STATEMENT ON CUBA TRIP

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

Mr. MOAKLEY. Mr. Speaker, my recent visit to Cuba has been the subject of some controversy. Some of my colleagues, who have surprisingly never even talked to me about the trip, have cynically tried to characterize my views and the trip as insensitive to human rights and pro-Castro.

Mr. Speaker, that is a blatant distortion of the truth.

My position on Cuba is the same as that put forth by the conference of Catholic Bishops. My position is also the same as Cuba's Catholic Cardinal, Cardinal Jaime Ortega.

I might add, as well, that my position is the same as many of Cuba's leading dissidents—including Elizardo Sanchez, Martha Beatriz Roque, Vladimiro Roca, and Rene Gomez Manzano, just to name a few.

Are these people, some of whom have spent time in Cuban jails, insensitive to human rights? Are these people pro-Castro?

Their position, and my position, it that we can best encourage human rights reforms and begin a transition to a more democratic Cuba through increased relations and not by more isolation. They, like me, oppose the so-called Helms-Burton bill.

Mr. Speaker, I realize my public position on Cuba makes me the target of a very well-financed lobby here in the United States. But, let me say clearly and sincerely, I believe in my heart that I am advocating what is best for the courageous people who live on that island and who yearn for a day when human rights and freedoms are truly respected.

MOAKLEY STATEMENT ON CUBA TRIP

WASHINGTON.—Congressman Joe Moakley released the following statement from his office today on his recent trip to Cuba:

''I traveled to Cuba for two basic reasons—first, to try to create an atmosphere in which relations between the U.S. and Cuba could be improved; and, second, to find ways to support ordinary Cuban people.

My trip was hosted by the ABC Forum on Cuba, a non-profit organization dedicated to educating U.S. citizens on issues related to Cuba and to supporting the activities of NGO's promoting human rights and helping the Cuban people.

Our delegation consisted of 23 participants ranging from business leaders to NGO's like the Boston-based Oxfam America.

I met with a variety of people while in Cuba—including top Cuban government officials, church leaders, dissidents, NGO's, foreign diplomats, U.S. officials.

I even had the chance to visit a small group of farmers who are working with Oxfam on a project to increase agriculture production for sale on the open market. These farmers and all the ordinary people I had the chance to meet, were excited to talk with our delegation and candid about their hopes for closer ties with people in the United States.

In addition, my aide Jim McGovern and I had a 2 hour private meeting with Cuban President Fidel Castro. After which, the Cuban leader met with our entire group for another 2 hour session. I told President Castro that we are at a crossroads in terms of U.S.-Cuba relations. the United States Congress is nearing final action on the so-called Helms-Burton Bill which, if signed into law, will strengthen the current economic embargo and end any possibility for improved relations anytime in the near future.

I told President Castro that there must be more movement in Cuba with regard to human rights and economic reforms—and urge him to act now. He seemed responsive and pledged to give my request very serious and immediate consideration.

We also had an excellent meeting with Jamie Cardinal Ortega—the Roman Catholic Cardinal in Cuba. His Eminence told us that the official position of the Catholic Bishops was against the US embargo for humanitarian reasons. He also was very clear about his continued concerns regarding human rights abuses that currently exist in Cuba.

On a related matter, I raised with the Cuban leadership my hope that they would invite Pope John Paul II to visit Cuba during his visit to the Caribbean later this year.

My trip began and ended with important meetings with Cuban dissident groups. While these people suggested that the difficulties in Cuba run much deeper than the economic hardships, a majority of those we meet expressed opposition to the Helms-Burton legislation.

One of the things that stunned me the most about my trip is the explosion of independent entrepreneurship. There are roughly 208,000 independent family businesses operating in Cuba. This entrepreneurship is allowing people greater personal freedom from government controls. When people are no longer dependent on the government for their jobs, they are freer from economic coercion. I got the sense that the Cuban government recognizes that these small businesses are necessary for the country's economic viability and are accepting the political space that they create.

In fact, Caritas (a Catholic charitable organization in Havana) described its plans to establish training programs to help these fledgling businesses succeed. Michael Ryan, President of ABC Forum on Cuba, which organized the trip said: ''It was great to see our group get excited about helping support the Cuban people, particularly in their efforts to form small businesses and independent NGOs. A number of our participants expressed a real desire to support these efforts after we concluded our trip.''

The European Union is about to hold talks with the Cubans on closer economic ties—and is using this opportunity to urge the Cuban government to improve its human rights record. The United States could have ten times more leverage with Cuba than the Europeans if we got serious about improving relations. Right now the embargo leaves us completely out of the picture. I'm afraid if we let Helms-Burton become law, we will lose an important opportunity to improve the situation in Cuba. Of all the meetings I had, there was consensus on one thing—that the future of Cuba will be decided by Cubans on the island. The degree to which we can encourage positive change will depend on whether or not we defeat Helms-Burton.

[From the Boston Globe, Jan. 23, 1996]

OUR BAN IN HAVANA

(By H.D.S. Greenway)

HAVANA.—''Socialismo O Muerte''—Socialism or Death—say the graffiti scrawled on the walls of this once grand, now crumbly Caribbean capital. But as communists the world over have found, their ''socialism'' means a death of sorts: stagnation and decline, a slow demise of ambition and incentive and the equality of shared poverty.

There are only five countries left that call themselves communist: China and its three abutters in Asia—North Korea, Vietnam and Laos—and then Cuba. In all, to varying degrees, the communist leaders recognize the inadequacy of their economic system, but all want to cling to political power. With some justification they can point to the death of their great progenitor, the Soviet Union, as an example of what can happen when the reins of political power are suddenly dropped. In short, they want to eat the cake of capitalism without ingesting political freedoms.

All the ambiguities of this approach are evident in Fidel Castro, the last of the founding fathers of postwar communism. All the others—Mao Zedong, Kim Il Sung, Ho Chi Minh—are dead, but Fidel remains. To some, America's most enduring bete noire is a Latin David to our gringo Goliath; to others he is an irredeemable tyrant.

Nine US presidents have tried to do him in—by invasion, assassination, economic embargo—but he lives on ''to remind us of our failures,'' as US Rep. J. Joseph Moakley put it.

For 30 years Castro had a free ride, strutting the world's stage as a symbol of independence to a world emerging from colonialism but in fact a kept man, his bills paid by the Soviet Union. After the demise of his patron, Castro and his economy went into a free fall, bottoming out in 1993.

In desperation, Castro and his lieutenants have planted the first, few seeds of a free-market economy here. The Yankee dollar is now a legal currency in Cuba alongside the peso. Joint ventures with foreigners are beginning to bear fruit, especially in the tourist industry. Some 208,000 Cubans are permitted to work in the private sector, but the state still remains supreme, and a gulf is widening between those who work in the dollar economy and those left behind in a land of unconvertible pesos.

Small, private restaurants called ''paladares'' are springing up in people's homes, but the law allows no more than a dozen tables, and all the cooks and waiters must be family members because it is still illegal for one Cuban to hire another. Thus is entrepreneurship on the one hand encouraged while the other hand suppresses it.

Last week Moakley led a delegation of inquiry here of which I was a member. We talked to Castro, aging now but still in command. He is trying to probe for weak spots in the mortar of the embargo that the United States has imposed. Moakley, in turn, was trying to squeeze human rights concessions from Castro, concessions that Moakley could use back in Washington to defeat the Helms-Burton bill, sponsored by Sen. Jesse Helms of North Carolina and U.S. Rep. Dan Burton of Indiana, which would put even more restrictions on doing business with Cuba.

It seemed evident in conversations with Castro and his ministers that Cuba isn't going back on the meager reforms they have instigated. Castro said the changes are irreversible. But Cuba's leaders are afraid of moving forward too fast. Castro and his lieutenants appear to have no clear vision but are making policy up as they go along.

Listening to Castro—his famous beard now gone gray—I was struck by how much the world had changed and how much Fidel has been bypassed since the heady revolutionary days of 30 years ago. Fidel Castro no longer presents the United States with the mortal threat of Russian missiles 90 miles offshore. His expeditionary forces no longer rampage through Africa, spreading socialismo and death. Nor are his agents stirring up trouble in the hemisphere. Che Guevara and the revolution he represented lie in an unmarked Bolivian grave.

In an era when the United States is helping North Korea with nuclear power, scrambling for investment in China and no longer involved with embargoing Vietnam, the present restrictions on trade with Cuba seem somewhat anachronistic. Castro may have suffered from the U.S. embargo, but he has also benefited enormously by having someone other than himself to blame for Cuba's economic inadequacies, able to wrap himself in the nationalist flag against the big bully of the North.

In the long run, communism in Cuba is doomed. Both the United States and Cuba have a convergence of interest in seeing that the transition is smooth and the landing is soft. A breakdown of order on the island would bring another vast armada of Cubans fleeing to our shores, and that would be destabilizing to both countries.

The best way to ensure a soft landing is to defeat counterproductive legislation such as the Helms-Burton ''Cuban Liberty and Democratic Solidarity Act,'' which would threaten our allies that do business in Cuba and tie even more restrictions on the present embargo. The bill will not help Cuba's transition to a market economy and could only retard the very forces of freedom and openness the United States wishes to encourage. The embargo is strict enough without additional baggage and should be used as a bargaining chip to nudge Cuba into the democratic and human rights reforms that will one day set its people free.

HAVANA, January 19.—Cuban dissidents have met a visiting U.S. congressman in public, the first time in years such a meeting has taken without interference from the authorities, one of dissidents said on Friday.

Elizardo Sanchez told Reuters he and other dissidents met visiting Democratic Representative Joe Moakley of Massachusetts for several hours in the state-owned Hotel Nacional.

Sanchez, leader of the Cuban Committee for Human Rights and National Reconciliation, said he was surprised the dissidents had been able to hold a meeting in public without problems. Meetings with members of Cuba's small and illegal opposition groups generally take place in dissidents' homes or foreign embassies.

We are not bothered (by officials) either entering or leaving (the hotel),'' Sanchez said, adding that the group discussed issues such as proposals in Congress to toughen the longstanding U.S. embargo against communist-ruled Cuba.

Moakley, who also met the dissidents on Tuesday at the house of the senior U.S. diplomat in Cuba Joseph Sullivan, is on a fact-finding mission that included talks with President Fidel Castro on Wednesday night.

Moakley said on Thursday he found Castro flexible on the congressman's suggestion that if there were some change on the island it might help defeat moves to toughen the embargo.

FRENCH NUCLEAR TESTINGS

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

Mr. FALEOMAVAEGA. Mr. Speaker, now that it's almost certain that President Chirac of France will be making a state visit to our Nation's Capitol next week to meet with President Clinton and the leadership of the Congress, this will be a sad occasion for me, Mr. Speaker, and the millions of peoples throughout the world and through representation of leaders of some 168 countries throughout the world who have earnestly pleaded with President Chirac not to break the moratorium on nuclear testing. And yet despite all

this, President Chirac of France in defiance of global consensus on raising tensions and suspicion, and even to promote again the extension and proliferation of nuclear weapons testing and development, France has already now exploded five nuclear bombs to improve its nuclear delivery capabilities with its long-distance missiles.

It might interest my colleagues that French Government officials—and they're masters of these ploys—a few leaks here and some leaks there—some critical points that President Chirac is going to shove right at our noses at the joint session of Congress next Thursday.

First, a warning to Republican leaders and the President that closing our Government down will have serious economic consequences not only to France but to Europe and other regions of the world.

Second, that the United States contributes too little in foreign aid to Third World countries.

Third, that the United States should live up to its global responsibilities, whatever that means.

Fourth, that United States contributions to the crisis in Bosnia is not enough, but at the same time, France expects to play very prominent, if not, the leading role as far as Europe is concerned relative to Bosnia.

And fifth, France does not want any nation of the world to criticize its current nuclear testing program, because France does not trust the United States involvement with Europe's security needs for the past 50 years.

Mr. Speaker, I suggest to my colleagues that what we're going to get from President Chirac next week is not the eloquence of Marquis de Lafayette, but the ghost of Charles de Gaulle II.

Mr. Speaker, I include the following article from the January 24 New York Times for the RECORD:

[From the New York Times, Jan. 24, 1996]

POSSIBILITY OF DEFAULT STARTS TO WORRY EUROPE, ESPECIALLY FRANCE

(By Craig R. Whitney)

PARIS, January 23.—The possibility that the deficit-cutting impasse between Congress and the Clinton Administration could start causing the United States Government to default on its debt next month has begun to sink in on European leaders, and the French are anxious to avoid the turmoil that could result.

President Jacques Chirac, who will visit Washington next week, is prepared to warn in a speech to a joint session of Congress that default would upset economies around the world and deeply undermine the American global position, French officials said today.

Congressional Republicans have threatened to refuse to raise the national debt limit unless the Clinton Administration agrees to their agenda for cutting the Federal deficit. If the Administration refuses to give in and fails to find other ways of coming up with money, the Government could start running out of money to pay obligations due on March 1.

At this point, some European leaders are said to be beginning to feel like onlookers at a political game whose players appear little concerned about the chaos a default would cause in international currency and bond markets.

Some see a situation comparable to that in 1975, when Chancellor Helmut Schmidt of West Germany felt compelled to warn President Gerald R. Ford that letting New York City go bankrupt could send economic shock waves around the world, which was still fragile from the effects of a sudden rise in oil prices.

Mr. Chirac told the Senate majority leader, Bob Dole, and Speaker Newt Gingrich during his last visit to Washington in the summer that the United States gave too little foreign aid to developing countries, and French officials say that he plans to deliver the same message to Congress in an address planned for Feb. 1.

''We hope that Congress will be disposed to let the United States live up to its global responsibilities,'' one official here said.

Mr. Chirac will tell Congress, French officials say, that Europe, with about the same size economy as the United States, gives three times as much to developing countries—$31 billion, compared with less than $9 billion last year from the United States.

''Where is America and its traditional generosity, where is its desire to help reshape the world?'' asked one French policy maker.

Mr. Chirac is also likely to use his visit to tell both Congress and the Administration that France will insist on reshaping the NATO alliance to reflect changes since the end of the cold war, according to officials in Brussels and Paris.

Mr. Chirac has reintegrated France into some NATO military structures that it left in 1966, but officials say he did so to push for the creation of a stronger European defense arm within the alliance. ''We need to be able to deal with crises like Bosnia even if the United States doesn't want to become involved,'' an official said.

Mr. Chirac may also tell Washington that American plans to contribute $600 million to the reconstruction of Bosnia over the next three years are inadequate. European estimates of the total cost run to $3.7 billion. ''Don't think that the Europeans will be the only ones paying for Bosnian reconstruction,'' Mr. Chirac said in a recent interview, adding that the Europeans expected the United States to pay about the same as they will—about one third.

American officials have responded that the United States committed 20,000 soldiers to the NATO peacekeeping force that began moving into Bosnia last month, a larger contingent than any of its allies.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12 of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 3 o'clock and 27 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 1719

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. HEFLEY) at 5 o'clock and 19 minutes p.m.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. McCathran, one of his secretaries.

PROVIDING FOR CONSIDERATION OF H.R. 2880, THE BALANCED BUDGET DOWNPAYMENT ACT

Mr. LIVINGSTON. Mr. Speaker, I ask unanimous consent that the Committee on Appropriations be discharged from further consideration of the bill (H.R. 2880) and that it shall be in order at any time to consider the bill in the House; that the bill be debatable for not to exceed 1 hour, to be equally divided and controlled by myself and the gentleman from Wisconsin [Mr. OBEY]; that all points of order against the bill and against its consideration be waived; and that the previous question shall be considered as ordered on the bill to the final passage without intervening motion, except one motion to recommit with or without instructions.

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

Mr. OBEY. Mr. Speaker, reserving the right to object, and I do not intend to object, I simply want to take this reservation in order to observe that, unlike so many episodes which the public has seen lately in the Congress where divisions among us have caused great turmoil and consternation both on the floor and throughout the country, both sides of the political aisle have worked very hard and very intensively with a great deal of involvement of people on both sides of the aisle in order to assure that we can overcome major differences and keep the Government open.

I would simply, in continuing my reservation, make the point that there are some items in the proposition which the gentleman from Louisiana is about to bring to the House with which I have strong disagreement; for example, the reduced level of funding for education and a number of other items in the bill. But I think the overriding need of the country is for us to overcome our differences, or at least manage to live with those differences, especially since this is a CR of short-term duration, with the exception of a couple of items in the bill.

So I would simply say that I want to congratulate the gentleman from Louisiana for the way he has handled this difficult task. I am pleased to say that the White House, while they certainly do not agree with every provision in this bill, as I do not, they have signed off on this as a short-term compromise. I very much appreciate both the way they have handled things and the way the gentleman from Louisiana and other Members on both sides of the aisle have handled this.

Mr. LIVINGSTON. If the gentleman would yield to me, before he withdraws his reservation.

Mr. OBEY. Mr. Speaker, I would be happy to.

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

want to say that I appreciate his statement, and I want to thank the gentleman for his cooperation over the last few days.

They have been hectic; this has been an incredibly tense negotiation, but the fact is that with the help of the gentleman, both sides of the aisle have come together, along with Members of the other body, and have crafted a compromise to keep the Government open for the next 45 days, one which meets the needs of satisfaction or of best desires of no side completely satisfactorily, but one which represents, I think, the finest of legislative endeavor in that we are able to understand each other's differences and reach agreement in some fashion of compromise, not only among ourselves, but with the White House. Frankly, in view of where we started, I am somewhat amazed.

But I think this also provides the seeds for a long-term solution which will provide us a continuity of Government throughout the rest of the year. At least it is a first step. We will have to judge that when this continuing resolution or this targeted appropriation cycle is over. But at any rate, I want to thank the gentleman for his cooperation and yield back to him.

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

Continuing my reservation, I would simply observe that we do not have to endorse every provision in this proposal in order to endorse the fundamental idea that the Government ought to stay open to continue to provide services to our tax-paying citizens.

I would simply observe that this has been an immense amount of consultation with a tremendous number of people. I think this morning we were at draft number 32. I do not know what number it is now, but whatever number it is, I am glad it is the last one.

Mr. Speaker, I withdraw my reservation of objection.

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

Mr. ORTON. Mr. Speaker, reserving the right to object, and I shall not object, but I would like to ask the chairman if he would tell me, not having had the opportunity to read the entire bill, does the bill contain any of the provisions of the line-item veto in this bill? Does it contain those provisions?

Mr. LIVINGSTON. If the gentleman would yield, I would advise the gentleman that this Balanced Budget Down Payment Act, I, as we have called it, has no language whatsoever dealing with the line-item veto, but that the line-item veto, as the gentleman does know, has passed the House of Representatives and in a much different form has passed the U.S. Senate, and is awaiting resolution in conference.

Mr. ORTON. Mr. Speaker, continuing my reservation, I would say to the gentleman that that conference not having reached a resolution, many of us here are concerned that in the middle of the 1996 process, as this body and the other body continue to identify areas of spending with which we disagree and seek to reduce or eliminate funding, we believe that it is just as important to allow the President to identify funding to attempt to cut as well through the line-item veto.

I would simply note that on Tuesday evening, the President called upon the Congress to pass the line-item veto, at which a supermajority of both Democrats and Republicans gave him a standing ovation. I would call upon this body to do so.

Mr. Speaker, I will not object, because I do understand the importance and necessity of keeping the Government operating, of having this continuing resolution. But if we are going to continue week after week or month after month passing additional continuing resolutions, I would certainly hope that the majority would include the line-item veto provisions in the next continuing resolution so that we could give that to the President and allow him to do the same thing we are attempting to do in reducing spending.

Mr. LIVINGSTON. If the gentleman would yield further, I appreciate the gentleman's statement. I especially appreciate him not making an objection.

I would point out to the gentleman that as a long-standing proponent of the line-item veto myself, I look forward to a speedy resolution of that issue in the conference, but that I would, as chairman of the Committee on Appropriations, rather not include it in the appropriations process, because I think it is a little astray of what we are trying to do. We often find that we take on a little bit more than we can carry, and then we try to chew it and have to spit it out.

So, I appreciate the gentleman's position. I certainly agree in principle with his position, and I hope that that matter will be resolved before long.

Mr. ORTON. Mr. Speaker, the gentleman's position is certainly understandable. The concern, however, is that it certainly was a major platform in the Contract With America. It passed this body with overwhelming support. The President supports it, yet the 1996 appropriation process is virtually through, and the line-item veto does not apply to it. So we would like to develop a way to get it applicable to the 1996 process, and that is the purpose for trying to put it on the appropriations bills or continuing resolutions so that we could involve the President, give this President the authority now to start cutting that kind of pork-barrel spending.

Mr. LIVINGSTON. Mr. Speaker, if the gentleman would yield one last time, I would simply point out that he is absolutely on point. However, I might add that, as the gentleman knows, for this year and in years past we have continued to appropriate within the discretionary budget limits which are being reduced more and more and more. The fact is that this Congress, since the 104th Congress was sworn in, has saved the American taxpayer, within the discretionary portion of the budget, some $20 billion under what we would have spent in original fiscal year 1995 level, and another $22 to $30 billion below that level in fiscal year 1996 already.

So we are on that glidepath toward a balanced budget, but the gentleman is correct. A line-item veto would enhance our ability to do so, and I appreciate his position.

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

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

Mr. SKAGGS. Mr. Speaker, I reserve the right to object, and, if I may, engage the distinguished chairman in some discussion.

I hope I do not have to object, and I certainly commend everybody involved in what seems to be some progress in establishing or reestablishing a tradition of some bipartisan give and take and inclusiveness in this difficult process.

□ 1730

I have been relying on a three-page document prepared, I assume, by the Committee on Appropriations staff that summarizes this 60-plus page bill which we have just gotten, and therefore need to be able to rely on the summary.

Mr. Speaker, a couple of things here concerns me. Down at the bottom of this first page, the summary recites essentially a 75-percent floor on certain specific items, including, for instance, the Advanced Technology Program. While earlier in the summary it is recited as the Commerce-Justice-State appropriations, we will be at the level that had been agreed to in the conference that was ultimately vetoed. My concern is the possible inconsistency or conflict between those provisions.

Is the body to understand that that 75-percent floor supersedes contrary provisions that were in the conference report, which as to ATP was at a much lower level?

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

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

Mr. LIVINGSTON. Mr. Speaker, I would say it is a 75-percent cap as opposed to a floor. With that acknowledgment, I would say that the provisions of this particular legislation that we pass today do not affect programs that were addressed in targeted appropriations or in previous appropriations bills except for a few instances.

Mr. SKAGGS. Mr. Speaker, continuing my reservation, it is not that point, but the apparent internal inconsistency between the 75-percent cap and the other language in this legislation that prescribes funding levels for the Commerce Department in accordance with the earlier rejected conference report or the earlier vetoed

conference report. In that conference report, for instance, the ATP program was funded at substantially lower levels than the 75 percent. I want to make sure the 75 percent controls.

Mr. LIVINGSTON. Mr. Speaker, if the gentleman will yield further, this funding would be more than what was in that conference report. The gentleman is correct that while we provide for the conference levels of funding for most programs, several of those programs which were terminated or slotted for termination, such as the one the gentleman mentioned, would be brought up to a 75-percent cap by virtue of this legislation.

Mr. SKAGGS. Mr. Speaker, continuing my reservation, I appreciate the gentleman's comments.

Mr. Speaker, just in trying to reconcile the text of this 60-plus pages with the summary, I notice that, for instance, on page 18–E of the bill, we address the question of a partial repeal of a provision recently enacted in the Lobbying Reform Act that is not mentioned in the summary.

I am just wondering if the chairman would indicate whether there are any other changes in permanent law similar to this one, which I happen to be familiar with, which are included in the bill but not itemized in the summary, so that Members can be fully informed of permanent law changes?

Mr. LIVINGSTON. Mr. Speaker, if the gentleman will yield further, I would say to the gentleman the only ones that were inserted were done so at the last minute in the process of negotiations between the House, Senate, and White House. There are a few, and I intend in my opening statement to identify those. Frankly, they are not of major significance, but I will touch on them.

Mr. SKAGGS. Mr. Speaker, continuing on my reservation and with respect to this particular point, if I may, Mr. Speaker, I am concerned about the approach that we are taking in correcting this problem with section 18 of the Lobbying Reform Act that this Congress recently passed and the President signed. I think Members have become aware of the difficulty in implementing that particular provision with respect to some of the organizations organized under section 501(c)(4) of the Internal Revenue Code and the prohibitions in section 18 against any such organization that receives a contract or a loan or award from the Federal Government engaging in any lobbying activities.

This bill, as it is presented to the House, is a partial remedy to the problem that we now know is created by section 18, in that it deletes contracts from the scope of the section 18 prohibition.

It seems to me that with the 140,000-plus 501(c)(4) organizations, that include all manner of civic organizations, housing associations, organizations of local governments, a lot of different organizations that may get from time to time a Federal grant or loan or contract, that to address only the ability of contracts of Government and not these other 501(c)(4)s to be able to fully engage in their legitimate rights to talk to us abut problems facing the Nation or in legislation is unfortunate, and that we simply ought to deal with the entire scope of the difficulties that exist under section 18.

As it is, we are responding to the understandable concerns and legitimate concerns, particularly of the Blues and some HMO's who are in a particularly difficult situation. I understand that, and we ought to solve their problem. But we ought to solve the entire problem, not just the problem of people who have a lot of resources and a lot of wealth and influence around this place. We should get at all of the 501(c)(4) issue.

Mr. LIVINGSTON. Mr. Speaker, if the gentleman will continue to yield, I would only say to the gentleman there are lots of problems we could have dealt with in this bill. We dealt with those most exigent problems we felt needed to be dealt with in order to resolve anomalies that, frankly, were hanging out there that would cause great hardship had we not addressed them.

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

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

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

Mr. Speaker, we have had discussions in this area. The gentleman well knows that this problem was brought to our attention when the lobbying bill was moving through the Senate, as a matter of fact, and the cosponsors on the Senate side, Senator SIMPSON and Senator CRAIG, had attempted to correct it at that time.

It is not that we are responsive to a narrow segment of those who are affected by the lobbying bill. It is that this was an area which is in clear conflict because of the unique history of this particular group.

Blue Cross/Blue Shield associations were classified as 501(c)(4)'s back in the 1930's. Usually if you are classified under the Internal Revenue Tax Code as a 501(c)(4), for example, you are tax exempt in your activities. Ironically, in 1986 in the tax bill Congress placed the selfsame organizations in a taxable category, so they are now classified as 501(c)(4)'s, but they are, in fact, paying taxes, so they do not get a tax-free benefit from the classification.

In addition to that, the Blue Cross/Blue Shield associations have been carrying out on a contractual arrangement the financial management servicing for Medicare, 40 percent of the recipients of the Federal Employees Health Benefit Program under the U.S. operation, CHAMPUS, and a number of other areas.

This is a real problem faced now by virtue of a letter, and I would like to place it in the RECORD, and if you have not seen it, I want to share it with the gentleman from Colorado, dated January 16, in which the U.S. Office of Personnel Management, rightly, in trying to carry out the law as written, has sent out notices asking a series of questions, ''Please fax immediately to your contract specialist those who are contractees with FEHBP,'' and question one, ''Is the organization tax exempt?'' This group would say no.

Question two, ''Is the organization considered a 501(c)(4)?'' This group would say yes.

What we have here is a situation in which with full knowledge we went ahead and passed a law that would put these people in a very narrow timeframe, in significant jeopardy of continuing to run the Medicare, CHAMPUS, and FEHBP program.

This group means to comply with all of the lobbying disclosure and reporting requirements. This is not an attempt to create a loophole. If people are receiving grants, then that is what we want to focus on. If they are receiving awards, we want to focus on it. But our failure to understand the complexity of the history of certain organizations and the interaction that would be triggered immediately and our inability to carry out needed functions brought about this technical amendment.

I would tell the gentleman if he identifies other groups that fall in the category of 501(c)(4) and are, in fact, taxable and would stop a significant portion of the Federal Government's ongoing contractual obligations and does not fit into this particular amendment, we may have to look at another one. This one is real, it is now, and it needs to be fixed. I commend the chairman for understanding that this is a real problem. A technical correction solves it.

Mr. SKAGGS. Mr. Speaker, continuing my reservation, I appreciate the validity of all of the points the gentleman has just made, but I think he draws the boundaries a bit narrowly on the organizations in this country that have legitimate reason to be concerned.

As it happens Blue Cross/Blue Shield is in a position to follow legislation here very closely. They did that. Their lawyers and lobbyists were able to identify this problem very quickly. But we are realizing the consequences of legislating in haste and without appropriate hearings and examination of consequences with regard to section 18 of the Lobbying Act, which was added in the Senate without any hearings and, even as it was working its way through the process, realized it was going to have unintended and unfortunate consequences.

We only are awaiting the further experience of organizations like the National Association of Counties, the National Rifle Association, which I believe has contracts or grants from the Federal Government, and some of their activities, to see exactly how intrusive and violative of the rates of other

501(c)(4) organizations to participate fully in the political life of the country. So it will not just be that nicely drawn narrow category the gentleman identified, but I think we need to be concerned more broadly than that.

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

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

Mr. OBEY. Mr. Speaker, let me simply say I fully agree with everything that the gentleman has said with respect to this issue. In my view, what you have here is a case of the squeaky wheel getting the grease, which means that the Blues and a couple of other parties are being taken care of because they have raised legitimate objections about how this impacts them. But I think this Congress is remiss in not recognizing there are many other people who may not be as big, but whose proximity to them will be just as big because of the language, which ought not be in the law in the first place.

So I think this is a case here of this proposition being better than the situation that would exist without it, but not nearly as good as it ought to be, because it ought to include everybody who has a similar problem.

I would hope that, upon reflection, the Congress would recognize it has made a mistake in limiting it in the future and to correct it. But for now, I think even though I agree fully with the gentleman, I did not think that that objection would be sufficient to justify bringing down this entire proposition.

Mr. THOMAS. Mr. Speaker, if the gentleman will yield further, the letter that I indicated from the Senate was dated November 17. It has been more than 3 months. It has been almost a month since the law went into effect. Does the gentleman from Colorado have in his possession a letter from any other organization indicating a failure to carry out a contractual obligation with the Federal Government because of this legislation?

Mr. SKAGGS. No.

Mr. THOMAS. Do you have a letter?

Mr. SKAGGS. Mr. Speaker, continuing my reservation, it has only been a couple of weeks since this law became effective. I think the gentleman assumes a level of alacrity across the country which is unrealistic in this respect.

Mr. Speaker, having made these points, I withdraw my reservation of objection.

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

Ms. JACKSON-LEE of Texas. Mr. Speaker, reserving the right to object, I would like to make inquiry, and I thank the gentleman from Louisiana and the gentleman from Wisconsin. I know that the work that was done was to assure that we did not shut the Government down. I think we need to accept that responsibility.

Can the gentleman help me as I try to answer some of the questions regarding this impact on my constituents? There is a section on page 10 that indicates a prohibition against no new grants and it lists health and human services, and particularly refers to National AIDS Program, homeless service grants. There is a whole litany, the youth gang substance abuse.

My inquiry is that this does not shut them down; what you are saying is that they cannot activate, and I want this to be my understanding, not put words in your mouth, they cannot activate any new grants, but they can carry on their business? Is that my understanding?

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

Ms. JACKSON-LEE of Texas. I yield to the gentleman from Louisiana.

Mr. LIVINGSTON. Mr. Speaker, the gentlewoman is correct. Actually it goes a little bit beyond that. They can actually engage in providing grants up to 75 percent of previous monthly levels. So the fact is they cannot only service old grants, but they can engage in current activity up to 75 percent of previous limits.

□ 1745

This is a change put in the bill in just the last few minutes.

Ms. JACKSON-LEE of Texas. They can carry on current business and provide new grants at a 75-percent level that would include youth gangs, substance abuse, child welfare.

Mr. LIVINGSTON. There is a lengthy list, and we will make that a part of the RECORD.

Ms. JACKSON-LEE of Texas. I would appreciate that. Thank you very much.

Mr. Speaker, further reserving the right to object, I noticed in reference to NASA, as the gentleman well knows, they are engaged now in a series of space explorations and research, and, in fact, were preparing for such during the Government shutdown. There seems to be on page 2931, and I have no problem with assisting any of our sister States, some transfer of dollars, $10 million to Mississippi, but that is not going to impair any further, ongoing, present explorations that are proposed now for NASA in the coming months and impinge on any safety factors for NASA?

Mr. LIVINGSTON. If the gentlewoman would yield further, she is correct, and this measure will free up an additional $40 million for NASA; so they are actually better off because of this provision.

Ms. JACKSON-LEE of Texas. Mr. Speaker, further reserving the right to object, I am so concerned and I have two last questions.

There was an Executive order recently to deal with increased utilization of the Border Patrol coming from the State of Texas and obviously concerned with drug influx and other problems. The Department of Justice not being funded, do we have concern, or is there any way that that will not be negatively impacted, or are we in jeopardy?

Mr. LIVINGSTON. If the gentlewoman would yield further, I would advise the gentlewoman that the Department of Justice is funded at the conference level, and, in fact, most law enforcement authorities were already provided for in the targeted for appropriation under the bill that we passed early in January. So actually the Border Patrol would have been taken care of by the last bill.

Ms. JACKSON-LEE of Texas. If we pass the CR, but as you have indicated, that is protected and covered?

Mr. LIVINGSTON. Not only covered through the term of this bill, but through the end of the fiscal year by virtue of what we did earlier.

Ms. JACKSON-LEE of Texas. Mr. Speaker, lastly there were several riders in the VA–HUD bill, and, of course, we do realize that even though we are concerned and want to make sure that the Government stays open, there are still levels of disagreement on many of these pieces of legislation and, obviously, the appropriation process. Are these riders still in this CR that we might have some disagreement, particularly relating to the environment and relating to HUD in particular?

Mr. LIVINGSTON. If the gentlewoman would yield, I would advise the gentlewoman that the VA–HUD bill is funded at the conference level, but under last year's terms and conditions. So the restrictions and guidance language in the conference report would not apply.

Ms. JACKSON-LEE of Texas. Would not be included?

Mr. LIVINGSTON. Right.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I thank the gentleman from Louisiana. I think that we are all trying to move to the point of resolution.

Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

GENERAL LEAVE

Mr. LIVINGSTON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 2880, and that I may include tabular and extraneous material.

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

There was no objection.

THE BALANCED BUDGET DOWNPAYMENT ACT, I

Mr. LIVINGSTON. Mr. Speaker, pursuant to the previous order of the House, I call up the bill (H.R. 2880) making appropriations for fiscal year 1996 to make a downpayment toward a balanced budget, and for other purposes, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The text of H.R. 2880 is as follows:

H.R. 2880

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are hereby appropriated, out of any money in the Treasury not otherwise appropriated, and out of applicable corporate or other revenues, receipts, and funds, for the several departments, agencies, corporations, and other organizational units of Government for the fiscal year 1996, and for other purposes, namely:

TITLE I

SEC. 101. (a) Such amounts as may be necessary under the authority and conditions provided in the applicable appropriations Act for the fiscal year 1995 including the authority and conditions provided in emergency supplemental appropriations Acts for fiscal year 1995 for continuing projects or activities, except for those projects and activities provided for in Public Law 104–91 and Public Law 104–92, including the costs of direct loans and loan guarantees (not otherwise specifically provided for in this Act) which were conducted in the fiscal year 1995 and for which appropriations, funds, or other authority would be available in the following appropriations Act as passed each House, excluding conference reports:

The Department of the Interior and Related Agencies Appropriations Act, 1996; and

The Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 1996:

Provided, That whenever the amount which would be made available or the authority which would be granted in these Acts is greater than that which would be available or granted under current operations, the pertinent project or activities shall be continued at a rate for operations not exceeding the current rate.

(b) Whenever the amount which would be made available or the authority which would be granted under an Act listed in this section as passed by the House as of the date of enactment of this Act, is different from that which would be available or granted under such Act as passed by the Senate as of the date of enactment of this Act, the pertinent project or activity shall be continued at a rate for operations not exceeding the current rate or the rate permitted by the action of the House or the Senate, whichever is lower, under the authority and conditions provided in the applicable appropriations Act for the fiscal year 1995: *Provided,* That where an item is not included in either version or where an item is included in only one version of the Act as passed by the House as of the date of enactment of this Act, the pertinent project or activity shall not be continued except as provided for in section 111 under the appropriation, fund, or authority granted by the applicable appropriations Act for the fiscal year 1995 and under the authority and conditions provided in the applicable appropriations Act for the fiscal year 1995.

(c) Whenever an Act listed in this section has been passed by only the House or only the Senate as of the date of enactment of this Act, the pertinent project or activity shall be continued under the appropriation, fund, or authority granted by the one House at a rate for operations not exceeding the current rate or the rate permitted by the action of the one House, whichever is lower, and under the authority and conditions provided in the applicable appropriations Act for the fiscal year 1995: *Provided,* That where an item is funded in the applicable appropriations Act for the fiscal year 1995 and not included in the version passed by the one House as of the date of enactment of this Act, the pertinent project or activity shall not be continued except as provided for in section 111 under the appropriation, fund, or authority granted by the applicable appropriations Act for the fiscal year 1995 and under the authority and conditions provided in the applicable appropriations Act for the fiscal year 1995.

SEC. 102. Appropriations made by section 101 shall be available to the extent and in the manner which would be provided by the pertinent appropriations Act.

SEC. 103. No appropriations or funds made available or authority granted pursuant to section 101 shall be used to initiate or resume any project or activity for which appropriations, funds, or other authority were not available during the fiscal year 1995.

SEC. 104. No provision which is included in an appropriations Act enactment in section 101 but which was not included in the applicable appropriations Act for fiscal year 1995 and which by its terms is applicable to more than one appropriation, fund, or authority shall be applicable to any appropriation, fund, or authority provided in this title of this Act.

SEC. 105. Appropriations made and authority granted pursuant to this title of this Act shall cover all obligations or expenditures incurred for any program, project, or activity during the period of which funds or authority for such project or activity are available under this Act.

SEC. 106. Unless otherwise provided for in this title of this Act or in the applicable appropriations Act, appropriations and funds made available and authority granted pursuant to this title of this Act shall be available until (a) enactment into law of an appropriation for any project or activity provided for in this title of this Act, or (b) the enactment into law of the applicable appropriations Act without any provision for such project or activity, or (c) March 15, 1996, whichever first occurs.

SEC. 107. This title of this Act shall be implemented so that only the most limited funding action of that permitted in this title of this Act shall be taken in order to provide for continuation of projects and activities.

SEC. 108. Expenditures made pursuant to this title of this Act shall be charged to the applicable appropriation, fund, or authorization whenever a bill in which such applicable appropriation, fund, or authorization is contained is enacted into law.

SEC. 109. No provision in the appropriations Act for the fiscal year 1996 referred to in section 101 of this Act that makes the availability of any appropriation provided therein dependent upon the enactment of additional authorizing or other legislation shall be effective before the date set forth in section 106(c) of this Act.

SEC. 110. Appropriations and funds made available by or authority granted pursuant to this title of this Act may be used without regard to the time limitations for submission and approval of apportionments set forth in section 1513 of title 31, United States Code, but nothing herein shall be construed to waive any other provision of law governing the apportionment of funds.

SEC. 111. Notwithstanding any other provision of this title of this Act, except section 106, whenever an Act listed in section 101 as passed by both the House and the Senate as of the date of enactment of this Act, does not include funding for an ongoing project or activity for which there is a budget request, or whenever an Act listed in section 101 has been passed by only the House or only the Senate as of the date of enactment of this Act, and an item funded in fiscal year 1995 is not included in the version passed by the one House, or whenever the rate for operations for an ongoing project or activity provided by section 101 for which there is a budget request would result in the project or activity being significantly reduced, the pertinent project or activity may be continued under the authority and conditions provided in the applicable appropriations Act for the fiscal year 1995 by increasing the rate for operations provided by section 101 to a rate for operations not to exceed one that provides the minimal level that would enable existing activities to continue. No new contracts or grants shall be awarded in excess of an amount that bears the same ratio to the rate for operations provided by this section as the number of days covered by this title of this Act bears to 366. For the purposes of this title of this Act, the minimal level means a rate for operations that is reduced from the current rate by 25 percent.

SEC. 112. Notwithstanding any other provision of this title of this Act, except section 106, whenever the rate for operations for any continuing project or activity provided by section 101 or section 111 for which there is a budget request would result in a furlough of Government employees, the rate for operations may be increased to the minimum level that would enable the furlough to be avoided. No new contracts or grants shall be awarded in excess of an amount that bears the same ratio to the rate for operations provided by this section as the number of days covered by this resolution bears to 366.

Provided, That the first sentence of section 112 shall not apply except to furloughs that exceed one workday per pay period for the affected workforce during the period of January 26, 1996 through March 15, 1996.

SEC. 113. Notwithstanding any other provision of this title of this Act, except sections 106 and 111, for those programs that had high initial rates of operations or complete distribution of funding at the beginning of the fiscal year in fiscal year 1995 because of distributions of funding to States, foreign countries, grantees, or others, similar distributions of funds for fiscal year 1996 shall not be made and no grants shall be awarded for such programs funded by this title of this Act that would impinge on final funding prerogatives.

SEC. 114. Notwithstanding any other provision of this title of this Act, except section 106, any distribution of funding under the Rehabilitation Services and Disability Research account in the Department of Education may be made up to an amount that bears the same ratio to the rate for operation for this account provided by this title of this Act as the number of days covered by this title of this Act bears to 366.

SEC. 115. Notwithstanding any other provision of this Act, except section 106, the rate for operations of the following projects or activities shall be only the minimum necessary to accomplish orderly termination:

Child Development Associate Scholarships in the Department of Health and Human Services;

Dependend Care Planning and Development in the Department of Health and Human Services;

Law Related Education in the Department of Education;

Dropout Prevention Demonstrations in the Department of Education;

Aid for Institutional Development—Endowment Grants in the Department of Education;

Aid for Institutional Development—Evaluation in the Department of Education;

Native Hawaiian and Alaska Native Cultural Arts;

Innovative Projects in Community Service in the Department of Education;

Cooperative Education in the Department of Education; and

Douglas Teacher Scholarships in the Department of Education.

SEC. 116. COMPENSATION AND RATIFICATION OF AUTHORITY.—(a) Any Federal employees furloughed as a result of a lapse in appropriations, if any, after midnight November 13, 1995, until the enactment of this Act shall be compensated at their standard rate of compensation for the period during which there was a lapse in appropriations.

All obligations incurred in anticipation of the appropriations made and the authority granted by this title of this Act for the purposes of maintaining the essential level of activity to protect life and property and bring about orderly termination of Government functions are hereby ratified and approved if otherwise in accord with the provisions of this title of this Act.

SEC. 117. Notwithstanding any other provision of this title of this Act, except section 106, upon enactment of this Act any new grants or contracts for the following programs shall be made at a level act to exceed a rate of 75 percentum of prior monthly awards:

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Health Resources and Services Administration:

Health Resources and Services: Trauma Care; Health Care Facilities.

Assistant Secretary for Health:

Offic of the Assistant Secretary for Health: National Vaccine Program; Health Care Reform Data Analysis; National AIDS Program Office.

Health Care Financing Administration:

Program Management: Essential Access Community Hospitals.

Administration for Children and Families:

Children and Families Services Program: Youth Gang Substance Abuse; Advisory Board on Child Abuse and Neglect; Child Welfare Research; Social Services Research; Homeless Service Grants; Community Schools (crime trust fund).

Administration on Aging:

Aging Services Programs: Pension Counseling; Federal Council on Aging; White House Conference on Aging.

DEPARTMENT OF EDUCATION

Education for the Disadvantaged: State School Improvement.

School Improvement Programs: Safe and Drug Free Schools and Communities: National Program; Women's Educational Equity.

Bilingual and Immigrant Education: Bilingual Education Support Services.

Higher Education: Faculty Development Fellowships; School, College, and University Partnerships.

RELATED AGENCIES

Corporation for National and Community Service: Domestic Volunteer Service Programs, Operating Expenses: Senior Demonstration Program.

National Education Standards and Improvement Council.

SEC. 118. Notwithstanding any other provision of law or this Act, upon enactment of this Act the Secretary of each cabinet level department other than State, Defense, Ambassador to the United Nations, and Central Intelligence shall not obligate a total amount of funds for their individual official travel expenses for fiscal year 1996 that would be greater than 110 per centum of the average total amount of the individual official travel expenses of the relevant departmental secretary for the fiscal years 1990 through 1995.

SEC. 119. Notwithstanding any other provision of law or of this title of this Act, the maximum Pell Grant for which a student shall be eligible under the Higher Education Act of 1965, as amended, during award year 1996–1997 shall be at least $2,440.

SEC. 120. Notwithstanding any other provision of law, the first proviso under the heading ''Education for the disadvantaged'' in title III of H.R. 2127, as passed by the House of Representatives, shall take effect upon enactment of this Act.

SEC. 121. 501 FIRST STREET SE., DISTRICT OF COLUMBIA.

(a) DISPOSAL OF REAL PROPERTY.—

(1) IN GENERAL.—The Architect of the Capitol shall dispose of by sale at fair market value all right, title, and interest of the United States in and to the parcel of real property described in paragraph (9), including all improvements to such real property. Such disposal shall be made by quitclaim deed.

(2) HOUSE OFFICE BUILDING COMMISSION.—The Architect of the Capitol shall carry out this section under the direction of the House Office Building Commission.

(3) PROCEDURES.—Notwithstanding any other provision of law, the disposal under paragraph (1) shall be made in accordance with such procedures as the Architect of the Capitol determines appropriate.

(4) SENSE OF CONGRESS.—It is the sense of Congress that the child care center of the House of Representatives should remain in operation during the implementation of this section.

(5) TERMS AND CONDITIONS.—The deed of conveyance for the property to be disposed of under paragraph (1) shall contain such terms and conditions as the Architect of the Capitol determines are necessary to protect the interests of the United States.

(6) DEPOSIT OF PROCEEDS.—All proceeds from the disposal under paragraph (1) shall be deposited in the account established by subsection (b).

(7) ADVERTISING AND MARKETING.—The Architect of the Capitol shall begin advertising and marketing the property to be disposed of under paragraph (1) not later than 30 days after the date of the enactment of this Act.

(8) LOCAL ZONING AND OCCUPANCY REQUIREMENTS.—Until such date as the purchaser of the property to be disposed of under paragraph (1) takes full occupancy of such property, such property and the tenants of such property shall be deemed to be in compliance with all applicable zoning and occupancy requirements of the District of Columbia.

(9) PROPERTY DESCRIPTION.—The parcel of real property referred to in paragraph (1) is the approximately 31,725 square feet of land located at 501 First Street, SE., on square 736 S, Lot 801 (formerly part of Reservation 17) in the District of Columbia. Such parcel is bounded by E Street, SE., to the north, First Street, SE., to the east, New Jersey Avenue, SE., to the west, and Garfield Park to the south.

(b) SEPARATE ACCOUNT IN THE TREASURY.—

(1) ESTABLISHMENT.—There is established in the Treasury of the United States a separate account which shall consist of amounts deposited into the account by the Architect of the Capitol under subsection (a).

(2) AVAILABILITY OF FUNDS.—Funds in the account established by paragraph (1) shall be available, in such amounts as are specified in appropriations Acts, to the Architect of the Capitol for—

(A) payment of expenses associated with relocating the tenants of the property to be disposed of under subsection (a)(1);

(B) payment of expenses associated with renovating facilities under the jurisdiction of the Architect for the purpose of accommodating such tenants; and

(C) reimbursement of expenses incurred for advertising and marketing activities related to the disposal under subsection (a)(1) in a total amount of not to exceed $75,000.

Funds made available under this paragraph shall not be subject to any fiscal year limitation.

(3) REPORTING OF TRANSACTIONS.—Receipts, obligations, and expenditures of funds in the account established by paragraph (1) shall be reported in annual estimates submitted to Congress by the Architect of the Capitol for the operation and maintenance of the Capitol Buildings and Grounds.

(4) TERMINATION OF ACCOUNT.—Not later than 2 years after the date of settlement on the property to be disposed of under subsection (a)(1), the Architect of the Capitol shall terminate the account established by paragraph (1) and all amounts remaining in the account shall be deposited into the general fund of the Treasury of the United States and credited as miscellaneous receipts.

(c) AUTHORITY TO FURNISH STEAM AND CHILLED WATER.—

(1) IN GENERAL.—The Architect of the Capitol is authorized to furnish steam and chilled water from the Capitol Power Plant to the owner of the property to be disposed of under subsection (a)(1) if the owner agrees to pay for such steam and chilled water at market rates, as determined by the Architect of the Capitol.

(2) AUTHORITY LIMITED TO EXISTING FACILITIES.—The Architect of the Capitol may furnish steam and chilled water under paragraph (1) only with respect to facilities which, on the date of the enactment of this Act, are located on the property to be disposed of under subsection (a)(1).

(3) PROCEEDS.—All proceeds from the sale of steam and chilled water under paragraph (1) shall be deposited into the general fund of the Treasury of the United States and credited as miscellaneous receipts.

SEC. 122. Notwithstanding any other provision of this title of this Act except section 106, such sums as necessary are hereby appropriated for all projects and activities funded under the account heading ''Office for Civil Rights'' under the Office of the Secretary in the Department of Health and Human Services at a rate for operations not to exceed an annual rate for new obligational authority of $16,153,000 for general funds together with not to exceed an annual rate for new obligational authority of $3,314,000 to be transferred and expended as authorized by section 201(g)(1) of the Social Security Act from the Hospital Insurance Trust Fund and the Supplemental Medical Insurance Trust Fund.

SEC. 123. Activities necessary to effect the following program eliminations and transfers of selected functions are funded under the terms and conditions and at a rate of operations, notwithstanding any other provision of this title of this Act, provided for in the conference report and joint explanatory statement of the Committee of Conference (House Report 104–402) on the Department of the Interior and Related Agencies Appropriations Act, 1996 (H.R. 1977), as passed by the House of Representatives on December 13, 1995:

All projects and activities under the account heading ''Public Development'' under the Pennsylvania Avenue Development Corporation;

All projects and activities under the account heading ''Mines and Minerals'' under the Bureau of Mines in Department of the Interior;

All activities related to the transfer of functions from the Bureau of Mines under the account heading ''Management of Lands and Resources'' under the Bureau of Land Management in the Department of the Interior;

All activities related to the transfers of functions from the Bureau of Mines and from

the National Biological Service under the account heading ''Surveys, Investigations, and Research'' under the United States Geological Survey in the Department of the Interior; and

All activities related to the transfer of functions from the Bureau of Mines under the account heading ''Fossil Energy Research and Development'' in the Department of Energy.

SEC. 124. Notwithstanding any other provision of this title of this Act, the appropriations and funds made available and authority granted pursuant to the preceding section shall be available until (a) enactment into law of an appropriation for any project or activity provided for in that section, or (b) the enactment into law of the applicable appropriations Act without any provision for such project or activity, or (c) September 30, 1996, whichever first occurs.

SEC. 125. Notwithstanding any other provision of this title of this Act, except section 106, such amounts as may be necessary are hereby appropriated to effect the sale of Weeks Island oil from the Strategic Petroleum Reserve under the terms and conditions and at a rate of operations provided for in the conference report and joint explanatory statement of the Committee of Conference (House Report 104–402) on the Department of the Interior and Related Agencies Appropriations Act, 1996 (H.R. 1977), as passed by the House of Representatives on December 13, 1995.

SEC. 126. Notwithstanding any other provision of this title of this Act, such amounts as may be necessary are hereby appropriated under the authority and conditions provided in the applicable appropriations Act for the fiscal year 1995 for continuing, at a rate for operations provided for in the conference report and joint explanatory statement of the Committee of Conference (House Report 104–402) on the Department of the Interior and Related Agencies Appropriations Act, 1996, (H.R. 1977) as passed by the House of Representatives on December 13, 1995, for the following projects or activities including the costs of direct loans and loan guarantees (not otherwise specifically provided for in this Act) which are conducted in the fiscal year 1995: all projects or activities of the Indian Health Services, Indian Health Service Facilities Bureau of Indian Affairs, National Park Service, notwithstanding any other provision of law, the United States Fish and Wildlife Service, notwithstanding any other provision of law, and the Forest Service, notwithstanding any other provision of law, *Provided,* That appropriations and funds made available and authority granted pursuant to this section shall be available until (a) enactment into law of an appropriation for any project or activity provided for in this section, or (b) the enactment into law of the applicable appropriations Act without any provision for such project or activity, or (c) March 15, 1996, whichever first occurs.

SEC. 127. Notwithstanding any other provision of this title of this Act except section 106, projects and activities under the account heading ''Salaries and expenses'' under the National Labor Relations Board shall be subject to the provisions of section 112 of Public Law 104–56.

SEC. 128. None of the funds made available by Public Law 104–91 may be used for—

(1) the creation of a human embryo or embryos for research purposes; or

(2) research in which a human embryo or embryos are destroyed, discarded, or knowingly subjected to risk of injury or death greater than that allowed for research on fetuses in utero under 45 CFR 46.208(a)(2) and 42 U.S.C. 289g(b).

For purposes of this section, the phrase ''human embryo or embryos'' shall include any organism, not protected as a human subject under 45 CFR 46 as of the date of enactment of this Act, that is derived by fertilization, parthenogenesis, cloning, or any other means from one or more human gametes.

SEC. 129. TECHNICAL AMENDMENT TO PROHIBITION OF GRANTS FOR 501(c)(4) ORGANIZATIONS ENGAGING IN LOBBYING ACTIVITIES.

(a) IN GENERAL.—Section 18 of the Lobbying Disclosure Act of 1995 is amended by striking ''award, grant, contract, loan, or any other form'' and inserting ''award, grant, or loan''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect as if included in the Lobbying Disclosure Act of 1995 on the date of the enactment of such Act.

SEC. 130. No funds appropriated under this or any other Act shall be used to review or modify sourcing areas previously approved under section 490(c)(3) of the Forest Resources Conservation and Shortage Relief Act of 1990 (Public Law 101–382) or to enforce or implement Federal regulations 36 CFR part 223 promulgated on September 8, 1995. The regulations and interim rules in effect prior to September 8, 1995 (36 CFR 223.48, 36 CFR 223.87, 36 CFR 223 Subpart D, 36 CFR 223 Subpart F, and 36 CFR 261.6) shall remain in effect. The Secretary of Agriculture or the Secretary of the Interior shall not adopt any policies concerning Public Law 101–382 or existing regulations that would restrain domestic transportation or processing of timber from private lands or impose additional accountability requirements on any timber. The Secretary of Commerce shall extend until September 30, 1996, the order issued under section 491(b)(2)(A) of Public Law 101–382 and shall issue an order under section 491(b)(2)(B) of such law that will be effective October 1, 1996.

SEC. 131. Notwithstanding any other provision of this Act, an additional $2,000,000 is hereby appropriated for the National Park Service, Park Service construction for repair of flood damage to the Chesapeake and Ohio Canal National Historical Park.

TITLE II—DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS

SEC. 201. (a) Such amounts as may be necessary under the authority and conditions provided in the applicable appropriations Act for the fiscal year 1995 for projects or activities, except for those projects and activities provided for in Public Law 104–91 and Public Law 104–92, including costs of direct loans and loan guarantees (not otherwise specifically provided for in this Act) at a rate for operations provided for in the conference report and joint explanatory statement of the Committee of Conference, House Report 104–378, on the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1996 (H.R. 2076), as passed the House of Representatives on December 6, 1995, notwithstanding section 15 of the State Department Basic Authorities Act of 1956, section 701 of the United States Information and Educational Exchange Act of 1948, section 313 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (Public Law 103–236), and section 53 of the Arms Control and Disarmament Act: *Provided,* That, notwithstanding any other provision of this title of this Act, the rate for operations only for program administration and the continuation of grants awarded in fiscal year 1995 and prior years of the Advanced Technology Program of the National Institute of Standards and Technology, and the rate for operations for the Ounce of Prevention Council, Drug Courts, Global Learning and Observations to Benefit the Environment and for the Cops on the Beat Program may be increased up to a level of 75 per centum of the final fiscal year 1995 appropriated amount: *Provided further,* That, under the previous proviso, no contracts or grants shall be awarded in excess of an amount that bears the same ratio to the rate for operations provided by the previous proviso as the number of days covered by this resolution bears to 366: *Provided further,* That any costs incurred by a Department or agency funded under this subsection resulting from personnel actions taken in response to funding reductions resulting from this Act shall be absorbed within the total budgetary resources available to such Department or agency: *Provided further,* That the authority to transfer funds between appropriations accounts as may be necessary to carry out the preceding proviso is provided in addition to authorities provided elsewhere in this subsection: *Provided further,* That funds to carry out the preceding two provisos shall not be available for obligation or expenditure except in compliance with established reprogramming procedures: *Provided further,* That, notwithstanding any other provision of this title of this Act, the amount of funds obligated or expended by the Legal Services Corporation shall not exceed an amount that bears the same ratio to the rate for operations available to the Legal Services Corporation as the number of days covered by this resolution bears to 366: *Provided further,* That, notwithstanding any other provision of this title of this Act, funding provided for Violent Offender Incarceration and Truth in Sentencing Incentive Grants, with the exception of funds available to States for incarceration of criminal aliens and the Cooperative Agreement Program, shall be withheld, pending enactment of revisions to subtitle A of title II of the Violent Crime Control and Law Enforcement Act of 1994, so as not to impinge upon final funding prerogatives: *Provided further,* That, notwithstanding any other provision of this title of this Act, sufficient funds shall be provided to continue the Office of Inspector General of the United States Information Agency, to be derived from funds otherwise available to the Office of Inspector General of the Department of State.

DEPARTMENTS OF VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT, AND INDEPENDENT AGENCIES APPROPRIATIONS

(b) Such amounts as may be necessary under the authority and conditions provided in the applicable appropriations Act for the fiscal year 1995 for continuing projects or activities, except for those projects and activities provided for in Public Law 104–91 and Public Law 104–92, including the costs of direct loans and loan guarantees (not otherwise specifically provided for in this Act) at a rate for operations provided for in the conference report and joint explanatory statement of the Committee of Conference, House Report 104–384, on the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1996 (H.R. 2099), as passed the House of Representatives on December 7, 1995: *Provided,* That Senate amendment 63 shall be disposed of in the manner passed by the House on December 7, 1995, as if enacted into law: *Provided further,* That, notwithstanding any other provision of this title of this Act, the rate for operations for the Corporation for National and Community Service, the Community Development Financial Institutions Fund, and the Office of Consumer Affairs may be increased up to a level of 75 per centum of the fiscal year 1995 level: *Provided further,* That, under the previous proviso, no new contracts or grants

shall be awarded in excess of an amount that bears the same ratio to the rate for operations provided by the previous proviso as the number of days covered by this resolution bears to 366: *Provided further,* That the penultimate proviso under the heading ''General Operating Expenses'' and sections 107 and 109 under the heading ''Administrative Provisions'' in the Department of Veterans Affairs are effective to the extent and in the manner, notwithstanding any other provision of this Act, provided for in the conference report and joint explanatory statement of the Committee of Conference (House Report 104–384) on the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1996 (H.R. 2099), as passed by the House of Representatives on December 7, 1995.

SEC. 202. Unless otherwise provided for in this title of this Act or in the applicable appropriations Act, appropriations and funds made available and authority granted pursuant to this title of this Act shall be available until (a) the enactment into law of an appropriation for any project or activity provided for in this title of this Act, or (b) the enactment into law of the applicable appropriations Act by both Houses without any provision for such project or activity, or (c) March 15, 1996, whichever first occurs.

SEC. 203. Appropriations made and authority granted pursuant to this title of this Act shall cover all obligations or expenditures incurred for any program, project, or activity during the period for which funds or authority for such project or activity are available under this title of this Act.

SEC. 204. Expenditures made pursuant to this title of this Act shall be charged to the applicable appropriation, fund, or authorization whenever a bill in which such applicable appropriation, fund, or authorization is contained is enacted into law.

SEC. 205. Appropriations made by section 201 shall be available to the extent and in the manner which would be provided by the pertinent appropriations Act.

SEC. 206. No provision in the appropriations Act for the fiscal year 1996 referred to in section 201 of this Act that makes the availability of any appropriation provided therein dependent upon the enactment of additional authorizing or other legislation shall be effective before the date set forth in section 202(c) of this Act.

SEC. 207. Appropriations and funds made available by or authority granted pursuant to this title of this Act may be used without regard to the time limitations for submission and approval of apportionments set forth in section 1513 of title 31, United States Code, but nothing herein shall be construed to waive any other provision of law governing the apportionment of funds.

SEC. 208. Public Law 104–92 is amended by repealing Title II and by inserting in section 101(a) after the paragraph ending with ''under the Railroad Retirement Board;'' the following paragraphs: ''All activities, including administrative and beneficiary travel expenses of all veterans benefit programs, necessary for the provision of veterans benefits funded in the Department of Veterans Affairs under the headings ''Compensation and pensions'', ''Readjustment benefits'', ''Veterans insurance and indemnities'', ''Guaranty and indemnity program account'', ''Loan guaranty program account'', ''Direct loan program account'', ''Education loan fund program account'', ''Vocational rehabilitation loans program account'', ''Native American veteran housing loan program account'', and ''Administrative provisions, SEC. 107'' to the extent and in the manner and at the rate of operations, notwithstanding any other provision of this joint resolution, provided for in the conference report and joint explanatory statement of the Committee of Conference (House Report 104–384) on the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1996 (H.R. 2099), as passed by the House of Representatives on December 7, 1995;

All payments to contractors of the Veterans Health Administration of the Department of Veterans Affairs for goods and services that directly relate to patient health and safety to the extent and in the manner and at the rate for operations, notwithstanding any other provision of this joint resolution, provided for in the conference report and joint explanatory statement of the Committee of Conference (House Report 104–384) on the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1996 (H.R. 2099), as passed by the House of Representatives on December 7, 1995;''.

SEC. 209. Notwithstanding any other provision of this title of this Act, except section 202, the amount made available to the Securities and Exchange Commission, under the heading Salaries and Expenses, shall include, in addition to direct appropriations, the amount it collects under the fee rate and offsetting collection authority contained in Public Law 103–352, which fee rate and offsetting collection authority shall remain in effect during the period of this title of this Act.

SEC. 210. Notwithstanding any other provision of this title of this Act, except section 202, funds for the Environmental Protection Agency shall be made available in the appropriation accounts which are provided in H.R. 2099 as reported on September 13, 1995.

SEC. 211. Public Law 104–91 is amended by inserting after the words ''the protection of the Federal judiciary'' in section 101(a), the following: ''to the extent and in the manner and'', and by inserting at the end of the paragraph containing those words, but before the semicolon, the following: '': *Provided,* That, with the exception of section 114, the General Provisions for the Department of Justice included in Title I of the aforementioned conference report are hereby enacted into law''.

SEC. 212. Notwithstanding any other provision of law or regulation, the National Aeronauties and Space Administration shall convey, without reimbursement, to the State of Mississippi, all rights, title and interest of the United States in the property known as the Yellow Creek Facility and consisting of approximately 1,200 acres near the city of Iuka, Mississippi, including all improvements thereon and also including any personal property owned by NASA that is currently located on-site and which the State of Mississippi requires to facilitate the transfer: *Provided,* That appropriated funds shall be used to effect this conveyance: *Provided further,* That $10,000,000 in appropriated funds otherwise available to the National Aeronautics and Space Administration shall be transferred to the State of Mississippi to be used in the transition of the facility: *Provided further,* That each Federal agency with prior contact to the site shall remain responsible for any and all environmental remediation made necessary as a result of its activities on the site: *Provided further,* That in consideration of this conveyance, the National Aeronautics and Space Administration may require such other terms and conditions as the Administrator deems appropriate to protect the interests of the United States: *Provided further,* That the conveyance of the site and the transfer of the funds to the State of Mississippi shall occur not later than thirty days from the date of enactment of this Act.

SEC. 213. Notwithstanding any other provision of this title of this Act except section 202, projects and activities under the account heading ''Council on Environmental Quality and Office of Environmental Quality'' shall be subject to the provisions of section 112 of Public Law 104–56.

SEC. 214. Notwithstanding any other provision of this title of this Act, except section 202, whenever the rate for operations for any continuing project or activity provided by section 201 for which there is a budget request would result in a furlough of Government employees, that rate for operations may be increased to the minimum level that would enable the furlough to be avoided. No new contracts or grants shall be awarded in excess of an amount that bears the same ratio to the rate for operations provided by this section as the number of days covered by this resolution bears to 366: *Provided further,* That the first sentence of section 214 shall not apply except to furloughs that exceed one workday per pay period for the affected workforce during the period of January 26, 1996 through March 15, 1996.

TITLE III—FOREIGN OPERATIONS EXPORT FINANCING, AND RELATED PROGRAMS APPROPRIATIONS

SEC. 301. Such amounts as may be necessary for programs, projects, or activities provided for in the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1996 (H.R. 1868), at a rate for operations and to the extent and in the manner provided for in the conference report and joint explanatory statement of the Committee of Conference (House Report 104–295) as passed by the House of Representatives on October 31, 1995, as if enacted into law, notwithstanding any other provision of this title of this Act: *Provided,* That Senate amendment numbered 115 shall be disposed of as follows, as if enacted into law:

In lieu of the matter proposed by the Senate in amendment numbered 115, insert the following:

AUTHORIZATION OF POPULATION PLANNING

SEC. 518A. Notwithstanding section 526 of this Act, none of the funds made available in this Act for population planning activities or other population assistance pursuant to section 104(b) of the Foreign Assistance Act or any other provision of law, or funds made available in title IV of this Act as a contribution to the United Nations Population Fund (UNFPA) may be obligated or expended prior to July 1, 1996, unless such funding is expressly authorized by law: *Provided,* That if such funds are not authorized by law prior to July 1, 1996, funds appropriated in title II of this Act for population planning activities or other population assistance may be made available for obligation and expenditure in an amount not to exceed 65 percent of the total amount appropriated or otherwise made available by P.L. 103–306 and P.L. 104–19 for such activities for fiscal year 1995, and funds appropriated in title IV of this Act as a contribution to the United Nations Population Fund (UNFPA) may be made available for obligation and expenditure in an amount not to exceed 65 percent of the total amount appropriated or otherwise made available by P.L. 103–306 and P.L. 104–19 for a contribution to UNFPA for fiscal year 1995: *Provided further,* That, pursuant to the previous proviso, such funds may be apportioned only on a monthly basis, beginning July 1, 1996 and ending September 30, 1997, and such monthly apportionments may not exceed 6.67 percent of the total available for such activities: *Provided further,* That notwithstanding any other provision of this Act, funds appropriated by this Act for the United Nations Population Fund (UNFPA) shall remain available for obligation until September 30, 1997.

SEC. 302. Unless otherwise provided for in this title of this Act or in the applicable appropriations Act, appropriations and funds made available and authority granted pursuant to this title of this Act shall be available until (a) the enactment into law of an appropriation for any project or activity provided for in this title of this Act, or (b) the enactment into law of the applicable appropriations Act by both Houses without any provision for such project or activity, or (c) September 30, 1996, whichever first occurs.

SEC. 303. Appropriations made and authority granted pursuant to this title of this Act shall cover all obligations or expenditures incurred for any program, project, or activity during the period for which funds or authority for such project or activity are available under this title of this Act.

SEC. 304. Expenditures made pursuant to this title of this act shall be charged to the applicable appropriation, fund, or authorization whenever a bill in which such applicable appropriation, fund, or authorization is contained is enacted into law.

TITLE IV—HOUSING AND URBAN DEVELOPMENT

SEC. 401. During fiscal year 1996, the Secretary of Housing, and Urban Development may manage and dispose of multifamily properties owned by the Secretary, including the provision for grants form the General Insurance Fund (12 U.S.C. 1735c) for the necessary costs of rehabilitation and other related development costs and multifamily mortgages held by the Secretary without regard to any other provision of law.

PUBLIC AND ASSISTED HOUSING RENTS, INCOME ADJUSTMENTS, AND PREFERENCES

SEC. 402. (a) MINIMUM RENTS.—Notwithstanding sections 3(a) and 8(o)(2) of the United States Housing Act of 1937, as amended, effective for fiscal year 1996 and no later than October 30, 1995—

(1) public housing agencies shall require each family who is assisted under the certificate or moderate rehabilitation program under section 8 of such Act to pay a minimum monthly rent of not less than $25, and may require a minimum monthly rent of up to $50;

(2) public housing agencies shall reduce the monthly assistance payment on behalf of each family who is assisted under the voucher program under section 8 of such Act so that the family pays a minimum monthly rent of not less than $25, and may require a minimum monthly rent of up to $50;

(3) with respect to housing assisted under other programs for rental assistance under section 8 of such Act, the Secretary shall require each family who is assisted under such program to pay a minimum monthly rent of not less than $25 for the unit, and may require a minimum monthly rent of up to $50; and

(4) public housing agencies shall require each family who is assisted under the public housing program (including public housing for Indian families) of such Act to pay a minimum monthly rent of not less than $25, and may require a minimum monthly rent of up to $50.

(b) ESTABLISHMENT OF CEILING RENTS.—

(1) Section 3(a)(2) of the United States Housing Act of 1937 is amended to read as follows:

''(2) Notwithstanding paragraph (1), a public housing agency may—

''(A) adopt ceiling rents that reflect the reasonable market value of the housing, but that are not less than the monthly costs—

''(i) to operate the housing of the agency; and

''(ii) to make a deposit to a replacement reserve (in the sole discretion of the public housing agency); and

''(B) allow families to pay ceiling rents referred to in subparagraph (A), unless, with respect to any family, the ceiling rent established under this paragraph would exceed the amount payable as rent by that family under paragraph (1).''.

(2) REGULATIONS.—

(A) IN GENERAL.—The Secretary shall, by regulation, after notice and an opportunity for public comment, establish such requirements as may be necessary to carry out section 3(a)(2)(A) of the United States Housing Act of 1937, as amended by paragraph (1).

(B) TRANSITION RULE.—Prior to the issuance of final regulations under paragraph (1), a public housing agency may implement ceiling rents, which shall be not less than the monthly costs to operate the housing of the agency and—

(i) determined in accordance with section 3(a)(2)(A) of the United States Housing Act of 1937, as that section existed on the day before enactment of this Act;

(ii) equal to the 95th percentile of the rent paid for a unit of comparable size by tenants in the same public housing project or a group of comparable projects totaling 50 units or more; or

(iii) equal to the fair market rent for the area in which the unit is located.

(c) DEFINITION OF ADJUSTED INCOME.—Section 3(b)(5) of the United States Housing Act of 1937 is amended—

(1) at the end of subparagraph (F), by striking ''and'';

(2) at the end of subparagraph (G), by striking the period and inserting ''; and''; and

(3) by inserting after subparagraph (G) the following:

''(H) for public housing, any other adjustments to earned income established by the public housing agency. If a public housing agency adopts other adjustments to income pursuant to subparagraph (H), the Secretary shall not take into account any reduction of or increase in the public housing agency's per unit dwelling rental income resulting from those adjustments when calculating the contributions under section 9 for the public housing agency for the operation of the public housing.''.

(d) REPEAL OF FEDERAL PREFERENCES.—

(1) PUBLIC HOUSING.—Section 6(c)(4)(A) of the United States Housing Act of 1937 (42 U.S.C. 1437d(c)(4)(A)) is amended to read as follows:

''(A) the establishment, after public notice and an opportunity for public comment, of a written system of preferences for admission to public housing, if any, that is not inconsistent with the comprehensive housing affordability strategy under title I of the Cranston-Gonzalez National Affordable Housing Act;''.

(2) SECTION 8 EXISTING AND MODERATE REHABILITATION.—Section 8(d)(1)(A) of the United States Housing Act of 1937 (42 U.S.C. 1437f(d)(1)(A)) is amended to read as follows:

''(A) the selection of tenants shall be the function of the owner, subject to the provisions of the annual contributions contract between the Secretary and the agency, except that for the certificate and moderate rehabilitation programs only, for the purpose of selecting families to be assisted, the public housing agency may establish, after public notice and an opportunity for public comment, a written system of preferences for selection that is not inconsistent with the comprehensive housing affordability strategy under title I of the Cranston-Gonzalez National Affordable Housing Act;''.

(3) SECTION 8 VOUCHER PROGRAM.—Section 8(o)(3)(B) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)(3)(B)) is amended to read as follows:

''(B) For the purpose of selecting families to be assisted under this subsection, the public housing agency may establish, after public notice and an opportunity for public comment, a written system of preferences for selection that is not inconsistent with the comprehensive housing affordability strategy under title I of the Cranston-Gonzalez National Affordable Housing Act.''.

(4) SECTION 8 NEW CONSTRUCTION AND SUBSTANTIAL REHABILITATION.—

(A) REPEAL.—Section 454(c) of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 1437f note) is amended to read as follows:

''(c) [Reserved.]''.

(B) PROHIBITION.—Notwithstanding any other provision of law, no Federal tenant selection preferences under the United States Housing Act of 1937 shall apply with respect to—

(i) housing constructed or substantially rehabilitated pursuant to assistance provided under section 8(b)(2) of the United States Housing Act of 1937 (as such section existed on the day before October 1, 1983); or

(ii) projects financed under section 202 of the Housing Act of 1959 (as such section existed on the day before the date of enactment of the Cranston-Gonzalez National Affordable Housing Act).

(5) RENT SUPPLEMENTS.—Section 101(k) of the Housing and Urban Development Act of 1965 (12 U.S.C. 1701s(k)) is amended to read as follows:

''(k) [Reserved.]''.

(6) CONFORMING AMENDMENTS.—

(A) UNITED STATES HOUSING ACT OF 1937.—The United States Housing Act of 1937 (42 U.S.C. 1437 et seq.) is amended—

(i) in section 6(o), by striking ''preference rules specified in'' and inserting ''written system of preferences for selection established pursuant to'';

(ii) in the second sentence of section 7(a)(2), by striking ''according to the preferences for occupancy under'' and inserting ''in accordance with the written system of preferences for selection established pursuant to'';

(iii) in section 8(d)(2)(A), by striking the last sentence;

(iv) in section 8(d)(2)(H), by striking ''Notwithstanding subsection (d)(1)(A)(i), an'' and inserting ''An'';

(v) in section 16(c), in the second sentence, by striking ''the system of preferences established by the agency pursuant to section 6(c)(4)(A)(ii)'' and inserting ''the written system of preferences for selection established by the public housing agency pursuant to section 6(c)(4)(A)''; and

(vi) in section 24(e)—

(I) by striking ''(e) EXCEPTIONS'' and all that follows through ''The Secretary may'' and inserting the following:

''(e) EXCEPTIONS TO GENERAL PROGRAM REQUIREMENTS.—The Secretary may''; and

(II) by striking paragraph (2).

(B) CRANSTON-GONZALEZ NATIONAL AFFORDABLE HOUSING ACT.—Section 522(f)(6)(B) of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12704 et seq.) is amended by striking ''any preferences for such assistance under section 8(d)(1)(A)(i)'' and inserting ''the written system of preferences for selection established pursuant to section 8(d)(1)(A).''

(C) HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1992.—Section 655 of the Housing and Community Development Act of 1992 (42 U.S.C. 13615) is amended by striking ''the preferences'' and all that follows up to the period at the end and inserting ''any preferences''.

(D) REFERENCES IN OTHER LAW.—Any reference in any Federal law other than any provision of any law amended by paragraphs (1) through (5) of this subsection to the preferences for assistance under section

6(c)(4)(A)(i), 8(d)(1)(A)(i), or 8(o)(3)(B) of the United States Housing Act of 1937 (as such sections existed on the day before the date of enactment of this Act) shall be considered to refer to the written system of preferences for selection established pursuant to section 6(c)(4)(A), 8(d)(1)(A), or 8(o)(3)(B), respectively, of the United States Housing Act of 1937, as amended by this section.

(e) APPLICABILITY.—In accordance with section 201(b)(2) of the United States Housing Act of 1937, the amendments made by subsection (a), (b), (c), (d), and (f) of this section shall also apply to public housing developed or operated pursuant to a contract between the Secretary of Housing and Urban Development and an Indian housing authority.

(4) This section shall be effective upon the enactment of this Act and only for fiscal year 1996.

SECTION 8 FAIR MARKET RENTALS, ADMINISTRATIVE FEES, AND DELAY IN REISSUANCE

to a contract between the Secretary of Housing and Urban Development and an Indian housing authority.

SEC. 403. (a) FAIR MARKET RENTALS.—The Secretary shall establish fair market rentals for purposes of section 8(c)(1) of the United States Housing Act of 1937, as amended, that shall be effective for fiscal year 1996 and shall be based on the 40th percentile rent of rental distributions of standard quality rental housing units. In establishing such fair market rentals, the Secretary shall consider only the rents for dwelling units occupied by recent movers and may not consider the rents for public housing dwelling units or newly constructed rental dwelling units.

(b) ADMINISTRATIVE FEES.—Notwithstanding sections 8(q) (1) and (4) of the United States Housing Act of 1937, for fiscal year 1996, the fee for each month for which a dwelling unit is covered by an assistance contract under the certificate, voucher, or moderate rehabilitation program under section 8 of such Act shall be equal to the monthly fee payable for fiscal year 1995: *Provided,* That this subsection shall be applicable to all amounts made available for such fees during fiscal year 1996, as if in effect on October 1, 1995.

(c) DELAY REISSUANCE OF VOUCHERS AND CERTIFICATES.—Notwithstanding any other provision of law, a public housing agency administering certificate or voucher assistance provided under subsection (b) or (o) of section 8 of the United States Housing Act of 1937, as amended, shall delay for 3 months, the use of any amounts of such assistance (or the certificate or voucher representing assistance amounts) made available by the termination during fiscal year 1996 of such assistance on behalf of any family for any reason, but not later than October 1, 1996; with the exception of any certificates assigned or committed to project-based assistance as permitted otherwise by the Act, accomplished prior to the effective date of this Act.

REPEAL OF PROVISIONS REGARDING INCOME DISREGARDS

SEC. 404. (a) MAXIMUM ANNUAL LIMITATION ON RENT INCREASES RESULTING FROM EMPLOYMENT.—Section 957 of the Cranston-Gonzalez National Affordable Housing Act is hereby repealed, retroactive to November 28, 1990, and shall be of no effect.

(b) ECONOMIC INDEPENDENCE.—Section 923 of the Housing and Community Development Act of 1992 is hereby repealed, retroactive to October 28, 1992, and shall be of no effect.

SECTION 8 CONTRACT RENEWALS

SEC. 405. (a) For fiscal year 1996 and henceforth, the Secretary of Housing and Urban Development may use amounts available for the renewal of assistance under section 8 of the United States Housing Act of 1937, upon termination or expiration of a contract for assistance under section 8 of such Act of 1937 (other than a contract for tenant-based assistance and notwithstanding section 8(v) of such Act for loan management assistance), to provide assistance under section 8 of such Act, subject to the Section 8 Existing Fair Market Rents, for the eligible families assisted under the contracts at expiration or termination, which assistance shall be in accordance with terms and conditions prescribed by the Secretary.

(b) Notwithstanding subsection (a) and except for projects assisted under section 8(e)(2) of the United States Housing Act of 1937 (as it existed immediately prior to October 1, 1991), at the request of the owner, the Secretary shall renew for a period of one year contracts for assistance under section 8 that expire or terminate during fiscal year 1996 at the current rent levels.

(c) Section 8(v) of the United States Housing Act of 1937 is amended to read as follows: ''The Secretary may extend expiring contracts entered into under this section for project-based loan management assistance to the extent necessary to prevent displacement of low-income families receiving such assistance as of September 30, 1996.''.

(d) Section 236(f) of the National Housing Act (12 U.S.C. 1715z–1(f)) is amended:

(1) by striking the second sentence in paragraph (1) and inserting in lieu thereof the following: ''The rental charge for each dwelling unit shall be at the basic rental charge or such greater amount, not exceeding the lower of (i) the fair market rental charge determined pursuant to this paragraph, or (ii) the fair market rental established under section 8(c) of the United States Housing Act of 1937 for the market area in which the housing is located, as represents 30 per centum of the tenant's adjusted income,''; and

(2) by striking paragraph (6).''.

EXTENSION OF HOME EQUITY CONVERSION MORTGAGE PROGRAM

SEC. 406. Section 255(g) of the National Housing Act (12 U.S.C. 1715z–20(g)) is amended—

(1) in the first sentence, by striking ''September 30, 1995'' and inserting ''September 30, 1996''; and

(2) in the second sentence, by striking ''25,000'' and inserting ''30,000''.

FHA SINGLE-FAMILY ASSIGNMENT PROGRAM REFORM

SEC. 407. (a) FORECLOSURE AVOIDANCE.—Except as provided in subsection (e), the last sentence of section 204(a) of the National Housing Act (12 U.S.C. 1710(a)) is amended by inserting before the period the following: ''*: And provided further,* That the Secretary may pay insurance benefits to the mortgagee to recompense the mortgagee for its actions to provide an alternative to the foreclosure of a mortgage that is in default, which actions may include special foreclosure, loan modification, and deeds in lieu of foreclosure, all upon terms and conditions as the mortgagee shall determine in the mortgagee's sole discretion, within guidelines provided by the Secretary, but which may not include assignment of a mortgage to the Secretary: *And provided further,* That for purposes of the preceding proviso, no action authorized by the Secretary and no action taken, nor any failure to act, by the Secretary or the mortgagee shall be subject to judicial review.''.

(b) AUTHORITY TO ASSIST MORTGAGORS IN DEFAULT.—Except as provided in subsection (e), section 230 of the National Housing Act (12 U.S.C. 1715u) is amended to read as follows:

''AUTHORITY TO ASSIST MORTGAGORS IN DEFAULT

''SEC. 230. (a) PAYMENT OF PARTIAL CLAIM.—The Secretary may establish a program for payment of a partial claim to a mortgagee that agrees to apply the claim amount to payment of a mortgage on a 1- to 4-family residence that is in default. Any such payment under such program to the mortgagee shall be made in the sole discretion of the Secretary and on terms and conditions acceptable to the Secretary, except that—

''(1) the amount of the payment shall be in an amount determined by the Secretary, not to exceed an amount equivalent to 12 of the monthly mortgage payments and any costs related to the default that are approved by the Secretary; and

''(2) the mortgagor shall agree to repay the amount of the insurance claim to the Secretary upon terms and conditions acceptable to the Secretary.

The Secretary may pay the mortgagee, from the appropriate insurance fund, in connection with any activities that the mortgagee is required to undertake concerning repayment by the mortgagor of the amount owed to the Secretary.

''(b) ASSIGNMENT.—

''(1) PROGRAM AUTHORITY.—The Secretary may establish a program for assignment to the Secretary, upon request of the mortgagee, of a mortgage on a 1- to 4-family residence insured under this Act.

''(2) PROGRAM REQUIREMENTS.—The Secretary may accept assignment of a mortgage under a program under this subsection only if—

''(A) the mortgage was in default;

''(B) the mortgagee has modified the mortgage to cure the default and provide for mortgage payments within the reasonable ability of the mortgagor to pay, at interest rates not exceeding current market interest rates; and

''(C) the Secretary arranges for servicing of the assigned mortgage by a mortgagee (which may include the assigning mortgagee) through procedures that the Secretary has determined to be in the best interests of the appropriate insurance fund.

''(3) PAYMENT OF INSURANCE BENEFITS.—Upon accepting assignment of a mortgage under a program established under this subsection, the Secretary may pay insurance benefits to the mortgagee from the appropriate insurance fund, in an amount that the Secretary determines to be appropriate, not to exceed the amount necessary to compensate the mortgagee for the assignment and any losses and expenses resulting from the mortgage modification.

''(c) PROHIBITION OF JUDICIAL REVIEW.—No decision by the Secretary to exercise or forego exercising any authority under this section shall be subject to judicial review.

''(d) SAVINGS PROVISION.—Any mortgage for which the mortgagor has applied to the Secretary, before the date of enactment of the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1996, for assignment pursuant to subsection (b) of this section as in effect before such date of enactment shall continue to be governed by the provisions of this section, as in effect immediately before such date of enactment.

''(e) APPLICABILITY OF OTHER LAWS.—No provision of this Act, or any other law, shall be construed to require the Secretary to provide an alternative to foreclosure for mortgagees with mortgages on 1- to 4-family residences insured by the Secretary under this Act, or to accept assignments of such mortgages.''.

(c) APPLICABILITY OF AMENDMENTS.—Except as provided in subsection (e), the amendments made by subsections (a) and (b) shall apply only with respect to mortgages insured under the National Housing Act that are originated before October 1, 1995.

(d) REGULATIONS.—Not later than 60 days after the date of enactment of this Act, the

Secretary of Housing and Urban Development shall issue interim regulations to implement this section and the amendments made by this section.

(e) EFFECTIVENESS AND APPLICABILITY.—If this Act is enacted after the date of enactment of the Balanced Budget Act of 1995—

(1) subsections (a), (b), (c), and (d) of this section shall not take effect; and

(2) section 2052(c) of the Balanced Budget Act of 1995 is amended by striking ''that are originated on or after October 1, 1995'' and inserting in lieu thereof ''that are originated before, during, and after fiscal year 1996.''.

This Act may be cited as ''The Balanced Budget Downpayment Act, I''.

The SPEAKER pro tempore. Pursuant to the order of the House of today, the gentleman from Louisiana [Mr. LIVINGSTON] will be recognized for 30 minutes, and the gentleman from Wisconsin [Mr. OBEY] will be recognized for 30 minutes.

The Chair recognized the gentleman from Louisiana [Mr. LIVINGSTON].

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

Mr. Speaker, once again I want to commend the gentleman from Wisconsin [Mr. OBEY], my colleague and the distinguished ranking member on the committee, for working closely with me to make sure that we had a bill that would not only pass this House, but will pass the other body and go to the President and, in fact, will be signed into law so the Government can continue.

Mr. Speaker, I am particularly pleased that although this was a hard-fought negotiation, it is one that we can all go back to our respective constituencies and be proud of. And I hope, that it will also lead to a long-term solution, so that we do not have to close down the Government or send more agency employees out to the streets while we conduct our business.

The fact is that seven appropriations bills have been signed into law for the current fiscal year, fiscal year 1996. In addition, the District of Columbia has authority to use local funds through September 30, so all of the programs under those seven bills and the District of Columbia are virtually funded.

We hope to come before the Congress within the next week and pass a District of Columbia bill. So the District of Columbia with provision for a portion of the Federal payment in this bill, but for the purposes of the remaining five appropriations bills, they are covered in one fashion or another by this Balanced Budget Donwpayment Act.

Mr. Speaker, the activities in two appropriations acts are provided for through March 15. That is the operative date at the level of funding specified in the respective fiscal year 1996 conference agreements, but under the terms and conditions provided for, as I pointed out to the gentlewoman from Texas, in the applicable fiscal year 1995 Appropriations act. They are the Commerce, Justice, State, and Judiciary; and the VA–HUD bills.

The Foreign Operations bill, which has passed this House on numerous occasions in one form or another, is likewise provided for in its entirety through September 30, not March 15, at the level specified in the conference agreement and under the terms and conditions of that agreement as if enacted into law.

Funding for population planning activities, or funds made available to the U.N. Population Fund, are not made available for expenditure unless authorized prior to July 1, 1996. If an authorization is not enacted by that date, then no more than 65 percent of the current rate may then be obligated.

In addition to those three bills, the activities in the following two appropriations bills, the Labor-HHS and Education bill and the Interior and related agencies bill, are provided for also through March 15, but at a level of funding that is the lower of either the House-passed, the Senate passed, or fiscal year 1995 current rate, but under the terms and conditions provided for in the applicable 1995 Appropriations Act.

Programs that were terminated or would be severely impacted may be funded at a rate of operations not to exceed 75 percent of the current rate. That is a 75 percent cap.

In addition, the following programs are funded at levels not to exceed 75 percent of the current rate of operations. They a re specifically picked out. Those are AmeriCorps, ATP, Cops on the Beat, Ounce of Prevention Council, Drug Courts, Community Development Financial Institutions, and the Office of Consumer Affairs.

The bill would provide a restriction that would prohibit excessive travel by Cabinet-level Secretaries, except State, Defense, CIA, and the U.S. Ambassador to the United Nations, for obvious reasons involving national security. That level would be arrived at by computing 110 percent of the average of travel expenditures made by the Secretaries of those Departments between the years 1990 and 1995.

Let me stress, even though only certain bills are covered in this Balanced Budget Downpayment Act, I, the fact is the travel of all of the Secretaries, all of the Cabinet Secretaries, other than State, Defense, CIA, and U.S. Ambassador to the United Nations, will actually be covered by this provision. So if their travel expenditures exceed 110 percent of the mean of Secretarial travel between 1990 and 1995, they could well be in trouble and would be told by the U.S. Congress through this provision to stop traveling. I would like to restate that. They could be, and they will be.

Section 128 of the bill prohibits the use of funds for embryo research, and the bill also increases the maximum Pell grant award to at least $2,440 per individual.

I would like to pause on that. I know the gentleman from Pennsylvania [Mr. GOODLING] is keenly concerned about this. I would like to tell the gentleman and any others that are concerned about it that we have reached an agreement that can be confirmed by the gentleman from Wisconsin [Mr. OBEY], that the $2,440 per individual is a figure that is not intended by the administration to be exceeded unless there is agreement among all of the parties on both sides, Democrat and Republican, with the White House, and with the Department of Education.

That was emphatically repeated to us, the gentleman from Wisconsin and to myself, within the last hour. And I know the gentleman from Pennsylvania is here, and I would like to yield to the gentleman from Wisconsin for his understanding on that conversation.

Mr. OBEY. Mr. Speaker, I would like to say that the gentleman is correct. We had conversation with the President's chief of staff, Mr. Panetta, and he indicated although the administration certainly would like to go above the $2,440 level which is presently in the bill, and they want the flexibility for that to be considered, that they in fact have no intention of proceeding with any number that is higher than the one stipulated in this proposal, unless it is mutually agreed upon.

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

Mr. LIVINGSTON. I yield to the gentleman from Pennsylvania.

Mr. GOODLING. Mr. Speaker, I just want to make sure that if we do not have it in blood, we have to understand that any time we go up 100 bucks in a Pell grant, and we have already raised it higher than it has ever been in the history of Pell grants, we are talking about $300 million. If we go up $200, we are talking about $600 million-plus, and that has to come from every other education program, and we have already lost in many other education programs.

Now, when the gentleman says ''the parties have to agree,'' does it come back through committee? What does that mean?

Mr. LIVINGSTON. Mr. Speaker, reclaiming my time, I would say to the gentleman that in our conversations and Mr. Panetta, he swore to us that the administration would not raise the level per pupil under the Pell grants without the joint agreement of the gentleman from Pennsylvania, myself, the gentleman from Wisconsin, the gentleman's counterpart on his committee and counterparts in the Senate.

That is basically the tenor of the conversation I got. And I might add that even the $2,440 per individual which we have provided in this bill and has been provided in the conference report is $100 per individual more than was provided in any previous year. So we have gone up. On Pell grants we will actually expend a tremendous amount more money in the aggregate sense than has ever been provided before in previous years. So nobody can say we are cutting Pell grants.

Mr. OBEY. Mr. Speaker, if the gentleman would yield, I think that sooner or later in this place somebody has to

trust somebody, and while we certainly did not have a long conversion, because we did not have the time to give him, there was a time squeeze on people today, it was very clear and explicit that there would have to be widely reached understanding before any number other than $2,440 would be pursued by the administration. Obviously, knowing Mr. Panetta's integrity, he certainly intends to live up to that agreement.

Mr. GOODLING. Mr. Speaker, if the gentleman would continue to yield, I just want to make sure. I want to make very, very sure that we are thoroughly convinced that the administration understands that they will not publish anything above $2,440, unless they have the permission of those who are negotiating this issue.

Mr. OBEY. That was absolutely my understanding.

Mr. LIVINGSTON. Mr. Speaker, reclaiming my time, it is my understanding as well, I would tell the gentleman.

Moving right along, Mr. Speaker, the bill directs the Architect of the Capitol to sell a House office building that has been declared excess and enacts into law $1.2 billion in legislative savings from the various housing programs under the VA–HUD appropriations bill, as shepherded by the distinguished and very capable gentleman from California [Mr. LEWIS].

It provides for the sale of 7 million barrels of oil from the strategic petroleum reserve, which results in increased Federal revenues of $100 million. There are additional program terminations; in addition to those eight programs that were terminated by an earlier continuing resolution, House Joint Resolution 122, there are 10 programs which I will incorporate in the RECORD which are terminated by this act.

Finally, as was pointed out in one of the reservations of objection to the previous unanimous consent request, the bill proposes to freeze new grant activities at a level not exceed 75 percent of the prior monthly rate for the duration of this continuing resolution for various activities which will be made part of the RECORD. I might add, those activities all come under the Labor and Health and Human Services appropriations bill and, therefore, are already capped at 75 percent funding at the very most, but this would mean on a monthly basis the grants would be frozen at 75 percent of that.

I would point out that with respect to the Interior bill, all programs in the Interior bill will, in fact, be funded at the lowest of the low levels, with the exception of the Park Service, the U.S. Fish and Wildlife Service, the Bureau of Indian Affairs, the Forest Service, The Indian Health Services, and Indian Health Service Facilities, which will be funded at conference levels.

□ 1800

The recent C&O Canal flood damage will be repaired to the tune of $2 million. Programs not at conference levels but at 75 percent include the Cops on the Beat, ATP, Drug Courts, GLOBE, Community Development Financial Institutions Fund, and Office of Consumer Affairs. The NLRB and the Council of Environmental Quality get special rates as well.

There is changed furlough language. The previous continuing resolutions provided enough funding so that we did not have to furlough people. We did not lay people off. Obviously, in view of the passage of time, one-third of the fiscal year, that language is outdated.

We are reducing many agencies and departments by 5 percent, at least 5 percent of their funding. And unless we begin to start to lay off people or furlough them, if necessary, then any savings that we might have received by virtue of the cuts become moot because everybody is still on the job. So it is important that we, in a methodical and careful way, allow the administration to go forward and start to tell those people that they can no longer afford to be carried.

I have to tell Members that the fact is, though, that we have been doing that in a workable fashion. The programs managed by the agencies and departments should not be penalized because we have not been doing it in the past and, therefore, they should not have to double up their efforts to furlough people or RIF people for the second quarter or second third of the year. Instead, we have a reasonable formula arrived at in consultation with the minority and with the administration which allows for a methodical approach in those RIF's or furloughs. So no agency, no department is unduly damaged by this provision.

Mr. Speaker, as I indicated earlier, at this point, I would like to insert a summary of the bill.

H.R. 2880—BALANCED BUDGET DOWNPAYMENT ACT, I

BACKGROUND

Seven Appropriations bills have been signed into law for the full fiscal year; in addition the District of Columbia has authority to use local funds through September 30th.

Numerous ''targeted appropriations'' have been funded through previous continuing resolutions.

LEVELS OF FUNDING PROVIDED IN THIS ACT

The following two Appropriations Acts are provided for, through March 15th, at a level of funding specified in the respective FY 1996 Conference agreements but under the terms and conditions provided for in the applicable FY 1995 Appropriations Act:

COMMERCE—JUSTICE—STATE & THE JUDICIARY—VA—HUD

The Foreign Operations Appropriations Act is provided for, through September 30th, at the level specified in the Conference agreement and under the terms and conditions of that agreement. Funding for population planning activities or funds made available to the UN Population Fund are not available for expenditure unless authorized prior to July 1, 1996. If an authorization is not enacted by that date, then no more than 65 percent of the current rate may be obligated.

The following two Appropriations Acts are provided for, through March 15th, at a level of funding that is the LOWER of either the House passed, Senate passed, or FY 1995 current rate but under the terms and conditions provided for in the applicable FY 1995 Appropriations Act. Programs that were terminated, or would be ''severely impacted'' may be funded at a rate of operations not to exceed 75 percent of the current rate:

LABOR—HHS & EDUCATION—INTERIOR & RELATED AGENCIES—ACTIVITIES FUNDED AT SPECIFIC LEVELS

In addition, the following items are funded at levels not to exceed 75 percent of the current rate of operations:

Americorp, ATP, Cops on the Beat, Ounce of Prevention Council, Drug Courts, Community Development, Financial Institutions, and the Office of Consumer Affairs.

RESTRICTION ON CABINET TRAVEL

The bill provides a restriction that would prohibit excessive travel by cabinet level Secretaries (except State, Defense, CIA & the U.S. Ambassador to the UN) that exceeds 110% of the average of travel expenditures between 1990 and 1995.

LIMITATION ON EMBRYO RESEARCH

Section 128 of the bill prohibits the use of funds for embryo research.

MISCELLANEOUS PROVISIONS

The bill increases the maximum Pell Grant award to $2,440 per individual.

The bill directs the Architect of the Capitol to sell a House Office building that has been declared excess.

The bill enacts into law $1.2 billion in legislative savings from various housing programs in the VA–HUD appropriations bill.

The bill provides for the sale of 7 million barrels of oil from the Strategic Petroleum Reserve, which results in increased federal revenues of $100 million.

ADDITIONAL PROGRAM TERMINATIONS

In addition to the eight programs that were terminated by an earlier continuing resolution (H.J. Res. 122), the following 10 programs are terminated by this Act:

Child Development Associate Scholarships in the Department of Health and Human Services; Dependent Care Planning and Development in the Department of Health and Human Services; Law Related Education in the Department of Education; Dropout Prevention Demonstrations in the Department of Education; Aid for Institutional Development—Endowment Grants in the Department of Education; Aid for Institutional Development—Evaluation in the Department of Education; Native Hawaiian and Alaska Native Cultural Arts; Innovative Projects in Community Service in the Department of Education; Cooperative Education in the Department of Education; and Douglas Teacher Scholarships in the Department of Education.

FREEZE GRANT FUNDING

The bill proposes to freeze new grant activities at a level not to exceed 75% of the prior monthly rate for the duration of this continuing resolution for the following activities:

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Health Resources and Services Administration: Health Resources and Services: Trauma Care, Health Care Facilities.

Assistant Secretary for Health: Office of the Assistant Secretary for Health: National Vaccine Program, Health Care Reform Data Analysis, National AIDS Program Office.

Health Care Financing Administration: Program Management: Essential Access Community Hospitals.

Administration for Children and Families: Children and Families Services Program: Youth Gang Substance Abuse, Advisory Board on Child Abuse and Neglect, Child Welfare Research, Social Services Research, Homeless Service Grants, Community Schools (crime trust fund).

Administration on Aging: Aging Services Programs: Pension Counseling, Federal Council on Aging, White House Conference on Aging.

DEPARTMENT OF EDUCATION

Education for the Disadvantaged: State School Improvement.

School Improvement Programs: Safe & Drug Free Schools & Communities: National Program Women's Educational Equity.

Bilingual and Immigrant Education: Bilingual Education Support Services.

Higher Education: Faculty Development Fellowships, School, College and University Partnerships.

RELATED AGENCIES

Corporation for National and Community Service: Domestic Volunteer Service Programs, Operating Expenses: Senior Demonstration Program, and the National Education Standards and Improvement Council.

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

Mr. OBEY. Mr. Speaker, I yield myself 7 minutes.

Mr. Speaker, I would simply like to urge support for this proposition.

As I said earlier, this is a result of a great deal of bipartisan work with many people involved, and no one who I know agrees with every single recommendation in the bill. I do not. I know the gentleman from Louisiana does not.

But I think by passing this bill we will all meet our higher obligation to keep the Government functioning again for at least the next 45 days, and in the case of at least one bill before us, the foreign operations bill, it will dispose of that bill for the entire year.

I am happy to report to the House, despite deep divisions which normally accompany the issue, we have with the assistance of many people on both sides of the aisle reached agreement on the family planning/abortion cluster of issues, which so often accompany that bill. And we have managed to reach common ground even though we have many differing views about how those issues ought to be handled.

I think we have found a solution which is acceptable to everyone. I would point out there are some concerns about programs such as LIHEAP, which will undoubtedly be raised by the gentleman from Vermont, but I simply want to say that I would urge support. We have had a lot of acrimony over the past several months in this House. This bill should not be an occasion for that acrimony today because it is a reasonable compromise.

I do want to say, however, that I think there are several serious problems with it. I do have strong disagreement with the fact that this level will in fact mean that we are funding education at $3.1 billion less that we were funding it last year. If that were to remain the case for the entire year, it would mean that we would be eventually placing a great additional burden on local property taxpayers, and I do not believe that we ought to be doing that.

I would point out that whether we are talking about school-to-work programs or title I or professional development programs or safe and drug-free schools or Gallaudent University or vocational education, I do not believe that we should be funding these programs at a level which is this low. I hope that we can get agreement down the line to change that.

I do not want to shut down the Government over that. I do not want to shut the Government over that because I do not believe in holding my breath and turning blue every time I lose an argument. But I do think that this is an issue that the House needs to make a choice on. I should announce, therefore, that the distinguished minority whip, the gentleman from Michigan [Mr. BONIOR], will be offering in his recommittal motion a proposition which would return these education programs to the 1995 fiscal year level, which means in essence that it would eliminate the $3.1 billion reduction which we have in these education programs.

Mr. Speaker, I know the President is concerned about that reduced level of funding; certainly we are on this side of the aisle. I know a great many other Members, including Senator KENNEDY, are concerned about it on the Senate side. I would urge support for that recommittal motion when it is offered by the distinguished minority whip. But no matter how that motion goes, I would then urge support for this bill in the interest of demonstrating to the American people that, if we disagree on some basics, we can also agree on some fundamentals. That is what we are supposed to be able to do in a legislative body.

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

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

Mr. SANDERS. Mr. Speaker, I rise to engage in a colloquy with the chairman of the Committee on Appropriations.

Mr. OBEY. Mr. Speaker, reclaiming my time, I would ask the gentleman if he could withhold. I thought the gentleman had a question of me. I will be happy to yield him time. I do not want to be stuck in a triangular colloquy. I agree with the gentleman's concern on the program, the concerns which he has raised.

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

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

Mr. KILDEE. Mr. Speaker, it is my understanding that the Department of Education will be funded at the House-passed level, except for those programs that were not funded by the House, in which case they will be funded at 75 percent. According to my calculations then, that means that, if we were to extend this CR for the rest of the year at that rate of funding, that would be a $3.1 billion cut from 1995.

The gentleman from Pennsylvania, [Mr. GOODLING] knows that we forward fund education, so these dollars are for the school year 1996–97, the school year starting in September. By next month, school districts will be starting to write their budgets for that school year. How in the world will they know how much money they will have when they are threatened with a possible $3.1 billion cut? Will this require in some States like Michigan, where they have to pink slip teachers at a certain time if they feel there will not be enough money, will this require certain States to pink slip teachers?

Mr. OBEY. Mr. Speaker, I cannot answer what it will require in specific States. Let me simply say that I agree with the concerns the gentleman expresses. I do not believe that these are the appropriate levels at which education ought to be funded. I think it will cause a great deal of turmoil at the local level.

Keep in mind that, while the Federal Government only provides a small share of the overall education budget, it provides a very high percentage, well over 50 percent, in virtually all districts, of the cost of meeting the education needs of children who are served by title I. I think that is going to be a big hole in those local school budgets, and that is something that the Congress ought to do something about. I know the President very badly wants to see that changed.

Mr. KILDEE. Mr. Speaker, it is important then that we support the Bonior amendment to recommit to restore those funds, at least to the 1995 level for education.

Mr. OBEY. Mr. Speaker, I certainly agree.

Mr. KILDEE. I thank the gentleman.

Mr. OBEY. Mr. Speaker, I yield 2 minutes to the gentleman from Vermont [Mr. SANDERS].

Mr. SANDERS. Mr. Speaker, I rise to engage in a colloquy with the gentleman from Louisiana [Mr. LIVINGSTON], the chairman of the Committee on Appropriations.

As the chairman knows, I am particularly concerned with the Low-Income Home Energy Assistance Program. It has been very cold in my part of the country, and during earlier CR's there have been disruptions in funding for this vital program.

The administration has released $810 million to the States, but I am concerned that the flow of funds to the States could again be disrupted. Generally I would like to know whether this CR will affect the full commitment of funds to the—funds of LIHEAP—to the States. Specifically, is it the chairman's understanding that under the current bill before the House, funds for LIHEAP will be allocated to the States and be available for distribution to the States in the normal fashion?

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

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

Mr. LIVINGSTON. Mr. Speaker, on behalf of the distinguished chairman of the Subcommittee on Labor, Health and Human Services, and Education, the gentleman from Illinois [Mr. PORTER], I would say that it is my understanding and his that the gentleman is correct.

Mr. SANDERS. Mr. Speaker, I thank the gentleman very much.

Mr. LIVINGSTON. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from California [Mr. LEWIS], chairman of the Subcommittee on VA, HUD and Independent Agencies.

Mr. LEWIS of California. Mr. Speaker, I thank my colleague for yielding time to me. I certainly will not take the 2 minutes.

I did, as the chairman may have noted, stand, thinking about being recognized during the objection opportunity that we had earlier. It certainly was not my intention to object.

The reason for my considering doing that was because, as the chairman has indicated, a significant portion of my own VA–HUD bill is within this short-term appropriations. The process that we went through in our subcommittee to begin the pattern of reducing spending was a very, very difficult process, of which I am very proud. I am particularly proud of the Members who themselves had to make many a sacrifice by way of cutting back that spending.

It is important to note that we were among those who actually went about terminating some programs, the most difficult of processes. The concern that I want to express here as I praise both my colleague and my ranking member for the difficult process they have been through is the fact that this bill does for a short-term period reverse some of those very difficult decisions, a process that is not very helpful to the committee's work. I want, beyond praising the committee, to have others around here at a higher level than those of us in the committee to know that we intend to look very carefully when we come toward March 15 regarding any similar pattern.

Mr. Speaker, this bill provides funding for the departments and agencies under the jurisdiction of the VA, HUD, and Independent Agencies Subcommittee until March 15 or the enactment of the regular appropriations act.

The funding amount for each appropriation account will be the level agreed to in the conference on H.R. 2099. Exceptions are being made for the Corporation for National and Community Service and the community development financial institutions fund which are being continued at 75 percent of the 1995 appropriation levels.

The departments and agencies are expected to administer the programs and activities consistent with the directions contained in the 1996 statement of the managers and other relevant legislative history.

The approved major construction projects for the Department of Veterans Affairs are those referenced in the conference report.

Further, it is intended that under section 107 of the VA's administrative provisions that the general operating expenses appropriation be reimbursed from the insurance funds for the entire fiscal year's administrative costs.

Mr. OBEY. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Ohio [Mr. TRAFICANT].

Mr. TRAFICANT. Mr. Speaker, I have a concern here.

The new majority wanted to dispose of property and real estate at 501 First Street. It came through the Committee on Transportation and Infrastructure, and it was handled in the Subcommittee on Public Buildings and Economic Development.

I notice now that this property, the conveyance and sale of it, is in this continuing resolution. I am certainly not going to try and obstruct this particular measure but I would like to say this. This sets a precedent, and the subcommittee had, in fact, placed into that particular language that there would be a net gain from the sale of this and it would not cost the people of the United States money to convey property for the sake of getting rid of it.

Second of all, the welfare of those children in that day care center would, in fact, be addressed and handled properly in an orderly fashion. I would like to state that the welfare of those children has not been addressed in the sense of the Congress situation in here and the language relating to the fact that there shall be a net gain from the sale of this has also been removed.

I want to state that this is not the way to set a precedent for the types of action that has been taken by the new majority. I supported the sale of this transaction, but I believe that the language that has been removed is not in the good interest of precedent-setting policy in the handling of real estate by our committee.

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

□ 1815

Mr. PACKARD. Mr. Speaker, the language, we worked hard to get the appropriate language in this bill. The language simply authorizes the Architect of the Capitol to consummate the sale under the direction of the House Office Building Commission, but it does not create the sale. We do not consummate the sale in the language of this bill. It leaves that judgment yet to the leadership of the House. Frankly, we think it is good language that still leaves the option open whether it is right to sell property or not. We are not selling property in the language in this bill.

□ 1815

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

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

Mr. GILCHREST. I thank the gentleman for yielding to me.

Mr. Speaker, I know there is some concern. The gentleman from Ohio [Mr. TRAFICANT] and I sat through the hearings. We sat through both markups.

I know there are some reservations about the cost of marketing. That is still limited at $75,000. There is some concern about the profitability of this sale. With new estimates, I give the gentleman assurances that when this building is sold there is going to be a profit to the Federal Government, there is going to be a $300,000 savings on annual maintenance to the Government, and you can be firmly assured that the day care center will be retained.

Mr. TRAFICANT. Reclaiming my time, Mr. Speaker, I am glad to accept that and hear that from the subcommittee Chair, but I think for the sake of precedents, we should have had that type of defining language clearly delineated.

I will not oppose it, and I will support the measure without any further obstruction here, but I think that was a very important precedent-setting transaction.

I commend the majority for looking toward those savings, but we could have done that, I think, with better language from the authorizing end that would have been included in the appropriators' language.

Mr. LIVINGSTON. Mr. Speaker, in view of the fact that we have contained the entire foreign operations bill in the appropriations cycle for 1996 in this bill, I yield such time as he may consume to the gentleman from Alabama [Mr. CALLAHAN], the distinguished chairman of that subcommittee.

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

Mr. CALLAHAN. Mr. Speaker, I thank the chairman and the gentleman from Wisconsin [Mr. OBEY], as well as the staff, for reaching this agreement and including our bill in the resolution. I urge my colleagues to vote for this resolution.

Mr. Speaker, I would like to thank my chairman for yielding me time to address the foreign operations portion of the bill before us. As my colleagues know, the fiscal year 1996 foreign operations appropriations conference report was approved by the House of Representatives nearly 3 months ago by a bipartisan vote of 351 to 71. Working together with all of my colleagues on the Subcommittee on Foreign Operations, and I might add, with a great deal of help from the gentleman from Wisconsin, we were able to fashion a bipartisan bill. It is significantly below the administration's request levels, yet I believe we were very fair in determining how those cuts were apportioned. It wasn't easy but we did it.

I would like to emphasize three things for my colleagues. First, The conference report cited in this bill is the identical language passed by the House last October. There have been no changes in the agreed upon conference report language. Second, let me just remind my colleagues of some key facts. At $12.1 billion, it is nearly 19 percent below

the President's requested level and 11 percent below the fiscal year 1995 levels. At the same time, the bill provides $500 million for child survival and disease prevention programs, with child survival activities funded at $25 million over the fiscal year 1995 level. We also provide the traditional amounts for Israel and Egypt. Prime Minister Rabin's tragic death reinforces the need for a peaceful settlement in the Middle East. In this respect, the subcommittee's bipartisan support for Middle East Peace Process is reflected in the conference report agreement.

But we did have one issue which was not so easy to resolve. It was the question of abortion funding and the Mexico City policy. This issue is of critical importance to me, therefore I was very disappointed that the Senate did not accept the House-passed language on this issue the very first time we sent it to them. But that is the nature of the Congress.

After months of hard work an agreement has been reached on a formula which strongly supports the House position and the authorizing committee's responsibility for this issue. The language in the bill before you is a critical two-part formula—it delays obligation of international population planning funds until July 1, 1996, unless an authorization is enacted prior to then. After July, if an authorization is not enacted, 1996 population funds will be limited to 65 percent of the 1995 level and available for obligation on a monthly basis over 2 years at a rate no greater than 6.67 percent of the total amount available under this limitation. The intent of this provision is to give the authorizers and the administration an incentive to come to agreement promptly on the issue of Mexico City and abortion.

To help understand this concept, let's assume that for every dollar for population planning activities in 1995, 75 cents would be available in 1996 under the terms of the continuing resolution that we have been operating under. Under the 1996 conference agreement, family planning activities would get approximately 81 cents on the dollar, compared to 1995, if an authorization is enacted into law. This would be the same level as other development assistance activities, assuming all programs are treated equally, except for child survival programs which will increase over the 1995 level. However, if an authorization is not enacted into law, the proposal would generate 65 cents to the dollar over the 15 months that the funds would be available for obligation.

These funds would become available at the rate of a little over 4 cents per month over these 15 months. That way the administration will not obligate and expend all the funds at once, which would remove any incentive for opponents of the Mexico City policy to negotiate in good faith on the authorization bill. At the same time, funds will continue to flow even in the absence of an agreement on Mexico City.

I think this 65-cents-to-the-dollar solution is the best outcome either side could hope for; it provides an ''in-cent-tive'' for both sides, and makes good ''cents.''

Mr. LIVINGSTON. Mr. Speaker, to answer those who have concerns that agriculture is not addressed in this bill, I yield 2 minutes to the distinguished gentleman from Iowa [Mr. NUSSLE].

Mr. NUSSLE. Mr. Speaker, I appreciate the gentleman yielding time to me. I know it is typical that you yield to members of the Committee on Appropriations, so I appreciate the opportunity to speak to this.

When the gentleman talks about wanting to run over here and objecting to this bill, I came over here on pretty quick notice when I heard this was coming up. I heard that negotiations had broken down in trying to get agriculture authorization onto this bill.

It is very disturbing to me that, first of all, we had to go through this because the President vetoed the bill. We are now operating under the 1949 act because the President vetoed the bill. We hear that, over in the other body today, the majority leader, the gentleman from Kansas [Mr. DOLE], wanted to bring up authorization language for agriculture, farmers that are talking to their bankers as we speak, making planting decisions, talking to their suppliers, and that there is one Member of the other body sitting over there dragging his feet, objecting to this coming up, objecting to the negotiations so we could put this on this bill and calm the fears of many farmers out there that are trying to dig up someplace in their attic or basement a copy of the 1949 act.

Mr. Speaker, it would be one thing to shut down the Government, I suppose, on some farmer's whim because they are having a difficult time understanding the 1949 act, if it was not for the fact that we know that the leadership in the House, in a bipartisan fashion, are working to figure out a way to deal with this problem possibly as soon as next week.

But we have got to, I would say to my colleagues, stress to the minority leader in the Senate, Mr. DASCHLE, who continues to object to this change, continues to object to allowing farmers the kind of confidence that they need when they talk to their lenders, when they talk to their suppliers that they know what they are going to have to deal with next year.

I am not going to object to this. I am going to support it. I urge Members from the farm country to do so. But we have to put pressure on those folks in the other body.

Mr. OBEY. Mr. Speaker, I yield 6 minutes to the gentleman from Texas [Mr. COLEMAN].

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

Mr. COLEMAN. Mr. Speaker, let me say to the gentleman who was just in the well, a part of the problem is not that it is one Member in the other body. The fact of the matter is it is February, just about, is it not, of 1996. I thought we were supposed to be working on a farm bill in 1995. We were supposed to pass one in 1995. We were supposed to have all of these appropriations bills done in 1995. We have been doing that for years, whether we agreed with the administration or disagreed with the administration. Do you know what we do? We sit down and try to work those matters out.

I want to get to the point I wanted to make and the reason I got up here. You preceded me, and I wanted to address that issue. I want to ask the chairman of my committee, I have served on the Committee on Appropriations now for a dozen years, I will tell Members, I have never seen a procedure or process like this, and I want to ask, who in the world was representing Illinois, New York, New Jersey, California, Texas, Florida, places that have a great need for bilingual education, in this closed meeting that I was not invited to? Who was representing them?

You all cut some bilingual education programs. I just want to say right now, here in public, that as the rhetoric becomes more harsh about immigrants in America, it is strange to me that these are the very programs we are going to be cutting are the ones that integrate immigrants into our society.

Districts like I am honored to represent need these kinds of programs. I understand that there are huge cuts in this continuing resolution.

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

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

Mr. LIVINGSTON. Do I understand, Mr. Speaker, from the gentleman's question, that he is concerned about the funding of education in America, is that correct, by the U.S. Congress?

Mr. COLEMAN. Let me tell you what I understood happened: that you froze the new grant activities for support services for bilingual education.

Mr. LIVINGSTON. If the gentleman will yield further, I know the gentleman has paid attention. He knows that the Labor-Health-Education bill has passed the House of Representatives as long ago as July 1995, I would remind the gentleman.

Mr. COLEMAN. Mr. Speaker, reclaiming my time, then why in the world, I understand when you pass authorization bills, but I understand, though, that you have frozen some of the programs or made cuts in some of the programs for bilingual education? True or false?

Mr. LIVINGSTON. Does the gentleman want an answer to his questions?

Mr. COLEMAN. I would like to have an answer to my questions.

Mr. LIVINGSTON. If the gentleman would yield to me to answer the question.

Mr. COLEMAN. I will yield to the chairman so I can get a yes or no answer.

Mr. LIVINGSTON. Mr. Speaker, my answer to the gentleman is that when the Democrats in the Senate will vote this bill through the Senate and we can go to conference and send the bill to the President, then we can get all the funding that the conference will allow.

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

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

Mr. OBEY. Mr. Speaker, I want to repeat, I think we need to pass this bill

today. I hope we can keep things as calm as possible, but I do take issue with the description of what has happened to the Labor-Health-Education bill in the Senate that has just been given by my good friend, the gentleman from Louisiana.

The situation on the Education appropriation bill is simply this: The bill which was produced, or I mean the 602 allocation, which defines what the spending levels are, that allocation process which defines the ceilings for all 13 appropriation bills, was set so low in that process that the bill that the Senate produced in the committee cannot be brought up on the floor except by unanimous consent, under Senate rules. That is the problem.

The problem is that unanimous consent has been objected to by Members of both parties. That bill has not, as has often been suggested, been subjected to a filibuster. I do not support filibusters on anything except constitutional issues.

But it seems to me important to understand, Mr. Speaker, that what has been holding up the Education appropriation bill in the Senate is the fact that the bill itself exceeds the spending level allocated to it by the Republican leadership in the Senate and, therefore, they cannot get the bill up except by unanimous consent, and there have been objections to that on both sides of the political aisle.

Without getting into a political heat wave here today, I do want to make clear that the record shows accurately what has happened in the Senate, and that is why we will be supporting the Bonior motion to recommit, which tries to do what we can on this side to correct that problem.

Mr. COLEMAN. Mr. Speaker, reclaiming my time, that is the reason that we ought to be for the Bonior motion to instruct, with language of that kind, so we can address an issue that is of great importance to many Members on both sides of the aisle on issues that are now going to be either defunded or cut so dramatically that we cannot carry out those programs appropriately.

Mr. GENE GREEN of Texas. Mr. Speaker, will the gentleman yield?

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

Mr. GENE GREEN of Texas. Mr. Speaker, my colleague, the gentleman from Texas, pointed to the cuts in bilingual education. But let me go down the list of the cuts.

I agree with our ranking member, we have to pass this, but some of the cuts, 25 percent for Education 2000: Title I gets 17 percent, safe and drug-free schools, a 25-percent cut. That is what we are talking about.

We are up against the wall because these programs cannot function, and yet they are taking a 25-percent cut because the majority is cutting education funding that 80 percent of the people in our country support.

Mr. COLEMAN. In closing, Mr. Speaker, let me only say to the chairman that he knows and I know that part of the problem has been with the process.

The gentleman from Iowa, if he is still on the floor, I will be happy to yield to him, I understand that he is concerned that we were here at the end of the year, in fact several months, nearly half a year into the new fiscal year. The problem is you have to get these things resolved a lot earlier than this.

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

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

Mr. NUSSLE. Mr. Speaker, regardless of the state of the history, which, of course, is a Presidential veto, the fact of the matter is we are here today. There appears to be bipartisan support to attach language to make sure we have authorization for agriculture. There is one person over in the Senate who is blocking this.

Mr. COLEMAN. Reclaiming my time, that is the problem that you continue to have with the process. You do not wait until it is the following year after you are supposed to have passed the normal appropriations.

Mr. NUSSLE. We have a President that vetoes everything.

Mr. OBEY. Mr. Speaker, I yield 3 minutes to the gentleman from Missouri [Mr. VOLKMER].

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

Mr. VOLKMER. Mr. Speaker, I just want to tell the gentleman from Iowa, if he is still present, that I would have objected if the provision he wants had been in this bill.

I, for one, do not agree with the welfare bill that was tried to be passed, that could not come out of the Committee on Agriculture. They stuck it on the reconciliation package, which the President rightfully vetoed. It is nothing but a welfare bill for big farmers. Farmers get $120,000 a year and do not even have to farm under that bill.

Mr. Speaker, I did not want to talk about it, but the gentleman brought it up. What I really wanted to talk about is I want the people to know that this bill really is one that I am going to vote for because I see the need for it, but I am going to hold my nose real good when I vote for it, because it smells, it stinks for what it does to education. It is terrible for education.

I want to tell everybody that if you think this is bad for education, which my educators say is bad for education, then if the President had signed their reconciliation package, which they called the Balanced Budget Act of 1995, they would have seen the same cuts in Medicare, Medicaid, and everything down the line, just like they are cutting education in this. This is a terrible bill, but it is the only thing we have. That is the only reason I am going to be voting for it. It smells to high heaven. It cuts education.

It means a lot of my students that are in higher education next year are going to have a tough time returning. It means that a lot of kids going out of high school this year are going to have a terrible time being able to get that education next year. It means that many of my elementary and secondary institutions, schools in my district, are not going to be able to have the funds that they need that they have had in the past for necessary programs under title I. I think this should be corrected. That is why I am going to strongly support the motion to recommit.

I ask anybody that is really interested in education to support that motion. I will return now to agriculture and tell again the gentleman from Iowa, yes, I have been told, I will tell you how it goes up here, folks.

□ 1830

That bill was not reported out of the Committee on Agriculture because it was a smelly bill, a terrible bill, so they stuck it in the reconciliation.

Now they tell me, I just got word today, that next week on Tuesday we are supposed to bring it up in committee and mark it up, a different bill. I just got a copy of it today, but now my staff tells me this evening that this is not the bill we are going to mark up, we are going to have a different one, we are going to have the chairman's mark when we do it, and I will not see that until Tuesday.

That is the way they work down here. You do not even have an opportunity to read a bill much before you vote on it or act on it. It is terrible.

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

Mr. FAZIO of California. Mr. Speaker, I certainly rise in support of the motion to recommit to hold funding of education as the highest possible priority. The American people need assistance in keeping their schools functioning and operating at the best possible level that we could help them attain.

But I want to follow my colleague from Missouri on the issue of agriculture. I heard the gentleman from Iowa commenting earlier about how the Senate minority leader was somehow preventing us from having a farm bill. If there is an example of inability to manage an issue, it has to be on how the new Republican majority in this Congress has mismanaged agriculture.

We are confronted at the moment with a situation where the gentleman from Kansas, Mr. ROBERTS, the chairman of the committee, and Senator DOLE, his close personal friend from Kansas, cannot even agree on a proper approach to deal with the agricultural crisis that is about to occur across this land as people have to make decisions about cropping.

Now, this is ludicrous. We have not been able to get a Republican majority on the farm authorizing committee of the Committee on Agriculture to put together a bill that can attain a majority of their own members.

There is no question we are cutting funding for agriculture subsidies. We

have cut 50 percent in the last decade. The question is, are we going to have a soft landing or are we going to have a crash?

Now, the Freedom to Farm bill was unanimously trashed by almost every commodity group in this country. It may have had some supporters among Kansas wheatgrowers, but it did not really go much further than that. And here we have, at the last minute, an attempt to somehow imply that a Democrat in the Senate, in the minority, is holding up having a farm bill. This is an absolute travesty.

What we face is catastrophe in commodity after commodity, going back to laws that have been on the books for years, but which we have amended essentially in every farm authorization we have enacted. We are going to give, I think probably our only hope, the Secretary of Agriculture the opportunity to run these programs because Congress cannot speak on one of the most fundamental industries that faces disaster here in this country.

Now, what we ought to do is what we have always done, and that is put a farm bill together on a bipartisan basis that can come to the floor, have broad support not only in rural communities, but in urban America where we do for nutrition and for food stamps the right thing, and pass that bill, send it to the President, let it be signed. We will take our budget savings, but we will not create catastrophe in agricultural communities across this country.

The Republicans have failed to manage one of the most important authorizations that comes before this Congress probably every 5 years. They have been unable to put their own majority together, and now they want to throw the blame at somebody else. It is a shameful act.

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

Mrs. MEEK of Florida. Mr. Speaker, I am just appalled to see what is going on here with the CR, particularly with education, and I do hope that the chairman of the Committee on Appropriations and the majority party will consider the fact that if we do not do something to change the education system in this country, we will be doing more to promote the problems that we already have.

Why should we retreat on education? We have never been fully funded on the State level or in this country for education. Therefore, I think it is criminal to cut these programs such as you have, particularly in areas where there are inner-city children, poor children, disadvantaged children. I would appeal to your sensitivity to human nature.

You have cut title I programs when young students were getting a start in life. You cut Safe and Drug-Free Schools in some of these districts where the drug problem is really, really accelerating instead of decelerating. So you must know them, if you are ever going to have good programs, they must start in schools, they must start with education.

To think that you are going to cut bilingual and immigrant programs when this country has added an influx, particularly in areas such as mine in Florida, the influx of immigrants, they must be educated, and that, I think, you should consider immediately.

The vocational education has been cut. We have so many people who are jobless in this country. They may not be in your district, but they are in a lot of Members' Districts, particularly those of us who are from urban areas. We need consideration of that.

I see what you are doing where there has been some progress in this country in education programs, and you have cut those programs, and you have labeled them for termination.

Mr. Chairman of the Committee on Appropriations, Mr. Chairman of the Committee on Appropriations, you are not listening, but I am saying to you, now is the time to listen up. It may be too late.

Mr. OBEY. Mr. Speaker, I yield 1 minute to the gentlewoman from Texas [Ms. JACKSON-LEE].

Ms. JACKSON-LEE of Texas. Mr. Speaker, I thank the gentleman from Wisconsin for yielding me this time, and I rise only to make two very brief points that I think are very important.

First of all, I did offer a reservation because I was concerned specifically about impacts in the Texas area that were unclear in this very lengthy document that we had seen. But I am rising to support the motion to recommit, even though the first vote of concern is to ensure that this Government never shuts down. It is important that as we stand here, we are also recognizing that we must negotiate. The reason is because, as we look at what is coming out of this CR, we see that there is targeted pain.

Very often I have had the opportunity to talk to experts in education in my district, Alma Allen, for example, and I realize the impact of Federal education dollars. What we are doing here is that we are shutting down education for our States, for many of the dollars that are being cut are impacting programs that are impacted or paid for only by Federal dollars; and that includes our special education, our safe and drug-free schools.

It is important than that we vote for the motion to recommit and that we establish that we are going to negotiate and not have this as the final budget for the upcoming year.

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

Mr. Speaker, first of all, I had not expected that there would be a debate on farm policy on this bill today. Let me simply say, as an upper Midwesterner, I think both parties have done a rotten job of dealing with the problems of farmers, certainly dairy farmers in the upper Midwest. I think the existing dairy law has been a joke. I have not voted for farm bills in almost 10 years because they are wildly discriminatory against the region that I represent.

I hope that the new dairy agreement, which has been announced by the Subcommittee on Agriculture, will improve the situation. I remain ready to be convinced and persuaded. I am convinced that the only way we can get a decent dairy program in this country is if we have a radical reform of the milk marketing order system which plagues this country and should have been abolished a long time ago.

Having said that, I want to make clear that that issue is not involved in this bill. The failure of the Congress to correct that problem is a failure of the Committee on Agriculture; it is not a failure of the gentleman from Louisiana or anyone else on the Committee on Appropriations, because we do not have the authority to deal with that.

I simply want to take the remaining time to discuss the motion to recommit of the gentleman from Michigan [Mr. BONIOR]. We all want to save dollars, but I think we have a fundamental obligation to, at the same time that we are doing that, do everything we can to try to make the economy grow, and most of all, to try to give working people some greater opportunity than they have had in recent years to raise their own family income by dint of their own hard work.

It is tough out there. You have working families who struggle to pay their bills, who struggle to get a little bit ahead in savings, who struggle to find a way to pay for their kids' education, and through all of life's struggles, I think they understand that education and training is one of the few ways that you can get off the treadmill, that you can make something of yourself and your family through your own hard work.

I think it is a fundamental mistake for this Congress to make things more difficult for those working families. There ought to be a rule which says that if the Congress cannot help somebody on the economic road that they are traveling, that they at least not make things more difficult; and I think Congress does make things more difficult when they do not meet their obligation to strengthen education and training in this country. And that goes for early education, it goes for elementary and secondary, and it goes for higher education.

We have an obligation to help every kid in this country prepare for the economic race that he or she is going to have to run in a very tough world. We have an obligation to help middle-class families find ways to get their kids' college educations and community college and technical school educations, and this bill does not meet that responsibility.

We have to pass this legislation, because if we do not, the Government will once again close down, and that would be an immense tragedy for the people of this country. But I do think it is also necessary to try to improve

it. That is what the Bonior amendment, or what the Bonior motion will do in the motion to recommit.

I would urge very strong support for the Bonior motion, which will restore $3.1 billion in education funding, and then I would urge that you support this bill so we can meet our basic obligation to govern.

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

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

Mr. LIVINGSTON. My friends, the hour is late and this will be the last time I will have a chance to address this bill, because the distinguished gentleman from Illinois [Mr. PORTER] and the gentleman from California [Mr. CUNNINGHAM], will talk on the motion to recommit.

Mr. Speaker, I urge my colleagues to vote for this bill. If you do, and I suspect the majority will vote for it, it will go to the other body, it will pass, and the President will get it on his desk. He has agreed to the conditions and terms, and he will sign the bill, at least according to my expectations.

Mr. Speaker, the appropriations process for fiscal year 1996 is long overdue. The fact is we have gotten through 7 bills; they have become law. Of the 6 remaining which have not, 3 were voted, 3 are still working their way through the process, and 1 is included here tonight. I think that we could all say we have certainly put enough time into this process.

We have, through lack of agreement or whatever, found that closing the Government was not fun, was not tasteful, and perhaps caused a lot of suffering and hardship for people at an unfortunate time of the calendar year.

□ 1845

We do not want to repeat that experience. That is why I am proud of the committee, Republicans and Democrats alike, in this body and in the other, for finally coming together and working out their differences. There is plenty to complain about in this bill, from the conservative side, from the liberal side, perhaps even in the middle.

The fact of the matter is, the 104th Congress came in here with a mandate. The mandate is to get this country in working order, get this country on a fiscally sound basis, to start putting ourselves on a glidepath toward a balanced budget.

We have worked our way through the entitlements debate. We have not scored so well. Liberals want to spend more, conservatives want to spend less. We have not quite gotten an agreement on the entitlements on the mandatory side of the budget. That is two-thirds of the budget. But on the discretionary side, that discretionary one-third which deals with the cost of running the Government, we have already reaped great savings in the last 13 months. We have saved the American taxpayer $20 billion in fiscal year 1995 under what was initially appropriated. For fiscal year 1996, we can say with certainty we are going to save them at least $22 billion and possibly as much as $30 billion below that same level, depending on our progress with our remaining appropriations action.

We are continuing to make progress. I think today we are making great progress. As I said, we have 6 bills outstanding. One of those bills is included in its entirety, the Foreign Operations bill, the bill chaired by the gentleman from Alabama [Mr. CALLAHAN], who spoke a little while ago. That bill is incorporated in this agreement, which means that this bill, once it has gone through the processes, will be enacted into law and, instead of having 6 bills outstanding, we will have 5.

I want to take this moment to say that that would not have been possible without the valuable services of all of our staff. All of the staff on the Committee on Appropriations have contributed mightily to the progress we have made. It has been the members that have slowed down the process, not the staff. One particular staff member is marking this bill as his last. For 17 years on the Hill, he has worked within the Committee on Appropriations, both on the MILCON and the Foreign Operations bills, worked closely with me and with all the other members. He sits beside the gentleman from Wisconsin. I am talking about Terry Peel. I would ask all of the Members to give Terry Peel an expression of appreciation for his invaluable service.

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

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

Mr. OBEY. Let me simply say that I want to join the gentleman in taking note of Terry's tremendous service to this place. I think Members in both parties who worked with Terry Peel understand that he has really epitomized what the word ''service'' is all about. He has been of tremendous service to this House. He has been of tremendous service to this country. He has been the ''brains'' of many of us for years on complicated foreign assistance programs, and he must have an incredible disposition to be able to deal with that bill as long as he has and still smile as regularly as he does and still find the energy to write the plays that he has managed to write the past few years.

I appreciate the time he has taken and I appreciate the time that his wife Ann has allowed him to give us and the country in so doing.

Mr. LIVINGSTON. Mr. Speaker, reclaiming my time, I want to echo those comments, wish Terry and his wife well in their future endeavors, and I look forward to going to the performances of his plays as well.

Now, my friends, we are coming to the end of the general debate. There have been a few points made about education. The fact of the matter is that some of our friends on the Democrat side emulated what was said about Will Rogers and his relationship to mankind. ''Will Rogers never saw a man he did not like.'' The Democrats never saw an education program they did not like. No matter how wasteful, inefficient, redundant, duplicative, or unnecessary, the fact is, they do not want to close any programs, they do not want to end them. They want to create a new program for every idea, every initiative, every whim, every speculation, and, by the way, all the others are great, do not close them, do not merge them, do not try to get any savings or efficiency for the American taxpayer.

I do not know if my colleagues are aware, but there are roughly 256 separate education programs. There are also about 163 job training programs and 47 nutrition programs, et cetera, et cetera, et cetera.

The U.S. Congress over the last 60 years has done a great deal of good with the American people's money for the American people. The problem is the process has gotten out of kilter. We create so many programs that we run out of good causes. But we do not remember that we are using other people's money. We are taking their money and putting it in a program, creating a bureaucracy, and taking that money and spreading it all over for good causes and getting reelected.

The time has come when the taxpayer is saying enough is enough is enough. After World War II, the average American family paid 5 percent of its income to the Federal Government. Today the average American family pays 25 percent of its income to the Federal Government. If they have their way, it will be 80 percent one of these days, because they do not want to balance the budget, they just want to keep taking the money and spending it.

Now it is time to pare down the bureaucracy. Even the President acknowledges that. In his State of the Union Speech just 2 days ago, he acknowledged that it is time for a smaller Government. In fact, he has suggested to this Congress that we close 36 education programs. They might all have good titles, good names. You can find a lot of constituents for those programs. But when you consider that those constituents are also being served by hundreds of other programs, there is some loss of common sense in the works.

It is time to restore common sense. Now they say that the Labor-Health-Education bill has not worked its way through the process, and it is our fault. We have not adequately funded it. They say we have cut all the programs. The fact is the House of Representatives through the appropriations process passed the Labor-Health bill in late July 1995.

They say it is not being filibustered by the Democrats in the Senate. The fact is I happened to turn on the television to watch the other body, and saw one of the Members stand up and

object to the consideration of the Labor-Health bill, the presentation of the bill on the floor of the Senate. That happened. Whether that is a filibuster or not, the bill was not presented, it was not debated, it was not argued, it did not occur, it did not pass.

As we all know about the legislative process, if it does not pass one body, they cannot go to conference. If we cannot go to conference, we cannot present the bill to the President. If they cannot present the bill to the President, he cannot sign it or veto it. So the process is stuck.

What are we doing here? We are simply passing a Balanced Budget Downpayment Act for this month, between now and March 15, to keep most of these programs going. That seems logical. Keep them going so that the Government does not close down, and at the same time let us not spend excessively.

We trim them to about 75 percent of funding. We acknowledge that some people should be furloughed or rifed where there is not going to be full funding over the year. And we simply tell the American taxpayer we are making a dent; we are not solving all the problems, but we are making a dent on your behalf.

The people that really need service will get service, but perhaps we will begin to cut back on this unnecessary and wasteful bureaucracy just a little bit between now and March 15, until the regular process can work its way through the system and the Labor-Health bill can be passed and the President can sign his name on it.

I hope that happens. But, in the meantime, I think it is very, very important to pass this bill. Let us quit wasting the taxpayers' money, but let us also quit wasting time debating year fiscal year 1996, because, my friends, within days we are going to be debating fiscal year 1997 and the process is going to start all over again.

So I urge my friends, vote for the bill; vote against the motion to recommit. Let us keep the Government open, let us send this to the Senate, let the Senate send it to the President, and we can go home and have a couple of days off.

Mr. STOKES. Mr. Speaker, I rise in support of H.R. 2880, a continuing resolution for fiscal year 1996. I join my ranking member for the full appropriations subcommittee, the gentleman from Wisconsin [Mr. OBEY] in commending our colleagues on the other side of the aisle for working so diligently to bring this much improve measure before us tonight.

While I am glad to see that progress appears to be occurring with respect to a final budget agreement and the remaining appropriations bills, I am certain that no one is more delighted with any progress than the hard-working Government employees, their families, and the millions of individuals and families whose lives have been held hostage over the last few months since we have been unable to resolve these pressing matters.

As ranking member of the Appropriations Subcommittee on Veterans Affairs, Housing and Urban Development, and Independent Agencies, I have been among the most ardent opponents of the many reductions to critical programs under the subcommittee's jurisdiction, as well as the numerous and harmful riders that were included in the measure. The measure before us does not address all of the areas for which I have concern. It does, however, allow the Federal Government to continue to meet important obligations to our Nation's veterans, to safeguard our environment, provide aid to the homeless, assist families and individuals in purchasing homes, and further our scientific and technological endeavors.

Mr. Speaker, this measure is by no means perfect and still requires some major fine tuning. Furthermore, we must not forget that we have to extend the debt ceiling limit to restore financial stability of our Nation's financial markets. Nonetheless, we must do the right thing for this Nation and pass this continuing resolution.

The SPEAKER pro tempore (Mr. HEFLEY). Pursuant to the order of the House of today, the previous question is ordered.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT OFFERED BY MR. BONIOR

Mr. BONIOR. Mr. Speaker, I offer a motion to recommit.

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

Mr. BONIOR. Mr. Speaker, in its present form I am.

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

The Clerk read as follows:

Mr. BONIOR moves to recommit the bill to the Committee on Appropriations with instructions to report it back forthwith with an amendment as follows:

At the end of Title I of the bill insert the following new section:

''RESTORATION FOR EDUCATION PROGRAMS

''Notwithstanding any other provision of this Act except sections 106, 115, 119 and 120, projects and activities of the Department of Education shall be continued at a rate of operations at the current rate, and under the authority and conditions provided in the applicable appropriations Act for the fiscal year 1995. Provided, That section 111 of this title shall not apply to this section notwithstanding any other provisions of this Act.

The SPEAKER, pro tempore. The gentleman from Michigan [Mr. BONIOR,] is recognized for 5 minutes in support of his motion to recommit.

Mr. BONIOR. Mr. Speaker, this is the ninth stopgap measure that we have had on this floor since that fiscal year began. Let us be clear what this motion to recommit is. It is one of the biggest education votes that you will have in this Congress. Do we make our kids' education a priority, or do we cut it? That is what this vote is all about.

The Republicans have presented us with a resolution that makes deep cuts. It cuts Safe and Drug Free Schools by 25 percent. That is the DARE program. That is the one we all go home and praise to the high heavens. It cuts the School-to-Work Program by 18 percent. That is the new program we adopted to take care of the 70 percent of our kids who do not graduate from college, modeled after the successful program they have in Germany. It cuts title I funding by more than $1 billion over the year, if you prorated this out over the year per this request. It kicks over 1 million kids off math and reading. It cuts teacher training for special education by 25 percent.

If we go down this road, as my friend from Wisconsin [Mr. OBEY] and the gentleman from Michigan [Mr. KILDEE] pointed out, this is going to cost about $3.1 billion. That will be the biggest cut in education in the history of this country. Its effect will be devastating. This is shortsighted. It is a strategy already being felt in communities all over this country.

Now is the time for teacher contracts to be signed, but communities cannot do that because the funding is uncertain. Now is the time for cities to submit their school budget, but they cannot do that because they do not have any numbers to work with.

Now is the time for colleges to award financial aid, but they cannot do that because they have not been told how much they are going to have to offer, and, because of it, families and students all over America are being hung out to dry.

These are the people who work hard, who play by the rules, who pay their bills, and they want a better life for their kids. They want their kids to have some opportunity. We should be standing up for them today. We should not be standing in their way.

Mr. Speaker, the motion to recommit that we offer today will protect our children's education. It will restore funds for School-to-Work, it will restore funds for Safe and Drug Free Schools, the DARE Program. It will restore funds for the Perkins loans, it will restore funds for math and science training, it will restore funds for impact aid and for title I and other things as well. Without this amendment, we will be placing an extra burden on local communities, local schools, and, I might dare say, on local property taxes.

So let me just conclude, Mr. Speaker, by suggesting that we should not be cutting education. Republicans could not cut education through the front door, and we should not let them cut it through the back door. This is one of the most important education votes that we will cast in this Congress. I urge my colleagues, vote ''yes'' on the motion to recommit, and give our kids an opportunity they deserve.

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

Mr. BONIOR. I yield to the gentleman from Michigan, who has been a stalwart on this issue for many years.

□ 1900

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

Mr. Speaker, education has always had friends on the Republican side of the aisle, and they realize that elementary and secondary education is forward-funded, that this resolution provides money for the school year beginning this coming September.

If this resolution is extended for the rest of the year, there will be a $3.1 billion cut in education, the largest cut ever. Schools right now, or very soon, will be writing their budgets. They have to know how much money will be available or teachers will be pink-slipped. Programs will be cut.

I ask my friends on that side of the aisle, many of them sitting right there who have been good friends of education, we have worked together in the vineyard of education, I ask my colleagues to set aside partisanship. We have the opportunity to restore those funds to give the school districts some certainty as to their funding.

Please set aside the partisanship. Mr. GINGRICH, Professor GINGRICH, will not punish you for supporting education. Please vote for this motion to recommit.

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

Mr. LIVINGSTON. Mr. Speaker, I yield 2 minutes to the gentleman from California [Mr. CUNNINGHAM].

Mr. CUNNINGHAM. Mr. Speaker, I respect the gentleman from Michigan [Mr. KILDEE]. We are on the same committee. I would say, of the 256 educational programs we have, we cannot fund all the programs that really work adequately. Where do we get this free money? We take it from the people that we supposedly send it back to, but we only give it back to them at 23 cents on the dollar after we feed the Federal bureaucracy, and when we do that it is inefficient.

Mr. Speaker, 93 percent of education is funded at the State and local level. We only funded 7 percent of it, but yet take a look. That 7 percent has over 50 percent of the rules and regulations that a State has to follow and over 75 percent of the paperwork. It is not efficient. So what we are doing is reducing it slowly.

I agree we can just chop it off. Because of the economy, we cannot put it all back at the State. You cannot fund a school bond or election for education.

But we have to reduce the waste and the spending. What did we cut? Yes, ask the gentleman from Minnesota [Mr. SABO] on the Committee on the Budget. The President's Direct Lending Program capped at 10 percent cost a billion dollars more just in administrative fees. So what did we cut? We cut the precious bureaucracy and cut that out.

We took the savings and increased student loans by 50 percent, increased Pell grants the highest they have been, and increased and level-funded the IDEA Program that my colleagues are talking about in special education. It is level-funded. It is not reduced.

And what else? We took the Goals 2000 that has 45 instances that say ''States will,'' and we take that money and we give it back to the States where they are not required to have boards and commissions that report to a Federal bureaucracy here in Washington, DC. We turn that money and give it direct so we can get 77 cents on the dollar into the classroom, not just 23 cents. We need to be more businesslike in our education funding.

Mr. LIVINGSTON. Mr. Speaker, I yield the balance of my time to the distinguished gentleman from Illinois [Mr. PORTER] chairman of the Subcommittee on Labor, Health, and Human Services and Education.

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

Mr. PORTER. Mr. Speaker, 5 cents out of every $1 spent on education is spent by the Federal Government. Reductions in Federal education spending in this House bill, H.R. 2127, amount to less than 1 percent of the total money spent on primary and secondary education in the United States.

The sky is not falling. There is no hostility to the Federal role in education. What we intend to do is to spend the money better and get better results for America's children.

Let me quote Alice Rivlin in her 1992 book, ''Reviving the American Dream.'' She says, ''Presidential speeches and photo opportunities, national testing and assessments, federally funded experimental schools, even new grants spent in accordance with Federal guidelines can only make marginal contributions to fixing the schools.''

What we are attempting to do is to get control over 256 separate programs that even officials in the Department of Education will say are out of control and require huge overhead to administer. These funds do not go to kids, but to directors and staffs in Washington that do nothing to improve education.

Let me talk for a moment about title I. Title I evaluations say they do not appear to be helping close the learning gap. The money is spread, Mr. Speaker, all over our country. The money goes to schools that do not need it. What we need to do with title I is to target the money to the schools with large numbers of disadvantaged children so that we get better results for kids that are most at risk. The Safe and Drug-Free Schools Program suffers from the same problem. Funding goes everywhere instead of to the schools that most need it. It has never had a national evaluation.

Goals 2000 is really an attempt to use Federal dollars to encourage States to do what they are already doing; and that is, setting up high standards that have to be met by students and teachers alike. We do not need Federal bribery to get that job done.

Finally, Mr. Speaker, let me say that this motion, with the exception of only two programs, Vocational Rehabilitation and Impact Aid, has no impact whatsoever. Most education programs are forward-funded and the funds allegedly provided in this motion will not be obligated during the continuing resolution period.

Mr. Speaker, I would urge the Members to vote ''no'' on the motion to recommit.

Mr. RAHALL. Mr. Speaker, I rise in strong support of the Bonior motion to recommit.

I do so on behalf of education. We cannot be a party to causing the State and local turmoil that will ensue—including the issuing of pink slips to teachers across this Nation—if we cut $3.1 billion out of education—the biggest cut in our history.

Schools must by law send layoff notices to teachers by March or April of the year prior to the next academic year—in this case the 1996–97 school year.

The impact on college students will be no less harmful.

I urge my colleagues to vote for this recommittal motion and save education for children of all ages.

Mr. CLAY. Mr. Speaker, I rise in support of the motion to recommit.

It is the height of irresponsibility for Republicans to hold education programs hostage to their plot to extract radical concessions through budget negotiations.

Governing and politics are about give and take and good faith. Republicans need a lesson in both.

Their failure to support a simple continuing resolution that funds education programs at fiscal year 1995 levels is creating serious problems for schools, teachers and children who have absolutely nothing to do with the budget fight. They are the innocent victims of a drive-by shooting. In this case, it is hard to tell who is driving this car. Is it the Speaker or the 73 Republican freshmen or the Christian coalition?

The devastating cut in title I funding will deny 1.1 million needy children the crucial help they need in reading, writing, math, and critical thinking. Drug abuse and violence prevention programs will be cut for millions of students in nearly every school district in the country. Innovative school to work strategies developed at the local level will be halted. Teachers will be fired, classroom sizes will increase.

With this continuing resolution, the Republicans are turning their backs on public education. Cuts in education are further proof that the Republican Party has not only lost its heart and soul, but has also lost its mind.

The SPEAKER pro tempore (Mr. HEFLEY). All time has expired.

Without objection, the previous question is ordered.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit offered by the gentleman from Michigan [Mr. BONIOR].

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

RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 193, noes 222, not voting 18, as follows:

[Roll No. 18]

AYES—193

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

NOES—222

Allard
Archer
Armey
Bachus
Baker (CA)
Ballenger
Barr
Barrett (NE)
Bartlett
Bass
Bateman
Bereuter
Bilbray
Bilirakis
Bliley
Blute
Boehlert
Boehner
Bonilla
Bono
Brownback
Bryant (TN)
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Castle
Chabot
Chambliss
Chenoweth
Christensen
Chrysler
Clinger
Coble
Coburn
Collins (GA)
Combest
Cooley
Cox
Crane
Crapo
Cremeans
Cubin
Cunningham
Davis
Deal
DeLay
Diaz-Balart
Dickey
Doolittle
Dornan
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Ensign
Everett
Ewing
Fawell
Fields (TX)
Flanagan
Foley
Forbes
Fowler
Fox
Franks (NJ)
Frelinghuysen
Frisa
Funderburk
Gallegly
Ganske
Gekas
Gilchrest
Gillmor
Gilman
Goodlatte
Goodling
Goss
Graham
Greenwood
Gunderson
Gutknecht
Hansen
Hastert
Hastings (WA)
Hayworth
Hefley
Herger
Hilleary
Hobson
Hoekstra
Hoke
Horn
Hostettler
Houghton
Hunter
Hutchinson
Hyde
Inglis
Istook
Johnson (CT)
Johnson, Sam
Jones
Kasich
Kelly
Kim
King
Kingston
Klug
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Laughlin
Lazio
Lewis (CA)
Lewis (KY)
Lightfoot
Livingston
LoBiondo
Longley
Lucas
Manzullo
Martini
McCollum
McCrery
McDade
McHugh
McInnis
McIntosh
McKeon
Metcalf
Meyers
Mica
Miller (FL)
Molinari
Moorhead
Morella
Myrick
Nethercutt
Neumann
Ney
Norwood
Nussle
Oxley
Packard
Parker
Paxon
Petri
Pombo
Porter
Portman
Pryce
Quillen
Quinn
Radanovich
Ramstad
Regula
Riggs
Roberts
Rogers
Rohrabacher
Ros-Lehtinen
Roth
Roukema
Royce
Salmon
Sanford
Saxton
Scarborough
Schaefer
Schiff
Seastrand
Sensenbrenner
Shadegg
Shaw
Shays
Shuster
Skeen
Smith (MI)
Smith (NJ)
Smith (WA)
Solomon
Souder
Spence
Stearns
Stockman
Stump
Talent
Tate
Tauzin
Thomas
Thornberry
Tiahrt
Upton
Vucanovich
Waldholtz
Walker
Walsh
Wamp
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wolf
Young (FL)
Zeliff
Zimmer

NOT VOTING—18

Baker (LA)
Barcia
Barton
Brewster
Chapman
Clyburn
Hancock
Hayes
Johnson, E. B.
Linder
Myers
Serrano
Smith (TX)
Taylor (NC)
Waters
Waxman
Wyden
Young (AK)

□ 1925

The Clerk announced the following pair:

On this vote:

Mr. Waxman for, with Mr. Linder against.

Mrs. SMITH of Washington, Mr. SHADEGG, Mr. KING, Mrs. CUBIN, and Mr. MCDADE changed their vote from ''aye'' to ''no.''

Messrs. DOOLEY, BERMAN, and RUSH changed their vote from ''no'' to ''aye.''

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. HEFLEY). The question is on the passage of the bill.

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

RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 371, noes 42, not voting 20, as follows:

[Roll No. 19]

AYES—371

Abercrombie
Ackerman
Allard
Andrews
Archer
Armey
Bachus
Baesler
Baker (CA)
Baldacci
Ballenger
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Bass
Bateman
Beilenson
Bentsen
Bereuter
Berman
Bevill
Bilbray
Bilirakis
Bishop
Bliley
Blute
Boehlert
Boehner
Bonilla
Bono
Borski
Boucher
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Brownback
Bryant (TN)
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cardin
Castle
Chabot
Chambliss
Chenoweth
Christensen
Chrysler
Clayton
Clement
Clinger
Coble
Coburn
Coleman
Collins (GA)
Collins (IL)
Collins (MI)
Cooley
Costello
Cox
Cramer
Crane
Crapo
Cremeans
Cubin
Cunningham
Danner
Davis
de la Garza
Deal
DeLauro
DeLay
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Dornan
Doyle
Dreier
Duncan
Dunn
Durbin
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Ensign
Eshoo
Evans
Everett
Ewing
Farr
Fawell
Fazio
Fields (TX)
Flanagan
Foley
Forbes
Ford
Fowler
Fox
Franks (CT)
Franks (NJ)
Frelinghuysen
Frisa
Frost
Funderburk
Furse
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Geren
Gilchrest
Gillmor
Gilman
Gonzalez
Goodlatte
Goodling
Gordon
Goss
Graham
Greenwood
Gunderson
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hansen
Harman
Hastert
Hastings (WA)
Hayworth
Hefley
Hefner
Heineman
Herger
Hilleary
Hobson
Hoekstra
Hoke
Holden
Horn
Hostettler
Houghton
Hoyer
Hunter
Hutchinson
Hyde
Inglis
Istook
Jackson (IL)
Jackson-Lee (TX)
Jacobs
Johnson (CT)
Johnson (SD)
Johnson, Sam
Johnston
Jones
Kaptur
Kasich
Kelly
Kennedy (RI)
Kennelly
Kildee
Kim
King
Kingston
Kleczka
Klug
Knollenberg
Kolbe
LaFalce
LaHood
Lantos
Largent
LaTourette
Laughlin
Lazio
Leach
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Lightfoot
Lincoln
Lipinski
Livingston
LoBiondo
Longley
Lowey
Lucas
Luther
Manton
Manzullo
Markey
Martini
Mascara
Matsui
McCarthy
McCollum
McCrery
McDade
McHale
McHugh
McInnis
McIntosh
McKeon
McKinney
McNulty
Meehan
Menendez
Metcalf
Meyers
Mica
Miller (CA)
Miller (FL)
Minge
Mink
Molinari
Mollohan
Montgomery
Moorhead
Moran
Morella
Murtha
Myrick
Nadler
Neal
Nethercutt
Neumann
Ney
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Orton
Oxley
Packard
Pallone
Parker
Paxon
Payne (VA)
Pelosi
Peterson (FL)
Peterson (MN)
Petri
Pickett
Pombo
Pomeroy
Porter
Portman
Poshard
Pryce
Quillen
Quinn
Radanovich
Ramstad
Reed
Regula
Richardson
Riggs
Rivers
Roberts
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Rose
Roth
Roukema
Roybal-Allard
Royce
Rush
Sabo
Salmon
Sanford
Sawyer
Saxton
Scarborough
Schaefer
Schiff
Schumer
Scott
Seastrand
Sensenbrenner
Shadegg
Shaw
Shays
Shuster

Sisisky	Tate	Walker
Skaggs	Tauzin	Walsh
Skeen	Taylor (MS)	Wamp
Skelton	Tejeda	Ward
Slaughter	Thomas	Watts (OK)
Smith (MI)	Thompson	Weldon (FL)
Smith (NJ)	Thornberry	Weldon (PA)
Smith (WA)	Thornton	Weller
Solomon	Thurman	White
Souder	Tiahrt	Whitfield
Spence	Torkildsen	Wicker
Spratt	Torres	Williams
Stearns	Torricelli	Wilson
Stenholm	Towns	Wise
Stockman	Traficant	Wolf
Stokes	Upton	Woolsey
Studds	Vento	Wynn
Stump	Visclosky	Yates
Stupak	Volkmer	Young (FL)
Talent	Vucanovich	Zeliff
Tanner	Waldholtz	Zimmer

NOES—42

Becerra	Foglietta	Martinez
Bonior	Gibbons	McDermott
Bryant (TX)	Green	Meek
Clay	Gutierrez	Mfume
Combest	Hastings (FL)	Owens
Condit	Hilliard	Pastor
Conyers	Hinchey	Payne (NJ)
Coyne	Jefferson	Rahall
DeFazio	Kanjorski	Rangel
Dellums	Kennedy (MA)	Sanders
Fattah	Klink	Schroeder
Fields (LA)	Latham	Stark
Filner	Lofgren	Velazquez
Flake	Maloney	Watt (NC)

NOT VOTING—20

Baker (LA)	Hancock	Smith (TX)
Barcia	Hayes	Taylor (NC)
Barton	Johnson, E. B.	Waters
Brewster	Linder	Waxman
Chapman	Moakley	Wyden
Clyburn	Myers	Young (AK)
Frank (MA)	Serrano	

□ 1941

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

LEGISLATIVE PROGRAM

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

Mr. BONIOR. Mr. Speaker, I would inquire of the distinguished majority leader of the schedule for today and the remainder of the week and next week.

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

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

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

Mr. Speaker, this last vote marks the end of the legislative business for the week. Members are now free to return to their families and their districts. Next week the House will not be in session on Monday, January 29.

On Tuesday, January 30, there is a possibility of a suspension day. Several items are under consideration, although none have been finalized at this time. Of course, we will consult with the minority and keep Members appraised of any additions to the schedule. Members should be advised, however, that there will be no recorded votes on Tuesday. In fact, we do not expect any recorded votes before Wednesday at 12 o'clock noon.

On Wednesday there is a possibility that we will act on emergency legislation to fund certain farm programs. Because of the President's veto of the Balanced Budget Act which contained farm program funding and reforms, there is a great deal of uncertainty in farm country that need to be addressed. We are working with Members on both sides of the aisle and will continue to do so as this legislation develop.

On Thursday, February 1, there will be a joint meeting of Congress at 11:45 a.m. to receive the President of France. After the joint session, we anticipate bringing to the floor for consideration the President's most recent complete budget submission.

We also plan to consider a sense-of-the-House resolution regarding Medicare, Medigrant, and welfare reform, directing the Committee on the Budget to report on a resolution regarding funding levels and policy priorities for these programs. We hope to have Members on their way home by a reasonable hour on Thursday evening.

We will then begin a 3-week district work period, and reconvene the House on Monday, February 26.

Mr. Speaker, I have just one more comment.

□ 1945

This one to my esteemed colleagues from Pennsylvania. I will see you next week with a smile on my face after our beloved Dallas Cowboys win the Super Bowl.

Mr. BONIOR. I would say to my friend from Texas that the distinguished chairman of the Committee on the Budget, Mr. KASICH, is a fanatical Steelers fan, as you probably know. I was just wondering if your differences with respect to this football game are the reason why he would prefer that we go ahead with a clean debt ceiling bill, and you have expressed contrary views this past week.

Mr. ARMEY. If the gentleman would yield, I have discussed this with Mr. KASICH, and as much as he loves the Steelers, he has not been prepared to bet the budget on it.

Mr. HOYER. Mr. Speaker, will the majority leader yield?

Mr. ARMEY. I am happy to yield.

Mr. HOYER. I thank the gentleman for yielding, and my suggestion would be that when you have all of your Dallas fans watching that game on Sunday, thank God they are not playing the Washington Redskins.

Mr. ARMEY. If the gentleman would yield, we have 26 teams in the NFL; I am sure we could keep this up for a while.

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

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

Mr. VOLKMER. Mr. Speaker, I would like to discuss, if the gentleman from Texas would be so kind to do so, the statement in here about the farm bill and emergency legislation. What emergency legislation would that be?

I am on the Committee on Agriculture, and I would like to know what we are going to be faced with.

Mr. ARMEY. I appreciate the inquiry of the gentleman, and I would refer the gentleman to the chairman of the Committee on Agriculture. As the gentleman from Missouri has pointed out on many occasions, I am not personally an expert on farm policy.

Mr. VOLKMER. Well, you have done enough to agriculture programs in your time.

Mr. ARMEY. Pursuant to the recommendations of the gentleman, I have chosen to try as much as possible to leave this work in the hands of the committee. I know the committee and the members of the committee are very concerned.

They are working on it; they are working with Members of the other body, and the details of their work, I am sure, are something that the gentleman can better determine from the chairman of the Committee on Agriculture.

Mr. VOLKMER. Well, there is a great deal of uncertainty out there among all of the farmers. We have not done a farm bill. There was a welfare bill for big farmers put in the so-called Debt Ceiling Reduction Act that the President vetoed. It is my understanding that that bill, which the President said was one of the reasons he vetoed the provision on agriculture, one of the reasons he vetoed the bill, is going to be basically the same bill, so I have been told, that the Members want to take up in the Committee on Agriculture; and if that is the case, I do not know why we are doing it, because it will be vetoed again.

Now, I just do not understand why we continue to do legislation down here that is not going anywhere.

Mr. ARMEY. If the gentleman would yield, again let me refer the gentleman from Missouri to the chairman of the Committee on Agriculture. If in fact you want to have a debate on farm policy or you prefer to have a debate on welfare programs, I think you would better enjoy that debate in the Committee on Agriculture, and I would refer you to that committee.

Mr. VOLKMER. Well, I object strongly that you blame the President for something that needs to be solved right here in this body and with the chairman of the Committee on Agriculture and with the Committee on Agriculture in the Senate, because that is where the work has not been done, not with the President.

Mr. BONIOR. Mr. Speaker, reclaiming my time, one other comment to my friend from Texas concerning the concerns that Secretary Rubin has with regard to the possibility of a default by the 1st of March: For 220 years this government has paid its bills, and there is deep concern that our credit rating will in fact be destroyed.

Just yesterday, as the gentleman from Texas knows, Moody's announced they may lower America's credit rating, and of course the impact that will

have on homeowners, on mortgage interest rates, on student loans and on automobile loans could be devastating to your constituents and mine. I am just wondering when we will be able to see a clean debt ceiling bill come to the floor of this House.

Mr. ARMEY. If the gentleman would yield further, I thank the gentleman for the question. I do know that the President and the Speaker have discussed this issue by phone and we will continue to work with the White House to determine the time frame for the debt limit extension.

It is also my belief that we can reach an agreement on a suitable downpayment for the balanced budget at that time.

As the gentleman will recall, the President was presented with a debt ceiling extension in November which he vetoed pursuant to the advice of the Secretary of the Treasury. The Secretary of the Treasury assured the President that he could manage affairs without that debt ceiling extension that the President vetoed at that time, and the Secretary of the Treasury has assured us that he can continue to do so until March 1. In the meantime, we are talking with the White House about the conditions under which we can send forward a debt ceiling increase that also is accompanied by a suitable downpayment on the balanced budget.

Mr. BONIOR. I just wish to advise my friend from Texas and his esteemed colleague on the other side of the aisle that we have filed a discharge petition, and we have Members who have signed it, to bring a clean debt ceiling to this floor. We invite responsible Members of the other side of the aisle who want to make sure that this does not happen to this country, that our credit rating is not besmirched, to join us so that we can bring this bill to the floor and we can get on with the business of this country without the threat hanging over our head that now looms there.

I thank my colleague.

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

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

Mr. EMERSON. Mr. Speaker, I thank the gentleman from Michigan, the distinguished minority whip, permitting me to inquire of the distinguished majority leader.

Next Thursday, February 1, is the occasion of the annual National Prayer Breakfast, and traditionally we are accommodated so that we do not have votes in the House before, say, 10:30 or 11 o'clock, because most Members like to participate in this event, which is held off the Hill.

After inquiring of the distinguished majority leader's staff, I am advised that you have allocated for that in the schedule, and I just wanted to confirm that.

Mr. ARMEY. The gentleman is absolutely correct. We are scheduling no votes before, probably, 12 o'clock on Thursday morning, and I guess I could encourage, and I am sure the gentleman would agree, that it is a wonderful opportunity for all of us to share that time together at the National Prayer Breakfast on Thursday morning. The schedule will surely accommodate that.

HOUR OF MEETING ON TOMORROW

Mr. ARMEY. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourns to meet at noon tomorrow.

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

There was no objection.

ELECTION OF MEMBER TO COMMITTEE ON WAYS AND MEANS

Mr. ARMEY. Mr. Speaker, by direction of the Republican Conference, I call up a privileged resolution (H. Res. 343) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 343

Resolved, That the following named Member be, and he is hereby, elected to the following standing committees of the House of Representatives:

Committee on Ways and Means: Mr. Hayes of Louisiana.

The resolution was agreed to.

A motion to reconsider was laid on the table.

ELECTION OF MEMBER TO COMMITTEE ON WAYS AND MEANS

Mr. FAZIO of California. Mr. Speaker, I offer a privileged resolution (H. Res. 344) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 344

Resolved, That the following named Member be, and is hereby, elected to the following standing committee of the House of Representatives:

To the Committee on Ways and Means: Michael McNulty of New York.

The resolution was agreed to.

A motion to reconsider was laid on the table.

RESIGNATION AS MEMBER OF COMMITTEE ON INTERNATIONAL RELATIONS

The SPEAKER pro tempore laid before the House the following resignation as a Member of the Committee on International Relations:

CONGRESS OF THE UNITED STATES,
New York, January 24, 1996.

The SPEAKER,
House of Representatives, Washington, DC.

DEAR MR. SPEAKER: I hereby resign my position as a member of the House International Relations Committee (HIRC) effective upon ratification by the full House of my membership on the House Ways and Means Committee.

While I look forward to returning to my assignment on Ways and Means, I wish to thank Chairman Gilman, Ranking Member Hamilton, and all the HIRC members for the many courtesies extended to me during my service on that panel.

Sincerely,

MICHAEL R. MCNULTY,
Member of Congress.

The SPEAKER pro tempore. Without objection, the resignation is accepted.

There was no objection.

EXTENDING AUTHORITIES OF DEPARTMENT OF VETERANS AFFAIRS RELATING TO DELIVERY OF HEALTH AND MEDICAL CARE

Mr. STUMP. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 2353) to amend title 38, United States Code, to extend certain expiring authorities of the Department of Veterans Affairs relating to delivery of health and medical care, and for other purposes, with Senate amendments thereto, and to concur in the Senate amendments with amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments and the House amendments to the Senate amendments, as follows:

Senate amendments:

Strike out all after the enacting clause and insert:

SECTION 1. EXTENSION OF EXPIRING AUTHORITIES.

(a) AUTHORITY TO PROVIDE PRIORITY HEALTH CARE FOR CERTAIN VETERANS EXPOSED TO TOXIC SUBSTANCES.—(1) Effective June 29, 1995, section 1710(e)(3) of title 38, United States Code, is amended by striking out ''after June 30, 1995,'' and all that follows through ''December 31, 1995'' and inserting in lieu thereof ''after December 31, 1996''.

(2) Section 1712(a)(1)(D) of such title is amended by striking out ''December 31, 1995,'' and inserting in lieu thereof ''December 31, 1996,''.

(b) DRUG AND ALCOHOL ABUSE AND DEPENDENCE.—Section 1720A(e) of such title is amended by striking out ''December 31, 1995'' and inserting in lieu thereof ''December 31, 1997''.

(c) PILOT PROGRAM FOR NONINSTITUTIONAL ALTERNATIVES TO NURSING HOME CARE.—Section 1720C(a) of such title is amended by striking out ''September 30, 1995,'' and inserting in lieu thereof ''December 31, 1997,''.

(d) NEGOTIATED INTEREST RATES.—Section 3703(c)(4)(D) of such title is amended by striking out ''December 31, 1995'' and inserting in lieu thereof ''December 31, 1997''.

(e) MORTGAGES FOR ENERGY EFFICIENT IMPROVEMENTS.—Section 3710(d)(7) of such title is amended by striking out ''December 31, 1995'' and inserting in lieu thereof ''December 31, 1997''.

(f) ENHANCED LOAN ASSET SALE AUTHORITY.—Section 3720(h)(2) of such title is amended by striking out ''December 31, 1995'' and inserting in lieu thereof ''December 31, 1996''.

(g) AUTHORITY OF LENDERS OF AUTOMATICALLY GUARANTEED LOANS TO REVIEW APPRAISALS.—Section 3731(f)(3) of such title is amended by striking out ''December 31, 1995'' and inserting in lieu thereof ''December 31, 1997''.

(h) AGREEMENTS FOR HOUSING ASSISTANCE FOR HOMELESS VETERANS.—Section 3735(c) of such title is amended by striking out ''December 31, 1995'' and inserting in lieu thereof ''December 31, 1997''.

(i) USE OF DATA ON COMPENSATION FOR CERTIFIED REGISTERED NURSE ANESTHETISTS.—Effective March 31, 1995, section 7451(d)(3)(C)(iii) of such title is amended by striking out ''April 1, 1995'' and inserting in lieu thereof ''December 31, 1997''.

(j) HEALTH PROFESSIONAL SCHOLARSHIP PROGRAM.—Section 7618 of such title is amended by striking out ''December 31, 1995'' and inserting in lieu thereof ''December 31, 1997''.

(k) ENHANCED-USE LEASES OF REAL PROPERTY.—Section 8169 of such title is amended by striking out ''December 31, 1995'' and inserting in lieu thereof ''December 31, 1997''.

(l) AUTHORITY FOR COMMUNITY-BASED RESIDENTIAL CARE FOR HOMELESS CHRONICALLY MENTALLY ILL VETERANS AND OTHER VETERANS.—Section 115(d) of the Veterans' Benefits and Services Act of 1988 (38 U.S.C. 1712 note) is amended by striking out ''September 30, 1995'' and inserting in lieu thereof ''December 31, 1997''.

(m) DEMONSTRATION PROGRAM OF COMPENSATED WORK THERAPY.—Section 7(a) of Public Law 102–54 (38 U.S.C. 1718 note) is amended by striking out ''fiscal years 1991 through 1995'' and inserting in lieu thereof ''the period beginning on October 1, 1991, and ending on December 31, 1997,''.

(n) AUTHORITY TO MAKE GRANTS FOR ASSISTANCE IN FURNISHING SERVICES AND ASSISTANCE TO HOMELESS VETERANS.—(1) Section 3(a) of the Homeless Veterans Comprehensive Service Programs Act of 1992 (Public Law 102–590; 106 Stat. 5136; 38 U.S.C. 7721 note) is amended by striking out ''fiscal years 1993, 1994, and 1995,'' and inserting in lieu thereof ''fiscal years 1993 through 1997,''.

(2) Section 12 of such Act (106 Stat. 5142) is amended by striking out ''each of the fiscal years 1993, 1994, and 1995'' and inserting in lieu thereof ''each of fiscal years 1993 through 1997''.

(o) HOMELESS VETERANS' REINTEGRATION PROJECTS.—(1) Section 738(e)(1) of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C. 11448(e)(1)) is amended by adding at the end the following:

''(D) $10,000,000 for fiscal year 1996''.

''(E) $10,000,000 for fiscal year 1997.''.

(2) Section 741 of such Act (42 U.S.C. 11450) is amended by striking out ''October 1, 1995'' and inserting in lieu thereof ''October 1, 1997''.

(p) EFFECTIVE DATE.—Except as provided in subsections (a)(1) and (i), the amendments made by this section shall take effect on October 1, 1995.

(q) RATIFICATION OF ACTIONS.—The following actions are hereby ratified:

(1) The furnishing by the Secretary of Veterans Affairs of care and services by virtue of section 1710(a)(1)(G) of title 38, United States Code, during the period beginning on July 1, 1995, and ending on the date of the enactment of this Act.

(2) The furnishing by the Secretary of services in noninstitutional settings by virtue of section 1720C of such title during the period beginning on October 1, 1995, and ending on the date of the enactment of this Act.

(3) The use by any director of a Department of Veterans Affairs health-care facility of data on rates of compensation paid to certified nurse anesthetists in a labor market area under section 7451(d)(3)(C) of such title during the period beginning on April 1, 1995, and ending on the date of the enactment of this Act.

(4) The furnishing by the Secretary of care for homeless chronically mentally ill and other veterans by virtue of section 115 of the Veterans' Benefits and Services Act of 1988 (38 U.S.C. 1712 note) during the period beginning on October 1, 1995, and ending on the date of the enactment of this Act.

(5) The furnishing by the Secretary of work therapy and therapeutic transitional housing by virtue of section 7 of Public Law 102–54 (38 U.S.C. 1718 note) during the period beginning on October 1, 1995, and ending on the date of the enactment of this Act.

(6) Grants made by the Secretary of furnish services to veterans under section 3 of the Homeless Veterans Comprehensive Services Programs Act of 1992 (38 U.S.C. 7721 note) during the period beginning on October 1, 1995, and ending on the date of the enactment of this Act.

House amendments to the Senate amendments:

In lieu of the matter proposed to be inserted by the Senate amendment to the text of the bill, insert the following:

TITLE I—EXTENSIONS OF AUTHORITY

SEC. 101. EXTENSION OF AUTHORITIES UNDER TITLE 38, UNITED STATES CODE.

(a) AUTHORITY TO PROVIDE PRIORITY HEALTH CARE FOR CERTAIN VETERANS EXPOSED TO TOXIC SUBSTANCES.—(1) Section 1710(e)(3) of title 38, United States Code, is amended by striking out ''after June 30, 1995,'' and all that follows through ''December 31, 1995'' and inserting in lieu thereof ''after December 31, 1996''.

(2) Section 1712(a)(1)(D) of such title is amended by striking out ''December 31, 1995,'' and inserting in lieu thereof ''December 31, 1996,''.

(b) DRUG AND ALCOHOL ABUSE AND DEPENDENCE.—Section 1720A(e) of such title is amended by striking out ''December 31, 1995'' and inserting in lieu thereof ''December 31, 1997''.

(c) PILOT PROGRAM FOR NONINSTITUTIONAL ALTERNATIVES TO NURSING HOME CARE.—Section 1720C(a) of such title is amended by striking out ''September 30, 1995,'' and inserting in lieu thereof ''December 31, 1997,''.

(d) NEGOTIATED INTEREST RATES.—Section 3703(c)(4) of such title is amended by striking out subparagraph (D).

(e) MORTGAGES FOR ENERGY EFFICIENT IMPROVEMENTS.—Section 3710(d) of such title is amended by striking out paragraph (7).

(f) ENHANCED LOAN ASSET SALE AUTHORITY.—Section 3720(h)(2) of such title is amended by striking out ''December 31, 1995'' and inserting in lieu thereof ''December 31, 1996''.

(g) AUTHORITY OF LENDERS OF AUTOMATICALLY GUARANTEED LOANS TO REVIEW APPRAISALS.—Section 3731(f) of such title is amended by striking out paragraph (3).

(h) AGREEMENTS FOR HOUSING ASSISTANCE FOR HOMELESS VETERANS.—Section 3735(c) of such title is amended by striking out ''December 31, 1995'' and inserting in lieu thereof ''December 31, 1997''.

(i) USE OF DATA ON COMPENSATION FOR CERTIFIED REGISTERED NURSE ANESTHETISTS.—Section 7451(d)(3)(C)(iii) of such title is amended by striking out ''April 1, 1995'' and inserting in lieu thereof ''January 1, 1998''.

(j) HEALTH PROFESSIONAL SCHOLARSHIP PROGRAM.—Section 7618 of such title is amended by striking out ''December 31, 1995'' and inserting in lieu thereof ''December 31, 1997''.

(k) ENHANCED-USE LEASES OF REAL PROPERTY.—Section 8169 of such title is amended by striking out ''December 31, 1995'' and inserting in lieu thereof ''December 31, 1997''.

SEC. 102. EXTENSION OF AUTHORITIES UNDER OTHER PROVISIONS OF LAW.

(a) AUTHORITY FOR COMMUNITY-BASED RESIDENTIAL CARE FOR HOMELESS CHRONICALLY MENTALLY ILL VETERANS AND OTHER VETERANS.—Section 115(d) of the Veterans' Benefits and Services Act of 1988 (38 U.S.C. 1712 note) is amended by striking out ''September 30, 1995'' and inserting in lieu thereof ''December 31, 1997''.

(b) DEMONSTRATION PROGRAM OF COMPENSATED WORK THERAPY.—Section 7(a) of Public Law 102–54 (38 U.S.C. 1718 note) is amended by striking out ''fiscal years 1991 through 1995'' and inserting in lieu thereof ''the period beginning on October 1, 1991, and ending on December 31, 1977''.

(c) SERVICES AND ASSISTANCE TO HOMELESS VETERANS.—The Homeless Veterans Comprehensive Service Programs Act of 1992 (Public Law 102–590; 38 U.S.C. 7721 note) is amended—

(1) in section 2, by striking out ''September 30, 1995,'' and inserting in lieu thereof ''September 30, 1997,'';

(2) in section 3(a)—

(A) by inserting ''(1)'' before ''Subject to'';

(B) by striking out ''fiscal years 1993, 1994, and 1995,''; and

(C) by adding at the end the following new paragraph:

''(2) The authority of the Secretary to make grants under this section expires on September 30, 1997.''; and

(3) in section 12, by striking out ''each of the fiscal years 1993, 1994, and 1995'' and inserting in lieu thereof ''each of fiscal years 1993 through 1997''.

(d) HOMELESS VETERANS' REINTEGRATION PROJECTS.—(1) Section 738(e)(1) of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C. 11448(e)(1)) is amended by adding at the end the following:

''(D) $10,000,000 for fiscal year 1996.''.

(2) Section 741 of such Act (42 U.S.C. 11450) is amended by striking out ''October 1, 1995'' and inserting in lieu thereof ''December 31, 1997''.

SEC. 103. RATIFICATION OF ACTIONS TAKEN DURING PERIOD OF EXPIRED AUTHORITY.

Any action taken by the Secretary of Veterans Affairs before the date of the enactment of this Act under a provision of law amended by this title was taken during the period beginning on the date on which the authority of the Secretary under that provision of law expired and ending on the date of the enactment of this Act shall be considered to have the same force and effect as if the amendment to that provision of law made by this title had been in effect at the time of that action.

TITLE II—OTHER PROVISIONS

SEC. 201. CODIFICATION OF HOUSING REPORTING REQUIREMENTS AND CHANGES IN THEIR FREQUENCY.

(a) CODIFICATION OF HOUSING RELATED REPORTING REQUIREMENTS.—(1) Chapter 37 of title 38, United States Code, is amended by adding after section 3735 the following new section:

''§ 3736. Reporting requirements

''The annual report required by section 529 of this title shall include a discussion of the activities under this chapter. Beginning with the report submitted at the close of fiscal year 1996, and every second year thereafter, this discussion shall include information regarding the following:

''(1) Loans made to veterans whose only qualifying service was in the Selected Reserve.

''(2) Interest rates and discount points which were negotiated between the lender and the veteran pursuant to section 3703(c)(4)(A)(i) of this title.

''(3) The determination of reasonable value by lenders pursuant to section 3731(f) of this title.

''(4) Loans that include funds for energy efficiency improvements pursuant to section 3710(a)(10) of this title.

''(5) Direct loans to Native American veterans made pursuant to subchapter V of this chapter.''.

(2) The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 3735 the following new item:

''3736. Reporting requirements.''.

(b) REPEAL OF SUPERSEDED REPORTING REQUIREMENTS.—The Veterans Home Loan Program Amendments of 1992 (Public Law 102–547; 106 Stat. 3633) is amended by striking out sections 2(c), 3(b), 8(d), 9(c), and 10(b).

SEC. 202. OTHER REPORT REQUIREMENTS.

(a) REPORT ON CONSOLIDATION OF CERTAIN PROGRAMS.—The Secretary of Veterans Affairs shall submit to Congress, not later than March 1, 1997, a report on the advantages and disadvantages of consolidating into one program the following three programs:

(1) The alcohol and drug abuse contract care program under section 1720A of title 38, United States Code.

(2) The program to provide community-based residential care to homeless chronically mentally ill veterans under section 115 of the Veterans' Benefits and Services Act of 1988 (38 U.S.C. 1712 note).

(3) The demonstration program under section 7 of Public Law 102–54 (38 U.S.C. 1718 note).

(b) HEALTH PROFESSIONAL SCHOLARSHIP PROGRAM.—(1) The Secretary shall submit to Congress, not later than March 31, 1997, a report setting forth the results of a study evaluating the operation of the health professional scholarship program under subchapter II of chapter 76 of title 38, United States Code. The study shall evaluate the efficacy of the program with respect to recruitment and retention of health care personnel for the Department of Veterans Affairs and shall compare the costs and benefits of the program with the costs and benefits of alternative methods of ensuring adequate recruitment and retention of such personnel.

(2) The Secretary shall carry out the study under this paragraph through a private contractor. The report under paragraph (1) shall include the report of the contractor and the comments, if any, of the Secretary on that report.

(c) ENHANCED USE LEASES.—The Secretary shall submit to Congress, not later than March 31, 1997, a report evaluating the operation of the program under subchapter V of chapter 81 of title 38, United States Code.

SEC. 203. CONTRACTS FOR UTILITIES, AUDIE L. MURPHY MEMORIAL HOSPITAL.

(a) AUTHORITY TO CONTRACT.—Subject to subsection (b), the Secretary of Veterans Affairs may enter into contracts for the provision of utilities (including steam and chilled water) to the Audie L. Murphy Memorial Hospital in San Antonio, Texas. Each such contract may—

(1) be for a period not to exceed 35 years;

(2) provide for the construction and operation of a production facility on or near property under the jurisdiction of the Secretary;

(3) require capital contributions by the parties involved for the construction of such a facility, such contribution to be in the form of cash, equipment, or other in-kind contribution; and

(4) provide for a predetermined formula to compute the cost of providing such utilities to the parties for the duration of the contract.

(b) FUNDS.—A contract may be entered into under subsection (a) only to the extent as provided for in advance in appropriations Acts.

(c) ADDITIONAL TERMS.—The Secretary may include in a contract under subsection (a) such additional provisions as the Secretary considers necessary to secure the provision of utilities and to protect the interests of the United States.

In lieu of the Senate amendment to the title of the bill, amend the title so as to read: ''An Act to amend title 38, United States Code, to extend the authority of the Secretary of Veterans Affairs to carry out certain programs and activities, to require certain reports from the Secretary of Veterans Affairs, and for other purposes.''.

Mr. STUMP (during the reading). Mr. Speaker, I ask unanimous consent that the amendments be considered as read and printed in the RECORD.

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

There was no objection.

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

Mr. MONTGOMERY. Mr. Speaker, reserving the right to object, I do not plan to object, and I yield to the gentleman from Arizona [Mr. STUMP] for an explanation of his request.

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

Mr. Speaker, in 1995 the House passed H.R. 1536, H.R. 1575, H.R. 2289, and H.R. 2353. These bills extended a variety of VA authority for veterans health care and benefits. The other body combined the provisions of these 4 bills and substituted them in the bill S. 991 as an amendment to H.R. 2353 on January 5, 1996.

We now have been able to work out these compromises on those expiring authorities. This agreement is reflected in the amendments we are asking unanimous consent for now.

The amendment also authorized utility contracts for the Audie L. Murphy Medical Center in San Antonio, Texas. Chairman SIMPSON has given his commitment to address the remaining unresolved issues during the second session of the Congress.

We are seeking unanimous consent now because these must be enacted quickly. We hope the Senate will act on it tomorrow so that the expiration of these authorities will not adversely impact veterans depending on the VA for benefits and services. I hope all Members will support this amendment.

GENERAL LEAVE

Mr. STUMP. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on H.R. 2353, as amended.

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

There was no objection.

Mr. STUMP. Mr. Speaker, I would like to take one moment and thank my colleague and the ranking member on the other side, the gentleman from Mississippi [Mr. MONTGOMERY], for his help in finalizing these bills.

Mr. MONTGOMERY. Mr. Speaker, further reserving the right to object, I will be brief.

As the distinguished chairman has indicated, this bill was actually necessary. It was not passed in the first session, it was sent to the Senate. They did not act on it. This will help the veterans to be able to do some wonderful things.

Mr. Speaker, with that brief explanation, I withdraw my reservation of objection.

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

There was no objection.

A motion to reconsider was laid on the table.

ANNUAL REPORT OF DEPARTMENT OF TRANSPORTATION—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The Speaker pro tempore laid before the House the following message from the President of the United States; which was read and, without objection, referred to the Committee on Transportation and Infrastructure.

To the Congress of the United States:

In accordance with section 308 of Public Law 97–449 (49 U.S.C. 308(a)), I transmit herewith the Annual Report of the Department of Transportation, which covers fiscal year 1994.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *January 25, 1996.*

□ 2000

SPECIAL ORDERS

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

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

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

BALANCING THE BUDGET

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

Mr. GREENWOOD. Mr. Speaker, tonight I had longstanding plans to be with a very special group of my constituents from Bucks and Montgomery Counties. I was very much looking forward to being there. But tonight's business was far too important to miss.

What we have done tonight is literally make a down payment on balancing America's budget, a project that this side of the aisle has worked on very hard for all of this year. We have not met our commitments. We have not reached the accord that we had hoped to reach with the White House. But what we have done tonight in a bipartisan fashion, with the agreement of the President, is to agree to agree on those things where we do not have a difference of opinion, and we have done that. But our work is still cut out for us.

Mr. Speaker, we must reach accord, we must compromise, we must find a way to reform our entitlements, to reform our Medicare system, to save it

from the disastrous bankruptcy to which it is headed. We must transform our welfare system into one that offers not a handout, but a hand up. We must reform our Medicaid system, which is creating financial havoc for all of the States.

I believe, Mr. Speaker, that we can do this. But it will take a spirit of compromise, the same bipartisan spirit that we evidenced tonight on the floor, Republicans and Democrats working, the Congress and the President, getting beyond their differences and becoming less entrenched and working in the spirit of compromise. I believe the American people expect that from us. I believe the American people deserve that, and I believe for our children's future we must do that.

DEMOCRACY IN ACTION

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

Mr. GOSS. Mr. Speaker, I will not use the 5 minutes, but an important event has happened in our district. When the results were in on the citizens referendum to incorporate Fort Myers Beach into a town, a resident remarked ''This is the will of the people. This is democracy in action.''

I rise today to salute the new municipality in my district in Florida, to commend the citizens on both sides of the incorporation debate for their sincere interest in bettering their community and to wish the newly elected town council well in its endeavor.

It was more than 20 years ago that my own community of Sanibel, FL, took the same important step into home rule. We felt then, as a majority of Fort Myers Beach residents feel now, that home rule would give residents greater access to and control over the governance of their community. I was proud to have been involved in Sanibel's efforts of democracy in action, and I am proud today of the newest municipality in my congressional district. Fort Myers Beach has always had a distinctive character and charm. Even though we have many beautiful beaches in Lee County, FL, when somebody refers to ''the beach'' down our way they usually mean Fort Myers beach. That unique personality will no doubt flourish as the town of Fort Myers Beach sets out on the course to take charge of its own destiny.

I know others in Congress join me in offering a warm greeting to southwest Florida's newest town. Welcome to the town of Fort Myers Beach.

FRENCH NUCLEAR NIGHTMARE

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

Mr. FALEOMAVAEGA. Mr. Speaker, it's me again. At times I feel like I'm out there in the wilderness talking to the birds and the trees—as I have imagined several times that I'm standing on a beautiful sandy beach along any one of those South Pacific islands, taking a long deep breath of that warm salt air, as I observe one of the great wonders of nature—the powerful waves of the ocean pounding the shore.

Mr. Speaker, I believe I have counted at least 20 times I've taken an important matter before my colleagues and to the American people—the matter of French nuclear testing in the South Pacific and specifically in French Polynesia.

Mr. Speaker, in June of last year, I introduced House Concurrent Resolution 80, that has numerous cosponsors from both sides of the aisle—including, Mr. GILMAN from New York, Mr. HAMILTON from Indiana, Mr. LEACH from Iowa, Mr. BEREUTER from Nebraska, Mr. BERMAN from California, Mr. SMITH from New Jersey, Mr. LANTOS from California, Mr. ROHRABACHER from California, Mr. ACKERMAN from New York, Mr. KIM from California, Mr. UNDERWOOD from the Territory of Guam, Mrs. MINK from Hawaii, Mr. ABERCROMBIE also from Hawaii, Mr. MARKEY from Massachusetts, Mr. DEFAZIO from Oregon, and Mr. MINETA from California.

Mr. Speaker, House Concurrent Resolution 80 expresses the sense of the Congress of the United States to recognize the concerns of the peoples of Oceania and to call upon France to stop nuclear testing in the South Pacific.

Mr. Speaker, I want to share with my colleagues the substantive issues and concerns raised in this resolution, which delineates the environmental risks that France's testing has created for the 28 million men, women and children who live throughout the Pacific region, which is comprised of 22 sovereign nations and territories. The resolution further calls upon the Government of France, namely President Chirac and his administration, to cease all nuclear testing in the South Pacific.

House Concurrent Resolution 80 holds that:

The Government of France has been conducting nuclear tests over 10,000 miles from Paris on the South Pacific atolls of Moruroa and Fangataufa in French Polynesia;

That since 1966 France has detonated at least 187 nuclear explosions above, on, and under these coral atolls in French Polynesia, including more than 140 underground nuclear tests;

That there is considerable concern among the 28,000,000 people of the 22 countries and territories of Oceania regarding the adverse environmental effects in the region as a result of these nuclear tests;

That the island nations of the South Pacific forum have staunchly opposed France's nuclear testing in the region, applauded France's adherence to a global nuclear testing moratorium since 1992, and strongly deplore and condemn any decision to resume France's nuclear testing in the South Pacific;

That despite France's claim that its nuclear testing program is absolutely safe, there is scientific evidence to suggest both that radioactive leakage has already occurred at the testing site and that additional, more serious leakage might occur in the next 10 to 100 years;

That there is also concern in the region that the coral atoll, Moruroa, has been subjected to premature and accelerated aging as a result of the testing program, risking the structural integrity of the atoll and increasing the possibility of its disintegration;

That the leaders of France's insular territory, French Polynesia, have stated opposition to resumed nuclear testing, joining fellow Pacific Island governments, and it is inherently unfair that they should be used as a test site for France's nuclear explosions;

Therefore, the Congress of the United States should recognize the concerns of the 28,000,000 people from nations and territories of Oceania and call upon the Government of France to cease all nuclear testing at the Moruroa and Fangataufa atolls.

Mr. Speaker, after voice votes of both the House International Relations Subcommittee on the Asia-Pacific and the full Committee on International Relations—the committees unanimously approved the concurrent resolution and forwarded it for floor action. But for some unknown reason, Mr. Speaker, the concurrent resolution is being shuffled somewhere between offices and the floor of the House, and for that unknown reason, this important matter has conveniently been put on hold indefinitely. As a bipartisan measure that has been described as moderate and well balanced, it is shameful that the Republican leadership has chosen deliberately not to bring House Concurrent Resolution 80 to the floor.

Mr. Speaker, I would also like to share with our colleagues some basic statistical data concerning nuclear testing not only in our country but other countries as well. I honestly believe there is a need for our policymakers and members of the nuclear club—the United States, Great Britain, France, Russia, and the Peoples Republic of China—to thoroughly re-examine the so-called merits—and the dark side—of having nuclear warheads as a deterrent against enemy aggression.

Mr. Speaker, according to the bulletin of the Atomic Scientists, the U.S. nuclear weapons program from 1940 to 1995 in constant U.S. dollars—is estimated to have cost America $4 trillion. Let me repeat, Mr. Speaker—$4 trillion. A $4 trillion stack of 1 dollar bills would reach the Moon, encircle it, and start part way back. Four trillion dollar bills could paper over every State east of the Mississippi, with enough left over to blanket Louisiana, Texas, Oklahoma, Missouri, and most of Iowa.

And, Mr. Speaker, the $4 trillion figure does not even include additional

nuclear weapons-related costs America expends on aerial refueling tankers, aircraft and ships; nor the costs for dismantlement of outmoded missiles, bombs and submarines. And, Mr. Speaker, the $4 trillion does not even include the estimated cost of $350 billion needed to deal with impending nuclear waste management problems.

Mr. Speaker, our nuclear weapons-related expenditure for last year alone was approximately $33.157 billion.

Of this, the Department of Defense expended over $21 billion. DOD's costs included the maintenance, operations and modernization of nuclear weapons, ballistic missile defense, satellite systems, ground-airborne command posts, and the Nunn-Lugar Cooperative Threat Reduction Program for dismantlement of nuclear weapons in the former Soviet Union.

The Department of Energy expenditure to conduct stockpile research and testing of nuclear weapons—including nuclear materials stabilization, nuclear waste management, the naval nuclear propulsion program, technology transfer, intelligence and safety/security issues, verification and implementation of treaties—cost the Department of Energy almost $12 billion.

Other agencies spent approximately $185 million on programs related to nuclear weapons.

So, Mr. Speaker, just for the past year alone, our expenditure for nuclear weapons-related costs totalled over $33 billion.

A question is raised, Mr. Speaker, whether or not the American taxpayers got their money's worth for our nuclear program. Here are some interesting figures for my colleagues to consider: The cost for not testing any nuclear bomb this year—$410 million; the total number of U.S.-built nuclear warheads and bombs from 1945 to the present—70,000; the total number of nuclear missiles the United States built from 1951 to the present—67,500; the total land area occupied by the Departments of Defense and Energy to carry out our nuclear weapons program—approximately 12,800 square miles—which is comparable to the combined area covered by the States of Maryland, Delaware and the District of Columbia; the total number of nuclear bombs we exploded in the State of Nevada—935.

The total number of nuclear bombs the United States exploded in the Marshall Islands—now the Republic of the Marshall Islands—106. One of these explosions, Mr. Speaker, was the world's first hydrogen bomb test—known as the Bravo Shot. This was a 15 megaton hydrogen bomb explosion that was 1,000 times more powerful than the atom bomb that we dropped on the city of Hiroshima, which incidently killed and vaporized some 150,000 men, women, and children. Let me go on, Mr. Speaker, after our nuclear testing program in the Marshalls, there are still, to this day, up to 26 islands that remain contaminated as a result of our nuclear tests.

Let me also add, Mr. Speaker, that we either lost or never received 11 nuclear bombs through our testing program. We have also built, Mr. Speaker, about 75 special facilities for the President and our national leaders to utilize in the event of a nuclear war. Today, over 250 million pages of documents remain secret that the Department of Energy has not yet declassified.

Mr. Speaker, I'm no pacifist. As a Vietnam veteran, I have fought for America. I firmly believe that our country must always be second to none as far as our national security is concerned.

Mr. Speaker, without boasting or arrogance on my part, I take great comfort in knowing that the United States stands not only as the preeminent leader of the free world but as the most powerful nation on this planet.

Which brings me to the question before us—and to the 187 recognized sovereign nations of the world. There are nations that test, possess, and can even deliver and explode nuclear bombs if necessary in times of national crisis. Then there are nations that because of threats and perceived danger to their national security from bordering countries with nuclear bombs—want to develop their own nuclear weapons systems. Regional examples among such nations are the problems between Pakistan, India and China; between North Korea and South Korea; and between Israel and Iran.

However, Mr. Speaker, the vast majority of the world's nations simply want nothing to do with nuclear bombs, nuclear missiles, nuclear everything. These nations consider nuclear weapons as weapons of genocide, that should be outlawed altogether by international law and standards of conduct.

So, Mr. Speaker, I commend President Clinton and his administration for taking a strong stand against nuclear testing and support of a genuine zero-yield comprehensive test ban treaty. The Clinton administration, and in particular the Arms Control and Disarmament Agency, should also be commended for their leadership in gaining the indefinite extension of the Nuclear Nonproliferation Treaty.

Mr. Speaker, 4 years ago a moratorium on testing was called for by the nuclear nations of the world. With the exception of China, all the nuclear powers, including the United States, Great Britain, Russia and France, complied and did not detonate nuclear bombs.

Unfortunately, Mr. Speaker, last year in June with a newly elected President in France, one of the first policy decisions made by President Chirac was to destroy the moratorium and announce that France would explode eight more nuclear bombs in the South Pacific in French Polynesia. Chirac maintains it is in the highest national interest of France to expand its nuclear arsenal with a new generation of nuclear weapons—a neutron warhead. Mr. Speaker, where are these weapons to be pointed—Russia, a nation striving toward democracy? Or are their nuclear missiles pointed at Germany, whose humiliating invasion of France in World War II gave birth to France's desperate need today for a nuclear security blanket?

Mr. Speaker, the cold war is over. Our Nation's taxpayers paid well over $5 trillion to overcome the global threat of Marxist communism. Thank God, Mr. Speaker, that nuclear weapons of mass destruction were never utilized—and certainly credit should be given to our country and our NATO allies, and to the former Soviet Union and members of the Warsaw Pact, for taking every precautionary measure to ensure the planet wasn't blown up into tiny pieces.

Mr. Speaker, I'm sure my colleagues are aware but perhaps many Americans are not aware of the fact that without even considering the deadliness of the former Soviet Union's nuclear arsenal, our Nation alone, Mr. Speaker, has enough nuclear bombs to blow this planet up 17 times over.

Mr. Speaker, if a nuclear war occurs, there is no such thing as a win-win result nor even a win-lose result. I submit, Mr. Speaker, the next nuclear holocaust will be a definite lose-lose result. There will be no winners—period. Everyone, everywhere, comes out a loser, as we will all ultimately suffer the harm and violence committed against the Earth's ecosystem.

Mr. Speaker, I am also greatly troubled by man's difficulty in harnessing nuclear energy for peaceful purposes. Although the electricity generated by nuclear power is a great benefit to humanity, at the same time we are faced with the very serious crisis of how to dispose of nuclear waste materials. Even now, Mr. Speaker, there is a serious debate in Congress as to which State or States in the United States are going to have the dubious honor of playing host to storage centers of nuclear waste, now and for the future. Unfortunately, some of our national leaders are looking at Nevada as the designated storage site for dangerous and hazardous nuclear waste materials—but is it fair to the citizens of Nevada that their State should bear such a burden?

And it should also be noted, Mr. Speaker, that it will cost our country over $350 billion to clean up and safely store such nuclear waste, when and if ever, our National Government decides where nuclear waste materials are to be stored.

My point, Mr. Speaker, is that we're still greatly struggling with the peaceful application and harnessing of nuclear energy. Given that we haven't even been able to control and manage the peaceful use of nuclear power, Mr. Speaker, I find it most disturbing that our Nation and other nations look at nuclear weapons as a means of providing security and protection against aggression. Literally, Mr. Speaker, nuclear bombs are weapons of genocide and mass destruction.

What bothers me greatly, Mr. Speaker, is that France—supposedly a shining example of Western values, Western virtues, and Western civilization, where there is a very high premium placed upon the value of human lives, human rights and human dignity—their Government simply went ahead 5 months ago and started exploding nuclear bombs half-a-world away from Paris, despite the protests and objections of millions of people from around the world.

France exploded these nuclear bombs in the middle of the Pacific Ocean, with no real interest or concern for the marine environment; no real concern over the ciguatera fish poisoning created; no real concern for the pleadings of the nations that are part of the Pacific Ocean; no real concern for the tremendous amount of nuclear contamination from their testing that will eventually have to be addressed in the near future; and, no real concern for the health and welfare of some 200,000 French citizens who live in French Polynesia where the nuclear tests have taken place.

Mr. Speaker, the post-cold-war era presents a rare and unique opportunity to lessen our reliance on nuclear weapons for global security and stability. With the progress achieved on the Nuclear Non-Proliferation Treaty and Comprehensive Test Ban Treaty negotiations, the world stands at a historic point in time as we move toward nuclear disarmament.

□ 2015

Mr. Speaker, I urge my colleagues to join me to tell President Chirac that what he is doing is not only shameful on behalf of the Government of France, but certainly outrageous, as far as I am concerned, as far as those people who live in the Pacific.

Mr. Speaker, I want to express my appreciation to my two distinguished Members and colleagues from the great State of Hawaii who have volunteered to share with me their concerns about what the French Government has been doing to these areas in the South Pacific. I gladly yield to my good friend, the gentlewoman from Hawaii [Mrs. MINK].

Mrs. MINK of Hawaii. Mr. Speaker, I must commend my colleague for his great leadership in calling attention, time and time again, to this Chamber of this egregious conduct on the part of the French Government.

Mr. Speaker, this particular special order is especially timely because we are told by the majority leadership that next week we are hosting the President of the French Government, Mr. Chirac himself, in this very hall in a joint session with the House and the Senate. I find it almost intolerable that such an invitation would have been extended on our behalf, in view of the huge protest that has been lodged against the French Government and President Chirac personally for his complete refusal to acknowledge the substantive basis upon which 170 nations have filed their protest and their objections to these tests that have been going on in French Polynesia.

I think that this is an example of his almost total refusal to understand the enormity of the human rights questions which this whole testing series exemplifies.

The French Government dismisses our objections on the basis that we have absolutely no evidence that any untoward damage could occur or any possible problems with respect to radiation contamination in the area.

All we have to do is to look at the record of what has happened to all of these Pacific islands where such tests have occurred in the past to know that it is not mere speculation that radioactive results could occur in this area and that the likelihood of irreparable contamination to the French Polynesian Islands is undoubtedly going to occur.

The gentleman, I am sure, has seen this article that appeared in a very timely way in the Washington Post, which the headline reads, ''France Acknowledges Radioactive Leakage in South Pacific Nuclear Tests,'' and goes on to point out that quantities of iodine 131 has seeped into the lagoon in the test sites and dismiss it again by saying it is insignificant. The significance is that there is this fallout in terms of the test.

Mr. Speaker, I yield to my friend in the well.

Mr. FALEOMAVAEGA. Mr. Speaker, I thank the gentlewoman for pointing out that article that appeared in the Washington Post about the leakage of iodine 131 into the sea. I want to share with my colleagues and with the public a little artistic demonstration of what this atoll really looks like from the air, if we were to look down directly. We can see that those areas of the atoll, this atoll sits right on top of what is known as a volcanic formation, as we see here.

Some of our friends may think that this is how Polynesians decorate their Christmas trees with these funny red dots. I wanted to share with my good friend that these red dots represent 185 nuclear explosions that have already taken place in this atoll, and the French Government kept denying, ''No, no, no problem. It is impossible for leakage.''

Mr. Speaker, 185 nuclear bombs have already been exploded in this atoll, and the French Government has the gall to tell the public and the American people and our top scientists that it is perfectly safe to continue this program. This is outrageous.

This is how it looks right now in this atoll. It is like a fractured cheese full of holes, and this is exactly what the Government has been doing, and they keep insisting by saying, ''It is perfectly safe. No problem over there.''

It just happens to be that this is right in the middle of the Pacific Ocean. That is my definite problem. I welcome my good friend, the gentleman from Hawaii [Mr. ABERCROMIE], for his comments.

Mr. ABERCROMBIE. Mr. Speaker, one would think, would one not, that if it were perfectly safe, that they could conduct this test in the bay at Marseille in France? If the tests are perfectly safe, why do they not conduct them in the channel off the French coast? If the tests are perfectly safe, why do not they conduct them in the Mediterranean Sea off the French coast?

I yield back to my friend.

Mr. FALEOMAVAEGA. Mr. Speaker, I thank my good friend for making that observation. This has always been the question raised by everyone around the world. If it is so safe, why not test it in France? I will tell my colleagues the reason why: The French people will not allow it, and all the peoples in Europe will not permit France to do such a thing. They had to pick on the most innocent people living on this planet.

Mr. ABERCROMBIE. Is it not then the case, would you agree, that if it was, in fact, safe and it could be done in France or it could be done in the seas in the waters surrounding France, and it has not been done and has been done in the South Pacific, that this is an indication of the continued colonial atmosphere, an example of the colonial mentality that the French still maintain toward the Polynesian people, most specifically those who live in the South Pacific?

Mr. FALEOMAVAEGA. I thank my good friend for making that observation. I want to share with my colleagues and the American people, they may be Polynesians, they may be Tahitians, but, by God, these are human beings.

It is so often said that France is the home of enlightenment, France is the home of all these beautiful observations about what human life is. This is the worst example of French democracy, if they call it a democracy. It is really sad, a really sad commentary that our national leaders have seen fit to allow this man to address this Congress, while the world's condemnation sits on the head of this man, whether it be in Europe or in the British Commonwealth of Nations.

□ 2030

What in the world are we doing? I cannot believe this.

Mrs. MINK of Hawaii. If the gentleman will continue to yield, the hypocrisy of all of this is that the French Government has for some time now put itself on record declaring that it would abide by a test ban treaty. It declared a moratorium. It specified their commitment to the concept of no tests by any of these nuclear powers and, in doing so, encouraged all of these other nations to join in this tremendously, highly moral commitment that we are not ever going to have any more of these nuclear tests anywhere in the world.

When they came out in June with their announcement that, notwithstanding the moratorium that they had declared, that they were going to proceed with these tests, to me that was a violation of the confidence and trust that the peoples of this area had placed in their earlier pronouncements. That to me was a devastating reversal of their government's policies. I agree with you that coming to this Chamber next week is a very very disappointing event.

I regret that our leadership has extended such an invitation. I hope that our Members will understand the depth of our feelings about this issue and not grace this Chamber when the President appears at the joint session.

Mr. FALEOMAVAEGA. What is really funny about this, there was an article that appeared in the New York Times yesterday. The French are masters at doing this kind of thing. They leak some things here. They leak some things there and tell you what, they have already explained what Chirac is going to tell us next week.

Let me share with my colleagues and with my good friend from Hawaii what Chirac is going to be telling on this pulpit next Thursday. This is what he is going to say: The U.S. Government should not go into bankruptcy or default because it will seriously impact France's economy as well as other countries of Europe and the world for that matter. That is a real good line of instruction to our Republican friends.

Second, Chirac is going to lecture the Congress and our President and the American people that our country is not paying enough to the crisis in Bosnia. Would you believe that? This is the kind of thing that we are going to get from this man. It is OK because this is what the French officials are already telling the world. This is unbelievable.

Another thing, Chirac is also going to tell the Congress and our President that our country is not paying enough foreign aid to Third World nations. May I remind President Chirac where the United States has been for the past 50 years in providing security against aggression in Europe and when de Gaulle at the time pulled out of NATO and demanded of U.S. forces to leave France within 60 days, and what was our response to that? Does that also include the 10,000 soldiers who lie buried in the soils of France, freeing them from Nazi aggression in World War II? This is the kind of thing that we are faced with.

All I can submit to my good friends here is that this is the kind of thing that we are going to be hearing from him.

Another point, Chirac is going to say: Well, you are not contributing enough to the Bosnia crisis. But at the same time France expects to be the leading eminent role model and leader of Europe to provide the remedy that is needed for the Bosnia crisis. I think we can agree somewhat to the reason why there has been an impasse all these months, because they could not agree even among the European countries. So the United States had to be there to show real leadership how to remedy this crisis in Bosnia.

Another thing, Chirac is also going to give us a lecture that we are not a world class leader; we are not living up to our responsibilities as a world leader among nations. Could you believe this? Could you believe this? Excuse me, Mr. Speaker. This is unbelievable. This is what the French Government officials have already leaked in the press and to the media. This is what we are going to be hearing next week. Do you know what is really funny about this whole thing? He will not say anything about the French nuclear testing program. Is that not sad? Is that not totally indefensible?

Mrs. MINK of Hawaii. I think it is astounding that, if this report is accurate, the French President would dare to come here to instruct us on what should be our national posture on all of these critical issues on the pretense that the French Government serves as any kind of role model for the rest of the world in its conduct, when it denigrates the will and the passions and the emotions of the people of the Pacific region by flaunting these tests notwithstanding the fact that 170 countries all across the world have filed their protests.

I hope that our colleagues will pay attention to our protest and our deeply felt feelings about this.

As the chair of the Congressional Pacific Asian Caucus, I hope that they will follow our leadership and not grace this Chamber to allow the president of this government to come and lecture to us about how we should conduct our affairs when he has violated the fundamental principle of peoples across this country and the world; and that is to live in peace, not to be disturbed, not to be harmed and injured in this way in perpetuity.

I thank the gentleman again in the well for causing us to raise our voices on this, to increase our understanding and to make our conscience speak for us on this very, very important measure. I thank the gentleman.

Mr. ABERCROMBIE. Mr. Speaker, if the gentleman will continue to yield, carrying Mrs. MINK's point a bit further, is it not interesting, is it not instructive that the French think that they can move ahead with this testing and at the same time condemn the activities or the presumed activities with respect to testing or the utilization of atomic or hydrogen weapons by Iran or Iraq or Pakistan or the People's Republic of China.

Is it not clear that by France, ostensibly one of our allies, despite the fact that it has never cooperated with us in the North Atlantic Treaty Organization, as a member of the Committee on National Security, I can say that one of our great difficulties with respect to European security is never being able to know where France will be. Will they be behind us? Will they be beside us? If they are behind us, what do they have in mind for us? What do they have in mind for Europe?

We find ourselves in the position of attempting to establish a standard with respect to testing, asking other countries to follow our lead in ending the testing of atomic and hydrogen weapons as an act of common humanity on behalf of all the nations on the planet.

And when France moves ahead with this kind of testing, how do we have the moral authority then to be able to say to Iran, to Iraq, to India, to Pakistan, to China, where do we get the moral authority then to be able to say, no, you should cease this kind of activity?

It very quickly becomes an argument in which the Western Powers, those who are conceived of as the Western Powers by history, the imperialist colonial powers, are allowed to do as they will with respect to atomic or hydrogen testing and somehow, then, those countries which have been viewed as unindustrialized or Third World or whatever kind of set of adjectives are put upon them, those countries are disenabled from being able to do the same thing that France now carries on.

France undermines everything that we have tried to do since atomic testing and hydrogen testing took place, since all of us, from President Kennedy on, on a bipartisan basis in this country, came to the conclusion that this was against the interests of humanity. This goes beyond individual political machinations or individual political posturing. This goes to the very heart of what constitutes a responsible nation in the present-day world acting in a manner in concordance with those actions that promote peace. We are not in a position, then, to complain to other countries about possible testing that they may be doing if we are unable to discipline ours sufficiently to be able to say to France, we will not countenance this.

Now, it is one thing, perhaps, for the President to say, look, there are wider considerations. It may even be that the State Department wants to say there are wider considerations. That may be so. An argument may be made. I think it can be refuted and should be refuted. But I do not pretend to have some corner on the market of political wisdom in that respect. It perhaps should be debated.

But, to have the Speaker's chair occupied, the podium of the House of Representatives occupied by the President of France under these circumstances is beyond my comprehension. It is a privilege of the House, a privilege of the House to stand on the podium where the Speaker resides and to speak to the House assembled.

We are forced into the position of saying that we must boycott this speech, this address to the House of Representatives, and we request our

colleagues to think deeply upon this subject. We do not pretend for a moment to be better than someone else or to have greater insight. We are not trying to speak from some morally superior position. Quite the contrary. We are here making an appeal, we are making a pleading, if you will, we are mounting an argument that we hope is persuasive to those who have given so much. I think this is what my good friend from Samoa referred to when we talked about World War II.

I hope you will not resent the fact that I think we can go back a little further, World War I. Who was it that left the shores of the United States to go and rescue France in World War I? Who went to rescue France in World War II? And it is a sad chapter, one that still has not been resolved in our own country, who then, with the best of intentions, tried to go into Vietnam in the wake of the disaster that the French created there in Indochina? It was the United States, for good or for ill. We have no apologies that we need to make to the French about taking a position with respect to testing in the Pacific.

Some could say to us, yes, of course, the gentleman from Samoa, the people from Hawaii, they live in the Pacific, I suppose we could be seen almost as a special interest in that regard.

Mr. FALEOMAVAEGA. Let me add to my friend, yes, we did conduct in the Pacific, but something did happen afterward. There was world outrage what our country was doing in testing in the Marshall Islands for one obvious reason. Do you know what happened? We found strontium 90 in dairy products. The clouds had shifted and it affected all over the different regions of the world. So we had good reason for having to stop because there was a real serious hazard in conducting atmospheric tests at the time.

In fact, it was at the time that the Soviet Union and our country made a band not to conduct any more atmospheric tests. We told France, please do not do this because we know the aftereffects. Do you know what happened? No way. They exploded 12 nuclear atomic explosions in the atmosphere.

Let me tell you of the problems that caused, that situation when the French Government went ahead and did it, totally disregarded the warnings from our own Government. Yes, we paid the price and we are still trying to compensate for the lives of those men, women, and children on the islands of Rongelap and Utirik to this day because those people were directly subjected to nuclear contamination and forever their lives will never be the same because they are now subjected to leukemia and all forms of cancer.

□ 2045

Mr. FALEOMAVAEGA. Mr. Speaker, I wanted to follow up on what the gentleman said by indicating and admitting for the RECORD, Mr. Speaker, I want to say that my interest is personal. I freely admit to it. I think we can make a case on the merits politically, scientifically, regionally, if you will. I think we can make a case on the morality of it in the social-political sense, but I must confess to you, Mr. Speaker, and do so quite freely, that the gentlewoman from Hawaii [Mrs. MINK] and myself are among the few people that have actually seen the results of a hydrogen bomb test, because we saw the results of the Johnson Island test that was made by our country. That is where I made by first resolve.

This is not an issue that I came to this evening, Mr. Speaker, because I have been recently converted. I saw with my own eyes what happened when we exploded a relatively minor hydrogen device 900 miles away from Hawaii, and the sky lit up. It was and remains the most awesome physical sight, the most—I have chills, Mr. Speaker. As I speak with you right now, my body is suffused with a chill, because it is etched in my mind's eye and will be for the rest of my life what that test looked like.

I resolved at that point, coming down the hill from the Manoa Valley down Punahou street to the bottom of the hill where I have spent the last three decades of my life, I resolved at that moment that I would devote whatever political energy I could bring in whatever form was made available to me as a free citizen of the United States to see to it that I would speak out and speak on the issue of atomic and hydrogen testing with the idea of ending it, ending it for everybody and for all time, because it is antihuman. It is antihumanity.

It is not just a matter of political sovereignty, it is not just a matter of one set of forces against another. It is not a matter for abstract intellectual discussion in a textbook or a military briefing on a map on the wall with little cards and drawings moving around, or scales of warfare and what are acceptable casualties and what are not. It is the most elemental circumstances of physics being made manifest in the most destructive way, not constructive, not the sense of humanity that we would like to exemplify as a species, where we see the love of God in one another, but we see the destruction of the species and the planet and what we are capable of.

Mr. Speaker, we are capable of great things as a species. We are capable of great humanity, we are capable of being worthy of the spark of life that is in us, as best we can understand it, but we are also capable as a species of committing great evil and great harm, and we will be judged. We will be judged one day, if only by ourselves, as to whether or not we have exemplified what is best in us, not what is worst in us.

These tests are an abomination in the sight of any God that is worthy of the name, and any species, anyone who has a desire to manifest his or her humanity to the best of his or her ability I think and I hope would stand with us next week and at least make this gesture, and it is nothing more than that, I understand that, but make this gesture that justifies our existence as human beings by saying that we will not stand here in this place of honor and privilege, because I hope that all of my colleagues would agree that this is a place of honor and privilege. We have been elected here by free men and women in a free society. This is a gift that has been given to us to be on this floor and to speak.

I would hope that we would honor that gift that has been given us and live up to the faith that has been put into us, that has been given to us by the voters of our respective districts, and say that we will not be on this floor when that speech is given, because the privilege of the floor should not be given under such circumstances.

Mr. FALEOMAVAEGA. I thank my friend for his observations. Mr. Speaker, we are also joined here in our special order by my good friend, and by profession, an outstanding physician from his home State of Washington. I yield to my friend, the gentleman from Washington [Mr. MCDERMOTT].

Mr. MCDERMOTT. Mr. Speaker, I want to commend my colleague, the gentleman from American Samoa, for bringing this issue to the floor. I was sitting in my office listening and watching it on television, and I decided that I ought to come over here, because it seems as I was listening as though this was something that was just an issue of Pacific Islanders, of people out in the middle of the Pacific, or that it was just an issue of people who live in Hawaii, which is a little closer.

This is an issue that affects all Americans, affects everyone in this country, and for us, and I agree, I think we ought to boycott, not come to the speech by the French premier, because I personally do not think he should have been invited. I think he deserves the response of the Congress to someone who has done something that is offensive not only to Pacific Islanders, but the whole United States and the whole world community. The insistence by France of doing these tests is simply unacceptable.

My view comes, as does that of my colleague from Hawaii, from a personal experience. I am a physician and I work at a hospital in Seattle that has, for a long time, dealt with the folks, the people who were affected by the atomic bomb in Japan. These people have been followed for the last some 40 years now since that bomb was dropped, more than 40 years, and they have been followed as they have increasingly gotten cancers of all sorts, leukemias, a variety of deadly diseases, and we have followed that. We know what atomic warfare does.

Mr. FALEOMAVAEGA. I would say to my friend, I have made this observation earlier. It is bad enough that we

cannot even harness and control the situation that we have in harnessing energy from the nuclear power in providing electricity and for other good things, the positive things that it does, but we do not know what to do with the storage. We have a very serious crisis now in our country and other countries as well that use nuclear power for electricity.

It is bad enough that we cannot even solve that problem, but it is OK to come up with as many nuclear bombs as you can among these nations that can produce them and go and shoot one another, and just simply annihilate this whole planet. Not only is it the height of hypocrisy, but contradictions that even I cannot comprehend.

Mr. MCDERMOTT. The gentleman is absolutely correct. The State of Washington has a facility that has been involved in this, and nuclear waste storage is the biggest threat to our economy. That kind of thing sitting there and rusting, silos and so forth, has been a threat for a long time.

The people of the State of Washington passed an initiative, ''Don't waste Washington.'' We don't want anymore nuclear waste. Nobody wants nuclear waste. It is accumulating all over the place. To create bombs means you make more nuclear waste. There is no question about it. So even the process is making a problem for those people. Even if there is no war, there still is the question of how do we deal with the long-term storage of the waste.

The thing that is so, to me—if you look at the people who were in Hiroshima and Nagasaki and look at what happened to them, an recognize that if we ever—anybody should be thinking of testing such a weapon simply has never looked at these people and looked at what the effects of it are. My belief is that for us to allow somebody to come here and speak as though it did not make any difference—

Mr. FALEOMAVAEGA. As if nothing happened.

Mr. MCDERMOTT. As if nothing happened, and simply to say Well, it is OK to us, because it is done way out there in the middle of the Pacific, and somehow that will not affect us. The gentleman is absolutely correct, when that stuff goes up in the air or when it is in the water, it gets into the fish.

We have fishing fleets out of my district, the whole Pacific fleet from the State of Washington goes out of my district. They go out and catch fish everywhere. What kind of fish do they catch? What concentration of these elements is in the liver of those fish or in the roe or whatever? And we are feeding it to people.

When it comes in the air—we measured Strontium 90 in milk in Wisconsin when I was in medical school. That simply is a threat to our people, that we should be saying to them How dare you do that when you threaten us?

Mr. FALEOMAVAEGA. One of the things I want to add to my good friend, the gentleman from Washington, is sometimes our own people here in America do not realize we are also a Pacific nation. Our country may be situated a little closer to Europe and the Atlantic, but the fact of the matter is that 33 million Americans live in the State of California, which happens to be a Pacific Coast State, and my good friend, the gentleman from Washington, has in Washington State, 4½ million people.

Mr. MCDERMOTT. Almost 5½ million.

Mr. FALEOMAVAEGA. And the gentleman from Oregon, 3 million, and another 1.3 million live in Hawaii, and 150,000 in the territories of Guam and the Mariana Islands, and these are American citizens. These are not aliens. These are not people, as if we just put aside and just assume that nothing is going to happen to us. I am very fearful of this.

I want to say this to my good friends, the gentleman from Hawaii and the gentleman from Washington. This atoll, it has been estimated, is the equivalent of several Chernobyls, right now, inside this atoll, where the French Government has exploded 181 nuclear bombs, and they are telling the world that—each one of these red dots, I would say to my good friend, represents a nuclear detonation that the French Government has put in this atoll for the past 30 years, and they are saying it is OK. Jacques Cousteau in 1987 was permitted to do a study of the situation there as far as the marine ecology was concerned. He came out and made an observation, there were leakages. There were fissures.

Another problem with Jacques Cousteau's mission was he never went down further south, lower and in greater depth of exactly what is down there. In other words, nobody knows what is happening down there.

Another observation, 60 percent of the people of France did not want President Chirac to resume nuclear testing. This is another thing that really bogs my mind, when the very people that he represents did not want him to do this, he went right ahead and blew them up. Five nuclear bombs have already been exploded. Leakages are already evidenced as a result of these explosions. The French scientists and the Government of France have the gall to tell the public and throughout the world that it is still okay, we can still continue to do this.

Mr. ABERCROMBIE. Mr. Speaker, if the gentleman will continue to yield, my good friend, the gentleman from Washington, has indicated the scientific basis and the human context, as a physician. My good friend, the gentleman from American Samoa, has made it clear that the United States, too, is a Pacific Nation; that this is not some isolated event in a faroff place.

I would submit, Mr. Speaker, that this is something that very much needs the bipartisan attention of the House. I would hope that the Speaker would reconsider the question of whether or not Mr. Chirac should be allowed to speak, because I maintain that far from being a scientific test, that the information that could have been gained from the testing, ostensibly gained from the testing, we would have been happy to share. The United States of America would have been happy to share.

I can say as a member of the Committee on National Security, without violating any sense of clearances or restricted data or anything of the kind, classified data, the information to be gained here is common knowledge to those who will take the time to find out what was required or what kind of knowledge was sought with respect to the effects of this kind of testing, if that was indeed the rationale for it.

I maintain, Mr. Speaker, that this was a political statement by the French. They were doing this for political reasons, and precisely because, and I will not dispute anyone with whether or not this was a good political idea or a bad political idea. It was done for reasons that seemed good enough at the time to the French Government, and as a result, and whatever statement they wanted to make, they were willing to take the chance of opprobrium from the rest of the world if they went ahead with these tests in order to make their political statement.

I maintain, Mr. Speaker, and I would hope that the leadership of the House would take this into account with respect to my request for reconsideration of whether this speech moves forward, it is a political statement to have someone stand at the Speaker's desk, at the Speaker's chair and the podium, on the floor of the House of Representatives. That is a political statement. It says that you have the privilege of the floor, freely granted by the Members of this House. That I was a political statement.

So if the French exploded these bombs for political reasons, are we not saying, then, if we give him the privilege of the floor, that we are, in effect, approving that; that he can do this with no political disadvantage, there is no political price to pay?

All we ask, Mr. Speaker, and perhaps there is a protocol situation that the Speaker cannot now rescind, and perhaps not all of this was taken into consideration, but I ask this, then: If the privilege of the floor cannot be rescinded at this time, and I most seriously and parenthetically emphasize, reemphasize, reiterate, that I hope the Speaker and the leadership will reconsider the question of whether Mr. Chirac should be given the privilege of this House to speak from the Speaker's podium.

□ 2100

But in the event that that is not possible, I ask, because it is a political statement and will be a political statement to be on this floor, that people boycott this floor; that the cameras that will be in here to record this event

will record empty seats of duly-elected Members who are saying, out of respect for the House, out of respect for the people who have sent us here to the House, out of respect for this Chamber and this institution and what it means, that we will not participate, we will not be here in our seats, we will boycott this, respectfully so, because we have a higher duty, a higher calling, a higher political statement to make by virtue of our absence.

Mr. FALEOMAVAEGA. Mr. Speaker, I thank my good friend from Hawaii and my good friend from the State of Washington.

Mr. Speaker, I can pretty much venture to raise my projections as to what we might expect next week when President Chirac supposedly is to address the House. I suppose one thing he is going to demand that all Americans should learn how to speak French, that perhaps French should be the spoken language here in America. I suspect also that our good friend from France is going to demand that nobody would be able to translate, because he is going to be speaking in French, he is not going to be speaking in English, even though he is very, very good at speaking the English language.

All that aside, Mr. Speaker, I want to thank my good friend from Washington, [Mr. MCDERMOTT] and certainly my good friend from Hawaii, [Mr. ABERCROMBIE] and the gentlewoman from Hawaii, [Mrs. MINK] who was here earlier for participating in this dialogue to express our real serious concern about the presence of President Chirac and the fact that it has the outrageous condemnation of so many countries throughout the world and millions of people throughout the world, having the arrogance to conduct these nuclear tests or these nuclear explosions in the Pacific for the past several months.

Mr. Speaker, I thank you for your patience, and I thank the members of the staff of the House for their patience in allowing me to address the House in this special order. Mr. Speaker, I include the following material for the RECORD.

[From the Wall Street Journal, Jan. 24, 1996]

AS NUCLEAR TESTS END, PACIFIC OUTPOSTS FEAR LOSING AID FROM PARIS

(By Thomas Kamm)

PAPEETE, FRENCH POLYNESIA.—If French Polynesia has too many beauty queens, blame it on geopolitics.

The winner of the Miss Tahiti pageant went straight to Miss World—bypassing the Miss France contest entirely. This was fine with Miss world pageant officials, but not with Vaes Devatine, a Tahitian who saw red, white and blue. She set up a rival contest to send a representative to compete in France.

''We are a French territory, and it's aberrant not to go through national channels,'' says Ms. Devatine, who runs a public-relations firm. ''It's a strategic and political mistake.''

From the seemingly trivial to the geopolitical, self-governing French Polynesia has a case of split personality. While the islands want to retain their cultural identity, they don't want to lose the benefits of their link with France. ''We're constantly playing a balancing act,'' says Alex du Prei, the editor of Tahiti Pacifique. ''The truth is, we want it both ways.''

PRICE TAG OF POWER

The same may be true for France. its far-flung outposts are vital to its sense of grandeur—and to its claim of being a global power. But grandeur comes at an annual cost of about 50 billion francs ($10 billion). And so, under pressure to cut its budget deficit to meet the criteria for a common European currency, France may be forced to address a long-held taboo: Does it still need its overseas empire?

This issue already is brewing in French Polynesia. When President Jacques Chirac, breaking a three-year moratorium, resumed nuclear tests in this tropical paradise more than 10,000 miles from Paris last September. Tahiti exploded in a day of riots. On Tuesday, the French government acknowledged that its nuclear tests had caused leaks of radioactive materials in the South Pacific. While it insisted the levels were too small to pose a threat to the region, the admission is likely to spark renewed protests.

Still, now that France has pledged to end all nuclear tests beginning next month, many Tahitians are wondering how they will survive without the windfall that came with being what pro-independence militant Nelson Ortas calls ''a dumping ground for the bomb.'' After all, French money accounts for almost 70% of its annual resources.

While France has vowed to maintain current aid levels until 2006, some question what its long-term interest will be in French Polynesia once the tests end. ''The problem isn't the nuclear tests,'' says Nelson Levy, chief executive of Tahiti Tourisme, the tourism promotion board. ''The real question is, how do we cope afterward?''

LAST GREAT COLONIAL POWER

With Britain handing over Hong Kong to China in 1997 and Portugal set to do the same with Macao in 1999,this network of overseas outposts—known in France as DOM–TOM, short for departments et territoires d'Outre Mer—is far bigger than those of the U.S., Britain or the Netherlands, and seems to some like an anachronism. ''France is the last great colonial power,'' says Paul Neaoutyine, a leader of New Caledonia's independence movement. While many French citizens disagree, it could become increasingly difficult to justify subsidizing what they call ''the confetti of empire'' at a time when France is still smarting from widespread strikes over proposed cuts in entitlement programs.

But no French outposts want to break their link with the mother country. When New Caledonia, the nickel-rich South Pacific island that was racked by pro-independence violence last decade, holds a referendum on the issue in 1998, it is likely to vote to stay French. In Mayotte, an island off Africa's southeastern coast, moves are afoot to strengthen links with France by turning the territory into a full-fledged department, with all the rights accorded to French citizens.

It's easy to understand why. For if this is colonialism, it is colonialism in reverse. ''They've invented a totally new form: not colonialism by exploitation, but an empire of handouts,'' says F. Roy Willis, a history professor at the University of California at Davis who is writing a book on overseas France.

France's ties to its outposts also are riddled with contradictions. The minimum wage in overseas France—in both the public and private sectors—was lower than in the mainland until this month; meanwhile, civil servants in some territories, including local hires, are paid nearly twice what they would earn in France. French Polynesians pay virtually no income tax, but they also don't have access to France's social safety net. And even though French officials insist that overseas territories are as French as Paris, trade with them is accounted for as foreign trade. ''Double-speak is omnipresent,'' says Jean-Luc Mathieu, the author of several books on overseas France.

Nowhere are the distortions and ambiguities of France's influence more visible than in French Polynesia, this collection of 130 islands and turquoise lagoons that cover an expanse as big as Europe and that explorers likened to the Garden of Eden.

When Gaston Flosse, president of the self-governing territory of 200,000 people, returned last October from the United Nations General Assembly in New York, he called a news conference to express his pride at having twice represented France when President Chirac stepped out. But that same day, French Polynesia's representatives at a South Pacific Commission conference refused to enter the assembly hall because the French flag was higher than French Polynesia's banner on the table.

French Polynesia has its own flag, its own currency—the Pacific franc, pegged to the French franc—its own anthem and its own government and institutions. Yet its livelihood is owed to France: It boasts a gross domestic product per capita eight times higher than that of many neighboring Pacific Islands. ''It's the most extreme case of an artificial economy,'' says Paul Ronciere, France's high commissioner in French Polynesia.

A SECOND COLONIAL SHOCK

Annexed by France in 1843 after a sly colonial governor negotiated control of the islands with a drunken Polynesian king in return for a small stipend, French Polynesia long remained the languid, untouched paradise immortalized by the painter Paul Gauguin. But in 1963, after Algeria gained its independence, Gen. Charles de Gaulle moved France's nuclear-test site from the Sahara to Mururoa Atoll, 750 miles southeast of Tahiti.

French contractors, businesses and public servants swelled the local population; over one-third of France's navy was stationed here. Islanders flocked to Papeete to find jobs in construction and services, disrupting the subsistence economy. Imports from France ballooned.

But this boom was short-lived, lasting only through the 1970s, and it bequeathed the highly distorted economy that exists today. ''Expatriate'' civil servants were paid nearly twice their normal pay—and the wages of local hires were aligned on this scale. To keep up with the bloated, high-paying public sector, private industry is in effect protected through high tariffs on imports, making it difficult to produce competitively.

Thus, French Polynesia finds itself priced out of the world market and hooked on the $1.2 billion that France pumps in each year to keep the economy going. France has pledged to keep this up for another 10 years while an economic reconversion plan is worked out, but outlays beyond 2006 are in doubt, and weaning Tahitians from this artificial standard of living will be difficult.

TROUBLE AHEAD

Some Polynesians think last September's riots are a sign of trouble ahead. The protests were led by unemployed youths, most of who were among the native Maohi people who make up 67% of the population.

Many of those youths live in Faaa, a ramshackle suburb of Papeete that is French Polynesia's biggest city, with a population of 35,000. If Tahiti is a paradise, it doesn't show here.

On a seaside plot of land, Mereta Turau shares a wooden shack without windows or electricity with his 10 grown-up children—nine of whom are unemployed. A 62-year-old who moved here from Raiatea Island to work in construction during the boom years, he is now a fisherman resigned to his fate. ''With or without independence, it will be the same hard life for people like me,'' he says.

But the young are more radical. ''The French run everything here: the state, the airport, the port, economic life, everything,'' says 31-year old Tefana Tavarii. ''And we have nothing.'' Standing beside him, 24-year-old Camille Rooarii agrees. ''To get a job here, you need a French diploma. But I'm not French. I'm Maohi. The French are colonialists. We're at home here, and we're treated like dogs.''

Faaa's mayor is Oscar Temaru, a proindependence leader. At city hall, a series of Polynesian-style huts, the French flag and official portrait of Mr. Chirac are conspicuously absent. The 51-year-old Mr. Temaru, a former customs officer, makes a point of speaking English, not French.

''The French say Tahiti is France, but we can't accept that,'' says the soft-spoken Mr. Temaru. ''Geographically and historically, this is my country, not Chirac's. Paris is almost 20,000 kilometers away, people are freezing there while we're sweating in the heat.'' Mr. Temaru hopes for a peaceful evolution toward independence, saying Tahiti has to rethink its whole development model. ''If France says bye-bye, we'll tell our people we have to return to the land. We don't want to go back to the Stone Age, but to reality.''

But many view Mr. Temaru as an idealist. ''Independence would plunge French Polynesia into misery,'' asserts Mr. Flosse, the president. ''France doesn't impose its presence on us. We're the ones who want France to stay.''

A majority of French Polynesians agree. A poll last October showed some 57% of Polynesians don't want independence, while 15% are in favor of independence within three years. Mr. Temaru's party has only four of 41 legislative seats. But even those who want to remain part of France say the country has to break its economic dependence on the mother country, and it should wisely use the 10-year grace period to start building a local economic base.

''The departure of the nuclear-test center is both an opportunity, because we'll be obliged to change systems whether we want to or not, and a risk, because we're not really prepared to change systems,'' says Jean-Claude Barral, the principal of Faaa's only public high school. ''But it's clear we can't continue living in the same system we've had for 25 years without money falling from the sky.''

[From the Star Bulletin, Jan. 19, 1996]

NUCLEAR TEST WARNING

While protests have focused on the French nuclear weapons tests in the South Pacific, India has been secretly preparing to conduct its own nuclear explosion. The Clinton administration has quietly warned New Delhi that if it goes ahead Washington will cut off virtually all aid.

The unpublicized message was delivered last month after U.S. intelligence officials detect early signs that a nuclear test was in preparation, the Los Angeles Times reported. India was warned that such an exercise would prompt the administration to invoke a 1994 law requiring the U.S. to cut off all economic and military aid, credits, bank loans and export licenses. The total would run into billions of dollars. The law applies to all undeclared nuclear-weapons nations.

India conducted its only nuclear explosion in 1974 and has denied plans to conduct a new test. A Clinton administration official now says the U.S. accepts India's assurances, but the warning would not have been issued without evidence.

The Clinton's administration has had its problems in relations with Japan and China. The nuclear test issue could sour relations with another Asian giant.

[From the New York Times, Jan. 24, 1996]

POSSIBILITY OF DEFAULT STARTS TO WORRY EUROPE, ESPECIALLY FRANCE

(By Craig R. Whitney)

PARIS. January 23.—The possibility that the deficit-cutting impasse between Congress and Clinton Administration could start causing the United States Government to default on its debt next month has begun to sink in on European leaders, and the French are anxious to avoid the turmoil that could result.

President Jacques, Chirac, who will visit Washington next week, is prepared to warn in a speech to a joint session of Congress that default would upset economies around the world and deeply undermine the American global position, French officials said today.

Congressional Republicans have threatened to refuse to raise the national debt limit unless the Clinton Administration agrees to their agenda for cutting the Federal deficit. If the Administration refuses to give in and fails to find other ways of coming up with money, the Government could start running out of money to pay obligations due on March 1.

At this point some European leaders are said to be beginning to feel like onlookers at a political game whose players appear little concerned about the chaos a default would cause in international currency and bond markets.

Some see a situation comparable to that in 1975, when Chancellor Helmut Schmidt of West Germany felt compelled to warn President Gerald R. Ford that letting New York City go bankrupt could send economic shock waves around the world, which was still fragile from the effects of a sudden rise in oil prices.

Mr. Chirac told the Senate majority leader, Bob Dole, and Speaker Newt Gingrich during his last visit to Washington in the summer that the United States gave too little foreign aid to developing countries, and French officials say that he plans to deliver the same message to Congress in an address planned for Feb. 1.

''We hope that Congress will be disposed to let the United States lives up to its global responsibilities,'' one official here said.

Mr. Chirac will tell Congress, French officials say, that Europe with about the same size economy as the United States, gives three times as much to developing countries—$31 billion, compared with less than $9 billion last year from the United States.

''Where is America and its traditional generosity, where is its desire to help reshape the world?'' asked one French policy maker.

Mr. Chirac is also likely to use his visit to tell both Congress and the Administration that France will insist on reshaping the NATO alliance to reflect changes since the end of cold war, according to officials in Brussels and Paris.

Mr. Chirac has reintegrated France into some NATO military structures that it left in 1966, but officials say he did so to push for the creation of a stronger European defense arm within the alliance. ''We need to be able to deal with crises like Bosnia even if the United States doesn't want to become involved,'' an official said.

Mr. Chirac may also tell Washington that American plans to contribute $600 million to the reconstruction of Bosnia over the next three years are inadequate. European estimates of the total cost run to $3.7 billion. ''Don't think that the Europeans will be the only ones paying for Bosnian reconstruction,'' Mr. Chirac said in a recent interview, adding that the Europeans expected the United States to pay about the same as they will—about one third.

American officials have responded that the United States committed 20,000 soldiers to the NATO peacekeeping force that began moving into Bosnia last month, a larger contingent than any of its allies.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mrs. CHENOWETH (at the request of Mr. ARMEY), for today until 1 p.m., on account of medical reasons.

Mr. SERRANO (at the request of Mr. GEPHARDT), for today, on account of a death in the family.

Ms. EDDIE BERNICE JOHNSON of Texas (at the request of Mr. GEPHARDT), for today, after 6:30 p.m. on account of family illness.

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. DOGGETT) to revise and extend their remarks and include extraneous material:)

Ms. NORTON, for 5 minutes, today.

Ms. JACKSON-LEE, for 5 minutes, today.

Mr. VOLKMER, for 5 minutes, today.

Mrs. SCHROEDER, for 5 minutes, today.

Mr. DEUTSCH, for 5 minutes, today.

Mr. TORRICELLI, for 5 minutes, today.

(The following Members (at the request of Mr. CHRYSLER) to revise and extend their remarks and include extraneous material:)

Mr. GOODLING, for 5 minutes, on January 31.

Mr. DIAZ-BALART, for 5 minutes, today.

Mr. SMITH of Michigan, for 5 minutes, today.

Mr. MICA, for 5 minutes, today.

Mr. DAVIS, for 5 minutes, today.

Mr. WOLF, for 5 minutes, today.

(The following Members (at their own request) to revise and extend their remarks and include extraneous material:

Mr. ROTH, for 5 minutes, today.

Mr. TORRICELLI, for 5 minutes, today.

(The following Members (at their own request) to revise and extend their remarks and include extraneous material:

Mr. COBURN, for 5 minutes, today.

Mrs. MORELLA, for 5 minutes, today.

(The following Members (at the request of Mr. GREENWOOD) to revise and extend their remarks and include extraneous material:)

Mr. STEARNS, for 5 minutes, on January 30.

Mr. MCKEON, for 5 minutes, on January 31.

Mr. GOSS, for 5 minutes, on January 26.

Mr. GREENWOOD, for 5 minutes, today.

(The following Members (at the request of Mr. FALEOMAVAEGA) to revise and extend his remarks and include extraneous material:)

Mr. MONTGOMERY, 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. FALEOMAVAEGA) and to include extraneous matter:)

Mr. LANTOS in two instances.

Mrs. MEEK of Florida in two instances.

Mr. MARKEY.

Mr. BARCIA in two instances.

Mrs. MALONEY.

Mr. ACKERMAN.

Mr. ANDREWS.

Mr. MONTGOMERY.

Mr. PALLONE.

Mr. MENENDEZ in three instances.

Mr. FROST.

Mr. GORDON.

Mr. REED.

Mr. JACOBS.

Mr. DELLUMS.

Mrs. SCHROEDER.

Ms. WOOLSEY.

Mr. SERRANO.

Mr. TOWNS.

Mr. FRAZER.

Mr. HASTINGS of Florida.

Ms. EDDIE BERNICE JOHNSON of Texas.

Mr. GIBBONS.

Mr. BROWN of California in two instances.

Mr. CLEMENT.

Ms. WATERS.

Mr. RANGEL.

Mr. WARD.

(The following Members (at the request of Mr. GREENWOOD) and to include extraneous matter:)

Mr. BAKER of California.

Mr. TATE.

Mr. CRANE.

Mr. COLLINS of Georgia in two instances.

Mr. KING.

Mr. SAXTON.

Mr. LOBIONDO.

Mr. BURTON of Indiana.

Mr. BILIRAKIS.

Mr. CALLAHAN.

Mr. SMITH of New Jersey.

Mr. FRELINGHUYSEN.

Mr. BARTON of Texas.

Mr. PACKARD.

Mrs. ROUKEMA in three instances.

Mr. SOLOMON.

Mr. WHITE.

ADJOURNMENT

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

The motion was agreed to; accordingly (at 9 o'clock and 2 minutes p.m.), under its previous order, the House adjourned until tomorrow, Friday, January 26, 1996, at 12 noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of XXIV, executive communications were taken from the Speaker's table and referred as follows:

1970. A letter from the Secretary of Health and Human Services, transmitting the Department's report entitled ''Report to the Congress on the Runaway and Homeless Youth Program of the Family and Youth Services Bureau for Fiscal Years 1993 and 1994,'' pursuant to 42 U.S.C. 11822; to the Committee on Economic and Educational Opportunities.

1971. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting the fiscal year 1994 report on the extent and disposition of United States contributions to international organizations, pursuant to 22 U.S.C. 2226(b)(1); to the Committee on International Relations.

1972. A letter from the Acting Director, U.S. Arms Control and Disarmament Agency, transmitting notification that the following reports will be delayed due to the lack of personnel to complete them: ''Report on Revitalization of ACDA''—due December 31, 1995, ''Annual Report to Congress''—due January 31, 1996, and ''Public Annual Report on World Military Expenditures and Arms Transfers''—due December 31, 1995; to the Committee on International Relations.

1973. A letter from the Assistant Comptroller General of the United States, transmitting a report entitled ''Financial Management: Implementation of the Cash Management Improvement Act,'' pursuant to 31 U.S.C. 6503 note; to the Committee on Government Reform and Oversight.

1974. A letter from the Chairman, Federal Communications Commission, transmitting the annual report under the Federal Managers' Financial integrity Act for fiscal year 1995, pursuant to 31 U.S.C. 3512(c)(3); to the Committee on Government Reform and Oversight.

1975. A letter from the Administrator, National Aeronautics and Space Administration, transmitting a report on progress in correcting identified material weaknesses at NASA; to the Committee on Government Reform and Oversight.

1976. A letter from the Director, Office of Management and Budget, transmitting the annual report on its 1995 Federal financial management status report and government-wide 5-year financial management plan, pursuant to Public Law 101–576, section 301(a) (104 Stat. 2849); to the Committee on Government Reform and Oversight.

1977. A letter from the Secretary of Education, transmitting the 13th semiannual report to Congress on audit follow-up, for the period of April 1, 1995, through September 30, 1995, pursuant to Public Law 100–504, section 106(b) (102 Stat. 2526); to the Committee on Government Reform and Oversight.

1978. A letter from the Executive Director, State Justice Institute, transmitting the annual report under the Federal Managers' Financial Integrity Act for fiscal year 1995, pursuant to 31 U.S.C. 3512(c)(3); to the Committee on Government Reform and Oversight.

1979. A letter from the Director, U.S. Information Agency, transmitting the annual report under the Federal Managers' Financial Integrity Act for fiscal year 1995, pursuant to 31 U.S.C. 3512(c)(3); to the Committee on Government Reform and Oversight.

1980. A letter from the Chief Executive Officer, Little League Baseball, Inc., transmitting the organization's annual report for the fiscal year ending September 30, 1995, pursuant to 36 U.S.C. 1084(b); to the Committee on the Judiciary .

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. GIBBONS (for himself, Mr. RANGEL, Mr. STARK, Mr. JACOBS, Mr. FORD, Mr. MATSUI, Mrs. KENNELLY, Mr. COYNE, Mr. LEVIN, Mr. CARDIN, Mr. MCDERMOTT, Mr. KLECZKA, Mr. LEWIS of Georgia, Mr. PAYNE of Virginia, Mr. NEAL of Massachusetts, and Mr. MCNULTY):

H.R. 2879. A bill to provide that individuals performing services for the peacekeeping effort in the Republic of Bosnia and Herzegovina shall be entitled to tax benefits in the same manner as if such services were performed in a combat zone; to the Committee on Ways and Means.

By Mr. LIVINGSTON:

H.R. 2880. A bill making appropriations for fiscal year 1996 to make a downpayment toward a balanced budget, and for other purposes; to the Committee on Appropriations.

By Mr. BARRETT of Nebraska:

H.R. 2881. A bill to amend title 49, United States Code, to permit States to impose fees to finance programs for providing air service to small communities; to the Committee on Transportation and Infrastructure.

By Mr. BLUTE:

H.R. 2882. A bill to require that the pay and benefits of the President, the Vice President, Members of Congress, and certain high level Government employees be treated in the same manner as the pay and benefits of Government employees who are affected by a Government shutdown; to the Committee on Government Reform and Oversight, and in addition to the Committee on House Oversight, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BRYANT of Texas:

H.R. 2883. A bill to amend title XIX to the Social Security Act to eliminate the requirement for States to seek recovery of medical assistance properly paid and to restrict the use of liens and such recovery in any MediGrant Program and any other future medical assistance programs, and for other purposes; to the Committee on Commerce.

By Mr. DORNAN:

H.R. 2884. A bill to provide that the income tax instructions shall include an explanation of any law under which the Federal budget is projected to be in balance in 7 years; to the Committee on Ways and Means.

By Mr. GALLEGLY:

H.R. 2885. A bill to amend section 214 of the Housing and Community Development Act of 1980 to limit the use of federally assisted housing by aliens; to the Committee on Banking and Financial Services.

By Mr. JOHNSON of South Dakota:

H.R. 2886. A bill to amend the Impact Aid Program to provide for a holdharmless with respect to amounts for payments relating to the Federal acquisition of real property, to permit certain local educational agencies to apply for increased payments for fiscal year 1994 under the Impact Aid Program, and to amend the Impact Aid Program to make a technical correction with respect to maximum payments for certain heavily impacted local educational agencies; to the Committee on Economic and Educational Opportunities.

H.R. 2887. A bill to amend the Internal Revenue Code of 1986 to exempt from the highway vehicle excise tax certain equipment

specially designed for off-highway seasonal harvesting of agricultural commodities; to the Committee on Ways and Means.

By Mrs. MALONEY (for herself, Mrs. COLLINS of Illinois, and Mr. BARRETT of Wisconsin):

H.R. 2888. A bill to ensure the economy, efficiency, and management of Government operations and activities relating to travel arranged by the Executive Office of the President, by abolishing the White House Travel Office and requiring procurement of travel-related services by the Executive Office of the President from private-sector sources; to the Committee on Government Reform and Oversight.

By Mrs. MYRICK:

H.R. 2889. A bill to eliminate the duties on 2-Amino-3 chlorobenzoic acid, methyl ester; to the Committee on Ways and Means.

By Mr. PAXON:

H.R. 2890. A bill relating to the tariff treatment of certain footware; to the Committee on Ways and Means.

By Mr. PETERSON of Minnesota:

H.R. 2891. A bill to amend title 38, United States Code, to provide a presumption of service connection for certain specified diseases and disabilities in the case of veterans who were exposed during military service to carbon tetrachloride; to the Committee on Veterans' Affairs.

By Mr. ROHRABACHER (for himself, Mr. ROYCE, and Mr. SMITH of New Jersey):

H.R. 2892. A bill to impose sanctions on Burma, and for other purposes; to the Committee on International Relations, and in addition to the Committees on Banking and Financial Services, the Judiciary, Commerce, and Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. ROUKEMA:

H.R. 2893. A bill to provide increased access to health care benefits, to provide increased portability of health care benefits, to provide increased security of health care benefits, to increase the purchasing power of individuals and small employers, and for other purposes; to the Committee on Commerce, and in addition to the Committee on Ways and Means, and Economic and Educational Opportunities, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SALMON (for himself, Mr. DORNAN, Mr. SOUDER, Mr. DAVIS, Mr. BAKER of Louisiana, Mr. GREENWOOD, Mrs. CHENOWETH, and Mr. STEARNS):

H.R. 2894. A bill for the relief of the seven individuals who were terminated from employment with the White House Travel Office on May 19, 1993; to the Committee on the Judiciary.

By Mr. SHAW:

H.R. 2895. A bill to amend the Harmonized Tariff Schedule of the United States with respect to fireworks; to the Committee on Ways and Means.

By Mr. SMITH of Michigan (for himself and Mr. SHAYS):

H.R. 2896. A bill to limit the issuance of public debt obligations after December 31, 2001; to the Committee on Ways and Means.

By Mr. SMITH of Michigan:

H.R. 2897. A bill to increase the public debt limit, to protect the Social Security trust funds and other Federal trust funds and accounts invested in public debt obligations, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Government Reform and Oversight, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TATE:

H.R. 2898. A bill to amend the Immigration and Nationality Act to provide that aliens removed from the United States as illegal entrants or immigration violators shall permanently be inadmissible; to the Committee on the Judiciary.

By Mrs. VUCANOVICH (for herself and Mr. ENSIGN):

H.R. 2899. A bill to establish within the Department of Energy a National Test and Demonstration Center of Excellence at the Nevada Test Site, and for other purposes; to the Committee on National Security, and in addition to the Committees on Science, and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WHITE (for himself, Mr. SCHAEFER, Mr. BROWN of Ohio, and Mr. RICHARDSON):

H.R. 2900. A bill to establish nationally uniform requirements regarding the titling and registration of salvage, nonrepairable, and rebuilt vehicles; to the Committee on Commerce, and in addition to the Committees on the Judiciary, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BARTLETT of Maryland (for himself, Mr. TRAFICANT, Mr. FUNDERBURK, Mr. BURTON of Indiana, Mr. CRANE, Mr. HERGER, Mr. DUNCAN, Mr. COBLE, Mr. PACKARD, Mr. TAYLOR of North Carolina, Mr. HOSTETTLER, Mrs. SEASTRAND, Mr. WAMP, Mr. STEARNS, and Mr. STOCKMAN):

H. Con. Res. 134. Concurrent resolution condemning the court-martial of Specialist Michael New of the U.S. Army in response to his refusal to wear on his military uniform the insignia of the United Nations and calling on the President to vindicate this courageous young man, override his conviction, and restore him to a place of honor in the Army; to the Committee on National Security.

By Mr. PORTER (for himself, Mr. HINCHEY, Mr. LIPINSKI, Mr. FRANK of Massachusetts, Mr. PAYNE of New Jersey, Mr. LANTOS, Mr. ENGEL, Mr. DEFAZIO, Mr. HOUGHTON, Mr. REED, and Mr. HASTINGS of Florida):

H. Con. Res. 135. Concurrent resolution expressing the sense of the House of Representatives concerning the political and human rights situation in the Republic of Kenya; to the Committee on International Relations.

By Mr. SMITH of New Jersey (for himself and Mr. HOYER):

H. Con. Res. 136. Concurrent resolution expressing the sense of the Congress concerning resolution of the conflict between the Government of Turkey and Kurdish militants; to the Committee on International Relations.

By Mr. ARMEY:

H. Res. 343. Resolution electing Representative James A. Hayes of Louisiana to the Committee on Ways and Means; considered and agreed to.

By Mr. FAZIO of California:

H. Res. 344. Resolution electing Representative Michael McNulty of New York to the Committee on Ways and Means; considered and agreed to.

By Mr. BEREUTER (for himself, Mr. BERMAN, Mr. GILMAN, Mr. ROHRABACHER, Mr. BURTON of Indiana, and Mr. SANFORD):

H. Res. 345. Resolution expressing concern about the deterioration of human rights in Cambodia; to the Committee on International Relations.

By Mr. GOSS:

H. Res. 346. Resolution amending the Rules of the House of Representatives respecting the procedures of the Committee on Standards of Official Conduct; to the Committee on Rules.

By Mr. PORTER (for himself, Mr. SMITH of New Jersey, Ms. PELOSI, Mr. ENGEL, Mr. GILMAN, Mr. WOLF, and Mr. BERMAN):

H. Res. 347. Resolution expressing the sense of the House of Representatives concerning the human rights situation in China and Tibet and encouraging the United States to sponsor and press for the enactment of a resolution condemning the human rights situation in China and Tibet at the annual meeting of the United Nations Commission on Human Rights; to the Committee on International Relations.

By Mr. SMITH of Texas (for himself, Mr. ARMEY, Mr. DELAY, Mr. Boehner, Mr. COX, Ms. MOLINARI, Mr. LIVINGSTON, Mr. KASICH, Mr. ARCHER, Mr. BLILEY, Mr. STUMP, Mr. CUNNINGHAM, Mr. SAM JOHNSON, Mr. WELDON of Florida, Mr. SOUDER, Mr. MCINTOSH, Mr. PETRI, Mrs. ROUKEMA, Mr. BALLENGER, Mr. HOEKSTRA, Mr. HUTCHINSON, Mr. KNOLLENBERG, Mr. GRAHAM, Mr. FUNDERBURK, Mr. NORWOOD, Mr. CONDIT, Mr. HEFLEY, Mr. TAYLOR of North Carolina, Mr. COBURN, Mr. ZIMMER, Mr. BEREUTER, Mr. BARTLETT of Maryland, Mr. TRAFICANT, Mr. CHABOT, Mr. STOCKMAN, Mr. BARTON of Texas, Mrs. MYRICK, Mr. CANADY, Mr. COOLEY, Mr. SCARBOROUGH, Mr. TAUZIN, Mr. MICA, Mr. CHRISTENSEN, Mr. HOSTETTLER, Mr. LAUGHLIN, Mr. BONILLA, Mr. COMBEST, Mr. COBLE, Mr. ROHRABACHER, Mr. DUNCAN, Mr. PETERSON of Florida, Mr. SALMON, Mr. FIELDS of Texas, Mr. BRYANT of Tennessee, Mr. THORNBERRY, Mr. DORNAN, Mr. BONO, Mr. DOOLITTLE, Mr. BURTON of Indiana, Mr. BILIRAKIS, Mr. SENSENBRENNER, Mr. GOSS, Mrs. VUCANOVICH, Mr. ISTOOK, Mr. LARGENT, Mr. HASTERT, Mr. ROYCE, Mr. KIM, Mr. MILLER of Florida, Mr. EMERSON, Mr. LINDER, Mr. STEARNS, Mr. JONES, Mr. SMITH of New Jersey, Mr. BAKER of Louisiana, and Mr. BAKER of California):

H. Res. 348. Resolution expressing the disapproval of the House of Representatives of the standards proposed by the National Center for History in the Schools for the teaching of U.S. history and world history; to the Committee on Economic and Educational Opportunities.

MEMORIALS

Under clause 4 of rule XXII,

199. The SPEAKER presented a memorial of the House of Representatives of the State of Georgia, relative to support for the American Troops in Bosnia and Herzegovina; to the Committee on National Security.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII,

Mr. SCARBOROUGH introduced a bill (H.R. 2901) for the relief of Joel Andrew Dopp; 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. 248: Mr. STEARNS.

H.R. 249: Mr. JOHNSTON of Florida.
H.R. 264: Mr. FOX.
H.R. 322: Mr. BARCIA of Michigan.
H.R. 359: Mr. MOAKLEY.
H.R. 580: Mr. BROWDER.
H.R. 883: Ms. WOOLSEY.
H.R. 963: Mr. VENTO.
H.R. 995: Mr. NORWOOD.
H.R. 1023: Mr. SCARBOROUGH and Mr. STUPAK.
H.R. 1027: Mr. GUTIERREZ.
H.R. 1406: Mr. SHAW and Mrs. SMITH of Washington.
H.R. 1484: Mr. TORRICELLI.
H.R. 1575: Mr. FOX and Mr. KOLBE.
H.R. 1591: Mr. FROST.
H.R. 1625: Mr. PAXON and Mrs. SEASTRAND.
H.R. 1661: Mr. LAFALCE and Mr. MCDERMOTT.
H.R. 1684: Mr. GORDON, Mr. EDWARDS, Mr. TOWNS, Mr. HAYES, Mr. COBLE, Mr. GILMAN, and Mr. WALSH.
H.R. 1750: Mrs. KENNELLY.
H.R. 1757: Mrs. MINK of Hawaii, Mr. OLVER, and Mr. MANTON.
H.R. 1780: Mr. DORNAN.
H.R. 1794: Mr. BUYER and Ms. MCKINNEY.
H.R. 1876: Ms. BROWN of Florida.
H.R. 1893: Mr. HOEKSTRA.
H.R. 2011: Mr. WARD and Mr. CLEMENT.
H.R. 2039: Mr. LAFALCE.
H.R. 2133: Mr. FALEOMAVAEGA.
H.R. 2178: Mr. GUTIERREZ and Mr. BARRETT of Wisconsin.
H.R. 2192: Mr. GUTIERREZ, Mr. EVANS, Mr. LIPINSKI, and Mr. DURBIN.
H.R. 2199: Mr. ZIMMER.
H.R. 2214: Mr. PICKETT.
H.R. 2228: Mr. CAMP.
H.R. 2247: Mr. CLEMENT, Mr. JOHNSTON of Florida, Mr. KILDEE, and Mr. KLUG.
H.R. 2320: Mr. EMERSON, Mr. PACKARD, Mr. SAXTON, Mr. ROYCE, and Mr. STUMP.
H.R. 2374: Mr. BLUTE.
H.R. 2463: Mr. LAFALCE.
H.R. 2468: Mrs. MEYERS of Kansas.
H.R. 2480: Mr. RUSH.
H.R. 2566: Mr. TORKILDSEN.
H.R. 2578: Mr. MORAN, Mr. KANJORSKI, and Mr. MOORHEAD.
H.R. 2579: Mr. LUCAS, Mr. LANTOS, Mr. PETERSON of Minnesota, Mr. BILIRAKIS, Mr. FATTAH, and Mr. FRANKS of Connecticut.
H.R. 2602: Mr. GOSS, Mr. MILLER of Florida, and Mr. JOHNSTON of Florida.
H.R. 2604: Mr. WAXMAN and Ms. LOFGREN.
H.R. 2640: Mr. BATEMAN, Mr. BISHOP, Mr. EVANS, Mr. PORTER, Mr. ROSE, and Mr. THOMPSON.
H.R. 2650: Mrs. MEYERS of Kansas.
H.R. 2651: Mr. FRAZER, Mr. BAKER of Louisiana, Mr. THOMPSON, and Mr. SHUSTER.
H.R. 2682: Mr. SCHUMER, Mr. LAFALCE, and Mr. NADLER.
H.R. 2690: Mr. FRAZER.
H.R. 2691: Mr. OWENS.
H.R. 2697: Mr. BEREUTER and Mr. JACKSON.
H.R. 2700: Mr. CHAPMAN and Mr. ARMEY.
H.R. 2701: Mr. SHAYS, Mr. GRAHAM, Mr. KING, Mr. CLYBURN, Mr. PAYNE of Virginia, Mr. ROSE, and Mrs. VUCANOVICH.
H.R. 2716: Ms. ROYBAL-ALLARD.
H.R. 2728: Mr. MCINNIS, Mr. SKAGGS, and Mr. SCHAEFER.
H.R. 2745: Mrs. KENNELLY, Ms. LOFGREN, Mr. FRANKS of New Jersey, Mr. ACKERMAN, Mr. DIXON, Mr. FORD, Mr. COSTELLO, Mr. HALL of Ohio, Mr. COLEMAN, Mr. WARD, and Mr. LAFALCE.
H.R. 2755: Mr. JOHNSTON of Florida.
H.R. 2777: Mr. GUTIERREZ, Mr. MCDERMOTT, Mr. STARK, Mr. COBURN, Mr. ACKERMAN, Mr. YATES, Mr. JOHNSTON of Florida, Mr. DELLUMS, and Mr. LIPINSKI.
H.R. 2778: Mr. RIGGS, Mr. GANSKE, Mr. ACKERMAN, Mr. JONES, Mr. HORN, Mr. WELLER, Mr. FOX, Mr. BAESLER, Mr. NORWOOD, Mr. MCCOLLUM, Mr. FUNDERBURK, Mr. FALEOMAVAEGA, Mr. BOEHLERT, Mr. MONTGOMERY, Mr. CONDIT, Mr. MCNULTY, Mr. CHABOT, Mr. CLEMENT, Mr. BURR, Mr. HAYWORTH, Mr. BUNN of Oregon, Mr. NETHERCUTT, Mr. WELDON of Florida, Ms. DELAURO, Mr. HASTINGS of Florida, Mr. STUPAK, and Mr. MARTINI.
H.R. 2795: Mr. DEUTSCH, Mr. HASTINGS of Florida, Mr. DIAZ-BALART, Mrs. FOWLER, and Mr. JOHNSTON of Florida.
H.R. 2807: Mr. BAKER of Louisiana and Mr. INGLIS of South Carolina.
H.R. 2823: Mr. GOODLATTE, Mrs. KELLY, and Ms. MOLINARI.
H.R. 2827: Ms. WOOLSEY, Mr. BEILENSON, Mr. BARRETT of Wisconsin, Mr. UNDERWOOD, Ms. ESHOO, and Ms. MOLINARI.
H.R. 2828: Mr. COBURN and Mrs. KELLY.
H.R. 2837: Mr. RUSH, Mr. JOHNSTON of Florida, Mr. TORRES, and Ms. MCKINNEY.
H.R. 2854: Mr. TIAHRT, Mr. EVERETT, Mr. LEWIS of Kentucky, Mr. SMITH of Michigan, and Mr. CHRYSLER.
H.R. 2862: Mr. MOAKLEY, Mr. PETERSON of Florida, Ms. SLAUGHTER, Mr. KENNEDY of Massachusetts, Mr. BENTSEN, Ms. VELAZQUEZ, Mr. ENGEL, Mr. FRANK of Massachusetts, Mr. WARD, Mr. SAWYER, Ms. NORTON, Mr. DURBIN, Mr. FATTAH, Mr. ABERCROMBIE, Mr. LAFALCE, Mr. HINCHEY, Mr. FROST, Mr. WYNN, Mr. DEUTSCH, Ms. DELAURO, Mr. OWENS, Mr. FALEOMAVAEGA, Mr. DICKS, Mr. JOHNSTON of Florida, Mr. FAZIO of California, Mr. WATT of North Carolina, Mr. KLINK, Mr. CLEMENT, and Mr. THOMPSON.
H.R. 2867: Mr. MANZULLO, Mr. CUNNINGHAM, Ms. DANNER, Mr. CLEMENT, Mr. STUPAK, Mr. BARR, and Mr. GALLEGLY.
H.J. Res. 117: Mr. OWENS.
H. Con. Res. 23: Mr. ZIMMER and Ms. VELAZQUEZ.
H. Con. Res. 95: Mr. THOMPSON, Mr. KIM, Mrs. MEEK of Florida, Mr. ZIMMER, Mr. BURTON of Indiana, Ms. SLAUGHTER, Mr. LEACH, and Mr. MARTINI.
H. Con. Res. 132: Mrs. SMITH of Washington, Mr. DICKS, Mr. MCDERMOTT, Mr. NETHERCUTT, Mr. HASTINGS of Washington, Mr. METCALF, and Mr. TATE.
H. Res. 333: Mr. SAWYER.

United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 104th CONGRESS, SECOND SESSION

Vol. 142 WASHINGTON, THURSDAY, JANUARY 25, 1996 No. 10

Senate

The Senate met at 12 noon, and was called to order by the President pro tempore [Mr. THURMOND].

PRAYER

The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer:

Gracious Father, thank You for the stirrings in our minds and the longings in our hearts that are sure evidence that You are calling us into prayer. Long before we call, You answer by creating the desire to renew our relationship with You. You allow that feeling of emptiness in the pit of our being to alert us to our hunger for fellowship with You. Our thirst for Your truth, our quest for Your solutions to our Nation's needs, and our yearning for Your answers to our problems are all assurances that before we articulated our prayers, You were preparing the answers. It is a magnificent, liberating thought that all through this day when we cry out for Your help, it is You who have given us the courage to give up our dogged self-reliance and start drawing on the supernatural strength and superabundant wisdom You have been waiting for us to ask for so You could bless us. Thank You for a day filled with serendipities of your interventions. I pray this in the name of Jesus who taught us how to trust You completely. Amen.

RECOGNITION OF THE ACTING MAJORITY LEADER

The PRESIDENT pro tempore. The able acting majority leader is recognized.

SCHEDULE

Mr. COCHRAN. Mr. President, for the information of Senators, the Senate will be in session for a period of morning business today until the hour of 4 p.m. The time will be divided equally between both sides, with 2 hours for the Republican side and 2 hours under the control of the Democrats. There will be no rollcall votes during today's session. The Senate may consider any legislative items that can be cleared for action by unanimous consent.

All Senators should be reminded that the continuing resolution expires on Friday. It is expected, therefore, that the Senate will consider a new continuing resolution when one becomes available from the House. The Senate may also consider the Department of Defense authorization conference report as well as the START II Treaty.

Senators should be on notice that based on preliminary responses from both sides of the aisle, it appears at this time that rollcall votes will occur during Friday's session of the Senate. However, we do not expect them to occur prior to the hour of 2 p.m. on Friday.

MORNING BUSINESS

The PRESIDENT pro tempore. Under the previous order, there will now be a period for the transaction of morning business not to extend beyond the hour of 4 p.m., equally divided between the majority and minority.

The able Senator from Maine is recognized.

(The remarks of Mr. COHEN pertaining to the introduction of S. 1525 are located in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

Mr. COHEN. I thank the Chair. I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. FAIRCLOTH). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. FAIRCLOTH. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. INHOFE). Without objection, it is so ordered.

THE 104TH CONGRESS

Mr. FAIRCLOTH. Mr. President, when I was elected to the Senate in 1992, I was one of five Republican Senators elected that year. But, I was the only Senator who defeated a Democratic incumbent in the November election, in what many would consider a year dominated by Democrats.

I was a new conservative voice, in a town where the Presidency and both Houses of Congress were controlled by liberal Democrats.

During those first 2 years, I opposed many of the initiatives of the coming out of the Congress. I voted against President Clinton's budget, because I did not think raising taxes was the answer to cutting the deficit.

I opposed raising taxes on Social Security.

I opposed his health care plan, which I think would have nationalized health care in this country, which is the last thing we needed.

But the elections in November 1994 changed all of this. For the first time in 40 years, the American people elected a Republican House and Senate. In my opinion, because of this, the changes have been dramatic.

For years, popular initiatives that the American public have wanted have been stalled or bottled up in the Congress.

The 104th Congress—the Republican Congress—has finally broken the logjam.

Look at what this Congress has passed. It has been significant.

We voted to apply to the Congress the employment laws that we pass which businesses have to put up with. As of a few days ago, many in Congress are getting a taste of the laws that we

● This ''bullet'' symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Printed on recycled paper containing 100% post consumer waste

have imposed on the employers of this country for many, many years. Many of the Congressmen are having trouble coping with them and have not even begun to understand the implications of what we passed.

Both Houses have passed versions of a line-item veto for the President.

Both Houses passed legislation to increase penalties for child pornography. This has been signed into law.

Both Houses have passed new gift rules for Members of Congress and staff.

Both Houses have passed and signed into law a bill restricting unfunded mandates that we place on States—one of our most important and best pieces of legislation.

Both Houses of Congress have passed welfare reform, ending a destructive 30 year entitlement program, and replacing it with assistance that requires personal responsibility and work. Regrettably, the President vetoed the bill. He said he wanted welfare reform, and when we gave it to him he vetoed it.

The Congress passed legislation to provide a tax credit for families with children. The Congress voted to repeal the Clinton tax increase on Social Security. But, again, the President vetoed both of them.

The President also vetoed legislation that would balance the budget in 7 years. In fact, the President had to be forced after months—and three budgets, to finally produce a budget that was balanced using honest numbers.

Mr. President, the first session of the 104th Congress was an active one—in which many important issues were addressed. I think the American people can be pleased with the job the Republican Congress has done.

Certainly, it has kept its promises—more than any other Congress in my recent memory.

Even the President seems to have picked up on the message of the Republican Congress. In his State of the Union, he said ''the era of big government was over.'' And we will make it over quicker, if he will stop vetoing the legislation that we pass.

No longer are we talking about starting new Government programs, like health care, but we are talking about getting our fiscal house in order for the future and stability of this country.

In the second session, there are a number of items I think we must tackle.

We need to take up regulatory reform. Compliance with these regulations is costly. It is destructive and time consuming. Regulatory reform legislation would impose a cost benefit analyses for regulations with an annual cost of $50 million.

The Senate also needs to vote on term limits as soon as possible. I am an original cosponsor of legislation to limit Senators to two terms.

Finally, Mr. President, we need to take up the constitutional amendment to balance the budget. Probably no issue is more important to our country than this one. We are nearly $5 trillion in debt, and it will have to be increased right away. It is long past time that we pass the balanced budget amendment.

Every year Americans work longer and harder just to pay their Federal taxes, and every year more and more of that money is being used to pay the interest on the debt. The debt grows, and the amount necessary to service it grows with it. We are truly imposing a massive financial burden on our children and progeny yet unborn. It is wrong, and it is our responsibility to stop it.

In the Senate we fell only one vote short of passing a balanced budget amendment. I hope the majority leader will bring this issue back before the Senate before we adjourn, and I certainly hope that one of the Senators could be persuaded to change his view on this critical issue. It would mean more to the future and stability of this country than anything I can think of at this time.

STATEMENT HONORING THE OLLISON'S FOR CELEBRATING THEIR 50TH WEDDING ANNIVERSARY

Mr. ASHCROFT. Mr. President, these are trying times for the family in America. Unfortunately, too many broken homes have become part of our national culture. It is tragic that nearly half of all couples married today will see their union dissolve into divorce. The effects of divorce on families and particularly the children of broken families are devastating. In such an era, I believe it is both instructive and important to honor those who have taken the commitment of ''til death us do part'' seriously and have successfully demonstrated the timeless principles of love, honor, and fidelity, to build a strong family. These qualities make our country strong.

For these important reasons, I rise today to honor Raymond and Charlene Ollison who on February 2 are celebrating their 50th wedding anniversary and will renew their wedding vows. My wife, Janet, and I look forward to the day we can celebrate a similar milestone. Raymond and Charlene's commitment to the principles and values of their marriage deserves to be saluted and recognized. I wish them and their family all the best as they celebrate this substantial marker on their journey together.

CURBING YOUTH ACCESS TO TOBACCO PRODUCTS

Mr. MCCONNELL. Mr. President, after 2½ years of inexplicable delay, on January 19, 1996, the Department of Health and Human Services [HHS] issued final regulations concerning tobacco sales to minors for the Substance Abuse and Mental Health Services Administration [SAMHSA].

These SAMHSA regulations implement the Alcohol, Drug and Mental Health Block Grants [ADAMHA] Reauthorization Act of 1992, which required States to prohibit the sale and distribution of tobacco products to minors, take steps to enforce that prohibition and report annually to HHS, or lose Federal substance abuse block grants. While HHS dallied over the final SAMSHA regulations, the Food and Drug Administration—itself an arm of HHS—proposed a highly intrusive new set of regulations governing tobacco sales, distribution, labeling, advertising, and marketing.

I support the approach taken by the SAMSHA regulations. As Congress specifically required in the ADAMHA Reauthorization Act, the SAMSHA regulations give States the maximum degree of flexibility while ensuring that States do in fact take strong steps to stop the sale of tobacco products to minors. The SAMSHA regulations will accomplish the same goal that FDA professes to want—reducing the use of tobacco by minors—in a shorter time for less money and with much less Government interference.

The Kentucky General Assembly passed legislation in 1994 to address ADAMHA compliance. As an example, the State Department of Agriculture, with assistance from local law enforcement officials, must conduct random, unannounced inspections. Persons under the age of 18 may be enlisted to test compliance, provided that parental consent has been given. Kentucky has also established sign requirements, license requirements, and vending machine restrictions.

Mr. President, I represent 60,000 hard-working tobacco farm families and thousands of hard-working individuals who are involved in the manufacturing and retail of tobacco products. Under the SAMSHA regulations, tobacco growers and others involved in the tobacco industry can rest assured that they will not be subjected to excessive government interference. States where tobacco is grown will be free to craft laws that take into account the needs and interests of tobacco growers. Tobacco growers will not be treated as the enemy. On the other hand, FDA's proposed regulations would treat nicotine as an addictive drug and position the FDA to march on every tobacco farm in the United States. FDA's proposal is unacceptable.

Tobacco already is one of the most heavily regulated products in the United States. More than a dozen Federal agencies have jurisdiction over some aspect of tobacco production, sales, or advertising. In light of this fact, Congress authorized SAMSHA not to imposed sweeping Federal tobacco regulations, but instead to encourage States to prevent youth access to tobacco.

Mr. President, I strongly believe that minors should not use or purchase tobacco products. I also believe the most effective way to prevent minors from using or purchasing tobacco products lies in the strict enforcement of laws already in effect in each of the 50

States. A new Federal bureaucracy, as proposed by the President and FDA, is not needed. In 1992, Congress made a bipartisan decision that State officials, not a Federal agency, were best suited to deal with the problem of underage tobacco use. The SAMSHA regulations are a constructive, constitutionally appropriate and cost-effective way to deal with underage tobacco use. The SAMSHA regulations take the right approach. FDA's approach is wrong, excessive, costly, and unnecessary.

THE BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, the impression will not go away: The $4.9 trillion Federal debt stands today as a sort of grotesque parallel to that energizer bunny that appears and appears and appears on television in precisely the same way and to the same degree that the Federal debt keeps going up and up and up.

Politicians talk a good game—and ''talk'' is the operative word—about reducing the Federal deficit and bringing the Federal debt under control. But watch how they vote.

Mr. President, as of the close of business, Wednesday, January 24, the total Federal debt stood at exactly $4,987,847,422,144.35 or $18,932.30 per man, woman, child on a per capita basis. Res ipsa loquitur.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. PRYOR. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PRYOR. Mr. President, I thank the Chair for recognizing me.

A RECESS WOULD BE IRRESPONSIBLE

Mr. PRYOR. Mr. President, I rise today to discuss what the Senate is doing actually tomorrow on a very, very critical and important resolution that would put the Senate in recess for 1 month. To my way of thinking this could be the most irresponsible vote the U.S. Senate has taken in a long, long time. A month—30 days, Mr. President.

I think that such action would be the height of irresponsibility. If we think the American public is losing faith and confidence in our legislative institutions, just wait and see how they react when they see the Senate is voting to take a 30-day recess with all of the work that lies ahead.

The Senate and the Congress as a whole has much work to do, a lot of work to do. The shrinking amount of time in which to do it is something that I would like to discuss for a few moments this afternoon.

The first session of the 104th Congress, Mr. President, was one of the busiest that we have ever seen. Unfortunately, however, it was one of the least productive. I will cite my friend, Senator BILL COHEN's op-ed piece recently in the Washington Post when he said—I think I can quote—''There's a great deal of motion, but very little movement.'' I think that aptly describes last year.

That first session of Congress lasted 365 days, 1 whole year. Only two other first sessions have lasted 365 days in the course of the Republic's history, Mr. President, the 77th Congress in 1941–42 and the 102d Congress in 1991–92.

The Senate, for example, was in session for 211 days. We took 613 rollcall votes. The House was in session 167 days. The House took 885 rollcall votes. What was the result of all of this movement and action, Mr. President? Only 88 bills were signed into law, the smallest number of bills becoming law since 1933.

Mr. President, a 30-day recess, like the one that is being proposed tomorrow, is truly unprecedented. A review of the Senate's congressional calendar shows the normal pattern for Congress is to begin work after the State of the Union. A short recess around the President's Day holiday is the norm. However, to simply shut down the U.S. Senate, for us not to work until the beginning of March, is a remarkable inconsistency.

So what does that mean for us today? It means that there is a lot for us to do in a year already shortened by the Presidential election. Some have even suggested that the Senate is arranging its schedule, depending upon the primaries in New Hampshire and the special caucuses in Iowa. I am not here to argue whether that is true or false, but that is being charged.

There are bills awaiting our attention that must be addressed, not to further the Democratic agenda or the Republican agenda, but to help the American people and to make their lives better and to live up to our responsibility.

I rise today to talk about some of this imperative legislation that I think we should be working on now rather than recessing tomorrow for a whole month's period.

For example, we are in the midst of a crisis in agriculture, and this affects all of rural America. In fact, it affects all America.

On January 1, some 25 days ago, the 1990 farm bill expired. Because no Congress in 40 years has failed to pass a farm bill, we are still exploring the ramifications of what it means to live under an expired farm bill. In short, chaos in rural America could very easily result. We need action in this area.

What we know for sure is that because there is not a farm bill, American agriculture is now, in large part, operating under laws enacted in the year 1949.

In the past several weeks, lawyers and staff at the U.S. Department of Agriculture began to piece together just what this means for farmers, for consumers, and for the taxpayers. For example, while the cotton program operates as is until 1997, the rice program, as we know it, has now been terminated. Today across our country, there is no rice program. There has not been for 25 days. The so-called permanent law, or 1949 law, to which we are now reverting, includes provisions for commodities, such as wheat or corn; however, no provisions for rice.

The Secretary of Agriculture has said he would have to use some general authority under the CCC Charter Act to run a rice program, but research is still underway to see what kind of program he might legally operate.

There is great confusion. Arkansas grows 40 percent of all of the rice produced in our country, but other States, such as California, Mississippi, Louisiana, and Texas, are also large rice producers. Pulling together some kind of general authority and running a partial program could be devastating to the rice industry and to the rice farmers in these five States.

It is not just rice farmers who are very anxious right now. As many of my colleagues have pointed out, most farmers cannot even find out if they will be able to plant a crop, much less what that crop might be. Necessary operating credit, those loans that are so important to the American farmer, will not be extended to many farmers unless the various lending institutions have some idea of what the rules or regulations are in rural America relative to the new farm proposals.

Mr. President, with all of this uncertainty hanging over us in rural America, from producers to millers to ginners to seed salesmen to tractor dealers to processors and all the other businesses that serve the agriculture sector, it is unconscionable, I think, for this Congress to even contemplate recessing for a 30-day period.

Let me give you another example of how the American people are paying as a result of congressional inaction.

Last year, Congress made a legislative error in the GATT treaty which is forcing American consumers to pay millions and millions of dollars more for their prescription drugs every day. We had a debate on this floor. We had a very close vote on this floor.

For instance, the world's largest drug company, Glaxo, today is gaining $6 million a day in undeserved enrichment—$6 million a day in undeserved enrichment and profits. This single company has so far gained $300 million, all of it subsidized by the American consumer from this congressional mistake. We had a chance to correct it. We did not meet that obligation. We must have that opportunity again.

Instead of acting quickly to fix it, Congress has let it drag on week after week after week. If we recess for 30 days, consumers across America will be paying another $180 million in unnecessary health care costs for their drugs. That is outrageous. But there is no

company in this country today who would love to see the Senate adjourn, recess and leave town for the next 30 days more than the company of Glaxo. It means another $180 million to them in undeserved enrichment.

This is not the only important health care issue being held up. A bipartisan proposal which would require insurance companies to stop dropping people when they change jobs and to prevent insurers from denying coverage for preexisting conditions is being blocked today from consideration. There was an excellent article in this morning's Washington Post related to this situation.

This legislation, which would help almost 25 million Americans, is much too important to let die, it is much too important to let it be crowded off the Senate floor schedule simply because we are not in session, we are scattered to the four corners of the land and we cannot be found to do our legislative duty.

There are a number of tax credits that have expired. They need to be extended. The education tax credit, which encourages employers to help their employees improve their education, the research and development tax credit, the targeted jobs tax credit, which helps employers who hire disadvantaged workers, are just some of the examples. These tax credits are helping American business and workers all across this country today. But for 30 days, if we vote to go into this recess, they will be ignored while the Congress leaves town.

There are other bills pending that would change tax policy and make life simpler and better for Americans. For example, a bill to increase the health care deduction for the self-employed lies idle. This bipartisan bill would give self-employed Americans more of the tax cut that large corporations get for funding full health insurance.

Also put on hold is legislation introduced by the majority leader, myself and 44 other Senators to ease the tremendous burden placed on family-owned businesses by the estate tax. This bill would benefit farmers and family-owned businesses across our country.

Another bill on the sidelines is the Church Retirement Benefits Simplification Act, which would clarify the rules that apply to church retirement and welfare benefit plans and make it easier for churches to administer their retirement and benefit programs.

These bills all try to make the tax system friendlier and fairer, and all Americans should not be ignored while the Congress takes a month-long break.

Mr. President, in addition to these bills that I have discussed this afternoon, and many others that are also very important, there is also the issue of the Federal budget. The House, today, is likely to pass a 30-day continuing resolution to keep the Government running. We hope so. The Senate will probably pass it tomorrow. We hope so. And then what happens, Mr. President, is we all leave town. We will be doing nothing to resolve the basic problems that have prevented us from enacting a budget and passing the final six 1996 appropriations bills.

Mr. President, I am talking about finishing up the spending bills that should have been completed last year. I have not even mentioned the fact that the work on the 1997 budget should begin in 10 days when the President submits his budget to the Congress. In addition, the debt ceiling must be lifted by March 1, Mr. President. If we recess and come back on the 26th of February, we will be returning with only a precious few hours to deal with this most important, very critical issue. Moody's has already issued a warning that they may downgrade Treasury bonds as a result of this pending uncertainty. The full faith and credit of the United States of America rests on our actions. There could be possible catastrophic results if we do not take action.

Finally, the people's business needs to be tended to—it is that simple—from rural America to Wall Street, and tomorrow could be the most irresponsible time that I have ever known for us to even consider beginning a 30-day recess. Rather, we should vote tomorrow to recommit ourselves, not to our business, but to the people's business.

Mr. President, I yield the floor.

Mr. MURKOWSKI addressed the Chair.

The PRESIDING OFFICER. The Senator from Alaska.

THE GOVERNMENT SHUTDOWNS WERE NOT ALL CONGRESS' FAULT

Mr. MURKOWSKI. Thank you, Mr. President. First of all, I would like to address my remarks to those Government employees who were victimized by the process of shutting down the Government. I am sorry—and I think all of my colleagues would share in that sentiment—for that unfortunate set of circumstances. I would like to point out, Mr. President, before we, the Members of Congress, are designated as the sole villain, consider for a moment that both the House and the Senate passed a reconciliation bill to fund the Government fully until all appropriations bills were completed. Our President chose to veto that reconciliation bill. Had he not, there would not have been a shutdown in Government. It seems the media and many have forgotten that, including some Government employees.

Further, Congress passed a significant majority of the appropriations bills, sent them to the President, and the President vetoed about half of them. The President made that decision, just as he made the decision to veto the reconciliation bill. He could have signed the appropriations bills, and those Government agencies would not have been shut down.

So, as a consequence, as we look at the fallout associated with the shutdown of Government, the blame is not all on the Congress, by any means. The President must share that blame. I find it very disturbing that the media does not seem to be able to pick up on that responsibility. There are legitimate differences of opinion in the President's version of the adequacy of the appropriations bills we passed, and he has reason to veto them. But, by the same token, I think he has to be realistic in recognizing that the responsibility is not Congress' alone.

Now, much has been said about the debt ceiling and the fact that sometime in March we are going to be asked to increase that debt ceiling from $4.9 trillion to somewhere in excess of $5.3 to $5.4 trillion, and if we do not, the Federal Government is going to go into default. Some of us feel pretty strongly that the only way to turn this train around of continued debt is to initiate a process that generates a balanced budget in real terms. Real terms means in 7 years—but not 7 years with cuts in the sixth and seventh year, as President Clinton proposes.

Clearly, in the sixth or seventh year, regardless of the election, President Clinton will not be around to bear the brunt of those cuts, and those cuts truly are draconian. Congress is not going to have the self-discipline to do it either. We simply have to get spending under control. We have to reduce the rate of growth of the entitlements. That is basically what we attempted to do with Medicare—not cut it, simply reduce the rate of growth. Many of the public, the elderly, did not seem to catch that difference. Medicare would be increased next year over this year and the year after, but not at the same rate of growth. The President's own Cabinet suggested that Medicare will be bankrupt in 7 years if we do not address that. It is not being addressed under the President's proposal. The ramifications of that suggest business as usual.

Many do not seem to have really captured what this debate was all about. It was not just about a balanced budget. It was about redirecting America, rededicating, if you will, that Washington does not know all, control all, regulate all; but the responsibility should be dictated, as much as possible, to the States and, more directly, to the people. They are capable, and they are frustrated with the dictates from Washington. But that seems to be lost in this debate.

So the significance of where we are at this time, I think, needs real examination, because if corrective action is not taken, if somehow we do not get the attention of the administration to address a real balanced budget, we are simply going to add to this accumulated debt, which, as I have said, is $4.9 trillion, and the interest on that is some $236 billion, which is more than our annual debt. That means that what we are spending in excess of what we

are generating in revenues is about $160 billion. Yet, our interest on the accumulated $4.9 trillion is somewhere in the area of $350 billion.

You do not have to be an accountant to know that if your interest costs on the outstanding principal that you owe are more in each year and each year you are increasing that by an added debt in the area of $160 billion, sooner or later you are going to pay the piper, and you are going to pay the piper through the consequences of a loss of confidence in America's monetary system. That lack of confidence is going to be triggered by too much debt. It happened in Central America, it happened in South America, it happened in Europe, and it will happen in the United States if we do not address a meaningful balanced budget.

So as we look at the crucial times ahead, Mr. President, I do not know what we are going to have to do to catch the attention of the administration to get real about this process. Otherwise, we are going to pay the piper. There is a member of my staff whose wife is expecting a baby in April. That child will come into this world with a share of debt in the area of about $157,000.

Multiply that per capita in the United States—what are we going to do, simply leave a legacy of debt? We must take the medicine now. We must address the hard decisions now. Otherwise, it is simply going to be too late. I wonder if it is not too late now. If we extend the debt ceiling when we come back sometime in the future and we do not have a commitment for a real balanced budget, we are doing a tremendous disservice to the citizens of this Nation.

As a consequence, Mr. President, I think it is time that we go home and reflect on the significance of this crisis. This is very real. Talk to our constituents about the ramifications and share with them the dilemma that is going to be facing us when we come back and we are asked to increase the accumulated debt, the authorized debt, beyond $4.9 trillion. When the only leverage we have is to suggest it should not be done, it is irresponsible to increase that until we have a commitment for a balanced budget. Only when we achieve a balanced budget can we begin to address that 4.9 trillion dollars' worth of debt, and every Member of this body knows it, but not every Member of this body or the House of Representatives is prepared to take the action. That is where we are today.

POLICY AND POLITICS

Mr. MURKOWSKI. Mr. President, another matter I bring before this body concerns the policy and politics related to mining law reform. As chairman of the Energy and Natural Resources Committee, I have been working with Senator CRAIG and other members of the committee to craft a mining bill that is realistic, that is responsive to change.

Many know that the 1872 mining law has been a topic of debate in this body for many years. My good friend from Arkansas has spent many hours suggesting reform. The environmentalists continue to cry for reform. This year in an effort to enact a responsible reform we included several mining law provisions in the budget reconciliation package.

What did we send to the President? Specifically, for the first time in history, I repeat, for the first time in history, we required miners to pay a 5-percent royalty. For the first time in history, miners were required to pay a fair market value for patented land, and for the first time in history patented lands used for nonmining purposes would revert back to the Federal Government. Patented land would have to be used for mining. If the land was used for non-mining purposes it would revert back to the Federal Government.

For the first time in history we established an abandoned mines land fund to start the process of cleaning up the old abandoned mines and try and address abuses that had taken place in the past.

We maintained the existing $100 per claim fee for 3 years and doubled the fees to $200 per fee starting in 1999. The Congressional Budget Office score over 7 years was approximately $157 million. This is significant reform.

What happened to the proposal, Mr. President? The President vetoed the reconciliation package. What is the administration's proposal? Pretty hard to get a feel for what they have in mind. Secretary Babbitt, continues to demand mining law reform, yet he does not offer a specific solution. In fact, the administration has failed to submit a comprehensive mining law reform proposal this year.

Now, let me read some comments made by the administration on mining law reform. ''This process has gone from distasteful to obscene. We support common sense reform that gets the taxpayers a fair return. Congress could and should act quickly to end this travesty.'' Secretary Babbitt, December 1, 1995.

Second: ''The idea that we are backing off of mining reform, grazing law reform, is just nonsense. We are totally committed to changing the current policy.'' This was Vice President GORE, May 10, 1993.

Further: ''Just recently, a law on the books since 1872 that I am trying hard to change, forced the government to sell minerals worth $1 billion.'' President Clinton, November 4, 1995.

By reading these quotes one would think the White House wants action on mining law reform. There is an old saying around here, ''actions speak louder than words.'' In this case I can assure my colleagues we have had no action on mining law reform from the administration this year. What we have had, Mr. President, is a lot of words. There is another old saying around here, ''What is good for the goose is good for the gander.'' I guess it depends on who is the goose and who is the gander.

In today's Washington Times there is a very interesting and revealing editorial about Vice President GORE and Secretary Babbitt. Apparently the Vice President's family has an interest in mining property in Tennessee, a family interest I am sure—nothing wrong with a family having an investment in mining property. According to the Washington Times the Vice President or his family receives a 4-percent net royalty from minerals mined on their land.

I find this interesting because Secretary Babbitt has been pushing for a gross royalty as high as 12.5 percent. As everybody knows, I support mining in the United States. I am pleased that the Vice President and his family are in the mining business. What troubles me is this administration continues to demand a gross royalty for miners while the Vice President receives a royalty based on net. I agree with the Washington Times, if a net royalty is good enough for the Vice President, why is it not good enough for the Secretary of Interior Babbitt?

We can take this process one step further. The Vice President apparently supports exploration and development when it benefits his personal interest, yet he opposes it almost everywhere else, particularly on public land, and certainly in my State of Alaska. He opposes logging in the Tongass, he opposes exploration and development of the Arctic, including ANWR, for oil and gas.

Mr. President, what is the difference between mining and oil and gas production? Both are producing something from Mother Earth, providing a return, reducing our dependence on imported resources. It appears to be a rather inconsistent policy, Mr. President.

I think it is appropriate that the Washington Times has highlighted this because the Vice President is known as a champion of the environment. We appreciate his contribution to the environment, however, we are troubled by his strong opposition to oil and gas exploration, mining exploration, logging, grazing, and any other development of our natural resources. Yet here we have a personal interest reflected on the families' ownership of the lead and zinc mine that the Vice President and his family have in the State of Tennessee which has been highlighted in the Washington Times article.

That is why I question, Mr. President, what is good for the goose is good for the gander.

Mr. President, a good deal of this is about politics. The administration sees the environment as a political issue, and they will go to any means to exploit it. We have seen the President's remarks—protect the environment. Many of the issues are not environmental. They are jobs issues. Are we going to have blue collar jobs in this country in our timber industry, in our mining industry, in our grazing industry, in our oil and gas industry? Or are

we going to continue to be dependent to an ever increasing degree on imports? We seem to be importing resources and exporting jobs.

Currently, over 51 percent of our crude oil consumption comes from imported oil. The Secretary of Energy has just come out with a forecast that is truly alarming because it suggests that this is going to increase dramatically in the coming years.

I note for the RECORD in the ''Inside Energy/with Federal Lands,'' of January 22, 1996, a statement from the Secretary of Energy Secretary O'Leary decrying the deficiency budget. She says an oil crisis is ''imminent.'' That is a pretty strong statement.

Energy Secretary Hazel O'Leary last week predicted that an oil crisis is ''imminent,'' and called on Congress [this body] to help prepare for it by shifting resources from fossil energy r&d to energy efficiency and renewable energy r&d.

O'Leary, speaking to reporters Tuesday, reiterated concerns about a possible oil crisis stated earlier in the day by Joseph Romm, DOE's Acting Deputy Assistant Secretary for Energy Efficiency and Renewable Energy. . . .

''It's pretty clear there's going to be another oil crisis. I would say, in the next 10 years,'' Romm said. . . .

O'Leary agreed with Romm, adding, ''with the trajectory Congress has us on, we're not allowed to intervene with new technology.''

I find that very revealing. It further reads:

''Any interruption in the Persian Gulf or pipeline failures could lead to supply disruptions.''

Comparing the situation to the blizzard that afflicted East Coast cities earlier this month, O'Leary said, ''I see crisis imminent and something we better take care of.''

Asked what DOE could do to avert it, O'Leary responded that the department is ''beginning to pull away from the traditional energy supply, shave some resources from unnecessary national security programs and high-tech nuclear programs, and put that effort to deploying energy efficiency and renewable energy technologies. . . .

That sounds great. Some of it is attainable, but not all of it. There are not enough renewable energy resources out there. Yes, we can increase energy efficiency. But to suggest we are moving our focus over there from increasing energy supplies to alternatives is simply unrealistic, and anybody who is in the energy business, having to supply this country with energy, will tell you, ''It just ain't so.''

''Romm predicted that soon''—and this is the bottom line, and I will urge all my colleagues to reflect on it because one of these days it is going to come around and bite you, it will bite each one of us, because the public is going to say, Where was Congress? Why did Congress not do something to avert this crisis of curtailing a supply of crude oil into the United States?

Romm predicted that soon the Persian Gulf region's percentage of the oil market will surpass its highest level ever, which was 67 percent in 1974. That percentage, he said, ''likely will go over 70 percent.''

There are solutions to the problem, and the three that are proposed by the Department of Energy suggest the following: Raise the price of oil, make it scarcer; add to the burden of the family budget, the Northeast corridor that depends on oil for heating. What is that going to do for inflation, Mr. President? They suggest one of the answers is raise the price of oil. Is that not a bureaucratic answer to a shortage? You raise the price. Put in place regulations to increase fuel economy—there is nothing wrong with that, but you can only go so far—and try to improve fuel efficiency technology. We have done that dramatically in our automobiles.

The indication here is that the administration is taking all three of these approaches, but they blame Congress for opposing all three. We do not oppose all three but we are being realistic.

It is interesting, spokesman Romm ''downplayed the effect that opening the Arctic National Wildlife Refuge to oil and gas drilling would have on reducing oil imports. More oil would be saved by implementing DOE's efficiency and renewable energy programs than would be generated by ANWR, he said,'' if it was opened.

The inconsistency there, and what he does not tell you, is that Prudhoe Bay has been supplying this Nation with nearly 25 percent of its total crude oil production for the last 25 years. That field is in decline. As I have said, currently we are importing 51 percent of our total crude oil. As Prudhoe Bay declines, if we do not find more domestic reserves, we are simply going to import more. It is going to come into this country in foreign vessels, so we are not going to have our U.S. maritime fleet as we have currently in the movement of Alaskan oil which requires that all that oil be moved in U.S. tankers with U.S. crews.

So here we have a situation where, as Prudhoe Bay declines, if we do not find more domestic oil, if we do not look for it in the most likely place where it is likely to be, and that is, the geologists tell us, in the Arctic, we are simply going to be exporting more of our dollars and more of our jobs overseas.

We hear a lot about the deficit balance of payments. That means we spend more than other nations spend buying from us. Half of it is made up in the cost of imported oil. So I find it extraordinary at this time that we have a dire prediction that we are facing an oil crisis and the only alternative that we pursue is greater efficiency and renewable energy and do not prioritize increased domestic production.

This administration is selling America short. America has the technology. America has the engineering know-how to develop oil reserves in those delicate areas and do it safely. We have proven that time and time again.

The difficulty we have in my State of Alaska is we happen to be a new kid on the block. We have only been a State for 38 years. We are trying to develop our land patterns. The rest of the States did it 100 years ago, Virginia 200 years ago. Prudhoe Bay is the best oil field in the world. Endicott was the 10th largest producing field when it came on line. Now it is the seventh. The footprint is 56 acres. That is the technology we have in industry. If we are allowed to go into ANWR, it will generate $1.3 billion for the Federal Treasury resulting from those lease sales. Developing the 1002 area could provide nearly 700,000 jobs during the life of the field throughout the country. We do not make pipe in Alaska. We do not make valves. We do not make all the seals, all the things that go into the development. We get these supplies throughout the United States and this means jobs. And the industry says they can do it in 2,000 acres.

What does ANWR consist of? It consists of 19 million acres. Out of that 19 million, 8 million acres have been set aside as wilderness. The rest of it is in refuge, leaving 1.5 million that Congress set aside for determination to be made of whether to allow exploration. Out of that 1.5 million acres only 2,000 acres would see a footprint.

Think of the jobs in this country. Think of the dollars generated. If we lose this opportunity, Mr. President, indeed our only alternative will be to increase oil imports of oil coming in foreign vessels and the export of U.S. jobs and the export of dollars.

So, as we look at the situation in general, and this administrations attitude towards development of public lands, I think we have, indeed, a political situation. This administration sees these issues, and certainly the environmental community does, as causes—causes for membership, causes for more dollars coming in. Because the American people cannot go up and see Prudhoe Bay, see the advances that have been made in the Arctic, see what we have done to increase the caribou herds in the central Arctic that were 3,000 or 4,000, and are now over 20,000.

So, unfortunately, in their efforts to win political points, this Administration is destroying our natural resource industries. These industries have been significantly reduced—driving jobs overseas and increasing our balance of payments deficit.

So, indeed, it is about politics—not policy. I hope my colleagues will see through the smokescreen.

The editorial, which I ask unanimous consent be printed in the RECORD, is about the Vice President's mine, and his interest in that mine. I encourage my colleagues to read the editorial. If it is good enough for the Vice President, it ought to be good enough for the rest of the Nation's miners.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Washington Times, Jan. 25, 1996]

BRUCE BABBITT AS GOLD DIGGER

Vice President Al Gore can afford to worry about whether Earth's in the balance. He has a zinc mine at home in Carthage, Tenn., that keeps his checkbook in balance. He gets a

$20,000 check every year based on a 4 percent net royalty on the value of the minerals mined on the Gores' property.

Now it may seem a little hypocritical for an environmentalist like Mr. Gore to profit so handsomely from a nasty old industry like mining. But the question for the moment is, if the deal is good enough for Mr. Gore, why isn't it good enough for Interior Secretary Bruce Babbitt.

For months now, Mr. Babbitt and congressional Republicans have been arguing over plans to reform the infamous 1872 Mining Law as part of the overall budget reconciliation package. The law provides, among other things, that mining companies can get title to government lands for as little as $2.50 an acre and then mine the minerals without paying royalties.

That doesn't mean the government collects nothing from the operation. Mining companies pay income taxes, company shareholders pay taxes on dividends, and company employees pay taxes on their wages. Such taxes make the government a partner in almost any business enterprise, including mining.

Mr. Babbitt, however, seems to want a gross royalty of 4 percent or higher, a demand to which even the formerly Democrat-controlled Congress would not agree. One says ''seems'' because it's not clear exactly what percentage he wants. An Interior Department spokesman this week could not provide a figure.

Republicans propose to make companies pay a 5 percent net royalty as well the fair-market value of the land. The 5 percent figure happens to be a percentage point higher than what Mr. Gore gets, but it's not good enough for Mr. Babbitt. A net royalty is ''riddled with loopholes,'' he says. Mr. Babbitt means the kind of loopholes that allow business to deduct the cost of their expenses before paying taxes.

Again, the business dealings of the Gore family are instructive here. So eager were the Gores to capitalize on the assets of Mother Earth that they actually sued the company mining the family farm for cheating it out of royalty payments. It seems that although the company had paid royalties on zinc mined there, it had failed to pay appropriate royalties on the germanium ore it dug up. Arbitrators sided with the Gores.

''My attorney proposed an accounting methodology,'' the vice president's father said in 1992, ''which the arbitrators accepted, to determine the value of germanium produced: Take value of germanium produced from the ore and deduct refining costs, insurance, freight and other charges. That's not difficult accounting.'' No it's not.

It can cost millions, perhaps hundreds of millions of dollars, to discover, explore and ultimately develop a mine. Refusal to permit companies the same kind of deductions on government lands that the Gores agreed to on their land is simply another way to shut down mining there. That may be what Mr. Babbitt wants, but employees and towns and schools who directly or indirectly depend on mining jobs don't have the luxury of handouts from Washington.

There's plenty of ''gold'' to be had from the Republican mining reform proposal. It would raise an estimated $157 million in federal revenues. But Mr. Babbitt needn't take Republicans' word when it comes to mining income. All he has to do is ask the Gores.

Mr. MURKOWSKI. Mr. President, I thank the Chair. I wish the President a good day.

I see another of my colleagues on the floor. I yield the floor.

The PRESIDING OFFICER (Mr. BROWN). Who seeks recognition?

The Senator from Utah is recognized.

DRUG-RELATED CHILD ABUSE

Mr. HATCH. Mr. President, it is becoming difficult to open a newspaper without reading another horrifying story of drug-related child abuse.

From Brooklyn, we learn of Elisa Izquierdo, the 6-year-old girl who was born to a crack addicted mother. Elisa's mother allegedly beat her to death, leaving New York's public welfare agencies to engage in the usual finger pointing. [New York Times, Nov. 28, 1995]

In suburban Chicago, a woman and two children are brutally murdered by a trio that includes a convicted drug dealer high on crack. [Time, Dec. 4, 1995].

In Patterson New Jersey, a crack-addicted woman beats her 14-year-old daughter with a three-foot board with a nail protruding, after a dispute over dirty dishes. [New York Times, Dec. 6]

To most of us, horrifying incidents like these seem nearly unimaginable. They demonstrate the incredible dangers of drugs like crack cocaine—drugs so addictive that they could actually impel a mother to kill her own child.

These may be extreme cases, but they are instructive because they represent the extreme end of the kind of pressures facing young people today.

Indeed, sometimes it almost seems to me as if our culture is dedicated to separating children from their innocence. A recent Carnegie Foundation report put it this way:

> Barely out of childhood, young people ages 10 to 14 are today experiencing more freedom, autonomy, and choice than ever at a time when they still need special nurturing, protection, and guidance. Without the sustained involvement of parents and other adults in safeguarding their welfare, young adolescents are at risk of harming themselves and others. [Report of the Carnegie Council on Adolescent Development.]

Lately, the harm referred to in the Carnegie report has been taking the form of increased drug use. A few numbers tell the story:

> Last year the number of 12- to-17 year-olds using marijuana hit 2.9 million, almost double the 1992 level [National Household Survey on Drug Abuse, Nov. 1995].
>
> LSD use is way up among high-school seniors—11.7 percent of the class of 1995 have tried it at least once. That is the highest rate since recordkeeping started in 1975. [Monitoring the Future Study, released Dec. 11, 1995]
>
> A parents' group survey released this November found that 1 in 3 high school seniors now smoke marijuana [Survey released Nov. 2, 1995 by Parents Resource Institute for Drug Education].
>
> Unbelievably, another survey shows that young people are more likely to be aware of the health dangers of cigarettes than of the dangers of marijuana [May 1995 survey by Frank Luntz].

As I said, kids have it rough today. They are faced with adult choices at an ever-earlier age, as the culture surrounds them with hedonistic messages. And it bothers me, frankly, when I read that sometimes our mass media, our educators, and our public officials are making things even worse.

Take the recent advent of rap and hip hop music, a kind of music that enjoys great popularity among young people. A lot of hip hop music is perfectly unobjectionable, although I have to admit it is not what I listen to.

But take a look at these lyrics by the hip hop group Total Devastation and tell me if you hear what I hear—kids as young as 10 being encouraged to take drugs. Chart No. 1 reads:

> When it comes to puffing blunts [blunts are a kind of marijuana cigarette] I'm a 12-year vet.
> And I wasn't 10 yet when I took my first hit.
> I was headed out the house to school one day,
> And guess what I found in my dad's ashtray . . .
> Now there's only three things in life that I need
> Money, safe sex, and a whole lot of weed. Total Devastation, ''Many Clouds of Smoke'']

If my colleagues believe that this is an isolated phenomenon, let me quote from some other songs. This is ''Hits From the Bong,'' by the group Cypress Hill. Chart No. 2 reads:

> Pick it, pack it, fire it up,
> Come along, take a hit from the bong. . . .
> [Cypress Hill, Black Sunday, Hits From the Bong]

Of course, for those of you who have led sheltered lives, a bong is a plastic pipe used for smoking marijuana. This is what our kids get hit with every day.

This last chart has an excerpt from a No. 4 hit song by performers known as ''Channel Live'' and ''KRS One''. Chart No. 3 reads:

> Wake up in the mornin' got the yearning for herb
> Which loosens up the nouns, metaphors and verbs
> And adjectives ain't it magic, kid
> What I'm kickin'
> Multiflower bags and seeds for the pickin'. . . .
> [Group: Channel Live and KRS One; Song: ''Mad Izm'']

This is not just talk, either. The author of this hit song told High Times magazine: ''I love marijuana.'' ''Anything that gives a good feeling the youth are going to gravitate towards. Period. Drugs are part of the human experience.'' [High Times, May 1995, p. 66]

From Atlanta we get the Black Crowes, known for unfurling large banners on stage emblazoned with a marijuana leaf and bearing the words ''Free Us.'' Crowes lead singer Chris Robinson explained to a reporter: ''Everybody in this band smokes weed. . . . We did 350 shows, smoked every night, and never got busted.'' [Hartford Courant, Mar. 12, 1993]

If you think it is easy to do something about this stuff, think again. Baltimore deejay Marcel Thornton lost his job after he stopped playing songs like ''First of the Month,'' by Bone Thugs-N-Harmony, a song which according to the Washington Post talks about ''getting high and selling crack to welfare recipients.'' [Washington Post, Dec. 2, 1995]

According to the Post, Thornton, who attended the Million Man March,

got a call from a female listener pointing out the contradiction between the ideals of the march and some of the lyrics he was playing—coarse and sexually explicit lyrics that I would not repeat on the Senate floor. Thornton agreed; now he is unemployed.

Some people claim that music reflects values but has no influence over the way people really live. But how else to explain the following story, reported in the December 18 Washington Post.

A homemade video shows a man sitting at a table packaging what appears to be crack cocaine. His 4-year-old son sits next to him—also packaging a crack-like substance. The father drinks from a bottle of gin. The 4-year-old takes a drink. The father pulls a 9 mm pistol and subdues an assailant. The 4-year-old pulls a pistol—it may have been a toy, we do not know—and turns it on a younger sibling.

Why was this child being trained, for lack of a better word, to be a predatory criminal? His father says they were making a rap music video.

Of course, there are two sides to every coin. America's music and entertainment industry has brought us greater access to more kinds of music than at any time in history. Music entertains us, but it also edifies us. It has always been a source of great inspiration to me. There is so much in what the music industry produces for kids that is positive—even uplifting. And there are so many musicians out there who have put forth antidrug and other positive messages for people.

I also speak as one who has been a big supporter of the music industry. The digital performance rights bill that was recently signed by the President, and the Audio Home Recording Act of 1992, are only two of the more recent pieces of legislation that I have worked to enact.

But the industry has to admit that it just is not helpful to be peddling albums and artists whose music endorses this type of completely self-destructive activity.

To those of you at Arista, Sony, Interscope, Capricorn and Columbia Records, and the many others who produce and distribute these groups and the ones like them, I ask: How can you sit by and look at 1.3 more young people—that is more young people than 2 years ago—smoking marijuana? How can you ignore a 200-percent increase in marijuana use between 14- and 15-year-olds?

The recording industry has a positive role to play here, but I just have to ask the people promoting these groups, do you not feel irresponsible distributing this garbage?

The record industries are hardly the only sector of the entertainment industry that is sending mixed messages. In an episode of the hit TV show ''Roseanne,'' Roseanne and her husband find a stash of marijuana in their daughter's room. After lecturing her boyfriend, whom they initially suspect of buying the marijuana, they then as parents shut themselves up in the bathroom and smoke it.

Now, that is one of the most popular shows on television. Why, I will never know, but nevertheless it is. What can our kids get from stuff like that? I, fortunately, missed this particular episode, but I understand that the writers treated it like it was something funny—as if the main characters in a top-rated show have no influence over our mores and our attitudes. [''Roseanne'' show aired Oct. 5, 1993.]

Small wonder, then, that 67 percent of adults and 76 percent of kids say that pop culture—TV, movies, magazines, and pop music—encourages drug abuse. There may be no direct causality, but there is certainly positive reinforcement of a truly negative message. [May 1995 survey by Frank Luntz.]

It is not just the mass media, of course. Kids are getting the wrong message from areas as diverse as the instructional materials they receive in school, and even a new encyclopedia that glorifies drug use.

Schools all across this country hand out free copies of Scholastic Update, a magazine geared to youthful readers. Here is what an issue of Scholastic Update had to say about illegal drugs:

> Marijuana is back and coming out of the closet. Stars smoke it. Musicians . . . celebrate it. TV shows like Saturday Night Live and Kids in the Hall depict it as harmless fun. Marijuana fashion has grown into a $10 million industry. . .'' [Buschbaum, Herbert, ''Legalizing Drugs: Where do you Stand?'' Scholastic Update, May 6, 1994 pp. 8–11].

The article gushes that ''America's antidrug policy is getting a fresh look'' with ''[a] small but increasing number of public figures * * * calling for legalization of all drugs, not just marijuana,'' and strongly suggests that the Government treat drug use as a ''health problem,'' providing addicts with controlled access to cheap drugs and clean needles.

Here is another example that surprised me. The 1995 edition of Colliers Encyclopedia—the book our kids are going to be using to write book reports in junior high and high school—tells us there is no reason to worry about drug use because ''[t]he desire of human beings to alter their state of consciousness is one of the few constants in human history.''

The Colliers entry on ''Drugs, Prohibition of'' was written by noted legalization proponent Ethan A. Nadlemann. Among other novel theories Dr. Nadlemann advances in this entry are that most drug laws, including those banning cocaine and opiates, have their historic origin in racism and the desire to crack down on socialism and other forms of political dissent and nonconformity.

What bull. I cannot believe that an organization like Colliers would go to this person to tell us and to tell our kids what is right with the world. This is the kind of material we are giving to our young people to read in school. Imagine what they are reading in their free time.

Keeping our kids off drugs is critical for all the obvious reasons—plus one. Those who reach age 21 without using drugs almost never try them later in life. Hard core drug abusers almost always start young and almost invariably start by smoking marijuana. Let us emphasize this point. Marijuana is not harmless.

According to the Center on Addiction and Substance Abuse at Columbia University, 12- to 17-year-olds who use marijuana are 85 times are more likely to graduate to cocaine than those who abstain from marijuana.

The conclusion is clear. Glamorizing drug use is just reckless, whether it is through music, TV, magazine articles, educational materials, or misguided Government policies.

Keeping kids away from drugs in the first place requires us to stigmatize drug use—a conclusion confirmed by numerous surveys and one that, unfortunately, explains our recent upturn in youthful marijuana usage.

According to a University of Michigan study, youthful use began rising in 1992, just 1 year after declines in peer disapproval were first noted.

One organization that has been doing a great job in explaining the dangers of illicit drugs is the Media Advertising Partnership for a Drug Free America.

The Partnership brought us the famous frying egg with the voice-over saying, ''This is your brain on drugs.'' They have come a long way since the frying egg. Lately, they have been doing a terrific job of producing ads that target all sorts of high-risk groups.

But they rely on donated air time—otherwise, a very expensive commodity—to get their message out. This is becoming a problem for this group. Partnership's ad placements are off more than 20 percent—from $365 million in 1991 to a projected $290 million this year. Partnership for a Drug Free America.

Network news coverage of the drug issue has fallen dramatically, from 518 stories in 1989 to just 82 in 1994. Center for Media and Public Affairs.

We need to see more of these Partnership messages on TV, not fewer. The media have to be more generous with their time and more proactive. Unless we want a generation of junkies, more violence, more abuse and neglect, and more crime on our streets, we had better stop singing and laughing about drug abuse. It is a deadly serious matter.

I had one of the leading French law enforcement officials tell me how difficult it is because Holland, a nation which has legalized drugs, has become the sewer through which they are pouring in all the drugs and then out to the rest of the neighboring states in Europe. It is just devastating to the nations of Europe. We cannot let that happen here.

All the recent news has not been bad. I am pleased that President Clinton

has responded to Congress' call for expedited nomination of a new drug czar. Gen. Barry McCaffrey is an impressive nominee with a history of courageous and energetic leadership. I am proud that he has been nominated. I look forward to the opportunity to discuss these and other issues with him before and at his confirmation hearings. I commend the President for finally grabbing the ball and doing something in this area.

I hope he will back General McCaffrey, who I do not think would take this job if he was not going to have the backing of the President. I hope the President will back him and help him to get out there and do what needs to be done.

Mr. President, in the area of drug use, we have our work cut out for us. The Senate Judiciary Committee has been holding a series of hearings to bring national attention to bear on just how bad this situation has become—and they are bipartisan hearings, I might add. We are going to begin the process of revitalizing the drug war.

Over the next 2 months I will be joining with Senators DOLE and GRASSLEY to look at specific approaches to dealing with the problem of drug use. By working together I believe we will be able to reclaim the ground that we have lost. But we cannot do it without people in America being aware of these problems that are just killing our country and killing our young people, and just satiating them with substances that are horrifying, debilitating and wrong, and that will lead them down the primrose path of drug abuse, drug addiction and ultimately death and degradation.

Mr. President, I yield the floor.

The PRESIDING OFFICER. Who seeks recognition?

Mr. HARKIN addressed the Chair.

The PRESIDING OFFICER. The Senator from Iowa is recognized.

Mr. HARKIN. Mr. President, thank you. I just want to again thank my colleague from Utah for his very eloquent remarks on the drug problem, especially on marijuana. I say to my friend, I was listening, and he points out some very good things. I, being the parent of two teenage daughters, am as concerned as he is about the lyrics I hear on some of these songs promoting the use of drugs, such as marijuana.

I cannot add to anything my friend from Utah said, except I heard him say that hard-core drug users always start when they are young—and that is true—and they usually start with something like marijuana. Before that, they start on cigarettes. And unless and until we can get to that root problem of doing something about how these cigarette companies are pushing their products on young people we are fighting a losing battle. We have to get to that too and stop them from getting hooked on cigarettes, because it is cigarettes and alcohol and then right on to illegal drugs.

So I thank the Senator.

Mr. HATCH. I want to thank my colleague. I appreciate the kind remarks and hear him.

Mr. HARKIN. The Senator has been a great leader on this issue, and I commend him for it.

Mr. LOTT. Mr. President, will the distinguished Senator yield?

Mr. HATCH. I will be happy to do so.

Mr. LOTT. I wish to commend him for his remarks. I find them very interesting and informative. I think we can all make use of them.

ORDER FOR ALLOCATION OF TIME

Mr. LOTT. Mr. President, this has been cleared on both sides of the aisle. I ask unanimous consent that the time consumed by all previous quorum calls and any ensuing quorum calls during today's morning business be equally divided between both sides of the aisle.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LOTT. I thank the Chair.

FRAUD, WASTE, AND ABUSE IN THE MEDICARE PROGRAM

Mr. HARKIN. Mr. President, I came to the floor today to talk about a letter I received just yesterday from the inspector general of the Department of Health and Human Services.

Mr. President, over the last 6 years I have spoken frequently on the Senate floor about the problem of fraud, waste and abuse in the Medicare Program. For several years I chaired the appropriations subcommittee that funded the Health Care Financing Administration. Every year I would have one full day of hearings on fraud, waste and abuse in the Medicare Program.

Through the use of our subcommittee we have had a number of GAO investigations and the inspector general's investigations. I was wondering just what might be happening to these investigations because of some of the Federal Government shutdowns and slowdowns. As background, let me just say that the GAO has estimated that up to 10 percent of Medicare spending is lost to waste, fraud and abuse. And 10 percent out of a program running about $180 billion a year means that is $18 billion a year going for waste, fraud, and abuse. So it is not just a small item. It is a big item, and it is a direct hit to the pocketbooks of taxpayers.

One of the main activities and one of the main positive forces we have going after waste, fraud and abuse is the inspector general's office. It is our main line of defense against Medicare fraud. As I pointed out before, even at last year's level, they did not have enough resources to do the job. But it is absolutely essential in stopping this terrible waste of taxpayers' dollars and saving us money.

So I was concerned about the possible impact of the Government shutdowns and the low level of temporary funding that the inspector general is operating under, and what that would mean in our fight against Medicare waste, fraud and abuse.

Last year I wrote to Inspector General June Gibbs Brown to ask her what the impact was. Mr. President, I received her letter yesterday. I want to share it with the Senate because it is absolutely shocking.

The inspector general has said that literally billions of dollars are to be lost to fraud and abuse if action is not taken now. Let me read some portions of this letter.

First of all she says:

> DEAR SENATOR HARKIN: Thank you for your recent letter expressing concern about the extent to which the critical anti-fraud and abuse activities of the Office of Inspector General (OIG) in the Department of Health and Human Services (HHS) are suffering from the government shutdowns and under the current stop-gap spending bill. Specifically, you asked the following questions:
>
> Were major enforcement initiatives, investigations, and audits suspended?
>
> [Second,] [a]re fewer initiatives, investigations, and audits being initiated?
>
> [Third,] [w]hat is the potential impact on Inspector General activities of being forced to operate under another short-term funding measure similar to the one currently in effect?

As I said, Mr. President, the answers are shocking.

I am not going to read the whole letter. I will put it in the RECORD. A few points need to be highlighted. On my question on investigations and audit activity, listen to this, Mr. President.

Cases to U.S. attorneys offices for prosecution dropped from 92 in the first quarter of last year to 51 in the first quarter of this year. Indictments fell from 50 to 34.

Criminal convictions dropped from 84 for the first quarter of last year to 36 for the same period this year.

Investigative receivables fell from approximately $77.7 million for the first quarter last year to about $30.8 million for the same period this year.

The Office of Inspector General issued 33 percent fewer reports, processed 30 percent fewer non-Federal audits, and identified 40 percent fewer dollars for recovery to the Federal Government compared to the same period last year.

> The shutdowns [she went on to say] prevented us from excluding individuals and entities from participation in Medicare and Medicaid. Providers were allowed to continue to bill the Medicare and Medicaid programs even though they should have been excluded due to convictions or because they [have been] abusive to patients.

Understand what she is saying. She is saying that certain individuals and entities should be excluded from participation because they have been convicted of criminal activities. They could not even keep them out because of the their lack of funds caused by the shutdown in the Government and because of their underfunding.

In comparison, she states that last year at the same time there were 493 health care exclusions versus only 210

exclusions for the same period this year. Starts on 100 audit assignments were delayed or postponed.

But here is really the central point of the whole letter.

. . . Under the continuing resolution scenario, [the Inspector General said] the number of completed inspections may drop to approximately half [of the number of last year, which was 68.] Considering the program savings generated in past years as a result of such reports, as much as $1 billion could be lost from the drop in program inspections alone.

That is $1 billion.

Program inspections identify sources of fraud and abuse and recommend program adjustments to prevent future occurrences.

That is what will not be done this year, as she said, under the continuing resolution scenario.

Mr. President, I ask unanimous consent that the full text of the inspector general's letter be printed at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF HEALTH AND HUMAN SERVICES, OFFICE OF INSPECTOR GENERAL,
Washington, DC, January 24, 1996.

Hon. TOM HARKIN,
Ranking Minority Member, Subcommittee on Labor, HHS, and Education, Senate Committee on Appropriations, Washington, DC.

DEAR SENATOR HARKIN: Thank you for your recent letter expressing concern about the extent to which the critical anti-fraud and abuse activities of the Office of Inspector General (OIG) in the Department of Health and Human Services (HHS) are suffering from the government shutdowns and under the current stop-gap spending bill. Specifically, you asked the following questions:

Were major enforcement initiatives, investigations, and audits suspended?

Are fewer initiatives, investigations, and audits being initiated?

What is the potential impact on Inspector General activities of being forced to operate under another short-term funding measure similar to the one currently in effect?

SUSPENSION AND CURTAILMENT OF PENDING OIG WORK

[Note: Social Security related activities have been removed from FY 1995 figures because the Social Security Administration became an independent agency on March 31, 1995 with its own Inspector General. The FY 1996 figures include some activities funded by Operation Restore Trust—a limited Medicare demonstration project funded through the Health Care Financing Administration.]

Investigations and audit activity—comparison of the first fiscal quarters of 1995 and 1996

Presentations of cases to United States Attorneys for prosecution dropped from 92 in the first quarter of Fiscal Year (FY) 1995 to 51 in the first quarter of FY 1996 while indictments fell from 50 to 34.

Criminal convictions dropped from 84 for the first quarter of last year to 36 for the same period this year with civil judgements going from 27 to 19.

Investigative receivables fell from approximately $77.7 million for the first quarter last year to about $30.8 million for the same period this year.

The OIG issued 33 percent fewer reports (54 reports compared to 82 reports), processed 30 percent fewer nonfederal audits (861 compared to 1,223), identified 40 percent fewer dollars for recovery to the Federal Government ($14.2 million compared to $23.8 million), and is collecting 30 percent fewer dollars approved for recovery ($83.2 million compared to $120.1 million).

HHS financial statement audits

The Government Management Reform Act requires that agencies have financial statement audits beginning FY 1996. The HHS-wide financial statement audit requires audits of eight operating agencies accountable for about $280 billion. The financial statements of the Health Care Financing Administration alone comprise expenditures in excess of $230 billion that are material to the overall departmental financial statements and to the General Accounting Office effort to report on governmentwide financial statements. If travel funds are not obtained, all such audit work will be suspended with resultant impact on HHS-wide and governmentwide statements. Audit activity must be performed at multiple State agencies and Medicare contractor locations, all requiring substantial travel funds. In addition, funding must be sought for expert medical assistance to review medical claims.

Administrative sanctions—fines, penalties, and exclusions

The shutdowns prevented us from excluding individuals and entities from participation in Medicare and Medicaid. Providers were allowed to continue to bill the Medicare and Medicaid programs even though they should have been excluded due to convictions or because they are abusive to patients.

By comparison, there were 493 health care exclusions implemented for the first quarter of FY 1995 versus 210 exclusions for the same period this year. Approximately 400 exclusion cases are presently awaiting implementation.

IMPACT ON NEW OIG INITIATIVES

During the first quarter of last year, the OIG investigations component opened about 560 cases and closed about 605 cases. For the same period this year, under the continuing resolution, we opened only 425 and closed about 390. During the furlough period this year, we opened and closed only 2 criminal cases.

Starts on 100 audit assignments were delayed or postponed indefinitely because of the furlough. An example of this is the national review of prospective payment system (PPS) transfers. The United States Attorney in Pennsylvania proposed a joint review of PPS transfers based on prior audit work that identified over $150 million of overpayment to hospitals. If we are able to follow the Department of Justice proposal, we anticipate recoveries of over $300 million under the provisions of the Federal False Claims Act. The project has been suspended due to the furlough and lack of adequate travel funds.

POTENTIAL EFFECT OF CONTINUED UNDERFUNDING

Lack of funds for travel and other expenses of field work

For investigations, audits, and inspections not funded under Operation Restore Trust, travel has been reduced to about one-third of the prior year's expenditure for the same period. If the underfunding of OIG activities continues, most travel will be suspended and employees furloughed. Approximately 60 percent of ongoing or planned audits will be curtailed or severely reduced in scope because of travel requirements with the resultant loss in program savings. The FY 1995 audit-related savings totaled $5.5 billion.

Last year the OIG issued 68 program evaluation reports. Under the continuing resolution scenario, the number of completed inspections may drop to approximately half that number. Considering the program savings generated in past years as a result of such reports, as much as $1 billion could be lost from the drop in program inspections alone. Program inspections identify sources of fraud and abuse and recommend program adjustments to prevent future occurrences.

Effect on sanctions activity

The OIG expects a decline in potential settlements and exclusions as a result of fewer investigative and audit initiatives. In addition, since many of the false claim cases originating from the Department of Justice are generated through OIG investigations and audits, we expect a decline in that caseload as well.

Currently, the OIG administrative sanctions staff has under development 292 cases including false claims, Qui Tams, and civil monetary penalties, all of which will be put on hold during another furlough. Activity on them would be greatly reduced if we are operating under a continuing resolution with an inadequate level of funding.

Since the furlough, we have not been able to respond to more than 2,217 inquiries from licensing boards and private sector providers, who are required by law in inquire about the exclusion status of a practitioner before hiring, concerning the current status of a health care practitioner.

The minimum funding that would allow the OIG to meet its basic obligations and maintain its infrastructure is the amount shown in the Senate markup of the HHS appropriations bill ($75,941,000). We have enclosed at Tab A a copy of the Committee recommendation.

We sincerely appreciate the effort you have made toward achieving a level of funding for the OIG that would allow us to sustain basic services. We also appreciate your consistent support year after year toward curtailing waste, fraud, and abuse in Medicare, Medicaid and other HHS programs. The attention you give to our findings and recommendations and your enthusiastic encouragement assist us greatly in strengthening the integrity of these important programs.

Sincerely,

JUNE GIBBS BROWN,
Inspector General.

Mr. HARKIN. Thank you, Mr. President.

Much of the problem is they have no funds for travel. It is interesting that their auditors and their investigators can come to work and sit at a desk, but they cannot do anything. Much of the investigative work of the inspector general is involved in traveling and in investigative activities. So we have hundreds of these people sitting at their desks unable to do their jobs. Every day that the Government is either shut down or every day that they operate under the continuing resolution, with the short funding that they have, the crooks and the con artists are picking Medicare's and the American taxpayers' pockets costing us billions, as the inspector general said, if we fail to act.

So this is not just again some little item. It is very odd to me, Mr. President, we can pass a continuing resolution to provide a full year of funding to a number of important programs, including the Kennedy Center for the Performing Arts—that is fine—and yet we do not fully fund the inspector general's office that goes out after the

crooks and the con artists and stops them and recovers money for the taxpayers.

We cannot fund that. I just wish somebody could justify that to me. I do not understand it. I guess we are going to be considering a new continuing resolution tomorrow.

I want to take this opportunity today to let my colleagues know that I intend to insist that that continuing resolution provide adequate funding for the Office of Inspector General in the Department of Health and Human Services to fight Medicare fraud, waste, and abuse. If we do not, then it is the crooks and the scam artists who will be smiling as they rip off the taxpayers even further.

I just want to point that out, Mr. President. If there is a continuing resolution and they are going to fund some portions of the Government to go on, this is one portion of the Government that this Senator is not going to let sit there and not be adequately funded. People are talking about cutting Medicare and making our beneficiaries pay more for their monthly premiums to make up for Medicare shortfalls in the future. I say, wait a minute, if the General Accounting Office is saying that up to 10 percent of Medicare money is lost to waste, fraud, and abuse, that is $18 billion a year each year for 7 years. We already have more money than we need right there to make up for the Medicare shortfall that we face.

So this is an important matter and I intend to pursue it. I hope Senators will do so on both sides of the aisle—I do not say this is a partisan issue. I just hope we pay some attention to this issue and make sure the Office of Inspector General is fully funded.

THE 1996 FARM PROGRAM

Mr. HARKIN. Mr. President, I know my colleague from Oklahoma is seeking the floor. I am going to take a few minutes on a different topic. I want to mention how greatly concerned I am that Congress appears to be set to go into recess for a month while the details of the 1996 farm program remain unresolved.

Farmers have been waiting for a long time to know what the program will be for this year. They need to be able to make plans to line up seed, fertilizer, chemicals, and credit. As we all know, and as I know the occupant of the Chair knows from representing his State and the farmers in his State, farming is a very capital-intensive business. Farmers need to know what type of Federal policy they are operating under so they know what they need in terms of capital in order to arrange the credit for this year's expenses.

Second, the farm bill is not just for farmers, it is for everyone. It is for our consumers as well as our farmers. It is for exports. It is for the whole infrastructure of processing, making and distributing our food products in this country. The fact that we do not have a farm bill has broad ramifications.

We should have had a full farm bill debate last year. I know of no one on my side of the aisle who either filibustered or in any way indicated that he or she would filibuster a farm bill. We had some committee meetings last year under the able leadership of the Senator from Indiana, Senator LUGAR. I will be very up front about it. Those on my side of the aisle, the Democrats, proffered a farm bill proposal. We debated it, we voted on it, and we lost. I understand that, but at least we had the opportunity to debate it and vote on it.

Then the majority party, the Republicans, offered their farm bill in committee. We debated it and we voted on it. They won. I have no problems with that. That is the way it ought to be. But then I expected the bill to be brought to the floor of the Senate so that other Senators who have equal interest in agriculture and agriculture policy could have their day to offer amendments, debate the bill, and then pass it. Maybe some of those amendments would have been adopted, maybe some would not have been, but that is the way the Senate should operate.

To this day, we still have not had an agriculture bill on the Senate floor for debate, amendments, and passage. What happened was—I do not cast any broad nets or use any broad brush, but some people in the majority party decided that they would sit down behind closed doors, write a bill, and put it into the massive budget reconciliation bill. Again, there was no realistic opportunity to debate, offer amendments, or to reach compromise and do what is right for rural America and our Nation.

Now I understand someone in the other body is saying that if there is going to be a continuing resolution, he wants to put his version of the farm bill on it. That proposal is basically the same as was put in the budget bill. Well, that is not the version I like. Maybe that is the version that might eventually get through. I do not know for certain, but I do not think so. I do not think it would have the votes to pass. But at least it ought to be debated, and we ought to have a full and fair opportunity to discuss it, vote on it, and amend it. That proposal should not be rushed through as part of a continuing resolution.

Farm policy is too important to be ramrodded through here without adequate time to debate it and amend it. We do not need much time. If we had a day or two to debate a farm bill, I think we could pass it. It probably would not be exactly what I want, but at least we would have our day to debate it, offer some amendments, and maybe we could reach some compromises.

All I can say about that so-called Freedom to Farm Act that the chairman on the other side wants to attach to the continuing resolution is that they ran that up and down the flagpole a number of times last year. It does not have the votes to get through. It cannot pass either the House or the Senate on its own merits.

So on that so-called Freedom to Farm Act, we ought to just say the last rites, move on and try to find some compromises we can work from, and let us do it in a bipartisan fashion.

I have worked on a number of farm bills in the past. At times they have generated a lot of emotional and intellectual debate on farm policy. They have been good debates, some of them pretty tough, but in the end, we fashioned a bipartisan compromise, and we moved on. That is the way we ought to do it again this year.

So, Mr. President, there are steps we can take. It is getting very late in the year to try to fashion some entirely new program. I had hoped that we would have had a new program for this year, but we do not. More and more, it seems the only feasible thing to do appears to be extending the present farm bill for 1 year, and making some immediate changes that we can all agree on—planting flexibility, for example. Both sides agree it is needed. We agreed on that in committee. That is no problem. We can reach agreement on how to deal with the repayment of the 1995 advance deficiency payments. I think both sides agree on working that out. We could do that. So we could resolve those important issues, and at least farmers would know what to expect this year, and they could get on with their business.

If I had my druthers, I would rather we did not have an extension of the 1990 farm bill, but it is too late to do anything markedly different now. So that seems the most likely outcome we are faced with now, to extend the 1990 bill, make a few needed changes that we agree upon and then move on.

Mr. President, I thank you and yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma is recognized.

MAJOR CONCERNS

WAR ON DRUGS IN AMERICA

Mr. INHOFE. Mr. President, I listened with interest when the Senator from Utah was talking about some of the drug problems that are facing this Nation and that concern all of us deeply. He made a comment that we are all pleased that Barry McCaffrey, if he is confirmed, will be taking over as drug czar to actually do something about it. It is long overdue.

I sat in the other Chamber and listened to the President during his State of the Union Message 2 days ago. He expressed this great concern about the drug problem in America. Yet he has done nothing for the first 3 years about the drug problem.

We did, I guess, have a drug czar, but the number of personnel who were supposed to be participating in the program to address the drug problem in America was cut by 75 percent, from 100 down to 25 people. The amount of money that was spent on the drug problem was actually cut in half.

I hope that Gen. Barry McCaffrey will be confirmed and will come out with a very aggressive drug program. I only regret that we lost 3 years in the battle against drugs in America. Everything that the Senator from Utah said made a lot of sense to me.

PEACEMAKING

I am also concerned about two other things that no one is talking about, Mr. President. One is a statement that was made by the President of the United States, not one time but twice during his State of the Union Message. He said that ''Americans should no longer have to fend for themselves.'' Americans should no longer have to fend for themselves. I got to thinking—and maybe I am making the wrong interpretation on this—but is that not what made America great, what distinguishes us from other countries? If you say that Americans should no longer have to fend for themselves, then that leads you to the incontrovertible conclusion that the Government should take care of us instead. I think, in a subliminal way, that is perhaps what the President was saying.

If I were to single out the thing that bothered me the most about the message—not just the inconsistencies and the talk about the role of Government and the one-liners about large Government coming to an end and all of that—it was the statement that he made that almost went unnoticed regarding a new national policy that our military is no longer to be used to defend America, but for peacemaking.

I have watched this progress, first when we made the commitment into Somalia—and that was not President Clinton, that was actually President Bush that made that decision after he had lost the election and before President Clinton was sworn into office—when our troops were supposed to be there for 45 days. It was not until 18 of our Rangers were killed almost a year later that President Clinton agreed to bring the troops home. Well, that was a concern to me. Haiti was a concern, and Rwanda was, and now, of course, Bosnia is. We had our debate on Bosnia, and now we are going to support our troops all we can. I kept thinking that all these humanitarian gestures were kind of incidental things, or accidents that, well, if there is something that the President seems to think is very significant in a part of the world, we need to get involved because there are human rights violations and murders going on and things that we all find deplorable.

But in his State of the Union Message, he made it national policy for the first time, that our role is now peacemaking throughout the world. This is not some idle remark—it is the President of the United States who is making this statement, in a State of the Union Message which all of the world was watching. If I were sitting out there listening in any number of countries that are having problems right now, I would say, ''Good, we do not have to worry because the good old United States is going to come in and solve our problems.''

Now, with a starved military budget—which in purchasing dollars is less than it was in 1980 when we could not even afford spare parts—we are diluting our force by sending troops around the world on peacekeeping missions. We now have a vetoed Department of Defense authorization bill. In the veto message the President says he is vetoing it because we have money in there to complete our national missile defense system, which I contend is about 85 percent complete today—as if there is something wrong with defending America.

We keep going back and talking about the 1972 ABM Treaty. Mr. President, as you will remember, that treaty was constructed back at a time when our policy was one of mutual assured destruction. The justification was that we had two superpowers, the Soviet Union and the United States, and if we both agreed not to defend ourselves, not to have the capability to knock down missiles as they were coming over to our countries, neither country would attack the other. Well, that was the policy. Frankly, I did not agree with it at the time, but it at least made some sense in that there were two superpowers.

Now we have a totally different environment. The interesting thing about this is that Henry Kissinger, the architect of the ABM Treaty, told me not long ago that it no longer has application today. Today we have a proliferation of threats from places all over the world and it is not isolated in one place. To quote Dr. Kissinger, ''it is nuts to make a virtue out of our vulnerability.'' That is the situation we are in today, which disturbs me so much as a member of the Intelligence Committee and the Senate Armed Services Committee. But you do not have to go to those of us who may be accused of being overly concerned about missile attacks on the United States of America. You can go to James Woolsey, former CIA Director, who was appointed not by a Republican President, but by President Clinton. Jim Woolsey said there are between 20 and 25 nations that either are developing or have developed weapons of mass destruction, either chemical, biological, or nuclear, and are working on the means to deliver those warheads.

This is what concerns me because we know right now that the threat is greater than it was during the cold war. During the State of the Union Message, the President said—and he got a rousing ovation—''For the first time, Russian missiles are not pointing at America's children.'' But I can say this: At least when the Russian missiles were pointing at America's children, we knew where they were. Now it could be Iran, Iraq, Syria, North Korea, or China, any number of places. We do not know where they are. But we know there are two dozen countries that are developing the technology and capability of delivering missiles to the United States.

Mr. President, the ABM Treaty stated that it is all right to have a theater missile defense system in place. It is all right if you are in the Sea of Japan and you see two missiles coming out of North Korea, one going toward Japan, which you can shoot down; but if one is going to the United States, you cannot shoot it down because that would violate the ABM Treaty of 1972. I also have contended that the ABM Treaty was between two parties, one party of which no longer exists today.

So I will support the DOD authorization bill, even though I think it was a bad decision to take the national missile defense language out of the bill.

Before somebody comes running in the Chamber and starts talking about star wars and all of these mythical things and making people believe there is not a threat out there, let me just suggest, Mr. President, that I am not talking, even right now, about space-launched missiles to intercept missiles. We are talking now about surface-launched missiles, the technology of which we already have.

Anybody who watched CNN during the Persian Gulf war watched missiles knock down missiles. That is not supernatural; that is not something out of Buck Rogers or Star Wars; that is a technology that works today. We have an investment of $40 billion in the Aegis system, which is about 22 ships that have launching capability. We are trying to spend a little bit more over a 5-year period, approximately $5 billion more, for that capability to reach to the upper tier. That would mean that if a missile were launched from North Korea, taking about 30 minutes to get over here, we would be able to do something about it and knock it down before it came into the United States. Between that and the THAAD missile technology, which is already here, we could upgrade what we already have billions of dollars invested in, and defend America.

I do not understand why this aversion toward defending America keeps coming out of the White House. We know the technology that is here, and we know what the North Koreans are doing. We know the type of missile North Korea is developing is going to be capable of reaching Alaska and Hawaii by the year 2000 and the continental United States by 2002.

I saw something only yesterday that I would like to share.

I ask unanimous consent that the entire article in yesterday's New York Times entitled ''As China Threatens Taiwan, It Makes Sure U.S. Listens'' be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the New York Times, Jan. 25, 1996]

AS CHINA THREATENS TAIWAN, IT MAKES SURE U.S. LISTENS

(By Patrick E. Tyler)

BEIJING, JANUARY 23.—The Chinese leadership has sent unusually explicit warnings to the Clinton Administration that China has completed plans for a limited attack on Taiwan that could be mounted in the weeks after Taiwan's President, Lee Tenghui, wins the first democratic balloting for the presidency in March.

The purpose of this saber-rattling is apparently to prod the United States to rein in Taiwan and President Lee, whose push for greater international recognition for the island of 21 million people, has been condemned here as a drive for independence.

While no one familiar with the threats thinks China is on the verge of risking a catastrophic war against Taiwan, some China experts fear that the Taiwan issue has become such a test of national pride for Chinese leaders that the danger of war should be taken seriously.

A senior American official said the Administration has ''no independent confirmation or even credible evidence'' that the Chinese are contemplating an attack, and spoke almost dismissively of the prospect.

''They can fire missiles, but Taiwan has some teeth of its own,'' the official said. ''And does China want to risk that and the international effects?''

The most pointed of the Chinese warnings was conveyed recently through a former Assistant Secretary of Defense, Chas. W. Freeman Jr., who traveled to China this winter or discussions with senior Chinese officials. On Jan. 4, after returning to Washington, Mr. Freeman informed President Clinton's national security adviser, Anthony Lake, that the People's Liberation Army had prepared plans for a missile attack against Taiwan consisting of one conventional missile strike a day for 30 days.

This warning followed similar statements relayed to Administration officials by John W. Lewis, a Stanford University political scientist who meets frequently with senior Chinese military figures here.

These warnings do not mean that an attack on Taiwan is certain or imminent. Instead, a number of China specialists say that China, through ''credible preparations'' for an attack, hopes to intimidate the Taiwanese and to influence American policy toward Taiwan. The goal, these experts say, is to force Taiwan to abandon the campaign initiated by President Lee, including his effort to have Taiwan seated at the United Nations, and to end high-profile visits by President Lee to the United States and to other countries.

If the threats fail to rein in Mr. Lee, however, a number of experts now express the view that China could resort to force, despite the enormous consequences for its economy and for political stability in Asia.

Since last summer, when the White House allowed Mr. Lee to visit the United States, the Chinese leadership has escalated its attacks on the Taiwan leader, accusing him of seeking to ''split the motherland'' and undermine the ''one China'' policy that had been the bedrock of relations between Beijing and its estranged province since 1949.

A Chinese Foreign Ministry spokesman, asked to comment on reports that the Chinese military has prepared plans for military action against Taiwan, said he was awaiting a response from his superiors. Last month, a senior ministry official said privately that China's obvious preparations for military action have been intended to head off an unwanted conflict.

''We have been trying to do all we can to avoid a scenario in which we are confronted in the end with no other option but a military one,'' the official said. He said that if China does not succeed in changing Taiwan's course, ''then I am afraid there is going to be a war.''

Mr. Freeman described the most recent warning during a meeting Mr. Lake had called with nongovernmental China specialists.

Participants said that Mr. Freeman's presentation was arresting as he described being told by a Chinese official of the advanced state of military planning. Preparations for a missile attack on Taiwan, he said, and the target selection to carry it out, have been completed and await a final decision by the Politburo in Beijing.

One of the most dramatic moments came when Mr. Freeman quoted a Chinese official as asserting that China could act militarily against Taiwan without fear of intervention by the United States because American leaders ''care more about Los Angeles than they do about Taiwan,'' a statement that Mr. Freeman characterized as an indirect threat by China to use nuclear weapons against the United States.

An account of the White House meeting was provided by some of the participants. Mr. Freeman, reached by telephone, confirmed the gist of his remarks, reiterating that he believes that while ''Beijing clearly prefers negotiation to combat,'' there is a new sense of urgency in Beijing to end Taiwan's quest for ''independent international status.''

Mr. Freeman said that President Lee's behavior ''in the weeks following his re-election will determine'' whether Beijing's Communist Party leaders feel they must act ''by direct military means'' to change his behavior.

In recent months, Mr. Freeman said he has relayed a number of warnings to United States Government officials. ''I have quoted senior Chinese who told me'' that China ''would sacrifice 'millions of men' and 'entire cities' to assure the unity of China and who opined that the United States would not make comparable sacrifices.''

He also asserted that ''some in Beijing may be prepared to engage in nuclear blackmail against the U.S. to ensure that Americans do not obstruct'' efforts by the People's Liberation Army ''to defend the principles of Chinese sovereignty over Taiwan and Chinese national unity.''

Some specialists at the meeting wondered if Mr. Freeman's presentation was too alarmist and suggested that parliamentary elections on Taiwan in December had resulted in losses for the ruling Nationalist Party and that President Lee appeared to be moderating his behavior to avoid a crisis.

''I am not alarmist at this point,'' said one specialist, who would not comment on the substance of the White House meeting. ''I don't think the evidence is developing in that direction.''

Other participants in the White House meeting, who said they would not violate the confidentiality pledge of the private session, separately expressed their concern that a potential military crisis is building in the Taiwan Strait.

''I think there is evidence to suggest that the Chinese are creating at least the option to apply military pressure to Taiwan if they feel that Taiwan is effectively moving out of China's orbit politically,'' said Kenneth Lieberthal, a China scholar at the University of Michigan and an informal adviser to the Administration.

Mr. Lieberthal, who also has traveled to China in recent months, said Beijing has redeployed forces from other parts of the country to the coastal areas facing Taiwan and set up new command structures ''for various kinds of military action against Taiwan.''

''They have done all this in a fashion they know Taiwan can monitor,'' he said, ''so as to become credible on the use of force.''

''I believe there has been no decision to use military force,'' he continued, ''and they recognize that it would be a policy failure for them to have to resort to force; but they have set up the option, they have communicated that in the most credible fashion and, I believe, the danger is that they would exercise it in certain circumstances.''

Several experts cited their concern that actions by Congress in the aftermath of President Lee's expected election could be a critical factor contributing to a military confrontation. If President Lee perceives that he has a strong base of support in the United States Congress and presses forward with his campaign to raise Taiwan's status, the risk of a military crisis is greater, they said. A chief concern is that Congress would seek to invite the Taiwan leader back to the United States as a gesture of American support. A Chinese military leader warned in November that such a step could have ''explosive'' results.

In recent months, American statements on whether United States forces would come to the defense of Taiwan if it came under attack have been deliberately vague so as to deter Beijing through a posture of what the Pentagon calls ''strategic ambiguity.''

Some members of Congress assert that the Taiwan Relations Act of 1979 includes an implicit pledge to defend Taiwan if attacked, but Administration officials say that, in the end, the decision would depend on the timing, pretext and nature of Chinese aggression.

Mr. INHOFE. Mr. President, in this article, entitled ''As China Threatens Taiwan, It Makes Sure U.S. Listens,'' the Times reporter reports on some ominous information recently passed to the National Security Adviser, Anthony Lake, concerning measures being taken by Beijing to facilitate military action against Taiwan and statements intended to deter the United States from coming to Taipei's assistance.

According to Charles Freeman, former United States Ambassador to China and now an Assistant Secretary of Defense, a Chinese official told him of the advanced state of military planning and that preparations for missile attack on Taiwan and the target selection to carry it out have been completed and await a final decision by the Politburo in Beijing. Freeman reported to Mr. Lake that a Chinese official had asserted that the Chinese could act militarily against Taiwan without fear of intervention by the United States because American leaders ''care more about Los Angeles than they do about Taiwan,'' a statement Mr. Freeman characterized as an indirect threat by China to use nuclear weapons against the United States.

I do not think anyone who is watching what is going on in the world today can miss the threats that come both subliminally and directly from various countries. If those people watched Saddam Hussein during the Persian Gulf war, they know that he would not have hesitated to use this capability on the United States if he had had it. But today we have more than two dozen countries that are developing such a capability.

If I could single out this one thing that I heard from the President's State of the Union Message 2 days ago, this is the most disturbing thing that came out of his message. We can concentrate on the inconsistencies or the statements he made about wanting to have welfare reform, when in fact he vetoed the very bill he says he now wants; and when Americans stood up and applauded when he said he was going to downsize Government, when he, in fact, is increasing the size of Government every day in assigning new tasks and putting more jobs into job programs and into retirement programs and into environmental programs—he mentioned 14 different areas of Government he wanted to increase—in every area except for defense, he wants to increase government.

''Wait a minute,'' he said, ''Now I am very proud to tell you we have 200,000 fewer Government employees than when I took office.'' Let me tell you where the employees came from. They came from the Defense Department. They came from our defense system. If you exclude the defense system, our Government has grown dramatically, whether you talk about the budget or whether you talk about the number of employees. It is very deceptive for the President to say that.

Again, all of that aside, as offensive as that may be to thinking Americans, the thing that has to be looked at is this new role that our military has of peacemaking as opposed to the role of defending America.

I wish that more people in this Senate Chamber had been able to be with me on the days following April 19 in Oklahoma City, in my beautiful State of Oklahoma, where the most devastating terrorist attack, domestic attack, in the history of the world took place. When you saw, as we saw in the Chamber the other day, Richard Dean, who went in there after he himself had gotten out of the building and dragged out three or four other people. The stories of the heroes of that disaster were just incredible. Jennifer Rodgers, the police officer acknowledged during the State of the Union Message—and I appreciate the President doing that—sure, ask Jennifer Rodgers or Richard Dean about the devastation of that bomb in Oklahoma City. That bomb was measured as equal to 1 ton of TNT. The smallest warhead we know of today, nuclear warhead, is equal to 1,000 tons of TNT.

Now, that has to tell you, if you are concerned as we were about what happened in one building and all the tragedy surrounding that, that if you multiply that by 1,000—and I do not care if it is a city in Oklahoma or New York or Washington or anywhere else in the world—that is a pretty huge threat that is out there. It is a very real threat. As yesterday's paper indicates, it is even a greater threat and a more documented threat than it was before. Yet the President has shown no regard for the defense of this country against this threat.

Mr. President, we will have a chance to address this. Yes, we do want to pass the Defense authorization bill even though missile defense has been taken out of it. But we will return to the battle over missile defense, and to this new humanitarian role that our military has, in future debates.

I guess I will conclude with another concern that is not as life-threatening. Of course, we are concerned about the lives that would be lost if we failed to defend ourselves, but in these various humanitarian peacemaking missions that is the new rule of our military, somebody has to ask the question: Who is going to pay for this? We have a President who has taken virtually all of the money out of the military budget that would go into equipment to defend America, and yet we are going to have to come around and pay for all this stuff that is going on in Bosnia and elsewhere.

I picked up something the other day in last week's Defense News that I guess has the solution. Pentagon officials said on January 3 that the budget cuts could come from areas where Congress has increased funding, such as missile defense, to pay the bill for these missions. This is from Pentagon officials. ''Congress increased Clinton's overall budget request by $7 billion in 1996. It is intuitive that any money above the President's request would be reprogrammed to pay for Bosnia,'' one senior Pentagon official said on January 2.

That tells us two things. First of all, the $1.5 billion that the President says it will cost for the humanitarian exercise in Bosnia is grossly understated. It could be up to $7 billion. The studies I have seen show it around $5 billion. I guess we not only are redirecting our military to a new role and that new role is peacemaking, but we are also going to pay for it with the dollars we would otherwise use to defend America. This is wrong.

The PRESIDING OFFICER (Mr. THOMPSON). The Senator from Arkansas.

SENATE BUSINESS

Mr. BUMPERS. Mr. President, tomorrow is the drop-dead date for Congress on how we will keep the Government going. In addition, the deadline is fast approaching on honoring the full faith and the credit clause of the Constitution. I say not only to the people of this country but to people all over the world that we intend to honor the debentures you hold, and we will pay you interest for helping us finance our debt.

I have never really felt that when push came to shove, there would be any question about whether or not we would extend and raise the debt ceiling. There still is not. I feel sure this will happen. If it does not happen tomorrow, as it should, it will certainly happen by the last day of February. To do otherwise would be the height of irresponsibility. So I am not really worried about that, and I applaud some of the comments I have seen by Mr. ARMEY and Speaker GINGRICH on that subject.

Now, tomorrow, as I understand it, the Senate will vote on a continuing resolution to keep the Government afloat until March 1. Also, I understand that the continuing resolution will fund most of the programs not covered by enacted appropriations bills at 75 percent of the fiscal year 1995 funding level or the lower of the funding levels provided by the fiscal year 1996 House or Senate appropriations bill, if that level exceeds the 75 percent funding level. However, programs funded pursuant to the HUD–VA bill and State, Justice, Commerce bill, will be funded at the levels provided in their conference reports.

Programs funded pursuant to the third bill on which we have a conference report, namely Interior, as I understand it, are going to be funded instead as if the Interior bill did not have a conference report. All the agencies funded in that bill will have to live on the lower of the House or Senate bill, or 75 percent of what they got in 1995.

Mr. President, tomorrow when the debate on the continuing resolution begins, I hope somebody will be able to tell me why we are treating the programs funded by the Interior appropriations bill differently. I do not like that. I see no reason not to treat Interior the same way we do HUD–VA, and State, Justice, Commerce.

Second, at some point tomorrow there is going to be a motion made by the majority leader to adjourn the U.S. Senate until February 26. I can tell you categorically that I do not intend to vote for that motion. It is almost as unfathomable to me why we would leave here, with all this work undone, until February 26, as it is why we want to shut the Government down all the time around here.

I have been here 21 years and things have happened here in the last 3 months that, in my opinion, are not only unfathomable and unexplainable, but inexcusable. We are supposed to be here to govern. We are not supposed to be here making sure all 100 Senators and all 435 Congressmen, get their way. I think it was Longfellow who said one time: ''You better be careful about what you pray for because you might get it.'' You have 100 Senators here and everybody is saying if I cannot have my way there will be no way. Governing is the art of compromise. There are strong feelings on that side of the aisle and this side of the aisle on hundreds of items.

I did not get my way on the space station or that sucker would have been dead a long time ago. One hundred billion dollars squandered. And we say we need more money for education?

Congress has provided $7 billion more for the Defense Department than the administration requested. ''We don't

want the extra 20 B–2's. It is true you only put $500 million in for 20 B–2's, but what is the total cost down the road? It is $30 billion. We do not need them. We do not want them.'' Many times, when I used to come out here if I was opposing something in the Defense bill, Members on the other side of the aisle, who are prone to vote for every single dollar for defense no matter what it is, would say to me, ''You are opposed to this but the Secretary wants it, the President wants it, and all the Chiefs want it.'' So it would sail through here like a firestorm.

Now I raise that issue with Members on the other side and I say: The President does not want it, the Secretary does not want it, and the Chiefs do not want it. Why are you putting it in here? And they answer: What do they know? What do they know about building ships on a noncompetitive basis? What do they know about 20 B–2 bombers that we say they need and we do not care if they say they do not want them?

You see, if this were a perfect world and we had more money than we knew what to do with, I might not complain. Mr. President, 22 B–2 bombers and they would not dare fly one of them in Desert Storm for fear it would get shot down and that would kill the B–2 program, so they just did not fly them. They would not even let a B–1 fly over in Desert Storm for fear it would get shot down.

Why am I concerned about that? Because I believe in balancing the budget with compassion and with a concern for the future of the country.

When it comes to education, the people of this country have invariably reported in the polls they would pay more taxes if their children got a better education. Some of us here labor in the vineyards of education. Some of us try to keep the National Endowment for the Arts and the National Endowment for Humanities afloat because we believe culture is important. What has the majority done? They whack both endowments by 40 percent. So if there happen to be a few children around who are interested in opera or drama or art or anything else, and they need a few bucks from the Federal Government—forget it. Then you wonder why people act uncivilized. Why are people so rude? Most people who are leaving here—and in record numbers—do not say it in those words, but everybody knows that, perhaps not the principle reason, but one of the reasons is because civility no longer exists here. What a tragedy.

So, what are we going to do to improve civilized conduct? Cut every single program that has as its intention to enhance the understanding of the importance of the culture of the Nation, the importance of civilized conduct and civility, man-to-man, woman-to-woman, and so on.

They say the mining industry in this country can take billions of dollars' worth of gold, silver, platinum and palladium off lands that belong to the taxpayers of this country and not pay one dime for it while we cut Medicare and Medicaid and education and the environment. Corporate welfare is too nice a name. I call it corporate ripoff.

I saw a report the other day, Mr. President, that said only 14 percent of the people in this country pay any attention to what is going on in Washington. That is the reason I can stand here and scream my lungs out day in and day out about this mining law of 1872, where the American mining industry has ripped this country off for billions and billions and continues to do so while we sit here and argue about how much we are going to cut education and the National Endowments for the Arts and the Humanities.

Mr. President, hundreds of millions of dollars were cut from environmental protection. A British philosopher once said there is nothing more impossible than undoing something that has already been done. When you kill somebody you cannot bring him back to life. And when you rape and pillage the environment in a permanent way, you cannot bring it back.

What are we doing? We are cutting the legs right out from under the people who enforce the environmental laws of this country, which over the past 25 years have increased the ''swimmability'' and the ''fishability'' of the lakes and rivers of this country. And there is not a sober person in America who does not want to continue that.

Finally, Mr. President, I want to be supportive of the President. He mentioned just about everything in his State of the Union Address that I care anything about. I applaud his stand for saying we can balance the budget without destroying everything we hold dear. We do not have to assault the elderly, we do not have to assault the poor, and we certainly do not have to assault the children of this country in order to get a balanced budget.

If you made me king for 10 minutes, I will produce a balanced budget in 7 years that does not do any of those things. However, it now appears that the White House and the majority party may be in the process of agreeing on the inane, crazy idea of cutting taxes. I will solve all of the problems of the balanced budget. You just give up on that tax cut.

I would say both to the President and to the Speaker and the majority leader, if you absolutely insist on a tax cut, at least wait a year or two until this whole thing fleshes out and we find out. Is it going to work? Once you put the tax cut in place, everybody knows you will not ever take it back.

So when you put the tax cut in place 7 years from now, CBO's estimate is that there will be $254 billion in savings to the Government just in interest cuts alone. That may turn out to be zip, zero, nil. But the $200-plus billion in tax cuts is already gone.

So why does not the President or Senator DOLE say, look, it is an oxymoron to say we are going to cut taxes and balance the budget. We tried that, you know, back in 1981. What did we get out of it? We got a $4 trillion increase in the national debt. But people have forgotten. The majority of the people in this body were not here in 1981 when we did that. They do not remember, so I am reminding them.

I want it put on my epitaph that I was one of 11 U.S. Senators that voted no on the proposal that claimed it would raise defense spending by 100 percent and cut taxes and balance the budget. People in Arkansas are taking a pretty big hit these days, but I can tell you one thing: People down there have enough sense to know that that one will not work.

So, Mr. President, I look forward to tomorrow and what I hope will be a civilized debate, an intelligent debate, and one that will say, do not put the farm bill on this. That is a nonstarter. Pass a clean debt ceiling bill. What we ought to do is adopt a clean continuing resolution to keep the Government going until March 1, and we ought to pass a debt ceiling limit so that people in the world, not just in the United States—bear in mind, of the $5 trillion national debt, almost 40 percent of it, a third of it, is held by foreigners.

The people in this country and the people in Congress may think this holding the debt ceiling hostage is cute and funny, but the Japanese and Germans do not think it is funny. When they hold a U.S. Government bond that is supposed to return them 6 percent interest, when it comes due they want their 6 percent. They do not want all of this mickeying around about who is holding who hostage in the U.S. Congress. The very thought that we might falter in the payment of our interest on U.S. Government obligations is absolutely Byzantine.

Just to talk about things that have happened around here that you have never seen before and hope to God you never see again, here is a farm bill that the chairman of the Agriculture Committee in the House could not even get out of his committee. He is chairman. His own Republican membership reneged on him. It was brought up in the Senate just for talking purposes but not to be voted on, because everybody knew that it would be beaten soundly in the U.S. Senate. Called ''Freedom to Farm,'' it never got out of the committee in the House, never passed the House, never passed the Senate, never was even considered by the Senate Agriculture Committee, and they talk about putting that thing on the continuing resolution tomorrow?

The farmers of my State want something definitive so they can go to the bank and borrow money and plant their rice and their soybeans. But they do not want that sucker, and nobody else does either.

So why do we not extend existing law for 1 year and put the fears and the apprehensions of the farmers of America at ease?

Mr. President, I am going to vote against the adjournment motion until some resolution of this farm program is made, and the rice farmers of my State, who produce 40 percent of all of the rice in this Nation, have some certainty. The first thing you know—as my colleague said in the press conference this morning, Senator PRYOR—you keep messing around so they cannot plant their rice, and the next thing you will know we will lose all of our world markets for American rice. We have squandered $1 to $1.5 billion mickeying around one-upping each other.

In closing, Mr. President, let me repeat. The people of the country last year had a right to be angry. They were angry for all kinds of different reasons. I will not presume to know precisely why everybody voted the way they did. They were not voting for chaos. They were not voting to see how much havoc we could create and impose on innocent people. They wanted changes. They did not want to see the Government dismantled. They did not want to see the Government shut down and leave the country defenseless, almost anarchistic.

So tomorrow I hope will be an interesting and enlightening and sensible debate. I hope when we leave here tomorrow night, if and when we do, that we leave with a pretty good feeling that we finally have begun to recognize each other's feelings about this and have finally begun to get our act together and reassure the people of the country that we are not really just a bunch of bickering children up here.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BUMPERS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

NEW WORLD MINE

Mr. BUMPERS. Mr. President, as everyone in this body knows I have been a vocal proponent of reforming the 1872 mining law. This 124-year-old anachronism continues to permit the extraction of billions of dollars' worth of hardrock minerals from public land without compensating the taxpayers and in a manner that causes significant environmental degradation. Unfortunately, the new majority in Congress has little or no interest in meaningful reform of the mining law.

During the congressional recess an article appeared in the New York Times discussing the proposed New World gold mine which would be located within 2.5 miles of Yellowstone National Park. It is painfully obvious that unless action is taken soon, Yellowstone will be gravely imperiled. In fact, the World Heritage Commission recently designated Yellowstone National Park a world heritage site in danger primarily due to the proposed mine.

Mr. President, some of my colleagues from the West argue that mining is a primary way of life in their States and any changes in the mining law that made it more difficult to pollute the land or provided for the payment of meaningful royalties would have a negative impact on their States. However, as the New York Times article points out, their constituents do not necessarily agree. In fact, much of the western economy depends on pristine land, air, and water. Certain mining operations are not synonymous with such conditions, especially in the absence of more stringent environmental restrictions.

The scars of previous mining operations are littered throughout the country. In fact, 59 sites on the Superfund national priority list are directly related to mining. According to the Bureau of Mines, there are 180,000 acres of land and 12,000 miles of rivers that have been polluted by waste from abandoned mines. The cost to taxpayers to clean up this mess will be astronomical. Yet no one seems willing to do anything to prevent future disasters, such as the New World mine. Mr. President, I urge my colleagues to carefully consider what we may be doing to our national treasures, such as Yellowstone Park, if we do not act.

Mr. President, I ask unanimous consent that a report that appeared in the January 7 issue of the New York Times regarding the ''Montana Mining Town Fights Gold-Rush Plan'' dealing with the gold mine that is about to be built just outside the gates of Yellowstone, be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the New York Times, Jan. 7, 1996]

MONTANA MINING TOWN FIGHTS GOLD-RUSH PLAN

(By James Brooke)

COOKE CITY, MT.—From Canadian mining barons to President Clinton to American environmentalists, the bitterest mining controversy of recent months has swirled like an alpine blizzard around this tiny mountain village of 80 people.

On one side, Canada's largest natural resources conglomerate is determined to dig $750 million of gold and silver out of a nearby 8,900-foot peak. On the other, environmentalists assert that the mine would inevitably leak acid into Yellowstone National Park, three miles to the west.

Often overlooked in the international clash of press releases and lawsuits are the residents here who would be affected. In a town founded by gold miners, one might expect to find people enthusiastic about a plan to open the state's largest gold mine on Henderson Mountain, a peak named after a gold panner. But skepticism about the proposal is surprisingly plentiful here, reflecting a growing hostility to mining in Montana, a state that is shifting its economic base from mining to tourism.

Even at the Miner's Saloon, amid mining decor of picks and shovels, criticism is rife. ''I'm vehemently against it,'' said Chris Warren, a 24-year-old resident, who was echoed by the bartender and four men nursing drinks at the bar.

In dissent, the saloon keeper, Larry Wicker, said he appreciated the younger generation's patronage, but not their views on mining. ''If it weren't for the miners, Cooke City would be part of little Russia,'' he said, referring to this sliver of private land surrounded by Government land, including Yellowstone and two national forests.

In a tribute to Montana's 19th century mining origins, the state seal bears the motto, ''oro y plata,'' gold and silver. But Montana's combined income from mining and logging was surpassed in the early 1990's by recreational tourism—fly fishing, elk hunting, snowmobiling, hiking, camping and river rafting. Anglers alone spend $410 million a year in this state.

The shifting political winds from this economic transformation are buffeting the Henderson Mountain mine project, which cannot proceed until it wins environmental clearances from various state and Federal authorities. The process could easily take two years or more.

On the far side of a mountain saddle here, the mining company, Crown Butte Mines Inc., would hollow out Henderson Mountain at the rate of 1,500 tons a day. Working at almost 9,000 feet, the miners would combat a forbidding climate that includes 23 frost-free days a year and about 40 feet of snowfall a year.

Crown Butte purchased the mining rights on the private land after deciding that technological advances and new discoveries would make mining profitable.

Environmentalists, pointing out Old Faithful geyser only 60 miles to the southwest, said the proposed mining site is in the nation's secondmost seismically active area after the San Andreas Fault. They contend that an earthquake would rupture a disposal site filled with potentially toxic waste from the operation.

But Crown Butte Mines maintains that it would build a dam strong enough to withstand any tremor of the magnitude registered in the last 150 years. While mining advocates often paint their environmental opponents as outsiders or newcomers, polls indicate that Montana voters are increasingly hostile to new mines and to economic growth, especially if it means new residents.

In a poll of 817 registered voters conducted in December for The Billings Gazette, 48 percent of the respondents said that economic benefits would not outweigh possible environmental damage from the project here, the New World Mine. Only 29 percent favored the mine.

Montana, with a population of 850,000, has only six people per square mile. But 31 percent of respondents called for no more population growth, and 45 percent agreed with the statement: ''We're approaching our limits.'' The poll's margin of sampling error was plus or minus 3 percentage points.

The dispute over the mine may heat up soon when the United States Forest Service releases an environmental impact statement.

In the six months leading up to this report, world environmental attention focused on this remote mountain village. A city in name only, Cooke has a one-room school and a three-block-long Main Street that ends in a snowdrift half the year.

On Aug. 25, President Clinton thundered over Cooke City's proposed mine site in a military helicopter. Afterward, he ordered a two-year ban on mining in the 4,500 acres of National Forest land surrounding Henderson Mountain.

In September, the village visitors were members of the World Heritage Committee,

which monitors sites designated by international treaty as having ''universal value to mankind.'' Citing the mine project, among other threats, the committee added Yellowstone to its list of ''World Heritage in Danger.''

To drum up support, Crown Butte hired as a consultant Birch Bayh, a former United States Senator with a record as an environmentalist. The largest investor in Crown Butte is Noranda Inc., Canada's largest natural resources company, which is controlled by the Toronto financiers Edward and Peter Bronfman.

The debate here speaks of larger tensions between mining and recreation in the state. ''Mining is an anachronism now—the town has become dependent on Yellowstone for its livelihood,'' said Jim Barett, a local carpenter who is chairman of the Beartooth Alliance, a local environmental group that opposes the mine. ''To plop this huge industrial complex into here would not only disrupt our lives, but would have serious environmental consequences.''

Some people think the mine would mar tourism for a town that has four campgrounds, three hunting outfitters, three snowmobile rental companies and 15 hotels, motels and bed and breakfasts. But at Joan and Bill's Family Restaurant on Main Street, a patron, Lyle Hendricks, said the $100 million mining investment would outweigh any harm to tourism. ''People worry about the stress of losing a job when the mine plays out in 20 years,'' said Mr. Hendricks, a bearded man who builds steel Quonset huts here. ''What about the stress of not having a job now?''

After Mr. Hendricks left, the waitress, Jennifer Mullee, 20, commented, ''In 10 years, the mining company will be gone, and the land will be destroyed for our children.''

Opinion surveys of Montana adults indicate that women oppose mining by far greater margins than men.

Mine supporters like the saloon keeper, Mr. Wicker, say other mines have proved safe. In Jardine, Mont., he said, an underground gold mine has burrowed to ''within yards'' of the Yellowstone Park with no ill result.

A fifth generation Montanan and a mining engineer by training, Mr. Wicker dismissed the mine's opponents as ''flatlanders, people from Nebraska.'' ''Everyone who gets here says, 'I'm the last person here, I've got my little piece of Montana,'" said Mr. Wicker, who plans to open a poker room and expand his saloon hours if the mine is approved.

Cooke City is a far cry from the 19th century gold rush days when 5,000 raucous miners packed the town.

For half the year, the only way to get to Cody, Wyo., the nearest large city, about 40 miles away, is to travel by snowmobile over Colter Pass. A year-round mining operation would keep the road to Cody plowed.

Mining officials promise to leave local creek water cleaner than when they found it. As a legacy of past mines, sections of local streams still run rust red from acid drainage.

''We can still use some of the money made from the mine to clean up the area, to backfill the old mine sites,'' Joseph J. Baylls, president of Crown Butte, said in a telephone interview from Toronto. ''At the end of the day, it will be better than today.''

But experience has left many Montanans skeptical of mining companies. ''In 20 years, the town will boom and bust, just like Butte,'' said Matt Schneider, the Mining Saloon's 22-year-old antimining bartender.

Long fabled as ''The Richest Hill on Earth,'' the gold and copper deposits of Butte, Mont., petered out in recents decades, leaving a legacy of pollution and unemployment. The Atlantic Richfield Company inherited much responsibility for the environmental mess in 1983 when it bought the principal Butte operator, the Anaconda Minerals Company.

In October, in a move that reflected Montana's tougher stand towards mining companies, the State Justice Department sent Arco a cleanup bill of $713 million.

Mr. BUMPERS. Mr. President, I wonder if the Senator from Kansas is prepared, or does she need a little additional time to get ready?

Mrs. KASSEBAUM. Mr. President, I am ready to go and, rather than call for a quorum, will get started on some comments that I would like to make.

The PRESIDING OFFICER. The Senator from Kansas.

The Chair informs the Senator that there are 4 minutes remaining under the control of the majority in morning business.

HEALTH INSURANCE REFORM

Mrs. KASSEBAUM. Mr. President, I would like to offer just a few observations on comments that were made by President Clinton in his State of the Union speech the other evening regarding health insurance reform. I was pleased that President Clinton mentioned it, because I think it is a subject of great importance to us.

As we debate the future of the Medicare and Medicaid programs, American families are growing increasingly anxious about the availability, portability, and cost of their own private health coverage.

While the comprehensive health reform debate ended well over a year ago, the American people continue to rank health reform as a priority and health care as a top concern. A poll conducted late last year by Princeton Survey Research Associates found that more Americans are concerned about their own health coverage than crime, high taxes, the ''political system,'' and the economy. Both the Princeton poll and a Times Mirror poll also found that health care topped the list of issues Americans most want the Presidential candidates to address.

The health insurance problem is not merely one of perception. The number of uninsured and underinsured Americans continues to climb:

First, there are now over 40 million Americans without health insurance.

Second, over 1 million working Americans have lost health insurance in the last 2 years alone.

Third, and, over 80 million Americans have preexisting conditions that could make it difficult for them to maintain health coverage when they change jobs.

Mr. President, Congress has the opportunity this year to address middle-class Americans' concerns about the diminishing availability, portability, and affordability of health coverage in a bipartisan way.

A health insurance reform bill proposed by myself and Senator KENNEDY, S. 1028, passed the Senate Labor and Human Resources Committee unanimously last August and now awaits action on the Senate Calendar. Similar measures are pending in the House of Representatives, including a companion bill introduced by Representative ROUKEMA of New Jersey.

Through sensible, market-based reforms, the Health Insurance Reform Act would:

First, limit the ability of insurers and employers to impose preexisting condition exclusions;

Second, prevent insurers from dropping coverage when an individual changes jobs or a family member becomes ill; and

Third, help small companies gain more purchasing clout in the market.

The General Accounting Office estimates that the Health Insurance Reform Act would help at least 25 million Americans each year, and the Congressional Budget Office predicts that it would do so without any cost to American taxpayers.

SUPPORT FOR THE HEALTH REFORM ACT

The Health Insurance Reform Act enjoys broad support. It passed the Labor and Human Resources by a 16 to 0 vote and has attracted 40 cosponsors—20 Republicans and 20 Democrats—from across the political spectrum. Moreover, it has been endorsed by a wide range of outside organizations, including the National Governors' Association, the National Association of State Insurance Commissioners, the Consortium for Citizens with Disabilities, Small Business United, the National Association of Manufacturers, the U.S. Chamber of Commerce, and the American Medical Association.

I believe the legislation has achieved broad consensus for two main reasons.

First, it is narrowly focused. It does not contain employer mandates, mandatory purchasing alliances, new taxes or new bureaucracies. It does not remake the private health care system in the image of the United States Post Office. Instead, the legislation focuses only on those areas where broad, bipartisan agreement existed during the health care debate in the 104th Congress and where State insurance reforms have demonstrated the ability to work.

Second, the legislation was crafted with significant input from consumers, insurers, businesses, hospitals, and doctors. It is carefully attuned to the rapidly changing private health care market. As the U.S. Chamber of Commerce and other employers said in a recent letter, the Health Insurance Reform Act would:

> * * * improve health coverage for tens of millions of American workers and their families * * * through carefully designed rules that are workable for employers who voluntarily sponsor health plans and for their employees.

RESPONSE TO CONCERNS

The Health Insurance Reform Act is not without some detractors. We have worked closely with the health insurance industry, and insurers generally support the bill. For example, Blue-Cross

Blue-Shield and the Health Insurance Association of America submitted testimony in favor of the vast majority of the bill's provisions. However, some continue to raise concerns about one provision of the legislation that is designed to help individuals and families who have played by the rules maintain health coverage if they lose their job or leave a job to work for an employer that does not offer coverage.

I believe, however, that this provision strikes a careful balance between the need to provide consumers some access to individual coverage and the need to protect the fragile individual insurance market.

The Health Insurance Reform Act would provide access to individual insurance only for those who have maintained prior continuous coverage under an employer-sponsored health plan for at least 1½ years, who have exhausted their COBRA benefits, and who are ineligible for coverage are under another group policy.

Moreover, S. 1028 contains no restrictions on premiums, and it leaves broader reforms—such as guaranteed issue for individuals who have not had prior coverage, guaranteed issue for the self-employed, and portability between individual health plans—to the States. As a result, the bill requires individuals to pay into the system for years before being able to gain access to health coverage.

This group-to-individual portability provision is not far-reaching. It is limited precisely to avoid potential premium increases and adverse selection problems that could result from broader individual market reforms. Testimony and analysis by the National Association of Insurance Commissioners and others has confirmed that this narrow provision is unlikely to have a significant impact on the cost of health coverage in the individual market. The most recent estimates from the American Academy of Actuaries show that this provision would likely affect premiums by only 2 to 3 percent.

It is true that some insurers who now thrive by refusing to cover those in poor health may be unable to survive in a market characterized by competition based on quality, price, and service. In States like New Hampshire, Vermont, and California that have enacted targeted insurance market reforms like those in the Health Insurance Reform Act, some insurers have left the market—but others have replaced them, competition has flourished, rates have come down, and consumers have benefited.

I do share the belief that State high-risk pools are one important way of providing access to insurance for certain individuals. That is why S. 1028 expressly provides that if a State has adopted, or adopts in the future, a high-risk pool or other means of allowing individuals to maintain health coverage, that State law or program will apply in lieu of the group-to-individual portability provision contained in the bill. Instead of preempting State reforms that are working or prescribing a one-size-fits-all solution from Washington, S. 1028 allows each State to fashion individual market solutions that are appropriate for individuals in that State. This is one of the main reasons that both the NGA and the NAIC support the bill.

Another argument that is sometimes made is that insurance reform should be left entirely to the States. This argument also ignores reality.

While 48 States have enacted insurance reforms targeted to small companies, over 70 percent of workers with health coverage work for firms with more than 100 employees. Moreover, the States are prevented by the broad preemption provisions of the Employee Retirement Income Security Act from providing portability to workers who receive health benefits through self-insured, employer-sponsored health plans. I believe strongly that we should retain ERISA preemption. But as we do, we must recognized that the vast majority of American workers cannot carry their insurance from one job to the next unless we enact portability reforms on the Federal level.

IT IS TIME TO MOVE FORWARD

Mr. President, I think we all know people in our own States who would be helped tremendously by this legislation. For nearly a decade, however, Congress has been unsuccessful in attempts to pass health insurance reform legislation. We now have a historic opportunity to move forward. And I believe we should seize that opportunity.

Last Congress, Republicans and the American people rejected the administration's comprehensive health reform proposal. Instead, every one of us signed onto market-based health reform legislation that was more ambitious in almost every respect than the Health Insurance Reform Act.

Now, the President of the United States has endorsed our approach. And Senator KENNEDY and other Democrats should be commended for working with us to make positive change a realty, without letting the perfect become the enemy of the good.

While the political dynamic clearly has changed, I believe strongly that Republicans' commitment to moving forward with common sense, market-based health reform legislation should not.

I want to make clear to all of my colleagues that I, for one, am absolutely committed to passing health insurance reform legislation this year—either as a freestanding bill or as an amendment to another vehicle.

The Health Insurance Reform Act does not strike out in a bold, new direction. But it is a very positive step forward that will reduce barriers to health coverage for millions of working Americans. It is also an opportunity to demonstrate to the American people that Republicans and Democrats can work together to address their most serious concerns about the health care system. I believe we should start by passing this legislation at the earliest possible opportunity.

I yield the floor, Mr. President.

Mr. KENNEDY addressed the Chair.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KENNEDY. Mr. President, I yield myself 10 minutes.

I again congratulate Senator KASSEBAUM for her leadership on this extremely important issue which can make an extraordinary difference to the quality of life of millions of Americans who are, as she described, playing by the rules, working hard, trying to participate in the workplace, and also trying to fulfill some of their hopes and dreams for the future.

As Senator KASSEBAUM has pointed out, our committee, as well as other committees, dealt with the broad issue of health care for all Americans in the last Congress. We were unable to pass that legislation. But during the consideration of our committee, we had some 10 days of markup, which virtually every Member, Democrat and Republican, attended. Those were long days which began early in the morning, at 8 or 9 o'clock, and went sometimes until 8 to 10 in the evening with brief recesses. Our committee delved into the various features of the health care debate. I thought we reached some important agreements on a number of those different measures, but there were areas of difference and we were unable to secure the kind of comprehensive coverage which I basically support. At some other time, hopefully, we will have another chance to address it.

During that period of time, Senator KASSEBAUM provided great leadership by expressing her concern and also her commitment to try to address one of the particular challenges in health care coverage that remains out there and works such an extraordinary hardship on millions of Americans—lack of guaranteed health insurance.

Millions of working Americans develop some preexisting condition and, under the current system, often are individually dropped from their health insurance. Or if they are working in a small company, the company's health care costs go up enormously if they try to maintain their coverage, or otherwise all of the members, through no fault of their own or no fault of this individual, lose that coverage.

Or the individual who works hard and has an opportunity to obtain a job, maybe move up on the economic ladder, faces a circumstance where the new opportunity will not provide health care coverage. This individual is effectively in a position of job lock and is denied that opportunity again because of some preexisting condition or some ailment or some disability which is no fault of their own.

As the Senator from Kansas has pointed out, those individuals exist in the small towns and communities, rural areas, as well as cities in her own State of Kansas. And they exist in my State of Massachusetts.

Throughout this last year, very quietly, conscientiously, and deliberately, Senator KASSEBAUM reached out, as she mentioned, to the consumers, to the health care profession, to the business community, to others, including the insurance industry, to try and fashion legislation that could address one of the most egregious and serious aspects of the health care crisis that we are facing.

After a very thorough examination of this issue and listening to a broad range of interested individuals, as well as different groups, she fashioned this legislation, and I enjoyed the opportunity to work closely with her and her staff to introduce this legislation. This legislation takes into consideration a number of the points that were raised during the course of the hearings and a number of points that were raised by Members of our committee. Then, in really a very special way, Senator KASSEBAUM was able to gain virtually the unanimous consent of all of the members of the committee, all 16 members of our Labor and Human Resources Committee supported that legislation.

When we look today at some of the divisiveness which exists in the course of our legislative agenda, it always continues to impress me about the willingness of those members and the various groups that they represent to come together to try and address something which has such important meaning to millions of our fellow citizens. And that is what was done. The best of the ideas that were raised and the hearings were incorporated, some of the concerns were addressed, and out of the legislative process came an even stronger bill than was even introduced by Senator KASSEBAUM and myself. And this legislation has been reported out of committee and has been on the agenda for some period of time now.

During the course of many months we have had the opportunity to talk, and talk together, about what the possibilities were of getting to present this to the Senate, to urge our colleagues to support this, as well as to try to get our friends and colleagues in the House to address this issue. And the time is moving along.

We are not here today to try and point the finger at individuals or groups or constituencies that have resisted the opportunities to bring this up and consider the legislation. But what we are basically indicating today is that the kind of response we have all received on this issue is Republican and Democrat alike. The 40 cosponsors reflect 20 Democrats and 20 Republicans with wide, diverse, different philosophical viewpoints. When we are able to gain that kind of confidence from our colleagues after they have had a chance to study the legislation, it is worthwhile for this body to consider the legislation, to consider any amendments that are directed toward the legislation, and then to move the process forward.

I hope that we would have that opportunity in a timely way. I think those of us who have supported the legislation believe that even though there may be differences with Members on different items that are not directly related to this, that we can as an institution address this and see a successful conclusion of the legislation.

This is a modest program but a very important one. I underline both those words. It does not do the comprehensive job that many of us would like to do, but it will make an enormous difference in the quality of life for millions—and I mean millions—of young and old alike. This legislation will enable more people to live a life in our society where they participate and pay their fair share of premiums for their coverage in exchange for at least some degree of security in knowing that they will have health insurance to provide some protection against financial devastation.

In terms of their health care situation, they will still, as individuals, endure the anguish and the pain that comes from many physical and mental challenges which they may face. They will have that for the rest of their lives. We cannot pass any legislation to deal with that. But with this legislation, they will know that they will be able to at least obtain decent, quality health care and that they will not put in debt the members of their families and their loved ones with the extraordinary kinds of costs that may be attendant to the treatment of some of the illness and sickness.

That kind of relief from the anxiety and the anguish for our fellow citizens is enormously important. It does not show up on the bottom line of the expenditure column. But what it does do is it makes an extraordinary difference to our fellow citizens.

So, Mr. President, I welcome the opportunity to join with Senator KASSEBAUM and urge that we consider this legislation. I know from talking with her that we are prepared to do this in a timely way. We can enter into various agreements so that individuals who have special interests or concerns can make sure that they have a full opportunity for debate and consideration of these views, and then let the Senate work its will.

This is an extraordinary piece of legislation which includes the support of the chamber of commerce, the National Small Business United, the National Association of Manufacturers, the ERISA Industry Committee, the Association of Private Pension and Welfare Plans, and the National Governors' Association, the National Association of State Insurance Commissioners, the insurance companies in the Alliance for Managed Care, the American Medical Association, and the Consortium for Citizens with Disabilities. In fact, the only opposition comes from those who really profit from the abuses in the current system.

So, Mr. President, in the State of the Union Address, the President challenged Congress to pass this legislation. We are aware that there are some Senators who place these, what we call, ''holds'' on a bill in an attempt to kill it. They know if the legislation is brought to the floor of the Senate, it will pass overwhelmingly.

The only thing blocking action is the scheduling of the floor debate. So I join Senator KASSEBAUM in urging our leader to bring this to the floor. We welcome the opportunity to cooperate with him. With his responsibilities as the majority leader in scheduling different measures, we are glad to work out whatever agreement that is necessary. We are glad to speak to our colleagues. But we do think that it is time that we address this legislation. It is time to break the logjam. The American people deserve action, and they deserve it now.

Just finally, Mr. President—and then I will yield what remaining time we have on this side to the Senator from Texas—I hope that we might be able, as Senator KASSEBAUM has stated previously, to consider this legislation in a forum where we can have the focus and attention on this legislation.

The majority leader was extremely gracious in working out our job training program, which basically reorganizes the total training programs, involving billions and billions of dollars, and provides a reduction in total funding. But we worked that out in a matter of just hours, again, in a strong bipartisan way, after reporting the legislation out of our committee. I believe that in somewhat less than 8 or 10 hours, we were able to consider a few amendments and then take action.

With the kind of support we have for this, I think we can do it in a similar timeframe, although we are not interested in cutting off any legislation. But I hope that if we are not able to work that through, at least we would have an opportunity to raise this issue in the foreseeable future, if not as an independent measure, at least as an amendment to another piece of legislation. I agree with Senator KASSEBAUM that that would be a less desirable way to proceed, but I think we may be forced into that kind of situation.

This year Congress has the opportunity to end many of the most serious health insurance abuses that victimize millions of Americans every year. It is an opportunity we cannot afford to miss.

These abuses create endless unnecessary suffering. Millions of Americans are forced to pass up opportunities to accept jobs that would improve their standard of living or offer them greater opportunities because they are afraid they will lose their health insurance if they leave their current jobs. Many others have to abandon the goal of starting their own business, because insurance will be unavailable or unaffordable. Still others lose their health insurance because they become sick, or lose their job, or change their job—even when they have faithfully

paid their insurance premiums for many years.

The private health insurance market in the United States is deeply flawed. More than half of all insurance policies impose exclusions for preexisting conditions. As a result, insurance is often denied for the very illnesses most likely to require medical care. The purpose of such exclusions is reasonable—to prevent people from gaming the system by purchasing coverage only when they get sick. But current practices are indefensible. No matter how faithfully people pay their premiums, they often have to start again with a new exclusion period if they change jobs or lose their coverage.

Eighty-one million Americans have conditions that could subject them to such exclusions if they lose their current coverage. Sometimes, the exclusions make them completely uninsurable.

Not only do insurers impose exclusions for preexisting conditions on people who do not deserve to be excluded from the coverage they need, they can deny coverage to entire firms if one employee of the firm is in poor health. Sometimes, entire categories of businesses, with millions of employees, are redlined out of coverage. Even if a firm is in an acceptable category, coverage may be denied if someone in the firm—or a member of their family—is in poor health.

Even if people are fortunate enough to gain coverage and have no preexisting condition, their coverage can be canceled if they have the misfortune to become sick—even after paying premiums for years.

One consequence of the current system is job lock. Workers who want to change jobs to improve their careers or provide a better standard of living for their families must give up the opportunity because it means losing their health insurance. A quarter of all American workers say they are forced to stay in a job they otherwise would have left, because they are afraid of losing their health insurance.

I am proud to have joined Senator KASSEBAUM in introducing legislation that will address these problems effectively. The Kassebaum-Kennedy Health Insurance Reform Act is a health insurance bill of rights for every American and for every business as well.

The legislation contains many of the provisions from the 1994 health reform debate which received broad bipartisan support—such as increased access to health insurance, increased portability, protection of health benefits for those who lose their jobs or want to start their own business, and greater purchasing power for individuals and small businesses.

Those who have insurance deserve the security of knowing that their coverage cannot be canceled, especially when they need it the most. They deserve the security of knowing that, if they pay their insurance premiums for years, they cannot be denied coverage or be subjected to a new exclusion for a preexisting condition because they change jobs and join another group policy, or because they need to purchase coverage in the individual market. Business—especially small businesses—deserve the right to purchase health insurance for their employees at a reasonable price.

Our Health Insurance Reform Act addresses these fundamental flaws in the private insurance system. The bill limits the ability of insurance companies to impose exclusions for preexisting conditions. Under the legislation, no such exclusion can last for more than 12 months. Once someone has been covered for 12 months, no new exclusion can be imposed as long as there is no gap in coverage—even if someone changes jobs, loses their job, or changes insurance companies.

The bill requires insurers to sell and renew group health policies for all employers who want coverage for their employees. It guarantees renewability of individual policies. it prohibits insurers from denying insurance to those moving from group coverage to individual coverage. It prohibits group health plans from excluding any employee based on health status.

The portability provisions of the bill mean that individuals with coverage under a group health plan will not be locked into their job for fear that they will be denied coverage or face a new exclusive for a preexisting condition. The portability provisions will benefit at least 25 million Americans annually, according to the General Accounting Office. In addition, these provisions will provide greater security for the 131 million Americans currently covered under group health plans.

The bill will also help small businesses provide better and less expensive coverage for their employees. Purchasing cooperatives will enable small groups and individuals to join together to negotiate better rates in the market. As a result, they can obtain the kind of clout in the marketplace currently available only to large employers.

The bill also provides great flexibility for States to meet the objective of access to affordable health care for individuals who leave their group health plans.

During the debate on health reform in the last Congress, even the opponents of comprehensive reform urged Congress to pass at least the reforms that everyone supported—portability of coverage, guaranteed availability of coverage, and limitations on exclusion for preexisting conditions. These are exactly the provisions included in this bill.

The Health Insurance Reform Act is a modest, responsible, bipartisan solution to many of the most obvious abuses in the health insurance market place today. The bill was approved by the Senate Labor and Human Resources Committee last August by a unanimous vote of 16 to 0. It is now cosponsored by 40 Senators—20 Republicans and 20 Democrats. It is similar to proposals made by President Clinton in his recent balanced budget plan.

The measures it includes are also virtually identical to provisions of legislation offered by Senator DOLE in the last Congress. Sponsors range from the most conservative Members of the Senate to the most liberal—because these reforms represent simple justice. They are not issues of ideology or partisanship.

Support for the bill by outside groups is equally broad. Those who have expressed their support for the legislation include the Chamber of Commerce, National Small Business United, the National Association of Manufacturers, the ERISA Industry Committee, the Association of Private Pension and Welfare Plans, the National Governors' Association, the National Association of State Insurance Commissioners, the insurance companies in the Alliance for Managed Care, the American Medical Association, and the Consortium for Citizens with Disabilities.

In fact, the only opposition to this legislation comes from those who profit from the abuses in the current system.

In his State of the Union address, President Clinton challenged Congress to pass this bill. A few Senators have placed secret holds on the bill in an attempt to kill it. They know that if the legislation is brought to the floor of the Senate, it will pass overwhelmingly. The only thing blocking action is the scheduling of the floor debate.

So I join Senator KASSEBAUM in urging Majority Leader DOLE to bring this bill to the floor. It is time to break the log jam. The American people deserve action—and they deserve it now.

Mr. President, I yield whatever time remains to the Senator from Texas.

The PRESIDING OFFICER. The Senator from Texas has 10 minutes.

Mrs. HUTCHISON. Thank you, Mr. President.

BALANCED BUDGET

Mrs. HUTCHISON. Mr. President, I thank the Senator from Massachusetts for yielding the rest of his time, because I want to talk about the very important issue that I think all Americans are looking at right now, and that is the balanced budget and what is going to happen here and what will be the result after we finish the negotiations.

The great philosopher, Yogi Berra, once said, ''When you come to a fork in the road, take it.''

We are at a fork in the road in this country, and I think the American people are beginning to see how very difficult it is when you have a President and Congress on very different tracks, on very different tracks about what they believe is the right course for our country.

We in Congress believe that we must change the direction of our country,

that we have been hurling, in deficits upon deficits upon deficits, our economy into oblivion.

So we promised in 1994 that we would change the way they do business in Washington, that we would stand firm for a balanced budget. And now we have put forward a very responsible plan to do exactly that.

Our balanced budget is over 7 years. Many of us go around the country talking about 7 years. Why 7 years? Why not 5 years? Why not 10 years? Would it be easier if it were 10 years?

Seven years is very important, because 7 years was what we reasonably believed we could achieve with numbers that we could estimate with a prediction that would be reasonable. We believe that we can predict over 7 years. Any more than that would be very hard.

There will be changes in Congress. Will there be the same commitment? Will the promises be the same? Those would be the questions if we went beyond 7 years.

Why not shorter? Why not 5 years? We believed that cutting spending and cutting the rate of growth of spending in such a drastic way might hurt our economy by causing a recession, having some sort of drastic impact. That is why we believed 7 years was achievable by slowing the rate of growth rather than cutting spending in such a harsh way that we might have a recession, but yet to be predictable. That is why 7 years.

Now we have the nugget of the problem. The nugget of the problem is what we are going to do with Medicare, Medicaid, welfare reform, and the tax cuts. I think you have heard people speaking on the floor in both Chambers of the Congress for the last few days about the tax cuts. Some people think they are terrible. Some people think it is awful to consider giving money back to the people who earned it. I do not subscribe to that theory, but it is one of the nuggets upon which the President and the Republicans in Congress disagree. So let us talk about these nuggets.

The President says we can come together on the numbers if we can just put aside welfare reform, Medicaid reform, and Medicare reform. I think the President of the United States knows that if you put aside those three items, you are not going to be able to talk about taking the first step to a balanced budget, because if you do not reform the two basic entitlements, Medicaid and welfare, you will not have a balanced budget.

It is not a matter of how much we spend, it is a matter of who makes the decisions. Is it going to be the Federal Government dictating to the States, or is it going to be the State's right to decide what is best for the people of that State and to have the money from the Federal Government without the strings so they can do it more efficiently? That is the only way it will work.

But the President believes that we must keep welfare and Medicaid with the Federal strings. He will not allow entitlement reform, and that is the crux of the disagreement between the President and Congress. We cannot set those things aside and have any predictability. So we are saying, give Medicaid to the States to produce their own programs in the most efficient way, and we are giving the President the ability to change our welfare system in a most responsible and unique way. And that is to turn it back to the States with very few strings, and the strings are that there will be limitations on how long an able-bodied person can receive welfare. It would be 18 months and a lifetime limitation of 5 years.

I know a number of people who are barely making ends meet. It is very important for these hard-working, taxpaying citizens to know that if they are going to work hard to do something for their families that they are not supporting people who can work but do not. Mr. President, that is the welfare reform package.

The President vetoed our welfare reform package, but we have not seen a substitute from the President. If he is going to take off the table that we would have entitlement reform, then we will not be able to have welfare reform because it will continue to grow out of control, just as it has for years in this country.

Tax cuts—that is the other major issue, that and Medicare reform. Let us talk about Medicare reform because that is the third piece of the reform package. We are trying to save the Medicare system. The President's own Cabinet officers have said publicly we start this year going into a deficit in our Medicare system. This year we will spend more than we take in, and we will use up the trust fund by the year 2002. Now, that is the fact.

So what can we do to save it? In fact, we are slowing the rate of growth of Medicare at an even slower rate of growth than the President presented himself in his own health care plan. We are going to save the Medicare system if the President will work with us. So far, he has refused to do that.

Now let us talk about tax cuts, the other issue upon which we disagree so strongly.

I think it is a legitimate question, why tax cuts when we are trying to bring down the deficit? It is all part of the package that would ease the impact on the economy. If we are going to slow the rate of growth of spending, that is going to have an impact on the economy. It is going to stop spending in some areas to which people have become accustomed. People who provide these services are going to get less.

So in order to ease that transition, we have decided to put money back in the system, not by more Government programs but by giving people back the money that they earned. We are letting them have the right to spend their money. And by allowing them to do that, we will spur the economy, where we have slowed it down in the slowing of the rate of spending. So we now have tax cuts that will go to the middle-income families of this country—a $500 per child tax credit. So a four-person family with two adults and two children will get $1,000 back in the mail. Now, that is going to help them be able to spend that money for their families.

Capital gains tax relief. We are trying to spur the economy by allowing people to sell assets and trade assets, and that is going to put more money into the economy. All of the economists agree on that. It will put money and investment into our capital, so that we will be able to have the jobs that that will create. We are going to spur jobs by having capital gains tax relief.

The third area is one that I have worked on since I came to the U.S. Senate, and that is equity for our homemakers in this country for their retirement security. We talk about the importance of the work done inside the home. Mr. President, I think the work done inside the home is more important than the work done outside the home. Yet, we say to a homemaker, ''You cannot set aside $2,000 a year like those who work outside the home are able to do.'' So the homemaker, who is sacrificing to stay home and raise children will have the added disadvantage of not having the security in retirement that can be built up with the full $2,000 set aside; or if the homemaker loses his or her spouse after 15 or 20 years of marriage, there he or she is without that security in his or her own name that would allow that security to be there for their futures.

Mr. President, that is why we have tax cuts, so that we can provide more of an incentive for people to save. We have a new IRA that would apply to homemakers, as well as those who work outside the home, so they could put money aside that will build up tax free, and when you take it out, you will not have to pay taxes on any of that income. Now, that will be a spur for retirement security for our seniors. When you put that incentive in, now you are going to have the ability for people to take care of themselves better in their retirement years. Mr. President, that will make for a more stable America.

So we are fighting for a strong and stable America. We are really fighting for what made this country strong in the first place. Strong families built this country. If we are able to give tax breaks to families and more incentives to save for retirement security, that is going to strengthen the American family. That is one of the good results of tax cuts and allowing people to spend more of their own money.

So, Mr. President, we are at a fork in the road and we have a choice. We are standing for getting this country back on the right road so that we will have a strong America and the opportunity that a strong America will give for our children.

Mr. President, that is what the budget fight is about. That is why it has been so difficult, because our vision for the future of our country may be the same as the President's vision, but our ways of getting there differ greatly.

We believe that the only way we can make our country strong again is to stand firm for a 7-year balanced budget, with help for our families, giving incentives to people to save and invest, and giving people back the money they worked so hard for. Mr. President, we are standing for the hard-working, taxpaying, middle-class people of this country that deserve a break, and we are trying to give it to them. That is what this impasse is all about.

Mr. President, I yield the floor.

Mr. CHAFEE. I ask unanimous consent that I may be permitted to proceed for 10 minutes as in morning business.

The PRESIDING OFFICER (Mr. JEFFORDS). Without objection, it is so ordered.

THE ''NORTH CAPE'' OILSPILL

Mr. CHAFEE. Mr. President, last Friday, January 19, the barge *North Cape* ran aground on a sandbar off the coast of my home State of Rhode Island. It is estimated that more than 800,000 gallons of No. 2 diesel heating oil aboard the barge spilled into Block Island Sound, making this the worst oilspill in Rhode Island's history.

Alarmingly, the *North Cape* is grounded 100 yards offshore of the Trustom Pond National Wildlife Refuge, an area set aside as an inviolate sanctuary for migratory birds. So far, oil has penetrated salt ponds in the refuge, and along the southern coast, including Point Judith Pond, an important spawning area for winter flounder. The spill's effect may continue to have adverse impacts on fish and wildlife now that oil has entered the natural food chain in the area.

The cost to my State's environment and economy will be steep. Already, more than 11,000 lobsters have been killed by the spilled oil. Their carcasses, and those of clams, starfish, and other sea creatures, litter southern Rhode Island beaches. The Fish and Wildlife Service has collected over 300 oil-logged birds, of which more than 100 are dead, and 1 dead seal. Sadly, volunteers keep bringing in more casualties.

Because Rhode Island relies heavily on its coastal resources, the financial toll of the spill is heavy. Governor Almond has declared a state of emergency and has requested Federal disaster relief. According to Timothy Keeney, director of the Rhode Island Department of Environmental Management, damage to marine industries ultimately could run into the tens of millions of dollars.

I wish I could say that Rhode Island is a stranger to oilspills. Unfortunately, as recently as 1989, the *World Prodigy* oil tanker ran aground on Brenton Reef and leaked 420,000 gallons of oil into Narragansett Bay. And there have been a number of other spills over the years.

A constant theme in these crises has been the generosity and sacrifice demonstrated in the response of Rhode Islanders. Their response to the current spill is no exception. Volunteers—as many as 500 a day—have been pitching in energetically: bathing waterfowl, cleaning beaches, donating paper towels. It is inspiring to see individuals band together in an effort to combat a potential environmental disaster.

In addition, local environmental and emergency-preparedness officials have dropped everything. Federal workers are giving their all. My hat is off to these Government workers; people like Joe Dowhan and Paul Casey of the Fish and Wildlife Service, and Charlie Hebert, our Rhode Island Refuge Manager, who spent the first 36 hours of the crisis on his feet. Our State owes a debt of gratitude to all who have rolled up their sleeves.

While the willingness of Rhode Islanders to respond to this spill has been the same as in years past, one thing is different this time around. That is the fact that there is in existence comprehensive Federal oilspill legislation, the Oil Pollution Act, which Congress enacted in 1990. While many questions remain to be answered about why the *North Cape* spill occurred, the provisions of OPA 90 ensured that advance planning had been undertaken to expedite the response to the disaster. The law will also ensure that parties injured by the spill will receive compensation.

OPA 90 established a new national planning and response system to provide for more expeditious and well-organized responses to oilspills wherever and whenever they might occur. The system relies on a host of groups of experts and agency officials at numerous levels, including a National Response Unit, Coast Guard strike teams, 10 Coast Guard district response groups, and area committees. This structure ensures that battle stations are manned with alacrity. The immediate deployment of booms and other barriers along the south county shoreline, to keep the oil from contaminating fragile habitat, speaks to the wisdom of having such a response system in place at all times.

Furthermore, OPA 90 is designed to make sure that the polluter pays. In the case of the *North Cape*, its owner, Eklof Marine, based in Staten Island, has laudably come forward to accept responsibility for this accident. The company has provided ships, manpower, and other resources to assist in the cleanup.

As for the fishermen and others whose livelihood and property have been harmed by the oil, OPA 90 entitles them to compensation for their economic losses. The act mandates that a vessel that discharges oil is liable for the costs of the ensuing cleanup and damages, including those caused by loss of profits or impairment of earning capacity.

The act also provides that the Government, acting as public trustee for injured natural resources, may seek damages to restore the resources. This means that damages would be available to restore the fish and wildlife in Rhode Island's sensitive coastal areas, including habitat within the national wildlife refuge.

OPA 90 establishes four other categories of damages for which compensation is provided:

First, owners of real or personal property may seek damages for any economic loss arising from destruction of their property.

Second, a person who relies on injured natural resources for subsistence may seek damages for injury to those resources.

Third, the Government may seek damages for loss of tax revenue resulting from the spill.

Fourth, the Government may seek damages for net costs of providing additional public services necessary during or after cleanup of the spill.

Moreover, OPA 90 requires vessel owners to demonstrate evidence of financial responsibility at least up to the amount of a statutory liability cap—in the case of the *North Cape*, $10 million. Should claims be denied or left unsatisfied by the responsible party, OPA expanded the list of items for which compensation may be sought from the Oil Spill Liability Trust Fund. The fund currently contains more than $1 billion. In contrast, the former Clean Water Act Fund designated for oilspill cleanup was nearly bankrupt at the time of the *World Prodigy* spill. The current fund thus acts as a real safety net that helps guarantee payment of all damages arising from a spill.

Stepping back for a moment, the oilspill in Rhode Island is a perfect example of the need for strong environmental regulations. Thank goodness for OPA 90. Without it, the State and Federal Government would have been ill-prepared to cope with an oilspill of this magnitude, taking place in such rough weather conditions. Without it, Fish and Wildlife Service officials charged with the care of fragile waterfowl habitat would see many of their hard-won gains eroded, possibly for good. Without it, the lobster fishermen of southern New England would be robbed of their livelihood.

Just this week, the Washington Post reported on the results of a survey just completed by Republican pollster Linda DiVall, which—once again, I should emphasize—found strong, bipartisan backing nationwide for Federal laws that protect the environment. Ms. DiVall concluded that, ''Attacking the Environmental Protection Agency is a nonstarter.'' We should be emphasizing the safeguarding of reasonable and balanced environmental protection done in a more efficient manner.

Just about everyone in Rhode Island—and, indeed, anyone who has

viewed the oily sheen covering Rhode Island waters on the nightly television news—would say that Ms. DiVall has it just right.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. CHAFEE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. McCathran, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

REPORT OF THE DEPARTMENT OF TRANSPORTATION FOR FISCAL YEAR 1994—MESSAGE FROM THE PRESIDENT—PM 112

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Commerce, Science, and Transportation:

To the Congress of the United States:

In accordance with section 308 of Public Law 97–449 (49 U.S.C. 308(a)), I transmit herewith the Annual Report of the Department of Transportation, which covers fiscal year 1994.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *January 25, 1996.*

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. COHEN:

S. 1525. A bill to amend title 18 of the United States Code to prevent economic espionage and to provide for the protection of United States proprietary economic information in interstate and foreign commerce, and for other purposes; to the Committee on the Judiciary.

By Mr. JOHNSTON:

S. 1526. A bill to provide for retail competition among electric energy suppliers, to provide for recovery of stranded costs attributable to an open access electricity market, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. GREGG.

S. 1527. A bill to amend the Internal Revenue Code of 1986 to treat recycling facilities as solid waste disposal facilities under the tax-exempt bond rules, and for other purposes; to the Committee on Finance.

By Mr. BRADLEY.

S. 1528. A bill to reform the financing of Senate campaigns, and for other purposes; to the Committee on Rules and Administration.

S.J. Res. 47. A joint resolution proposing an amendment to the Constitution to permit the Congress to limit contributions and expenditures in elections for Federal office; to the Committee on the Judiciary.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. COHEN:

S. 1525. A bill to amend title 18 of the United States to prevent economic espionage and to provide for the protection of United States proprietary economic information in interstate and foreign commerce, and for other purposes; to the Committee on the Judiciary.

THE ECONOMIC ESPIONAGE AND PROTECTION OF PROPRIETARY ECONOMIC INFORMATION ACT OF 1995

Mr. COHEN. Mr. President, when France, Germany, Japan, and South Korea are included in a list of nations, we automatically assume that this must be a list of America's allies—our military and political partners since the end of the Second World War. Unfortunately, this is not only a list of America's trustworthy friends, it is also a list of governments that have systematically practiced economic espionage against American companies in the past—and continue to do so to this day.

The term ''espionage'' evokes images of the cloak-and-dagger side of the United States-Soviet confrontation in the cold war. Since the end of the East-West struggle, however, an equally damaging and pervasive form of spying has received increasing attention—the spying that nations undertake against foreign-owned corporations in order to give their own firms an advantage in the increasingly cut-throat world of international business.

Unlike the politico-military espionage of the cold war, economic espionage pits friendly nations against each other. Instead of military strategy and weapon technologies, the sought-after secrets in economic espionage are marketing strategies and production technologies. While the cost of politico-military espionage was reduced military security, and damage from economic espionage comes in the form of billions of dollars annually in lost international contracts, pirated products and stolen corporate proprietary information. The direct cost of this espionage is borne by America's international corporations. The indirect costs are borne by the American economy as a whole—jobs and profits are lost; the competitive edge is stolen away.

The 103d Congress adopted an amendment I sponsored requiring the President to submit an annual report on foreign industrial espionage targeted against U.S. industry.

The unclassified version of the President's first annual report, which is very understated compared to the classified version, acknowledged ''the post-cold-war reality that economic and technological information are as much a target of foreign intelligence collection as military and political information.'' The report goes on to state:

> In today's world in which a country's power and stature are often measured by its economic/industrial capability, foreign government ministries—such as those dealing with finance and trade—and major industrial sectors are increasingly look upon to play a more prominent role in their respective country's (economic) collection efforts. While a military rival steals documents for a state-of-the-art weapon or defense system, an economic competitor steals a U.S. companies proprietary business information or government trade strategies. Just as a foreign country's defense establishment is the main recipient of US defense-related information, foreign companies and commercially oriented government ministries are the main beneficiaries of US economic information. That aggregate losses that can mount as a result of such efforts can reach billions of dollars per year, constituting a serious national security concern.

According to Joseph Recci of the American Society for Industrial Security, ''American corporations are losing billions of dollars each year in valuable technology and proprietary information to foreign espionage.'' In a recent survey of Fortune 500 companies, the society notes that the number of corporations reporting that they have been victims of economic espionage has grown by 260 percent since 1985. Peter Schweizer, in his 1994 study of state-sponsored economic espionage, ''Friendly Spies,'' estimated that such espionage costs American business upwards of $100 billion annually.

This alarming trend in foreign corporate and state-sponsored economic espionage will continue in coming years. Intelligence agencies in industrialized nations have found themselves with a lot of time on their hands since the end of the cold war, and the governments of these nations have come to see economic competition as the new central threat to their national security. In testimony before the Senate Select Intelligence Committee earlier this year, then acting Director of Central Intelligence Adm. William Studeman predicted, ''the threat to U.S. economic interests will absolutely increase as foreign governments attempt to ensure the success of their companies.''

A few examples of actual cases should illustrate how pervasive the problem has become:

Pierre Marion, the former head of the French intelligence agency, the DGSE, has admitted that up to 15 hotel rooms of foreign business executives are broken into in Paris every day by DGSE agents. Proprietary papers are copied, and this information is then passed on to French companies to give them an edge in competition and negotiation.

Japanese, Korean, and German intelligence agents and corporations have

been known to recruit as spies midlevel managers and scientists at American high-technology corporations. In exchange for money, these Americans have provided the foreign agents with valuable trade secrets and formulas, destroying American companies' market leadership.

The foreign offices of American corporations are often subjected to wiretaps on their phones and infiltration of their foreign national staff by agents of the host country's intelligence service. American competitiveness, profits, and jobs are the cost.

I refer my colleagues to a statement I made on March 10, 1994—140 S 2731–38—for further examples of the foreign corporate and state-sponsored economic espionage that American firms face.

The United States has taken some steps to counter this pervasive problem, but action has been neither strong enough nor smart enough to make a real dent in foreign corporate and state-sponsored economic espionage in the United States and against Americans abroad. Admiral Studeman testified in January, ''the private sector's concerns about increasing signs of 'economic espionage' * * * are well founded. Despite the continuing necessity to protect sensitive sources and methods, more can and must be done against state-sponsored economic espionage.'' As the President's report delicately puts it: ''efforts across the government to investigate and counter economic and industrial intelligence collection activities were fragmented and uncoordinated * * * resulting in many partially informed decisions and diverging collection and analytical efforts.'' U.S. efforts, in plain English, are chaotic and largely ineffective, which is why I wrote last year's legislation requiring the President to report not only on the threat but also on how the Federal Government is organized to counter the threat and what changes in Federal organization and law could improve that effort.

In the closing days of the Bush administration, the Justice Department confirmed to me that legislation was required to improve law enforcement officials' ability to investigate and prosecute foreign industrial espionage. But it was not until this past year that Federal officials, after consulting with industry representatives, were able to identify for me specific legislative changes to accomplish this objective, and we have spent several months refining bill language.

I rise today, Mr. President, to offer the product of these efforts, the Economic Espionage and Protection of Proprietary Economic Information Act of 1995.

The act is designed to counter this threat by creating a criminal offense for engaging in foreign corporate or state-sponsored economic espionage. The bill also clarifies existing provisions of criminal statutes relating to stolen property and racketeering to make clear that they apply to foreign corporate and state-sponsored economic espionage. Finally, the bill punishes individuals and/or corporations found guilty of practicing foreign-sponsored economic espionage by fining them and banning them from import-export activity in the United States for 5 years following their conviction.

This bill has been carefully crafted in coordination with Federal law enforcement authorities and industry representatives. In establishing this criminal offense, the bill provides for those officials ordering the espionage to be held liable, as well as those who commit the act. It provides for forfeiture of any proceeds of and assets used in such espionage in accordance with the provisions of the Comprehensive Drug Abuse Prevention and Control Act of 1970. These provisions would apply to espionage committed outside the United States if committed by a U.S. citizen or if committed against an American and resulting in an affect in the United States. Finally, the bill would allow a court to take appropriate measures to ensure that protection of proprietary information during the prosecution of economic espionage cases.

Mr. President, it is imperative that the United States send a clear message to individuals and foreign governments and corporations—both our friends and our foes—that this country does not accept international corporate and state-sponsored economic espionage as a legitimate business practice. We must demonstrate our resolve to combat this unfair economic practice, regardless of who engages in it.

The free market system has been the source of America's prosperity and her world economic might. I ask you all to join me in supporting this legislation to fight a practice which is polluting the international free market and robbing our Nation's firms and workers of the success that their technological innovation and marketing know-how has earned them.

In a report entitled ''Economic Espionage: a Threat to U.S. Industry,'' the GAO stated the situation clearly: ''The loss of proprietary information and technology through espionage activity will have broadening detrimental consequences to both U.S. economic viability and our national security interests.''

I urge my colleagues to support the Economic Espionage Act to send a message to nations around the world that America will not tolerate unjust practices in international trade and the subverting of American firms' ability to compete fairly in the world marketplace.

By Mr. JOHNSTON:

S. 1526. A bill to provide for retail competition among electric energy suppliers, to provide for recovery of standard costs attributable to an open access electricity market, and for other purposes; to the Committee on Energy and Natural Resources.

THE ELECTRICITY COMPETITION ACT OF 1996

Mr. JOHNSTON. Mr. President, I am pleased today to introduce the Electricity Competition Act of 1996. This bill is intended to establish a framework for the transition of the electric industry from a regulated industry to a competitive, and deregulated, industry. Where markets are competitive, society should be saved the costs of unneeded regulation. America's electric system is the most technologically advanced and operationally safe electric system in the world. There is no doubt today that electric service can be supplied to all consumers—even retail consumers—in a fully competitive market.

Our goal then, should be to ensure that electricity markets will become competitive so that regulation will be unnecessary. Our goal must be to ensure price competition for electricity, which will create savings, efficiencies, and innovation.

This is not pie-in-the-sky economic theory. This bill will mean real savings for real people. For American families in the lowest 20-percent income bracket, a household's total utility bills are about equal to the total of mortgage/rent payments, taxes, and maintenance costs. Utility bills take slightly less of a middle-class family's disposable income, but the fact remains—a decrease in the average electric bill for the majority of middle-class Americans could achieve even greater benefits than a middle-class tax cut, without the drain on revenue which a tax cut would mean. We have the potential to gain these benefits, and we must seize this opportunity to do so.

There are six main elements of this legislation:

First, retail access. It's essential to clarify that the States are not preempted from ordering retail access. This clarification will enable the States to go forward with retail access programs without the fear of Federal preemption. Overlooking this clarification will bring years of litigation, impeding American consumers from receiving the benefits of lower electricity prices.

Second, stranded costs. When this industry moves from regulation to competition, there will be created what industry insiders refer to as ''stranded costs.'' This means the high costs of serving all customers under the old regulatory system, which cannot be recovered in a competitive market.

It is true that similar predicaments faced firms in other once regulated markets—railroads, airlines, natural gas, and telecommunications, for instance. But the electric utility industry is completely unique, and therefore, we must account for this difference.

First, the electric industry transition cannot take the same course as deregulatory efforts in other industries due to the staggering capital requirements necessary to generate electricity. The electric industry is the most capital intensive industry by far. The Edison

Electric Institute [EEI] estimates that for every dollar of electricity revenue, on average, $3.03 of capital assets is required. This is almost twice the amount of capital necessary for the next highest industry—mining, $1.74 and, three times higher than the communications industry—$1.09. Moodys Investors Service estimates that 87 of the largest investor owned utilities could lose $135 billion in stranded investment in the next 10 years. This is more than 80 percent of the total equity of these companies. Make no mistake about it. If we force the utilities to eat stranded costs, we will have a bankrupt industry.

Second, the vast majority of potential stranded costs—nuclear generation and alternative energy contracts under the Public Utility Regulatory Policies Act of 1978 [PURPA]—are the direct result of past Government energy policies. One analyst estimates that stranded cost potential for the nuclear industry is about $70 billion. This is just under two-thirds of the book value of the Nation's 108 nuclear operating plants. In addition, EEI estimates that PURPA contracts have committed utilities to pay at least $38 billion above market prices. Cambridge Energy Research Associates has estimated that standard costs attributable to PURPA in California alone are between $6.6 billion and $10.8 billion.

The old regulatory compact almost guaranteed recovery of the costs of Government energy policies. With competition, however, the market—not regulators—determines cost recovery. It is simply unfair to leave utilities holding the bag for the energy policies of the past.

It is clear that we need a healthy utility industry. One analyst surveying utility executives found that 50 percent of them believed that utility bankruptcies would increase in the near future. Under competition there will remain a very important role for utilities to serve core customers, including poor and rural customers. Many customers will want to stay with a traditional company, or will not shop for their electricity. Also, the market is best served by having many different players compete, including utilities. Because of the important role these companies play, the public interest is not served if utilities go bankrupt.

The final reason for stranded cost recovery is the legitimate expectation of investors. Utility investors stand to lose billions of dollars if stranded costs are not recovered. Who are these investors? Not Wall Street sharks—they are ordinary citizens who considered utility stocks to be a safe investment. According to an EEI survey of shareholder demographics, the majority of utility investors are of retirement age, or are approaching retirement age. The economic effect on these investors of stranded cost losses must not be forgotten.

We must encourage utilities to embrace competition. To do this, we must ensure that all costs incurred under the old regulatory compact are fully recovered in the transition to competition. Competition in this industry must be on a level playing field.

Recovery of all stranded costs is imperative. The Federal Energy Regulatory Commission has taken the lead on wholesale stranded cost recovery, and has done a great job. I believe FERC has the authority to also permit recovery of retail stranded costs, but it is essential that we clarify this authority through legislation. It is important to mandate that FERC ensure recovery of legitimate, prudent and verifiable retail stranded costs—only to the extent those costs slip through the cracks at the retail level. I would note that the Nuclear Regulatory Commission, which is primarily a licensing commission, certainly does not have the authority to require recovery of nuclear investments or nuclear decommissioning costs.

In short, if we do not enact legislation ensuring stranded cost recovery, most utilities will be reluctant to embrace competition. If we do not enact legislation, the transition to competition and lower electricity prices will be slower. If we do not enact legislation, corporate risk becomes unmanageable, and bankruptcies may occur. This is not in the public interest.

The third aspect of the bill is shared Federal and State responsibility. This bill respects the historical jurisdictional divide over the electric industry. The bill gives States the opportunity to structure their retail markets with programs suited to their local situations. Yet, the bill still holds State programs to one key Federal benchmark: competition. This gives a broad Federal policy ensuring competition, but leaves implementation to the States.

This bill would require States to begin proceedings to examine their local markets. States have three choices.

No. 1: set up a competitive wholesale procurement market.

No. 2: establish a program of retail access for all consumers; or

No. 3: devise their own program, as long as it ensures no self dealing and no unfair subsidies to alternative energy generators.

Utilities who aren't regulated by FERC or State PUC's would be required to make similar decisions. Also, States which are already in the process of moving forward with their own competitive programs would not have to start all over again.

The bill establishes a balanced framework. The Federal/State jurisdiction issue is a fine line to walk. Some will say the States should be given unfettered authority. Others will say that competition cannot wait, and that a federally mandated competitive market cannot come soon enough. In my view, a balanced policy which respects traditional federalism is the best policy.

Fourth, we have to establish a timetable for the transition to competition. We need a date certain when retail access will be the law of the land, although that may be some years down the road. A definite timetable for restructuring would remove this uncertainty. The timetable in the bill—2010—recognizes the need for the States to implement their own competition programs, and for the industry to get comfortable with retail competition.

Fifth, we must have a level playing field, and this means PURPA reform and repeal of the Public Utility Holding Company Act.

The bill provides for prospective PURPA reform. Utilities relied on the old regulatory system, and their legitimate expectations of recovery should be respected. The same is true for the contractual expectations of non-utility generators. Reform of PURPA is therefore appropriate on a prospective basis.

I believe PUHCA repeal is also essential even though it is not a part of this bill. I am the cosponsor of a bill with Senator D'AMATO and others which is currently before the Senate Banking Committee. The goal of that legislation is to put all electric utility companies on a level playing field, and to remove regulatory barriers which are no longer appropriate. I believe PUHCA repeal, with certain consumer protections, can go forward on a stand alone basis, but must be a part of comprehensive restructuring.

Sixth, the bill ensures nuclear decommissioning cost recovery, which is essential for the protection of public health and safety. Nuclear decommissioning costs are an extremely large percentage of many utilities' embedded costs. Several utilities have estimated their decommissioning liability to be in the billions of dollars. The law of the land should be that all nuclear decommissioning costs are recoverable. Moreover, no nuclear licensee should be able to avoid decommissioning liability.

This Nation cannot afford to miss this opportunity. This legislation is needed to avoid a patchwork of state policies, to bring competition to consumers on a rational timetable, and to standardize stranded cost recovery. It is essential that we make this commitment now, and set competition in motion. Every year, every month, every day that we lose debating the fine points of this transition means a loss of prosperity for this Nation. We are now fighting tooth and nail in a global economy where every dollar counts. Accordingly, this legislation is essential.

We all know that competition and deregulation have lowered prices in the national economy. What may not be so apparent is the huge ripple effect which lower electricity prices will create America. Consider these figures:

Some 90 percent of the U.S. gross domestic product is produced by the residential, commercial and industrial sectors. These sectors use 99.9 percent of

the Nation's electricity, and yet account for only 34 percent of the Nation's oil consumption The other 10 percent of the Nation's GDP—transportation—uses 66 percent of the Nation's oil. In many ways, electricity is overwhelmingly more important to America's economy than oil.

America recently spent $262 billion on electricity in 1 year. The data suggest that electricity consumption is almost three times the amount spent on the next highest commodity, natural gas. Also, electricity consumption is almost four times the amount spent on unleaded gasoline.

In addition, the economy has become increasingly dependent on electricity. Between 1973 and 1993 the U.S. industrial sector grew 70 percent. Industrial electricity use increased 45 percent during that time period, while combustible fuel use declined 12 percent.

This trend is expected to continue. The Energy Information Administration estimates that by the year 2010, 60 percent of all industrial, commercial, and residential fuel use will be consumed by utilities to generate electricity in order to meet electricity demand. In contrast, in 1973, only about 30 percent of all fuel use for these purposes went to generate electricity.

As these statistics demonstrate, changes in electricity prices have profound economic consequences. Lower electricity prices mean more jobs, more economic output, and more personal income. States with the lowest electricity prices are the most likely to attract new businesses and jobs.

The benefits of lowering electricity prices are staggering. Technological changes have enabled new generators to produce electricity at a price between 3 and 5 cent/kWh. However, costs in some regions of the Nation are anywhere between 9 and 15 cents/kWh. That's at least a factor of two, and at the most, a factor of five between regional delivered electricity prices. Considering that electricity makes up about 30 percent of production costs for steel manufacturing, to give an example, you can see that lower electricity prices will have a significant impact.

From this point forward, competition must be the electric industry standard. This bill will accomplish that goal.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1526

Be it enacted by the Senate and the House of Representatives of the United States of America in Congress assembled,

SECTION. 1. SHORT TITLE.

This Act may be cited as the ''Electricity Competition Act of 1996.''

SEC. 2. DEFINITIONS.

For purposes of this Act:

(1) The term ''affiliate'' means, with respect to a person, any other person that controls, is controlled by, or is under common control with such person.

(2) The term ''Commission'' means the Federal Energy Regulatory Commission.

(3) The term ''electric consumer'' has the meaning given the term in section 3(5) of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 2602(5)).

(4) The term ''electric utility'' has the meaning given the term in section 3(4) of the Public Utility Regulatory Policies Act of 1978 (16. U.S.C. 2602(4)).

(5) The term ''Federal agency'' has the meaning given the term in section 3(7) of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 2602(7)).

(6) The term ''new contract electricity'' means electric energy or capacity which is sought to be procured from a party other than the purchaser for a period exceeding 60 days.

(7) The term ''new generating source'' means electric generating capacity requirements, planned to be acquired by construction, which cannot be met from existing resources or entitlements, and which may be met through procurement of electric capacity.

(8) The term ''new renewable electric generation'' means electric generation from solar, wind, waste, biomass, hydroelectric or geothermal resources constructed after the enactment of this Act.

(9) The term ''nonregulated retail electric utility'' means any retail electric utility other than a State regulated retail electric utility.

(10) The term ''person'' has the meaning given the term in section 3(4) of the Federal Power Act (16 U.S.C. 796(4)).

(11) The term ''qualifying cogeneration facility'' has the meaning given the term in section 3(18)(B) of the Federal Power Act (16 U.S.C. 796(18)(B)).

(12) The term ''qualifying cogenerator'' has the meaning given the term in section 3(18)(C) of the Federal Power Act (16 U.S.C. 796(17)(D)).

(13) The term ''qualifying small power producer'' has the meaning given the term in section 3(17)(D) of the Federal Power Act (16 U.S.C. 796(17)(D)).

(15) The term ''retail electric utility'' means any person, State agency, or Federal agency which makes retail sales of electric energy to the public or distributes such energy to the public.

(16) The term ''State'' means a State admitted to the Union or the District of Columbia.

(17) The term ''State agency'' has the meaning given the term in section 3(16) of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 2602(16)).

(18) The term ''State regulated retail electric utility'' means any retail electric utility with respect to which a State regulatory authority has ratemaking authority.

(19) The term ''State regulatory authority'' means any State agency which has ratemaking authority with respect to the rates of any retail electric utility (other than such State agency), and in the case of a retail electric utility with respect to which the Tennessee Valley Authority has ratemaking authority, such term means the Tennessee Valley Authority.

(20) The term ''unbundled local distribution services'' means local distribution services which are offered by the seller of such services without the requirement that the purchaser of such local distribution services also purchase electric energy as a condition of the purchase of such local distribution services.

SEC. 3. PURPA REFORM.

(a) DEFINITION.—For purposes of this section the term ''facility'' means a facility for the generation of electric energy or an addition to or expansion of the generating capacity of such a facility.

(b) FACILITIES.—Section 210 of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 824a–3) shall not apply to any facility which begins commercial operation after the effective date of this Act, except a facility for which a power purchase contract entered into under such section was in effect on the effective date of this Act.

(c) CONTRACTS.—After the effective date of this Act, no electric utility shall be required to enter into a new contract or obligation to purchase or sell electric energy pursuant to section 210 of the Public Utility Regulatory Policies Act of 1978.

(d) SAVINGS CLAUSE.—Notwithstanding subsections (b) and (c), nothing in this Act shall be construed:

(1) as granting authority to the Commission, a state regulatory authority, electric utility, or electric consumer, to reopen, force the renegotiation of, or interfere with the enforcement of power purchase contracts or arrangements in effect on the effective date of this Act between a qualifying small power producer and any electric utility or electric consumer, or any qualifying cogenerator and any electric utility or electric consumer; or

(2) to affect the rights and remedies of any party with respect to such a power purchase contract or arrangement, or any requirement in effect on the effective date of this Act to purchase or to sell electric energy from or to a qualifying small power production facility or qualifying cogeneration facility.

SEC. 4. COMPETITIVE ELECTRICITY PROCEEDINGS.

(a) STATE REGULATORY AUTHORITIES.—

(1) COMPETITIVE OPTIONS.—Not later than six months after the date of enactment of this Act, each state regulatory authority not exempted from this section by section 7 shall initiate proceedings applicable to all state regulated retail electric utilities in the State to examine and consider—

(A) requirements which establish competitive electricity procurement markets that meet the minimum requirements of section 5 of this Act;

(B) a retail access plan which requires all state regulated retail electric utilities in the State to provide nondiscriminatory and unbundled local distribution services to all electric consumers of such state regulated retail electric utilities, in order that such electric consumers may choose among competing electric energy suppliers by January 1, 2002; and

(C) an alternative plan which meets the minimum requirements of section 6.

(2) CRITERIA.—In selecting among competitive options under paragraph (1), each state regulatory authority not exempted from this section by section 7 shall determine which option best serves the public interest, considering reliability, terms of service, and price.

(3) DECISION AND IMPLEMENTATION.—Not later than 18 months after the date of enactment of this Act, each state regulatory authority not exempted from this section by section 7 shall—

(A) select a competitive option provided for in paragraph (1) based on the proceedings required under this subsection; and

(B) render a decision by rule or order adopting such competitive option; and

(C) begin implementation of such competitive option not later than 60 days after rendering such a decision.

(b) NONREGULATED RETAIL ELECTRIC UTILITIES.—

(1) COMPETITIVE OPTIONS.—Not later than six months after the date of enactment of this Act, each nonregulated retail electric utility not exempted from this section by section 7 shall examine and consider, or

where applicable, initiate proceedings to examine and consider—

(A) procedures for the acquisition of new contract electricity and new generating sources by such nonregulated retail electric utility which meet the minimum requirements of section 5;

(B) a retail access plan which provides nondiscriminatory and unbundled local distribution services to all electric consumers of such nonregulated retail electric utility, in order that such electric consumers may choose among competing electric energy suppliers by January 1, 2002; and

(C) an alternative plan which meets the minimum requirements of section 6.

(2) CRITERIA.—In selecting a competitive option under paragraph (1), each nonregulated retail electric utility not exempted from this section by section 7 shall determine which option best serves the public interest, considering reliability, terms of service, and price.

(3) DECISION AND IMPLEMENTATION.—Not later than 18 months after the date of enactment of this Act each nonregulated retail electric utility not exempted from this section by section 7 shall—

(A) select a competitive option provided for in paragraph (1) based on the examination and consideration required under this subsection;

(B) provide public notice of such selection; and

(C) begin implementation of such competitive option not later than 60 days after providing such notice.

SEC. 5. PROCUREMENT MARKETS.

(a) APPLICABILITY.—

(1) Requirements or procedures to be established by a state regulatory authority or nonregulated retail electric utility pursuant to this section may apply to all or part of the new contract electricity and new generating sources to be procured by state regulated retail electric utilities within the State or, in the case of a nonregulated retail electric utility, to all or part of the new contract electricity and new generating sources to be procured by such nonregulated retail electric utility.

(2) If a state regulatory authority or nonregulated retail electric utility establishes requirements or procedures pursuant to this section that apply to only a part of the new contract electricity and new electric generating capacity to be procured by state regulated retail electric utilities within the state or, in the case of a nonregulated retail electric utility, to only a part of the new contract electricity and new generating sources to be procured by such nonregulated retail electric utility, such state regulatory authority or nonregulated retail electric utility must ensure that any other method of procuring new contract electricity and new generating sources meets the requirements for an alternative plan pursuant to section 6.

(b) MINIMUM REQUIREMENTS.—Requirements or procedures to be established by a state regulatory authority or nonregulated retail electric utility pursuant to this section shall, at a minimum—

(1) apply to all or part of the new contract electricity or new generating sources to be procured by the state regulated retail electric utilities within the State after the effective date of requirements adopted pursuant to section 4(a)(1)(A), or in the case of a nonregulated retail electric utility, to all or part of the new contract electricity or new generating sources to be procured by such nonregulated retail electric utility after the effective date of procedures adopted pursuant to section 4(b)(1)(A);

(2) provide for public notice, by electronic bulletin board, electronic trading system, or otherwise, of the purchaser's offer to acquire new contract electricity or new generating sources;

(3) provide an appropriate and reasonable time for interested suppliers to respond to the notice of the purchaser's offer to acquire, by electronic bulletin board, electronic trading system, or otherwise, considering the size and complexity of the offer to acquire;

(4) provide that no source or supplier of new contract electricity and new generating sources is excluded from competing to supply such new contract electricity or new generating source;

(5) provide that the purchaser is not excluded from supplying new electric generating capacity to itself, and that any affiliate of the purchaser is not excluded from supplying new contract electricity or new electric generating capacity to the purchaser;

(6) provide selection of the lowest cost supplier that otherwise meets the terms and conditions of the offer, consistent with reliability; and

(7) permit the purchaser to rescind or modify the offer at any time prior to the execution of a contract to supply electric energy.

SEC. 6. ALTERNATIVE PLANS.

(a) STATE REGULATORY AUTHORITIES.—

(1) Any alternative plan adopted by a state regulatory authority must ensure that any state regulated retail electric utility within the state may not unduly discriminate in favor of its own sources of generation supply, or in favor of its affiliate's sources of generation supply, or engage in other forms of self dealing that could result in above market prices to consumers; and

(2) Notwithstanding section 10, any alternative plan adopted by a state regulatory authority shall ensure that any above market costs of new renewable electric generation are allocated on a non-discriminatory basis to all electric consumers of all state regulated retail electric utilities within the State, in order that no such electric consumer or class of such electric consumers is required, without its express consent, to subsidize the costs of such new renewable electric generation to the advantage of any other such electric consumer or class of such electric consumers.

(b) NONREGULATED RETAIL ELECTRIC UTILITIES.—Any alternative plan adopted by a nonregulated retail electric utility must ensure that such nonregulated retail electric utility does not unduly discriminate in favor of its own sources of generation supply, or engage in other forms of self dealing that could result in above market prices to consumers.

SEC. 7. EXEMPTIONS.

(a) STATE REGULATORY AUTHORITIES.—A state regulatory authority shall be exempt from the requirements of section 4(a) if such state regulatory authority, as of the date of enactment of this Act—

(1) has adopted requirements which establish competitive electricity procurement markets that meet the minimum requirements of section 5 of this Act; or

(2) has adopted a retail access plan which requires all state regulated retail electric utilities in the State to provide nondiscriminatory and unbundled local distribution services to all electric consumers of such regulated retail electric utilities, in order that such electric consumers may choose among competing electric energy suppliers by January 1, 2004.

(b) NONREGULATED RETAIL ELECTRIC UTILITIES.—A nonregulated retail electric utility shall be exempt from the requirements of section 4(b) if such nonregulated retail electric utility, as of the date of enactment of this Act—

(1) has adopted procedures for its acquisition of new contract electricity and new generating sources which meet the minimum requirements of section 5; or

(2) has adopted a retail access plan which provides nondiscriminatory and unbundled local distribution services to all electric consumers of such nonregulated retail electric utility, in order that such electric consumers may choose among competing electric energy suppliers by January 1, 2004.

(c) CERTIFICATION.—If a State regulatory authority or nonregulated retail electric utility intends to attain exempt status under this section, it shall certify its intention by public notice no later than six months after the enactment of this Act. Such notice shall specify the grounds upon which the exemption is asserted. The notice shall constitute a final decision of the state regulatory authority or nonregulated retail electric utility for purposes of section 9.

(d) VOLUNTARY RETAIL ACCESS.—Any state regulated retail electric utility shall be exempt from any requirement imposed under sections 4, 5, or 6(a)(1) if such state regulated retail electric utility has filed a tariff for nondicriminatory and unbundled local distribution services, approved by its state regulatory authority, which provides such local distribution services to all electric consumers of such state regulated retail electric utility, in order that such electric consumers may choose among competing electric energy suppliers.

SEC. 8. MANDATORY RETAIL ACCESS.

(a) EFFECTIVE DATE.—Beginning on January 1, 2010, no retail electric utility shall prohibit any electric consumer from purchasing nondicriminatory and unbundled local distribution service or otherwise prohibit such electric consumers from choosing among competing electric energy suppliers.

(b) ENFORCEMENT.—If a State, state regulatory authority, or retail electric utility fails to comply with the requirements of this section, any aggrieved person may bring an action against such person or persons to enforce the requirements of this section in the appropriate federal district court, which court may grant appropriate relief.

SEC. 9. REVIEW AND ENFORCEMENT.

(a) STATE AUTHORITY.—Notwithstanding any other provision of this section, neither the Commission nor any court of the United States shall have jurisdiction to review the selection by a state regulatory authority or a nonregulated electric utility of a competitive option that meets the requirements of sections 4(a)(1)(B), 4(b)(1)(B), 5, and 6. Appeal from such a decision may be taken in accordance with applicable state law.

(b) COMMISSION REVIEW.—(1) Any person aggrieved by—

(A) a final order of a state regulatory authority or a nonregulated retail electric utility under section 4 or 7, or

(B) the failure of a state regulatory authority or nonregulated retail electric utility to initiate a proceeding or render a final decision in accordance with section 4 or 7—

may petition the Commission to enforce the requirements of sections 4(a)(1)(B), 4(b)(1)(B), 5, and 6.

(2) In any proceeding under this section, the Commission may:

(A) determine—

(i) whether the requirements or plan adopted by a state regulatory authority or nonregulated retail electric utility under sections 4(a)(1)(B), 4(b)(1)(B), 5, and 6 complies with the requirements of this Act, or

(ii) whether any action taken by the state regulatory authority or nonregulated retail electric utility to implement the requirements or plan complies with the requirements of this Act; and

(B) grant appropriate relief.

(c) REHEARING AND APPEAL.—Section 313 of the Federal Power Act shall apply to orders

of the Commission issued pursuant to this section.

SEC. 10. RENEWABLE ELECTRIC GENERATION.

Except as provided in subsection 6(a)(2), nothing in this Act shall be construed to prohibit:

(1) a State from encouraging the production of renewable electric generation under applicable State law; or

(2) the voluntary purchase of renewable electric generation by any electric utility or electric consumer.

SEC. 11. AMENDMENTS TO FEDERAL POWER ACT.

(a) TRANSMISSION ACCESS.—Section 212(h) of the Federal Power Act (16 U.S.C. 824k(h)) is amended by striking the following:

''Nothing in this subsection shall affect any authority of any State or local government under State law concerning the transmission of electric energy directly to an ultimate consumer.'',

and inserting in lieu thereof:

''Notwithstanding the other provisions of this subsection, the Commission may order, or condition orders upon, the transmission of electric energy to an ultimate consumer if the delivery of such electric energy would be accomplished through the provision of unbundled local distribution services under sections 4(a)(1)(B), 4(b)(1)(B), 7(a)(2) or 7(d) of the Electricity Competition Act of 1996.''.

(b) RETAIL ACCESS AND STRANDED COSTS.—The Federal Power Act is amended further by adding the following new sections after section 214.

''SEC. 215. STATE AUTHORITY TO ORDER RETAIL ACCESS.

''Nothing in this Act shall preclude a state regulatory authority, acting under authority of state law, from requiring an electric utility to provide local distribution service to any electric consumer.

''SEC. 216. AUTHORITY TO PROVIDE FOR STRANDED COSTS.

''(a) DEFINITIONS.—For purposes of this section—

''(1) the term 'utility' shall include any public utility, transmitting utility or electric utility;

''(2) the term 'stranded cost' shall be defined by the Commission, and shall include any legitimate, prudently incurred and verifiable cost previously incurred by a utility in order to provide service to an electric consumer, which cost:

(A) is not being, and except as provided in this section would not otherwise be, recovered in rates; and

(B) the utility has made reasonable attempts to mitigate.

''(b) AUTHORITY.—Notwithstanding any other provision of law, in determining or fixing rates, charges, terms and conditions under sections 205 and 206 of this Part, the Commission shall provide for the recovery of all stranded costs incurred by any utility transmitting or distributing electric energy not sold by such utility or any of its affiliates (which electric energy is sold to a customer and serves load of such customer previously served in whole or in part by such utility), included costs incurred to serve such customer not fully recovered at the time such distribution or transmission service is undertaken.

''(c) UNBUNDLED LOCAL DISTRIBUTION.—In acting pursuant to subsection (b) when determining or fixing rates subject to its jurisdiction, the Commission shall permit the recovery of all stranded costs to the extent a State or State regulatory authority requiring the provision of unbundled local distribution service has not permitted the recovery of all such costs in rates or lacks the authority under State law to permit such recovery.

''(d) LIMITATION.—The Commission shall have authority to determine or fix rates or charges under sections 205 and 206 for the provision of unbundled local distribution service by a utility solely as necessary to permit the recovery of stranded costs in accordance with this section.

''SEC. 217. RECIPROCITY.

''No retail electric utility or any affiliate of such utility may sell electric energy to or for the benefit of an ultimate consumer if the delivery of such electric energy will be accomplished through the provision of unbundled local distribution service under sections 4(a)(1)(B), 4(b)(1)(B), 7(a)(2), 7(b)(2) or 7(d) of the Electricity Competition Act of 1996.''.

SEC. 12. NUCLEAR DECOMMISSIONING COSTS.

To ensure safety with regard to the public health and safe decommissioning of nuclear generating units, the Commission, and all state regulatory authorities, shall authorize and ensure the recovery in rates subject to their respective jurisdictions, of all costs associated with federal and state requirements for the decommissioning of such nuclear generating units.

SEC. 13. AMENDMENTS TO BANKRUPTCY REFORM ACT.

Section 503(b) of the Bankruptcy Reform Act of 1978, 11 U.S.C. 503(b), is amended by adding at the end of the following new paragraph:

''(7) costs incurred in complying with Nuclear Regulatory Commission regulations or orders governing the decontamination and decommissioning of nuclear power reactors licensed under section 103 or 104b. of the Atomic Energy Act of 1954, 42 U.S.C. 2133 and 2134(b), regardless of whether such costs are reduced to a fixed amount.''.

By Mr. GREGG:

S. 1527. A bill to amend the Internal Revenue Code of 1986 to treat recycling facilities as solid waste disposal facilities under the tax-exempt bond rules, and for other purposes; to the Committee on Finance.

THE ENVIRNONMENTAL INFRASTRUCTURE FINANCING ACT OF 1996

● Mr. GREGG. Mr. President, I introduce the Environmental Infrastructure Financing Act of 1996. The bill will amend the Internal Revenue Code of 1986 to allow recycling facilities to be eligible for tax-exempt bond financing.

A continuing problem in the development of recycling efforts is the need for markets for the materials that are being collected. Processes exist for remanufacturing the recycled materials into new products, but they frequently require extensive capital investment.

An approach that is often attempted is the use of the Federal tax-exempt bond program, which does have a subcategory for solid waste projects. Solid waste recycling facilities should constitute a legitimate application of these funds; however, certain sections of the tax code define solid waste as being ''material without value.'' With recycled materials now being traded as commodities they do, in fact, have value, making the facilities which might process them ineligible for tax-exempt financing. This definitional problem impedes the construction of recycling facilities and hurts the development of recycling materials markets.

My bill will correct this problem in the tax code and allow recycling facilities to obtain tax-exempt financing. The Environmental Infrastructure Financing Act of 1996 will foster the further development of the recycling industry and promote increased recycling on the State and local level.●

By Mr. BRADLEY:

S. 1528. A bill to reform the financing of Senate campaigns, and for other purposes; to the Committee on Rules and Administration.

S.J. Res. 47. A joint resolution proposing an amendment to the Constitution to permit the Congress to limit contributions and expenditures in elections for Federal office; to the Committee on the Judiciary.

CAMPAIGN FINANCE REFORM LEGISLATION

Mr. BRADLEY. Mr. President, I rise to speak about the role of money in politics, and its consequences. I rise also to introducing a legislative proposal—a constitutional amendment and a bill—to free democracy from the power of money.

Mr. President, last fall a man approached me in New Jersey. He said, ''Senator, I worked at this place, in one job, for 22 years, In that 22 years, three different companies owned the place. In not one of the three companies did I vest for a pension, because none of them owned the place long enough. So I am now retiring, after 22 years of working here, without a pension, at all.''

A woman came up to me on my annual walk along the Jersey Shore and said, ''six months ago, my husband lost his job. Two months ago, I lost my job. We have three children and now we have no health insurance. I went to our pediatrician and he said if the kids get sick, he'll take care of them but Senator, this is America, and you shouldn't have to have a friendly pediatrician in order to get health care for your kids.''

In California, a white-collar worker named Ron Smith who lost his job at McDonnell-Douglas 2 years ago told a journalist how his sense that he was ''starting to lose my grip'' feeds into the divisiveness that is tearing our country apart: ''I get angry, and a lot of anger is coming out,'' he said. ''I'm blaming everyone, minorities, aliens coming across the border. I don't know how much truth there is to it. I mean, I don't think there are any planners and engineers coming across the border. [But] it hurts when you go to an interview and you know damn well you can do the job, and you know they are looking at you and thinking, 'Forget it.'''.

In the last 7 years, 100,000 people lost their jobs with GE, 60,000 at IBM, 40,000 at Sears. The merger of Chase Manhattan with Chemical Bank will mean the loss of 12,000 jobs. And AT&T just announced that they will eliminate 40,000 more jobs, most of them this year.

My colleague Senator BIDEN recently told me that at the Hercules Corp.'s research center outside Wilmington, the downsizing has accelerated and become

brutal. When employees arrive at their office building on Monday morning, they know that they have been fired when they see a Pinkerton security man standing outside their office door. Usually he tells them that he's sorry and he knows they've worked hard for 22 years, but could they please have their desk cleaned out by noon—and if they don't mind, he'll stand at the door, because the company doesn't want to take the chance that the computer system will be sabotaged. On Mondays at the Hercules Center, no one carpools, because it is impossible to predict who will be going home at noon.

The heavy footsteps of downsizing, relocation, part-time jobs, temp jobs, middle age without health care and retirement without a pension may be near or still distant, but they are heard in every home. People are working harder for less. In 1973 the average production, nonsupervisory wage was $315. In 1994 it was $256. That's about 70 percent of workers. During the first 6 months of 1993, the Clinton administration announced that 1.3 million jobs had been created, to which a TWA machinist replied, ''Yeah, my wife and I have four of them.'' And indeed, over half of the newly created jobs were part time.

For all but the fabulously wealthy, the idea that working hard can lead to a secure future, a chance to provide a better life for your children, and an adequate retirement is slipping away. I hear this fear everywhere: Among the urban working poor, in suburban living rooms, at factory gates, and among engineers with Ph.D.'s and 30 years of experience with large, still-profitable corporations.

The most painful part of it for me as someone who entered politics with a belief that government could make people's lives better and more secure, is that the political process seems deaf, almost willfully deaf, to the economic anxieties of nonwealthy Americans. Instead of using public power to balance the excesses of private power and enhance opportunity, too many politicians continue playing the proverbial fiddle while the lives of working people become more desperate.

Democrats and Republicans both march along the well-worn paths of symbolic politics, waving flags labeled ''welfare,'' ''crime,'' and ''taxes'' to divide Americans and win elections. Republicans cling to the illusion that government is the problem—even the enemy of freedom—and that less government and free markets will automatically relieve the fears of working Americans. Democrats cling to old programs, like worker retraining, without ever stopping to ask whether those programs are actually working to change lives for the better or whether jobs are available for the workers we're training.

The political process is paralyzed. Democracy is at a standstill. The budget stalemate is only the latest headline. The Federal Government has not been able to act decisively and with public consensus behind it in years. On health care, on taxes, on creating jobs, on reforming welfare, we have been at continual deadlock.

Democracy is paralyzed not just because politicians are needlessly partisan. The process is broken at a deeper level, and it won't be fixed by replacing one set of elected officials with another, any more than it was fixed in 1992 or 1994. Citizens believe that politicians are controlled: by special interests who give them money, by parties which crush their independence, by ambition for higher office that makes them hedge their position rather than call it like they really see it, and by pollsters who convince them that only the focus group phrases can guarantee them victory. Citizens affected by the choices we have to make about spending and regulation simply don't trust that the choice was made fairly or independently, or in some cases even democratically. They doubt that the facts will determine the result, much less the honest convictions of the politicians. Voters distrust government so deeply and so consistently that they are not willing to accept the results of virtually any decision made by this political process.

Tell people in my State of New Jersey as I did in 1989–90 that the Tax Reform Act of 1986 reduced their Federal taxes by $1 billion a year and they don't believe you because their State and local tax increases offset the reduction. It's gotten to the point that I've had constituents call on the phone to ask how I voted on a particular bill. When my office tells them that the vote hasn't occurred yet, they don't believe you because a radio talk show host who hadn't done his homework said otherwise. For at least 6 years, since the repeal of the catastrophic care legislation in 1989, through the erosion of environmental laws, to the failure of health care reform and the backlash against the crime bill last year and the budget this year, every major step government has taken has been jeopardized by this mistrust, by a deep and widespread conviction that politicians are acting is their own individual interests rather than acting as honest representatives of the democratic will. There are several reasons for this phenomenon, but one of them is money.

Those who think it's just a matter of perception that politics is driven by money should consider the following facts:

In House-Senate negotiations over reform of telecommunications laws, which are still in progress, one large telephone company, Ameritech, appears to have won a special provision allowing it to build a monopoly in the burglar and fire alarm business, while its competitors are prohibited from entering that industry. Ameritech's PAC gave almost half a million dollars last year in 600 separate contributions to hundreds of Members of Congress of both parties, primarily those on committees with jurisdiction over its industry.

Another company, Golden Rule Insurance, Inc., gives over $900,000 in PAC money and soft money contributions to Members of Congress, and hundreds of thousands more to organizations affiliated with Speaker GINGRICH. In return, the company wins endorsement of medical savings accounts, an insurance product that only Golden Rule offers and which would cost the Treasury $4 billion, as a centerpiece of the Republican Medicare reform.

Lobbyists for big corporate contributors sit in the offices of congressional leaders and write the legislation to repeal a century's worth of environmental protections.

New Members of the congressional majority, while billing themselves as reformers, collect on average more than $60,000 from Washington-based political action committees in just the first 6 months in office, a year and a half before they seek reelection. Some take more than $100,000 in their first days.

State legislatures, where most politicians get their start and which others treat as a modest, part-time contribution to citizenship, have been taken over by the same forces of money that captured Congress. State legislative races now routinely cost what congressional races used to cost. In New Jersey last year, State Senate candidates spent a record $8 million on 80 races, most of which were not competitive contests. Illinois Assembly and Senate candidates raised $49 million, $2.4 million of it from out-of-State interests, such as gambling companies that seek licenses and new markets.

I have cited more examples involving the new Republican majority than Democrats not because they are uniquely corrupt, but because these incidents are more recent, and money apparently flows to the winners when power shifts. While these abuses are not new, the amounts involved and the level of conflict seem to multiply every few years, with this year's congressional freshmen taking twice as much money from PAC's right away than the freshmen who came to office in 1993. I saw one estimate that said that, in total, at all levels of government in 1996, nearly $1 billion would be spent.

So the story becomes clear. Economic anxiety eats away at people who work in America. Government fails or refuses to respond. Voters develop a profound and unyielding mistrust of the legislative process. Legislators, including some of those posing as reformers, surrender their offices and their consciences to corporate lobbyists and big contributors with narrow interests to protect. Or, if they maintain their integrity, as many do, they still have to swim in dirty water which makes it even more difficult to stay clean. And amid biennial promises of change, nothing ever changes.

It's a story Americans have heard before. It's the story of the late 19th century, the era of the spoils system and recurrent scandal, when politics became hostage to the money power of Wall Street financiers, railroads, and industrialists, when each Senator was virtually the property of whichever magnate had engineered his appointment. It was a time when Washington was dominated by endless debates about the tariff—a dispute between wealthy financiers and wealthy manufacturers—quite willfully ignoring the economic plight of the vast majority of Americans who were farmers, miners, and factory workers, or women and African-Americans prohibited from voting. The theologian Walter Rauschenbusch wrote of that time that ''In political life one can constantly see the cause of human life pleading long and vainly for redress, like the widow before the unjust judge. Then suddenly comes the voice of property, and all men stand with hat in hand.''

Our Nation's history demonstrates that the conduct of democracy is not an abstraction. When politics becomes hostage to money, as it did in the late 19th century, and as it increasingly is today, people suffer. Neither economic opportunity nor economic security is given the place it deserves in our national ambitions. There is still a very tangible relationship between the level of opportunity and security available to every American family and the extent to which we can keep our democracy secure and separate from the force of money.

The late 19th century was the last time, until now, that America's prosperity failed to translate into higher wages and increased security for American workers. Teddy Roosevelt called the moneymen of politics, ''the gloomy anticipations of our gold-ridden, capitalist-bestridden, userer-mastered future.'' But the path to a better 20th century rested on four progressive principles: Universal suffrage; direct election of Senators; initiative and referendum to give the people a direct check on policy; and campaign finance reform. Although Theodore Roosevelt proposed that ''Congress provide an appropriation for the proper and legitimate expenses of each of the great national parties [and] no party receiving campaign funds should accept more than a fixed amount from any individual,'' only modest disclosure requirements were adopted at the time.

Until we had radically reformed our democracy, to take it away from the Goulds and Vanderbilts and give it back to the people, we could not become the kind of nation that protected seniors from abject poverty, that protected children from abuse, that respected the heritage of the land. But, over time, the failure to complete action on that last reform, on the role of money in politics, became a more glaring omission. As the television replaced the Grange hall, the saloon, or the town square as the central forum for public debate, money became an ever more important factor in who ran for office and who was elected. Today we see people spend $28 million to run for the Senate, a President raising $44 million for a primary campaign that doesn't exist, and individuals contributing hundreds of thousands of dollars to campaigns by funneling them through the various State parties.

Many accomplished and capable people are right now considering whether to become candidates for the House and Senate. They should be asking themselves, ''Can I work hard enough to do a good job?'' or ''Do I have new ideas that would benefit my constituents?'' Instead, they are wondering ''Can I find a thousand individuals and PAC's willing to give me almost a million dollars?'' and ''Is there an interest group willing to spend a lot of money to defeat my opponent?''

Money not only determines who is elected, it determines who runs for office. Ultimately, it determines what government accomplishes—or fails to accomplish. Under the current system, Congress, except in unusual moments, will inevitably listen to the 900,000 Americans who give $200 or more to their campaigns ahead of the 259,600,000 who don't.

Real reform of democracy, reform as radical as those of the progressive era, and deep enough to get government moving again, must begin by completely breaking the connection between money and politics. It must eliminate all the interested money—that is, money with strings attached, from all congressional races.

We have to start by understanding what has happened to past efforts to free politics from the grip of money. Three profound misconceptions have led to the demise of every recent proposal to reform campaign finance.

The first misconception is constitutional. The Supreme Court in 1976, in the case of Buckley versus Valeo, held that a rich man's wallet is no different than a poor man's soapbox. Restrictions on total campaign spending, and on wealthy individuals using their own money to buy an office, were held to be equivalent to restrictions on free speech. Even reformers who found this logic absurd have felt it necessary to tiptoe around the Supreme Court, building elaborate contraptions of incentives and voluntary spending limits rather than risking the Court's wrath by simply declaring it illegal to buy a seat in the House or Senate, with your own money or someone else's. On something as crucial to democracy as the role of money in elections, a role that has destructively expanded every year I have been in the Senate, the Constitution is the place to fix the thwarting of the people's will.

The second misconception is similar, but runs deeper. It is rooted in a failure to understand that democracy and capitalism are separate parts of the American dream, and that keeping that dream alive depends on keeping one from corrupting the other. Speaker GINGRICH, for example, has accused those who advocate spending limits of ''nonsensical socialist analysis based on hatred of the free enterprise system.'' He has compared the $600 million spent on congressional elections with the $300 million spent to advertise three new antacids, and concluded that politics is underfunded. GINGRICH is not the only person who holds this view, but he makes the sharpest accusations. I would respond by saying that I have no hatred for the free enterprise system, but it is not the same as democracy. Market share is not political power. Democracy and civil society have a different ethic from the marketplace. Democracy requires calm and thoughtful deliberation, and a willingness to accept losing in a fair process, and civil society proceeds from a belief that giving without expectation of return is the highest human gift. Both ethics are much different from the frenetic quest for market share and profit.

The third misconception is that different sources of money in politics are more or less corrupting than others. When politicians write what they call campaign finance laws they try to protect their own sources of funding while cutting off those sources that primarily go to their opponents. Thus the endless hairsplitting between political action committees, individual contributors, personal wealth of candidates, soft money, and independent expenditures. Some proposals even draw distinctions among various types of political action committees, banning some and protecting others.

The result, Mr. President, has been legislative proposals that tiptoe around actually limiting spending on campaigns; that claim to reduce corruption but don't challenge the idea that money should decide elections; and that draw endless distinctions among different types of money. If any of these proposals became law, they would make very little difference. But the biggest problem with these tortured, hairsplitting, incremental approaches is that voters can't understand them. They don't see, just as I don't see, how these bills would actually fix what's wrong with democracy. As a result, there are no consequences for politicians who block these proposals, so that even incremental reforms never pass, even when they appear to have momentum.

To free our democracy from the power of money, I believe we have to start with two straightforward principles:

First, money is not speech. A rich man's wallet does not merit the same protection as a poor man's soapbox.

Second, all interested money in politics is potentially corrupting. Whether it comes from an individual, a PAC, or a candidate's own investments, it sometimes comes with strings attached, and limiting one source will only open up others. Money in politics

is like ants in the kitchen. You have to close every hole, or they will find a way in.

Today I want to present a specific legislative proposal that builds a realistic structure for a new era in American democracy around these basic principles.

I would start by amending the Constitution simply to clarify that political money is not speech. I will put forward an amendment that would give every State and the U.S. Congress explicit authority to limit spending in campaigns and contributions from any sources. Such an amendment, or a reconsideration by the Court of its decision in Buckley, would be an essential underpinning of any real reform.

I have supported few constitutional amendments during my time in public life, and I have been especially skeptical of those that sought to limit rights. However, I am convinced that this amendment would protect rights by strengthening democracy. It would not limit the first amendment, but would clarify that the right to buy an election is not a form of freedom of expression.

We should also consider the possibility that our current system of campaign finance is as deeply unconstitutional as any reform might be. Years ago the Court outlawed so-called white primaries, in which the white voters who controlled Democratic parties in southern States met to decide who their candidate would be. Today we have a wealth primary, where wealthy contributors determine who has the opportunity to run for office and who we have a chance to vote for. This amendment would eliminate the wealth primary and give every American an opportunity not only to run for office but to vote for who they want to.

With the constitutional misconception out of the way, I would start from scratch. This proposal would focus on Senate elections, but would provide a model for elections to the House, State legislatures, governorships, or even the handling of referenda. I would give the citizens of each State direct control over how much money would be spent in their State's elections. I would say to each taxpayer, in each State, you have an opportunity to give from $1 to $5,000 per year, but only to a campaign in your State. You would contribute it by adding it to your tax liability and sending the checks with your tax return. But you would be contributing to the election campaign, not to a candidate. All the money would go into a shared fund, and every Senate election year, on Labor Day, the candidates would take the fund and divide it equally among all qualified candidates—Republican, Democrat, or qualified independent.

Outside of the money from the common fund, Senate candidates could not raise or spend any money from PAC's, individual donors, the party, or their own pocketbooks to further their candidacy. If the voters and taxpayers concluded that they liked the level of information and advertising they got from a $20 million campaign—if they agreed with Speaker GINGRICH, in other words—they could choose that kind of election. If they wanted a cheaper election they could choose that option by their votes on the tax return.

To ensure that all candidates have an opportunity, an equal opportunity, to reach all voters, I would reclaim part of the public airwaves as a public forum. Every broadcast licensee, radio or television, would be required as a condition of licensing to provide 2 hours of free time to every candidate, 1 hour in prime time, in units of at least 1 minute. The airwaves are public property. They now offer the closest thing we have to a shared culture and a common forum for discussion of ideas. That forum should not be available only to the highest bidder. We have not only a right to insist that broadcasters provide that space, but a responsibility to ensure that the public's airspace is used in the interest of rebuilding democracy.

Who would be a qualified candidate, eligible to receive money from the common fund and broadcast time? Any party that had received 10 percent of the vote in the previous two Senate elections would automatically qualify once it selected a candidate. Independent candidates and new parties would be required to obtain signatures of 5 percent of all eligible voters in the State, but once they qualified, the candidates and their ideas would be treated equally. A candidate who refused to participate in at least one debate would be completely shut out—he could not participate in the shared fund or raise money separately.

Candidates seeking the nomination of a major party would not receive funds or broadcast time for the primary, and would be permitted to raise private funds. But they would be required to raise 100 percent of those funds in contributions of $100 or less.

That's it. For the general election there would be no PAC's. No private contributions from wealthy individuals. No bundling of contributions from the executives of a company to evade PAC limits. No money from out of State. No candidates using their own funds. No refusal to debate. All the sources of potential corruption in the current system would be cut off. Speech would be protected; money would be restricted.

This proposal won't sound like anything we've heard before. It will take people a while to get used to it. Some people will worry that there won't be enough money for good campaigns. But if that is so and the people are less informed, that will be their choice. No longer will special interests control it. But keep in mind that TV and radio accounts for about 50 percent of the cost of campaigns. With free broadcast time, the money which will be cut, if voters choose a low-budget campaign, would be the money that candidates spend on polling, consultants, gifts, and the rest. The process of providing information to voters would more than likely be protected, but then again, if it decreases, it will be the citizens' choice.

Other people will be offended at the idea of contributing to democracy, rather than to a candidate. Some people said to me, ''I don't want my money to be shared with Senator HELMS?'' or ''Why should I contribute to Senator KENNEDY?'' That's a fair concern. But as things now stand, an incumbent can raise as much as $17 million, $10 million more than even a well-funded opponent. Putting that incumbent and his or her opponents on a level playing field is far more important than the $1,000 that any of us, as an individual, can give to either candidate in that race. If you have the strength of your convictions, there is no reason to fear a fair fight.

Others will say that the proposal helps incumbents, but incumbents have an even bigger financial advantage in the present system and they are defeated regularly. Besides, if doing your job well helps you get reelected, who can criticize it?

Finally, still others may note that I have supported public financing of campaigns in the past and this is not exactly public financing. Indeed, it is not public financing. It does not take taxpayer dollars and provide them to political campaigns. It is not public financing, but it is public control of elections. As long as voters mistrust politicians as they do, we're not going to get past the skepticism about public financing. We have to rebuild that trust first, and I think that giving voters control of campaigns is the way to do it.

I believe there is a deep hunger for this kind of reform. I have been very impressed by the energy of activists at the State level, who are using one breakthrough in democracy—the initiative and referendum—to break down the barriers to another, campaign finance reform. Never before have we seen so much grassroots activity on the issue of campaign finance reform. In 1994, ballot initiatives won in Missouri, Oregon, and Montana, as well as the District of Columbia in 1992. And, so far, we can expect in 1996 initiatives in Maine, California, and Alaska, Arkansas, and Colorado. Other States where groups are considering initiative drives include Wisconsin, Nebraska, South Dakota, and Illinois. The initiatives on the ballot this year are radical and serious. Whether they emphasize modest public financing or limiting contributions to $100, they are big, uncompromised reforms that would go a long way toward freeing State legislatures from the grip of moneyed interests. I consider those State activists my partners in this reform proposal, and I believe they deserve to have a proposal on the table in Washington that is as radical, as serious, and as real as what people are talking about in the States.

Many politicians and academics may focus on what they see as the worst possible outcome of this proposal: that voters, given control, might choose to sharply cut back the amount of money available in campaigns. Indeed, they seem to be contributing less in the Presidential checkoff. But if that happens, the worst consequence would be a resurgence of door-to-door campaigning, of politicians listening instead of polling, and of campaigns led by candidates and their ideas rather than consultants and their focus-group-tested messages. In other words, the system would adjust in what could very well be a way that reinvigorates citizen participation. To argue against changing the status quo that everyone knows compromises democracy is a terribly pessimistic position. Now is the time to be bold.

At its best, however, I believe that giving voters control over campaigns will be enough to return democracy to the people, freeing it from the power of money. It could restore confidence and faith in the legitimacy of democratic decisionmaking, freeing both Congress and the Presidency from the cycle of gridlock, action, and backlash. Ultimately, it will free our democracy to do what it can do when it works well: use the power of government to build a structure of economic security and economic opportunity for all American families.

Mr. President, I ask unanimous consent that a summary of the proposal along with the text of both the constitutional amendment and the Senate Campaign Finance Reform Act be included in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 1528

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Senate Campaign Finance Reform Act of 1996''.

SEC. 2. SENATE ELECTION CAMPAIGN FINANCING.

(a) AMENDMENT OF THE FEDERAL ELECTION CAMPAIGN ACT OF 1971.—The Federal Election Campaign Act of 1971 is amended by adding at the end the following new title:

''TITLE V—SENATE ELECTION CAMPAIGN FINANCING

''SEC. 501. SENATE CAMPAIGN FINANCING.

''No Senate candidate or authorized committee of a Senate candidate shall accept any contribution with respect to a general election or make any expenditures with respect to a general election except as provided in this title.

''SEC. 502. REQUIREMENTS FOR RECEIPT OF BENEFITS.

''(a) ELIGIBLE SENATE CANDIDATE.—For purposes of this title, a Senate candidate is an eligible Senate candidate if the candidate files a declaration with the Secretary of the Senate under penalty of perjury stating that—

''(1) the candidate agrees in writing to participate in at least 2 debates, sponsored by a nonpartisan or bipartisan organization, with all other candidates for that office who are receiving payments under this title;

''(2) the candidate and the candidate's authorized committees will not accept any contribution with respect to a general election or make any expenditure with respect to a general election except from funds provided under this title;

''(3) the candidate and the authorized committees of such candidate did not accept contributions, or make expenditures, for the primary or runoff election in excess of the limitations under subsection (b); and

''(4) the candidate and the authorized committees of such candidate—

''(A) will deposit all payments received under this title in an account insured by the Federal Deposit Insurance Corporation from which funds may be withdrawn by check or similar means of payment to third parties; and

''(B) will furnish campaign records, evidence of contributions, and other appropriate information to the Commission.

''(b) PRIMARY AND RUNOFF EXPENDITURE AND CONTRIBUTION LIMITATIONS.—The requirements of this subsection are met if—

''(1) the candidate and the candidate's authorized committees have not received contributions from any individual for the primary or runoff election which in the aggregate exceed $100;

''(2) all contributions received by the candidate and the candidate's authorized committees are from individuals; and

''(3) the candidate and the candidate's authorized committees did not make expenditures for the primary or runoff election in excess of 50 percent of the total amount that will be available to all candidates in the State for the general election under section 504(b) (based on the State's estimate of the total amount made 30 days prior to the date of the primary or runoff election).

''(c) TIME FOR FILING.—The declaration under subsection (a) shall be filed not later than 7 days after the earlier of—

''(1) the date the candidate qualifies for the general election ballot under State law; or

''(2) if, under State law, a primary or runoff election to qualify for the general election ballot occurs after September 1, the date the candidate wins the primary or runoff election.

''SEC. 503. CERTIFICATION BY COMMISSION.

''(a) REQUEST.—Each eligible Senate candidate seeking to receive benefits under this title shall submit a request to the Commission, at such time and in such manner as the Commission may require in regulations, containing—

''(1) a copy of the declaration filed pursuant to section 502(a);

''(2) such additional information as the Commission may require in regulations; and

''(3) a verification signed by the candidate and the treasurer of the principal campaign committee of such candidate stating that the information furnished in support of the request is correct and fully satisfies the requirements of this title.

''(b) CERTIFICATION.—

''(1) ISSUANCE.—Not later than 48 hours after a Senate candidate files a request with the Commission to receive benefits under this title, the Commission shall—

''(A) issue a certification to each candidate who satisfies the requirements of section 502;

''(B) calculate the amount of payments to which such candidate is entitled pursuant to section 504; and

''(C) transmit notification of the certification to the Secretary of the Senate.

''(2) REVOCATION.—The Commission shall revoke such certification if the Commission determines a candidate fails to continue to satisfy the requirements of section 502.

''(c) DETERMINATIONS BY COMMISSION.—All determinations (including certifications under subsection (b)) made by the Commission under this title shall be final and conclusive, except to the extent that they are subject to judicial review under section 505.

''SEC. 504. BENEFITS ELIGIBLE SENATE CANDIDATES ENTITLED TO RECEIVE.

''(a) USE OF FREE BROADCAST TIME.—

''(1) IN GENERAL.—Each eligible Senate candidate shall be entitled to free broadcast time as provided under section 315A of the Communications Act of 1934.

''(2) BROADCAST DURATION.—Free broadcast time shall be used in segments of not less than 1 minute.

''(b) GENERAL ELECTION CAMPAIGN FINANCING.—

''(1) AMOUNT OF PAYMENTS.—(A) Each eligible Senate candidate in a State shall receive a payment for the general election in an amount equal to the State share divided by the number of eligible Senate candidates in the State.

''(B) For purposes of this paragraph, the term 'State share' means, with respect to a State, the sum of—

''(i) 50 percent of the funds in the Senate Election Campaign Fund which are attributable to donations from taxpayers from such State and which remain in the fund after the last election for the office of United States Senator in that State, and interest allocable to such portion, plus

''(ii) 50 percent of the funds in the Senate Election Campaign Fund which are attributable to donations from taxpayers from such State after such election and before the 2d calendar year preceding the calendar year of the election, and interest allocable to such portion, plus

''(iii) 100 percent of the funds in the Senate Election Campaign Fund which are attributable to donations from taxpayers from such State during the 2 calendar years preceding the calendar year of the election, and interest allocable to such portion.

''(C) For purposes of this paragraph, donations made to the Senate Election Campaign Fund which are included with an income tax return for a taxable year under section 6097 of the Internal Revenue Code of 1986 shall be treated as made on the last day of the calendar year in which the taxable year ends.

''(2) FREE BROADCAST TIME.—Free broadcast time provided pursuant to subsection (a) shall not be used in calculating the amount a candidate is entitled to receive under this subsection.

''SEC. 505. JUDICIAL REVIEW.

''(a) JUDICIAL REVIEW.—Any agency action by the Commission made under this title shall be subject to review by the United States Court of Appeals for the District of Columbia Circuit upon petition filed in such court not later than 30 days after the agency action by the Commission for which review is sought. It shall be the duty of the Court of Appeals, ahead of all matters not filed under this title, to advance on the docket and expeditiously take action on all petitions filed pursuant to this title.

''(b) APPLICATION OF TITLE 5.—The provisions of chapter 7 of title 5, United States Code, shall apply to judicial review of any agency action by the Commission.

''(c) AGENCY ACTION.—For purposes of this section, the term 'agency action' has the meaning given such term by section 551(13) of title 5, United States Code.

''SEC. 506. PARTICIPATION BY COMMISSION IN JUDICIAL PROCEEDINGS.

''(a) APPEARANCES.—The Commission is authorized to appear in and defend against any action instituted under this section and under section 505 either by attorneys employed in its office or by counsel whom it may appoint without regard to the provisions of title 5, United States Code, governing appointments in the competitive service,

and whose compensation it may fix without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title.

''(b) INSTITUTION OF ACTIONS.—The Commission is authorized, through attorneys and counsel described in subsection (a), to institute actions in the district courts of the United States to seek recovery of any amounts determined under this title to be payable to the Secretary of the Treasury.

''(c) INJUNCTIVE RELIEF.—The Commission is authorized, through attorneys and counsel described in subsection (a), to petition the courts of the United States for such injunctive relief as is appropriate in order to implement any provision of this title.

''(d) APPEALS.—The Commission is authorized on behalf of the United States, to appeal from, and to petition the Supreme Court for certiorari to review of, judgments or decrees entered with respect to actions in which it appears pursuant to the authority provided in this section.

''SEC. 508. PAYMENTS RELATING TO CANDIDATES.

''(a) ESTABLISHMENT OF CAMPAIGN FUND.—

''(1) ESTABLISHMENT.—There is established on the books of the Treasury of the United States a special fund to be known as the 'Senate Election Campaign Fund'.

''(2) APPROPRIATIONS.—(A) There are appropriated to the Fund for each fiscal year, out of amounts in the general fund of the Treasury not otherwise appropriated, amounts equal to any contributions by persons which are specifically designated as being made to the Fund.

''(B) The Secretary of the Treasury shall, from time to time, transfer to the Fund an amount not in excess of the amounts described in subparagraph (A).

''(C) Amounts in the Fund shall remain available without fiscal year limitation.

''(3) AVAILABILITY OF FUNDS.—Amounts in the Fund shall be available only for the purposes of making payments required under this title.

''(4) ACCOUNTS.—The Secretary of the Treasury shall maintain such accounts in the Fund as may be required by this title or which the Secretary of the Treasury determines to be necessary to carry out this title.

''(b) PAYMENTS UPON CERTIFICATION.—Upon receipt of a certification from the Commission under section 503, the Secretary of the Treasury shall promptly pay the amount certified by the Commission to the candidate out of the Senate Election Campaign Fund.

''(c) MANAGEMENT OF FUND.—The provisions of section 9602 of the Internal Revenue Code of 1986 shall apply to the Senate Election Campaign Fund.

''SEC. 507. REPORTS TO CONGRESS; REGULATIONS.

''(a) REPORTS.—

''(1) REQUIREMENT.—The Commission shall, as soon as practicable after each election, submit a full report to the Senate setting forth—

''(A) the expenditures (shown in such detail as the Commission determines appropriate) made by each eligible Senate candidate and the authorized committees of such candidate;

''(B) the amounts certified by the Commission under section 503 as benefits available to each Senate candidate; and

''(C) the balance in the Senate Election Campaign Fund, and the balance in any account maintained by the Fund.

''(2) PRINTING.—Each report submitted pursuant to this section shall be printed as a Senate document.

''(b) RULES AND REGULATIONS.—The Commission is authorized to prescribe such rules and regulations, in accordance with the provisions of subsection (c), to conduct such examinations and investigations, and to require the keeping and submission of such books, records, and information, as it deems necessary to carry out the functions and duties imposed on it by this title.

''(c) STATEMENT TO SENATE.—Not later than 30 days before prescribing any rule or regulation under subsection (b), the Commission shall transmit to the Senate a statement setting forth the proposed rule or regulation and containing a detailed explanation and justification of such rule or regulation.''.

(b) PROVISIONS TO FACILITATE VOLUNTARY CONTRIBUTIONS TO SENATE ELECTION CAMPAIGN FUND.—

(1) GENERAL RULE.—Part VIII of subchapter A of chapter 61 of the Internal Revenue Code of 1986 (relating to returns and records) is amended by adding at the end the following:

''Subpart B—Designation of Additional Amounts to Senate Election Campaign Fund

''Sec. 6097. Designation of additional amounts.

''SEC. 6097. DESIGNATION OF ADDITIONAL AMOUNTS.

''(a) GENERAL RULE.—Every individual (other than a nonresident alien) who files an income tax return for any taxable year may designate an additional amount which is not less than $1 and not more than $5,000 to be paid over to the Senate Election Campaign Fund established under section 508 of the Federal Election Campaign Act of 1971.

''(b) MANNER AND TIME OF DESIGNATION.—A designation under subsection (a) may be made for any taxable year only at the time of filing the income tax return for the taxable year. Such designation shall be made on the page bearing the taxpayer's signature.

''(c) TREATMENT OF ADDITIONAL AMOUNTS.—Any additional amount designated under subsection (a) for any taxable year shall, for all purposes of law, be treated as an additional income tax imposed by chapter 1 for such taxable year.

''(d) INCOME TAX RETURN.—For purposes of this section, the term 'income tax return' means the return of the tax imposed by chapter 1.''.

(2) CONFORMING AMENDMENTS.—(A) Part VIII of subchapter A of chapter 61 of such Code is amended by striking the heading and inserting:

''PART VIII—DESIGNATION OF AMOUNTS TO ELECTION CAMPAIGN FUNDS

''Subpart A. Presidential Election Campaign Fund.

''Subpart B. Designation of additional amounts to Senate Election Campaign Fund.

''Subpart A—Presidential Election Campaign Fund''.

(B) The table of parts for subchapter A of chapter 61 of such Code is amended by striking the item relating to part VIII and inserting:

''Part VIII. Designation of amounts to election campaign funds.''.

(3) EFFECTIVE DATE.—The amendments made by this subsection shall apply to taxable years beginning after December 31, 1995.

(c) AMENDMENT OF COMMUNICATIONS ACT OF 1934.—Title III of the Communications Act of 1934 (47 U.S.C. 301 et seq.) is amended by inserting after section 315 the following new section:

''FREE BROADCAST TIME FOR SENATE CANDIDATES

''SEC. 315A. (a)(1) Notwithstanding section 315, a licensee shall make available 2 hours of free broadcast time to each eligible Senate candidate (as defined in section 502 of the Federal Election Campaign Act of 1971) in each State within its broadcast area. The licensee shall make at least 1 hour of the free broadcast time available during a prime time access period.

''(2) A licensee shall make free broadcast time available pursuant to this section during the period beginning on the date that is 90 days before the date of a general election or special election for the Senate and ending on the day before the date of the election.

''(3) As used in this subsection, the term 'prime time access period' means the time between 7 p.m. and 10 p.m. of a weekday.

''(b) An appearance by a Senate candidate on a news or public service program at the invitation of a broadcasting station or other organization that presents such a program shall not be counted toward time made available pursuant to subsection (a).

''(c)(1) A licensee shall make available free broadcast time in accordance with this subsection to any eligible Senate candidate (as defined in section 502 of the Federal Election Campaign Act of 1971) in each State within its broadcast area if—

''(A) broadcast time was made available by the licensee and the payment for such time constituted an independent expenditure (as defined in section 301(17) of the Federal Election Campaign Act of 1971 (2 U.S.C. 431(17)); and

''(B) such independent expenditure was in opposition to, or on behalf of an opponent of, such eligible Senate candidate.

''(2) A person who reserves broadcast time the payment for which would constitute an independent expenditure within the meaning of section 301(17) of the Federal Election Campaign Act of 1971 (2 U.S.C. 431(17)) shall—

''(A) inform the licensee that payment for the broadcast time will constitute an independent expenditure; and

''(B) inform the licensee of the names of all candidates for the office to which the proposed broadcast relates.

''(3) Free broadcast time under this subsection shall be provided within a reasonable period of time after the broadcast time constituting the independent expenditure described in paragraph (1), and shall be for the same class and amount of time, and during the same period of the day, as such broadcast time.''.

SEC. 3. SOFT MONEY OF POLITICAL PARTIES.

(a) LIMITATIONS ON POLITICAL PARTY COMMITTEES.—Title III of the Federal Election Campaign Act of 1971 is amended by inserting at the end the following new section:

''POLITICAL PARTY COMMITTEES

''SEC. 324. (a) LIMITATIONS ON NATIONAL COMMITTEES.—(1) A national committee of a political party, including the congressional campaign committees of a political party, and any entity that is established, financed, maintained, or controlled by a national committee of a political party, including the national congressional campaign committees of a political party, and any officer or agents of such party committees or entity, shall not solicit or accept contributions or transfers not subject to the limitations, prohibitions, and reporting requirements of this Act.

''(2) Any amount solicited, received, expended, or disbursed directly or indirectly by a national, State, district, or local committee of a political party during a calendar year which might affect the outcome of a Federal election shall be subject to the limitations, prohibitions, and reporting requirements of this Act, including—

''(A) voter registration;

''(B) get-out-the-vote activity;

''(C) generic campaign activity; and

''(D) any communication that identifies a Federal candidate (regardless of whether a State or local candidate is also mentioned or identified).

''(b) STATE, DISTRICT, AND LOCAL COMMITTEES.—(1) Subsection (a) shall not apply to expenditures or disbursements made by a State, district, or local committee of a political party for—

''(A) a contribution to a candidate other than for Federal office, if such contribution is not designated or otherwise earmarked to pay for activities described in subsection (a)(2);

''(B) the costs of a State, district, or local political convention;

''(C) the non-Federal share of a State, district, or local party committee's administrative and overhead expenses (excluding the compensation in any month of any individual who spends more than 20 percent of his or her time on activity during such month which may affect the outcome of a Federal election), as determined under subsection (c);

''(D) the costs of grassroots campaign materials, including buttons, bumper stickers, and yard signs, which solely name or depict a State or local candidate; and

''(E) the cost of any campaign activity conducted solely on behalf of a clearly identified State or local candidate, excluding activities described under subsection (a)(2).

''(2) For purposes of paragraph (1)(C), the non-Federal share of a party committee's administrative and overhead expenses shall be determined by applying the ratio of the non-Federal disbursements to the total Federal expenditures and non-Federal disbursements made by the committee during the previous Presidential election year to the committee's administrative and overhead expenses in the election year in question.

''(c) FUNDRAISING EXPENDITURES.—Any amount spent by a national committee of a political party, including the congressional campaign committees of a political party, and any entity that is established, financed, maintained, or controlled by a national committee of a political party, including the national congressional campaign committees of a political party, and any officer or agents of such party committees or entity to raise funds that are used, in whole or in part, in connection with the activities described in subsection (b) shall be made from funds subject to the limitations, prohibitions, and reporting requirements of this Act.''.

(b) RESTRICTIONS ON FUNDRAISING BY CANDIDATES AND OFFICEHOLDERS.—Section 315 of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a) is amended by adding at the end the following new subsection:

''(i)(1) The limitations, prohibitions, and reporting requirements of this Act shall apply to the solicitation for, and receipt of funds by, a candidate for Federal office, an individual holding Federal office, or any agent of such candidate or officeholder, in connection with any Federal election.

''(2) Paragraph (1) shall not apply to the solicitation or receipt of funds by an individual who is a candidate for a non-Federal office if such activity is permitted under State law.''.

(c) REPORTING REQUIREMENTS.—

(1) NATIONAL COMMITTEES.—Section 304 of the Federal Election Campaign Act of 1971 (2 U.S.C. 434) is amended by adding at the end the following new subsection:

''(d) POLITICAL COMMITTEES.—(1) The national committee of a political party, any congressional campaign committee of a political party, and any subordinate committee of either, shall report all receipts and disbursements during the reporting period, whether or not in connection with an election for Federal office.

''(2) Any political committee to which paragraph (1) does not apply shall report any receipts or disbursements that are used in connection with a Federal election.

''(3) If a political committee has receipts or disbursements to which this subsection applies from any person aggregating in excess of $200 for any calendar year, the political committee shall separately itemize its reporting for such person in the same manner as required in subsection (b) (3)(A), (5), or (6).

''(4) Reports required to be filed under this subsection shall be filed for the same time periods required for political committees under subsection (a).''.

(2) REPORT OF EXEMPT CONTRIBUTIONS.—Section 301(8) of the Federal Election Campaign Act of 1971 (2 U.S.C. 431(8)) is amended by inserting at the end the following:

''(C) The exclusion provided in subparagraph (B)(viii) shall not apply for purposes of any requirement to report contributions under this Act, and all such contributions aggregating in excess of $200 shall be reported.''.

(3) REPORTS BY STATE COMMITTEES.—Section 304 of the Federal Election Campaign Act of 1971 (2 U.S.C. 434), as amended by paragraph (1), is amended by adding at the end the following new subsection:

''(e) FILING OF STATE REPORTS.—In lieu of any report required to be filed by this Act, the Commission may allow a State committee of a political party to file with the Commission a report required to be filed under State law if the Commission determines such reports contain substantially the same information.''.

(4) OTHER REPORTING REQUIREMENTS.—

(A) AUTHORIZED COMMITTEES.—Section 304(b)(4) of the Federal Election Campaign Act of 1971 (2 U.S.C. 434(b)(4)) is amended—

(i) by striking ''and'' at the end of subparagraph (H);

(ii) by inserting ''and'' at the end of subparagraph (I); and

(iii) by adding at the end the following new subparagraph:

''(J) in the case of an authorized committee, disbursements for the primary election, the general election, and any other election in which the candidate participates;''.

(B) NAMES AND ADDRESSES.—Section 304(b)(5)(A) of the Federal Election Campaign Act of 1971 (2 U.S.C. 434(b)(5)(A)) is amended—

(i) by striking ''within the calendar year''; and

(ii) by inserting '', and the election to which the operating expenditure relates'' after ''operating expenditure''.

SEC. 4. PUBLIC SERVICE ANNOUNCEMENTS.

Beginning on September 1 and continuing through November 1 of each election year, the Federal Election Commission shall carry out a program, utilizing public service announcements, to provide basic information to the public about—

(1) voter registration, including locations and times; and

(2) voting requirements.

SEC. 5. EFFECTIVE DATE.

(a) IN GENERAL.—Except as otherwise provided in this Act, the amendments made by, and the provisions of, this Act shall take effect on the date of enactment of this Act, but shall not apply with respect to activities in connection with any election occurring before December 31, 1996.

(b) CONTRIBUTIONS AND EXPENDITURES BEFORE DATE OF ENACTMENT.—This Act, and the amendments made by this Act, shall not apply to contributions and expenditures made before the date of enactment of this Act.

S.J. RES. 47

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States within seven years from the date of its submission by the Congress:

''ARTICLE—

''SECTION 1. The Congress shall have the power to set limits on expenditures made by, in support of, or in opposition to the nomination or election of any person to Federal office.

''SECTION 2. The Congress shall have the power to set limits on contributions by individuals or entities by, in support of, or in opposition to the nomination or election of any person to Federal office.

''SECTION 3. The Congress shall have the power to enforce, by appropriate legislation, the provisions of this article.''.

GIVING ELECTIONS BACK TO CITIZENS—SUMMARY OF THE BRADLEY PROPOSAL

This proposal would restore democracy to American elections by removing *all* the corrupting sources of money in campaigns and giving voters direct control over how much money is spent in a Senate election. It would not force taxpayers to fund politics through public financing, but it would equalize funding among candidates and provide free media time. Candidates would have to compete on their ideas, and once elected, to serve all their constituents without favoring contributors.

1. CONSTITUTIONAL AMENDMENT

Amend the Constitution to clarify that Congress has the power to set limits on contributions and expenditures in support of, or in opposition to, any candidate for Federal office.

The spending limits implicit in the legislative proposal directly confront the Supreme Court's 1976 ruling in Buckley v. Valeo equating political money with free speech. If the Court will not reconsider this ruling, this amendment will correct it.

2. TAX CHECK-OFF

Add a new Senate General Election Campaign Fund line to each tax return, and allow all filers to designate between $1 and $5,000 as an add-on to taxes. Funds added-on by taxpayers in each state will be designated for Senate elections in that state only.

3. DISTRIBUTION OF FUNDS AMONG CANDIDATES

Each Senate election year, all funds received in the preceding two years (plus one-half of any funds remaining from previous years) will be divided among all qualified candidates after the nomination process has been completed in each state. All qualifying party candidates and independents will receive an equal share.

To qualify, a party or an independent candidate must obtain signatures of 5% of all registered voters in the state. Parties that have received 10% of the vote in two of the previous four Senate elections automatically qualify.

No candidate may accept or spend funds from any source other than the common fund. All candidates must participate in at least two debates with all other candidates.

4. BROADCAST TIME

Each broadcast licensee must make available to each eligible Senate candidate two hours of free broadcast time, of which at least one hour must be during prime time. Each broadcaster must make time available to candidates in all states in its broadcast area. Free time must be made available during the 90 days preceding the election. Appearances during news or public service programs will not count.

Free broadcast time will be allocated in segments of 1–30 minutes, at the candidates' choice.

The Federal Election Commission will also be required to develop a program of public

service announcements providing basic information about voting requirements, voter registration, and election dates and locations, which broadcasters may carry in fulfillment of their basic public service requirements.

5. NOMINATING PROCESS

Candidates for any party's Senate nomination may accept only contributions of $100 or less. No candidate for a party's nomination may spend more than 50% of the total amount that will be available in the total fund for candidates in the general election, as estimated by the state 30 days before the primary.

A candidate for nomination who did not comply with these rules would be ineligible for all funding and free broadcast time in the general election.

6. PARTY MONEY/SOFT MONEY

Contributions to state and national party organizations will be limited to $1,000 from individuals.

7. INDEPENDENT EXPENDITURES

Broadcast licensees that accept independent expenditures for advertisements that make reference to any Senate candidate must provide equal, free time to allow any candidate mentioned negatively in the original ad to respond. If a candidate is mentioned positively, the licensee must allow all opponents the same amount of time to respond.

SOURCES OF CORRUPTION ELIMINATED IN THIS PROPOSAL

PACs (eliminated by ban on outside contributions).

Wealthy individual contributors (same).

''Bundling'' to evade PAC limits (same).

Wealthy candidates (personal wealth cannot be used).

Out of state money (all money in common fund comes from in-state taxpayers).

Money funneled through party committees without disclosure or limits.

Lack of debates (debate participation required).

ADDITIONAL COSPONSORS

S. 1028

At the request of Mrs. KASSEBAUM, the name of the Senator from Massachusetts [Mr. KERRY] was added as a cosponsor of S. 1028, a bill to provide increased access to health care benefits, to provide increased portability of health care benefits, to provide increased security of health care benefits, to increase the purchasing power of individuals and small employers, and for other purposes.

S. 1473

At the request of Ms. SNOWE, the name of the Senator from Michigan [Mr. ABRAHAM] was added as a cosponsor of S. 1473, a bill to authorize the Administrator of General Services to permit the posting in space under the control of the Administrator of notices concerning missing children, and for other purposes.

S. 1520

At the request of Mr. HELMS, the names of the Senator from Alaska [Mr. STEVENS] and the Senator from Oklahoma [Mr. INHOFE] were added as cosponsors of S. 1520, a bill to award a congressional gold medal to Ruth and Billy Graham.

ADDITIONAL STATEMENTS

DEFENSE AND PRISON SPENDING DURING THE BUDGET NEGOTIATIONS

• Mr. SIMON. Mr. President, in the past few weeks, budget negotiations have ground to a halt. Unfortunately, both Republicans and Democrats have focused their budget-cutting attentions too narrowly on certain parts of the total budget pie, while ignoring other large portions of the budget. While both sides have offered to put everything on the table, two areas of enormous Federal spending have not been on the table: national defense and prisons.

I would like to call the attention of my colleagues to a recent Chicago Sun-Times column, written by William Rentschler, entitled ''Sacred Cows of Arms, Prisons Are Milking the U.S. Budget.'' The column describes the irrationality of giving billions of tax dollars to the military-industrial complex and the prison industry with virtually no congressional debate, as we simultaneously scrutinize other programs in the difficult quest to balance the budget.

As the column suggests, current budget proposals insulate significant parts of the budget from any reductions. Instead of making cuts in all areas of Federal spending, current budget proposals target programs such as Medicare, Medicaid, child nutrition, and Head Start, which provide essential services for the elderly, children and the poor, or education and training initiatives that make the American dream possible for many ordinary citizens. In fact, the budget reconciliation plan passed by the Republicans would establish budget firewalls that allow defense spending in the next 7 years to increase by $33 billion over the request by the Department of Defense.

For 15 years, I have fought for a balanced budget amendment to the Constitution. I have done so in the firm belief that persistent budget deficits pose a grave threat to the future prosperity and vitality of the Nation. However, my support for the goal of a balanced budget does not mean that I support cutting deeply into only certain parts of the budget, while leaving other parts of the budget completely untouched.

I urge my colleagues to read the column and to work with me toward balancing the budget in a way that is sensible and fair.

I ask that the Chicago Sun-Times column be printed in the RECORD.

The column follows:

[From the Chicago Sun-Times, December 25, 1995]

SACRED COWS OF ARMS, PRISONS ARE MILKING THE U.S. BUDGET

(By William Rentschler)

Ordinary cows are generally placid and quite harmless. But sacred cows can be downright fearsome, even a danger to the well-being of a nation.

It is two monstrous sacred cows, snorting and stomping and emitting mushroom clouds of gaseous propaganda, that stand in the way of a rational balanced budget that is fair to both the poor and the powerful.

Most politicians on both sides of the aisle—including President Clinton and his Republican adversaries—cringe at the thought of bringing to heel these voracious gobblers of vast feedlots of tax dollars.

Sacred Cow No. 1 is the ''military/industrial complex,'' which Dwight D. Eisenhower, career military hero, warned against when he left the presidency in 1960.

If Clinton, Newt Gingrich and Bob Dole had the backbones to curb the bloated appetite of the military and its handmaidens in Congress, there would be no budget impasse, no shutdown of government, no need to balance the budget on the backs of the poor and infirm, no need to devastate the environment, education, workplace and food safety, drug prevention/treatment, and a host of other social programs.

The most credible critic of outlandish defense spending in the wake of the Cold War is the Washington-based Center for Defense Information, a think tank run not by what Gingrich and Rush Limbaugh would berate as mushy-minded liberals, but by three retired U.S. Navy admirals.

CDI's triad of flag officers brands as ''scandalous'' and ''outrageous'' today's defense budget, which represents 47 percent of all discretionary federal spending. That's nearly half of all discretionary tax dollars to feed the ultimate sacred cow in peacetime.

The admirals state unequivocally that we could reduce military spending by more than $500 billion over the next seven years ''without jeopardizing America's status as the preeminent military power in the world.'' This, they say, would preclude draconian cuts proposed by Republicans in Congress ''to vital domestic programs.''

Sacred Cow No. 2—not yet as fat but equally formidable in its stranglehold on Congress and state legislatures—is the ''prison/industrial complex'' or the ''punishment industry,'' as it is described by sociologists J. Robert Lilly and Mathieu Deflem.

The U.S. incarceration rate is the highest in the world. On any day more than 1.5 million people are locked up. The reasons are clear. The prison propagandists, who profit from punishment extremes, have terrified the public, rigged sentencing statutes to assure an ever-increasing demand for more cells, and conned politicians into throwing tax dollars mindlessly into prison building, stuffing and staffing.

Both sacred cows are classic examples of free enterprise run amok. We implement unsound policy and practice driven by greed and the almighty buck. Billions are at stake as companies elbow each other to supply the ''punishment industry.'' The prison-builders get ever-fatter as they graze unrestrained in the backyards of taxpayers. The prize, according to Lilly and Deflem, is $22 billion in annual sales divided among about 300 private firms.

What politicians—there are a few—will risk having the demagogues, lobbyists and editorial writers call them ''soft'' on national security or crime? Or will turn their backs on the cornucopia of dollars poured into their campaign coffers by these free-spending, yet sacrosanct, bovines?

So there is no rational debate on the merits, and we continue to squander billions on unneeded weapons and prisons. CDI reports that the House devoted exactly 32 minutes to its approval of the $240 billion military budget in 1994. That's $7.5 billion per minute!

Sad, isn't it, that we the people allow ourselves to be hoodwinked to this extent year after year.

Republicans in Congress, especially Gingrich and the hot-eyed freshmen, speak grandly about balancing the budget to protect our

children and grandchildren. In truth, the future will be assured for some children and grandchildren—those whose parents and grandparents are members of Congress or otherwise comfortably fixed. Far greater numbers will be cast adrift in the new century.●

HONORING LINDA D. WILLIAMS FOR 25 YEARS OF SERVICE TO MARYLAND'S SENATORS

● Ms. MIKULSKI. Mr. President, I rise today to pay tribute to a dedicated Senate employee who, on February 1, 1996, will celebrate her 25th year of service to Maryland's Senators. Linda D. Williams started her career with my distinguished predecessor and friend, Senator Charles McC. Mathias in 1971. She served his office with distinction and enthusiasm for 15 years. While working for Senator Mathias, she helped bring his office into the high technology era of computers.

When I came to the Senate in 1987, I asked Linda to be my systems administrator, and she has not missed a beat. Gone are the days of carbon copies and in are the days of high-speed computers, sophisticated software, and the Internet. I have relied on Linda Williams to guide me through this maze of technology, so that I might use it to better serve the people of Maryland. I can say with a great deal of pride and happiness that Linda has helped me make the most of these opportunities. Even more important, she has helped the people of Maryland in the process.

With her help, I was one of the first Senators to have a world wide web page. Now, my staff and I navigate the NET with abandon, and my constituents navigate their way to my office online. This exciting technology will help open our democracy to more and more people. I was lucky to have Linda Williams here to see the process through.

Mr. President, I have a great deal of respect for people who have a sense of duty, for people who want to help themselves. I admire people who take on a task, make it their own, and see it through to the end. Many of these successful people live and work in Maryland. They are teaching in our schools, nursing our veterans, exploring space, and finding the cures for disease. I'm proud that one of these people is in my own office. I salute Linda Williams for her dedication, and I look forward to her next 25 years serving Maryland's Senators.●

ON THE FORTY-EIGHTH ANNIVERSARY OF SRI LANKA'S INDEPENDENCE

● Mrs. FEINSTEIN. Mr. President, I rise today to bring some thought and consideration to the 48th anniversary of Sri Lanka's independence from colonial rule.

Sri Lanka, which had been dominated by Portuguese, Dutch, and, of course, one and a half centuries of British rule, has emerged in the final decades of this century as a nation firmly committed to democracy and the rule of law.

The last few years have brought tremendous gains for democracy and freedom throughout the world, and while we applaud the successes in Eastern Europe and the former Soviet Union, we should not overlook the progress this island of some 17 million citizens has made on its own.

Since 1982, when J.R. Jayewardene was elected the first post-colonial president, Sri Lanka has held regular national elections notable for their peaceful transitions of power between its two major political parties: the United National Party [UNP] and the Sri Lanka Freedom Party [SLFP], or coalitions led by them.

Sri Lanka's third presidential election was held on November 9, 1994 with former Prime Minister Chandrika Kumaratunga winning with 62 percent of the vote. Voter turn-out was an impressive 70.5 percent. The most recent parliamentary elections were held in Sri Lanka on August 16, 1994, with the UNP and the SLFP winning a roughly equal number of seats.

President Kumaratunga intends to continue with wide-ranging, significant economic reforms that are moving Sri Lanka away from state controls and subsidies to a more decentralized, market-oriented system. This has allowed Sri Lanka to maintain a significant 5 percent average annual growth rate throughout the last decade.

Sri Lanka has also proven its commitment to providing for the basic human needs of its people. Since independence, successive Sri Lankan Governments have maintained a policy of free education from the primary level through the university level. The literacy rate, for both men and women alike, is an impressive 90 percent. The Sri Lankan Government also provides an extensive program of free health care, which includes child immunization. Sri Lanka boasts an average life expectancy of 70 years and an infant mortality rate of 19/1000 which is highly remarkable for this region of the world.

The United States has ties with Sri Lanka dating back to the nineteenth century, ties that have greatly strengthened since Sri Lanka's independence. We are now Sri Lanka's biggest trading partner with our annual bilateral trade standing at $1.4 billion. We also maintain ties to Sri Lanka through bilateral educational, information and cultural programs. The United States has a continuing, active Peace Corps Volunteer Program there, and has operated a Voice of America Station in Sri Lanka for more than 40 years.

Unfortunately, Sri Lanka continues to experience the tragedies of political violence, resulting primarily from the Tamil insurgency in the North and, to a lesser extent, from a mainly Sinhalese group in the South. The news we hear about Sri Lanka here in the United States all too often focuses only on these ongoing conflicts, which have brought death and suffering to Sri Lanka for over 10 years.

It is my hope that Sri Lanka will one day resolve its internal disputes and that peace will return to this nation which has demonstrated such an impressive commitment to democracy. President Kumaratunga has expressed her intention to seek a political solution to the ethnic conflicts and has announced a set of proposals aimed at devolving power to the regions. She has also reiterated her pledge to address minority grievances through dialog and negotiation.

On the 48th anniversary of Sri Lanka's independence, I would like to express my support to President Kumaratunga as she works to determine a lasting solution to the ethnic conflicts in Sri Lanka. I share her hope that peace, reconciliation, and a system of nonviolent negotiation between all parties will soon prevail for the people of Sri Lanka.●

ADJOURNMENT UNTIL TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate stands in adjournment until 12 noon, Friday, January 26, 1996.

Thereupon, the Senate, at 4:15 p.m., adjourned until Friday, January 26, 1996, at 12 noon.

NOMINATIONS

Executive nominations received by the Senate January 25, 1996:

THE JUDICIARY

RICHARD A. PAEZ, OF CALIFORNIA, TO BE U.S. CIRCUIT JUDGE FOR THE NINTH CIRCUIT, VICE CECIL F. POOLE, RESIGNED.

HARRY S TRUMAN SCHOLARSHIP FOUNDATION

ELMER B. STAATS, OF THE DISTRICT OF COLUMBIA, TO BE A MEMBER OF THE BOARD OF TRUSTEES OF THE HARRY S TRUMAN SCHOLARSHIP FOUNDATION FOR A TERM EXPIRING DECEMBER 10, 2001. (REAPPOINTMENT)

EXTENSIONS OF REMARKS

TAX RELIEF FOR MILITARY PERSONNEL SERVING IN BOSNIA

HON. SAM GIBBONS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 25, 1996

Mr. GIBBONS. Mr. Speaker, today with other Democratic members of the Committee on Ways and Means, I am introducing a bill of great importance—a bill to provide tax relief to United States troops serving in peacekeeping efforts in Bosnia.

On November 21, 1995, the Dayton peace agreement was signed. Pursuant to this agreement, Operation Joint Endeavor under which our military men and women were committed to peacekeeping efforts in Bosnia was initiated by President Clinton. Despite our varied and disparate opinions on whether United States troops should be sent to Bosnia, it is time for us to support in whatever way possible our men and women who are being sent to Bosnia. This bill would give these individuals much-deserved tax relief.

Operation Joint Endeavor is described as a peacekeeping mission. However, the images of war-torn Bosnia that have played across our television screens and pages of every newspaper in this country make it clear that peacekeeping in that country is not without risks. I believe our troops will face similar dangers to those faced in a combat zone area while carrying out their peacekeeping efforts—the dangers of attacks on their lives by Serb soldiers and other mercenaries, ground-to-air missiles, and the ravages, or land mines. Thus, my Democratic colleagues on the committee and I believe that these men and women, as well as their families, deserve the tax benefits that would otherwise be available to them if the area were declared a combat zone.

This bill would provide, to the United States troops serving in Bosnia, benefits under the following sections of the Internal Revenue Code: Section 112 which provides for the exclusion of certain combat pay from gross income; section 692 which provides certain income tax relief if an individual dies while serving in a combat zone; section 2(a)(3) which provides certain tax treatment when a deceased spouse is in missing status while serving in a combat zone; section 2201 which provides estate tax relief for members of the Armed Forces who die while serving in a combat zone; section 3401 which provides relief from withholding on compensation excluded under section 112; section 4253(d) which provides relief from certain excise tax on telephone service which originates in a combat zone; section 6013 which provides certain tax treatment regarding the filing status where a spouse serving in a combat zone is in missing status; and section 7508 which provides relief for the due date for filing tax returns, as well as relief from certain penalties and interest.

Mr. Speaker, this bill demonstrates our commitment to support our troops in their peacekeeping efforts in Bosnia and lets their families know we care. I am proud to take this important step today with other members of the committee. This legislation sends a positive message to our men and women who are willing to put their lives on the line in honor of this country and to their families who make great sacrifices to make this possible. I personally know of the many dangers they will face and the hidden cost to their families. This bill is a small way of saying thank you to both our military personnel serving in Bosnia and their families.

INTERNATIONAL CUSTOMS DAY

HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 25, 1996

Mr. CRANE. Mr. Speaker, 43 years ago on January 26, 1953, the World Customs Organization, formally known as the Customs Cooperation Council held its first meeting in Brussels, Belgium. In recognition of this occasion, the Council observed January 26 as International Customs Day. This occasion is also being used to give recognition to Customs Services around the world in view of the role they play in producing national revenue and in protecting national borders from economically and physically harmful importations.

I am particularly proud of the U.S. Customs Service for its great contributions to the Nation over the past 207 years of its existence. U.S. Customs was once the sole revenue producer for the young United States. Its role in revenue collection continues: In fiscal year 1995 Customs collected a record $23.3 billion in revenue. In addition, Customs has taken on such important responsibilities as interdicting narcotics at our borders, preventing the exportation of critical technology, and enforcing the regulations of more than 40 Government agencies.

The U.S. Customs Service represents the United States at the World Customs Organization [WCO], a 137-member international organization founded to facilitate international trade and promote cooperation between governments on Customs matters. The WCO works to simplify and standardize legal instruments and rules of international customs. The WCO also renders technical assistance in areas such as Customs tariffs, valuation, nomenclature, and law enforcement. Its objective is to obtain, in the interest of international trade, the best possible degree of uniformity among the Customs systems of member nations. The United States became a member on November 5, 1970. The United States and its trading partners benefit when both exporters and importers operate in an atmosphere of simple unambiguous Customs operations around the world.

I want to take this opportunity to congratulate the World Customs Organization on its past accomplishments and for its ambitious goals of further harmonizing and simplifying those Customs rules which affect international commerce. I also congratulate the U.S. Customs Service for its fine work both nationally and internationally.

WELCOME STEPHEN CLEMENT METTLER II

HON. PETER T. KING

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 25, 1996

Mr. KING. Mr. Speaker, I rise today to welcome a new American citizen, my nephew, Stephen Clement Mettler II, who was born on Friday, January 19, 1996, at 1:34 p.m. in Chicago. Young Stephen weighed in 9 pounds, 2 ounces, measured 21 inches long, and has blond hair and blue eyes.

I would also like to congratulate the proud parents, Stephen and Stacey Mettler, the happy grandparents Stephen and Kathy Mettler of Atlanta and Charles and Mary Kaye Montforo of Houston, and especially, Stephen II's great-grandmother, Agnes Wiedl of Atlanta.

PRESIDENT CLINTON'S TAX HIKES

HON. RON PACKARD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 25, 1996

Mr. PACKARD. Mr. Speaker, the budget the President proposes proves one thing beyond a shadow of a doubt, he is a congenital liberal. Instead of cutting taxes, scaling back the growth of Government, and putting our economy in position to create productive and stable jobs with good wages, he wants to protect the status quo with higher taxes and more bureaucracy.

In 1993, President Clinton enacted the largest tax hike in American history—imposing more than $250 billion in tax increases over 5 years on families, small businesses, and corporate America. Just a few weeks ago, with his fifth budget in less than a year, the President proposed more than $60 billion in new taxes. This tax package makes the Federal Government even bigger, more expensive, and more unwieldy than the current failed status quo.

The President tries to cover this massive tax increase with a sliver of a tax cut. And what he offers with one hand, he takes away with the other—the tax hikes are permanent and the tax cuts are temporary. By 2002 only a measure affecting IRA's would remain on the books. All others will expire. Meanwhile, dozens of other tax increases will have snowballed into roughly $15 billion in new taxes in 2002 alone.

These tax increases will not benefit America. They will not benefit the economy. They

will not contribute to lowering the budget deficit. They will simply serve to underwrite more new spending and expand the size of an already bloated Federal bureaucracy. During his State of the Union Address, the President voiced his commitment to an era of a smaller, less intrusive Government. Mr. Speaker, this is not the way to go about it.

REMEMBERING JOHN W. NASH

HON. BILL BAKER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 25, 1996

Mr. BAKER of California. Mr. Speaker, John W. ''Jack'' Nash lived a remarkable life. As a young man, he attended Exeter Academy, hiked in the Blue Mountains, and swapped stories with John Steinbeck in Monterey. A graduate of the University of Washington, Jack enjoyed a successful career, served his country in World War II, and loved his family.

Jack died early this month in my hometown of Danville at the age of 92, fulfilling his wish to ''live to be an old, old man.'' Yet Jack's age belied his youthful spirit, his sense of fun and laughter, and the ageless patriotism that characterized his political convictions. In his last years, he lived with his granddaughter, Susan Skelton-Fleming, and her family, beloved by his grandchildren as ''Popee Jack.''

John W. Nash represented some of the best things in our country: Hard work, optimism, love of family, love of America. He will be missed by his family, and his cheerful spirit will be missed by all who knew him. I am honored today to recognize the life and memory of this wonderful American in the CONGRESSIONAL RECORD.

JESUS ERAZO: AN OUTSTANDING INDIVIDUAL WITH A TRUE COMMUNITY SPIRIT

HON. ROBERT MENENDEZ

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 25, 1996

Mr. MENENDEZ. Mr. Speaker, I rise today to pay tribute to the memory of Jesus Erazo, a young man whose dedication to his family and friends will be remembered forever. Tomorrow, the Spanish speaking program of Kean College will honor Jesus with a musical presentation at the school's Little Theater in Union, NJ.

Tomorrow evening's commemoration will celebrate the contributions made by Jesus to his family, friends, and community. The focus of much of Jesus' young life was his family. Born in Cali, Colombia, Jesus was on a journey home when his excursion was abruptly ended by the crash of American Airlines Flight 965 in December 1995. While in the United States, part of his earnings were sent to his family to help ''alleviate their financial needs.''

Education also played a major role in the life of Jesus. As a resident of Elizabeth, Jesus received training in the graphic arts from learning institutions in Union County, NJ. In 1992, he graduated from the commercial art program of the Union County Vocational & Technical Schools. Building on this success, Jesus entered Kean College of New Jersey from which he was to graduate in May. While at Kean College, Jesus became a valued member of the collegiate community for his superior academic performance as well as for his unconditional support of friends and fellow students. Among the recognitions received by Jesus were being named to the dean's list for four semesters and an outstanding academic performance award from the Association of Latin American Students. In 1995, Jesus was inducted into Lambda Alpha Sigma Honor Society.

Another theme that resonated throughout Jesus' life was community involvement. His altruistic spirit manifested itself in his work with the Spanish speaking and English as a second language programs of Kean College. Jesus contributed designs for the program covers of these two highly regarded programs. Jesus provided joyful accompaniment to the lives of his friends and fellow community members. He will be remembered with tremendous love and respect by each person whose life he touch.

It is an honor to applaud the legacy of a gifted individual like Jesus Erazo. Jesus provided great joy to his friends and colleagues throughout his short life. I am certain my colleagues will rise with me and pay tribute to the memory of this magnificent young man.

THANK YOU, CHIEF LOCHINSKI

HON. JAMES A. BARCIA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 25, 1996

Mr. BARCIA. Mr. Speaker, one of the greatest concerns that Americans have is the ability to feel safe in their own homes and in their neighborhoods. The most important component of the provision of that safety is conscientious, well-trained, and dedicated police men and women. The people of my home town of Bay City have been blessed with an exemplary police force, and that is due in large part to the outstanding leadership of Bay City Chief of Police Timothy Lochinski.

Chief Lochinski after more than 32 years as a member of the Department has retired, and is being honored for his service on February 8. He started as a patrolman, working on all shifts, handling all types of calls, in 1963. I know of no better way to learn the needs of a community than this kind of personal involvement. He then spent several years concentrating in vice before becoming a key figure in crime prevention activities, where he was very successful in seizing drugs and making arrests which resulted in convictions.

He became a lieutenant in charge of training in 1978, and then moved on to become captain of detectives. He is and should be proud of the fact that on his watch there were no unsolved homicides, and that drug investigative capabilities expanded to keep up its exemplary record for arrests and seizures. In 1987, he was assigned the additional duties of supervising the uniformed division along with the detective bureau, and shortly thereafter the administrative division as well. He was responsible for making the Bay City Police Department a leader in the DARE program in Michigan, eventually placing the program in every school, both public and parochial, in the city of Bay City.

Chief Lochinski has served as chief of police since 1990 when he became the acting police chief, until his formal appointment in 1991. For the last 6 years, the department has prospered under his leadership, and the people of Bay City have been lucky to have this fine gentleman.

Former Attorney General Robert Kennedy once said that ''every community gets the kind of law enforcement it insists on.'' I believe that Bay City has succeeded in that score with its excellent police department led by a man who understood and appreciated the importance of listening to the community.

Mr. Speaker, I know you and all of our colleagues respect and appreciate the fine and difficult work done by the police. I urge you and our colleagues to join me in thanking Chief Lochinski for his dedicated service, and in wishing him the very best for his retirement and the new challenges that I am sure he will find.

ARNOLD LORBER: A LIFETIME IN THE PURSUIT OF EXCELLENCE

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 25, 1996

Mr. LANTOS. Mr. Speaker, I rise today to recognize a truly extraordinary American and a great friend, Mr. Arnold Lorber, on the occasion of his 65th birthday. As a child, Arnold fought for his life and the lives of many victims of the Holocaust throughout World War II. Today, through his aggressive pursuit of excellence, he is a leader in an important American industry and a great asset to our country.

Arnold is truly one in a million. Cheated of his childhood, his life was molded in a torrent of evil. In early 1942, his father, a well-respected businessman and entrepreneur in his native city of Kosice, Czechoslovakia, was taken away to a forced labor camp and never seen again, with the rest of his family and community to follow shortly thereafter. Showing the courage and intellect that would characterize the rest of his life, Arnold posed as a member of the Hitler Youth while he smuggled food and supplies to those who had eluded the death camps.

Arnold Lorber's exceptional character, shown in the heroism he displayed during the horrors of the Holocaust, manifests itself today in his leadership and innovation in the business world. Arnold is a pioneer in the textile industry who has devoted his life to introducing new technologies and production methods to this important industry. Lorber Industries, which Arnold created in 1969 and has directed ever since, is the undisputed leader of the southern California textile industry and is an invaluable asset to our country's manufacturing base. Arnold has won countless awards, including the prestigious West Coast Entrepreneur of the Year and the Tommy Award, awarded by the American Printed Fabrics Council, Inc., in recognition of his innovation in design and color.

As Arnold established himself in the business world, he did not forget the important responsibility that he bears as a survivor of the Holocaust. He is a founder of the U.S. Holocaust Memorial Museum and the Museum's Los Angeles chairman. Through the museum,

he has devoted countless hours of his valuable time to teaching the history and the lessons of the Holocaust to all Americans and future generations.

Arnold has contributed a great deal to our country through his willingness to take risks in pursuit of better and more efficient ways of manufacturing and his philanthropic devotion to the task of remembrance. I invite my colleagues to join me in expressing our appreciation for Arnold Lorber's many accomplishments and his continuing devotion to making this country a better place.

CORRECTING THE IMMIGRATION LAW

HON. RANDY TATE

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 25, 1996

Mr. TATE. Mr. Speaker, I would like to introduce a simple piece of legislation designed to fix a major flaw in U.S. immigration law. Over the past decade, the subject of immigration has captured the interest of the American people. This year, it has moved to the forefront of the political arena in Washington, DC. Major bills have been introduced in both the House and Senate to control illegal immigration and reform legal immigration. The bill I bring to the floor today is not a sweeping solution to our immigration woes, but a strong step in the right direction.

From the time of our forefathers, U.S. immigration policy has provided the opportunity for millions of people to come to America to help us build the strongest, most prosperous democracy in the world. In more recent years, however, many have begun to take advantage of our open door policy. Today, some believe that immigration to the United States is a right instead of a privilege.

The Immigration and Naturalization Service estimates that 300,000 people enter the United States illegally every year, and 3.8 million currently live in this country illegally. These people are taking advantage of American generosity and openness without regard for our laws or our principles. Mr. Speaker, that is not what America is all about.

Illegal immigrants come to the United States at the expense of those who choose to play by the rules and come to America legally. Most Americans probably don't even know it, but our laws do not penalize individuals who intentionally cross our borders illegally. Under current law, any individual who enters the United States illegally and is deported is still eligible for legal immigration later. Despite the fact that they have already broken one of our laws, illegal immigrants are provided the same privileges under U.S. immigration law as anyone else.

I am introducing legislation today to put an end to this madness. Under my bill, if an individual breaks our immigration laws by intentionally entering the United States illegally, he or she will never again be eligible for any kind of temporary or immigrant visa. Not 1 year later, not 20 years later, never. We need to use our precious immigration resources wisely instead of wasting them on people who have no respect for American laws.

Mr. Speaker, I urge my colleagues to support this legislation and to stand up for honesty and integrity. Thank you.

H.R. —

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. REVISION TO GROUND OF INADMISSIBILITY FOR ILLEGAL ENTRANTS AND IMMIGRATION VIOLATORS.

(a) ALIENS PREVIOUSLY DEPORTED.—Section 212(a)(6)(A) (8 U.S.C. 1182(a)(6)(A)) is amended by—

(1) Inserting after ''Any alien who'' the following: ''had the intent to illegally enter the United States and''; and

(2) striking ''and who again seeks admission within one year of the date of such deportation''.

(b) CERTAIN ALIENS PREVIOUSLY REMOVED.—Section 212(a)(6)(B) (8 U.S.C. 1182(a)(6)(B)) is amended by—

(1) inserting after ''Any alien who'' the following: ''had the intent to illegally enter the United States and''; and

(2) striking ''and (a) who seeks admission within 5 years of the date of such deportation or removal, or (b) seeks admission within 20 years in the case of an alien convicted of an aggravated felony,''.

COMMEMORATING THE 80TH BIRTHDAY OF PHIL RUBENSTEIN

HON. JIM SAXTON

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 25, 1996

Mr. SAXTON. Mr. Speaker, it is a great privilege for me to wish a good friend and loyal public servant, Phil Rubenstein, best wishes as he celebrates his 80th birthday.

Phil has devoted 53 years to public service within the United States and Ocean County governments. An example to us all, Phil's dedication and creativity have improved the lives of many Americans.

Of course, all commentary aside, Phil Rubenstein's record speaks for itself. From 1943 to 1954 Phil served as the Assistant Chief of the Service Division of the Veterans Administration. He continued his service until 1974 by working as a Social Security Representative in the Northeast. Phil retired from the Federal Civil Service but continued to honorably serve the citizens of Ocean County, New Jersey by assuming the directorship of the Ocean County Office on Aging.

As the director of the Ocean County Office on Aging, Phil has left an indelible impression on our local community an on the lives of senior citizens across the nation.

A few of his more notable accomplishments include: Creating free mammography and prostate cancer screening programs; creating a complete senior citizen complex that among other things established nutrition sites, senior centers, home delivered meal programs, and other outreach programs; the creation of the Ocean County Handicapped and Elderly Transportation Service.

As I deliver these words of praise, I realize that I am only one voice of many that have done likewise. Phil has received, among others, awards from the Governor for ''Outstanding Achievement for Innovative Programs for the Elderly'', from the New Jersey Association of Freeholders for ''Outstanding Service'', from the Ocean County Board of Chosen Freeholders for ''Distinguished'', and three distinguished Federal Service Awards.

The people who probably thank Phil the most, however, are all of those who benefit from the results of his hard work. Most notable are the senior citizens who need access to transportation to receive medical care. Every day over 650 people across the Nation are able to utilize this service.

I could continue with a litany of other awards and accomplishments that Phil has earned. Instead, I will end here and say this. Phil, on this day—the day before your 80th birthday—I give you my best wishes and hopes for another rewarding and successful year. Happy birthday.

GEORGIANS SUPPORT SOLDIERS IN BOSNIA

HON. MAC COLLINS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 25, 1996

Mr. COLLINS of Georgia. Mr. Speaker, I would like to share with my colleagues in the House recent action taken by the House of Representatives of the State of Georgia. While many Georgians expressed significant reservations with regard to the Clinton administration policies leading to the deployment of ground troops on the Balkan Peninsula, it is clear that American citizens and their leaders are unified in support of our courageous men and women serving in the region. Now that our men and women are fully deployed and committed to the mission given to them by the Commander in Chief, it is imperative that we provide the material support necessary to insure the safe and successful completion of this peacekeeping effort.

H.R. NO. 791

By: Representatives Bunn of the 74th, Heckstall of the 55th, Hembree of the 98th, Mueller of the 152nd, Brown of the 130th and others

A RESOLUTION

Expressing support for the American troops in Bosnia and Herzegovina urging President Clinton and the Congress to give the troops sufficient resources to ensure their well-being; and for other purposes.

Whereas, President Clinton has dispatched American troops to assist in supervising the fragile peace in Bosnia and Herzegovina; and

Whereas, those American men and women along with their NATO counterparts are experiencing severe hardship and facing real personal danger in order to protect the former combatants and their respective civilian populations in that tragic region; and

Whereas, those brave men and women deserve not only our moral support but also the real material support necessary to ensure their safety in a hostile environment.

Now, therefore, be it resolved by the House of Representatives That the members of this body express their confidence that the American troops deployed in Bosnia and Herzegovina will acquit themselves professionally and honorably, pledge their unreserved support for the American troops, and pray that their mission will bring a return of peace and prosperity to the citizens of the region.

Be it further resolved That the members of this body urge the President and Congress to provide the United States contingent with the resources and support necessary to ensure the success of their mission and their early safe return home.

Be it further resolved That the Clerk of the House of Representatives is authorized and directed to transmit appropriate copies of

this resolution to President Clinton, the presiding officers of the House of Representatives and Senate, the majority leader of the Senate, and the Secretary of Defense.

AMERICA'S UNSUNG HEROES

HON. SONNY CALLAHAN

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 25, 1996

Mr. CALLAHAN. Mr. Speaker, during his State of the Union Address this week, President Clinton recognized one of the heroes from last year's bombing in Oklahoma City. I believe this was a tradition begun by former President Reagan but regardless who started it, it is a practice which has great merit.

For all across America, there are countless unsung heroes—men and women, boys and girls—who rise to whatever occasion is necessary to lend a helping hand to one of their fellow citizens.

Such was the case in the early morning hours of New Year's day in the city of Robertsdale, AL. Then, one of my constituents, Mr. Floyd Smith, saw that his neighbor's house trailer was engulfed in flames and without regard for his own safety, rushed in to save the lives of this family.

If it were not for Mr. Smith, George and Doris Hammock, and their grandson, Adam, would no longer be with us today.

Clearly, Floyd Smith didn't wake up intending to be a hero that day. Like most Americans, he probably had other things on his mind on this first day of the new year.

But when he saw his neighbors were at risk, he raced over to try to awake the Hammocks by beating on the walls of their trailer. Then he helped the family escape the burning home through the window.

Once the Robertsdale Fire Department arrived, it took 45 minutes to totally extinguish out the fire. The Hammocks lost everything—their home, their clothes, their possessions—but thanks to Floyd Smith, they didn't lose the one thing which is truly irreplaceable—their lives.

Just like so many other heroes, Floyd Smith deserves to be recognized for his outstanding act of bravery. He put the life and well-being of others above his own. And he did so not because it was politically popular, but because it was the right thing to do.

Mr. Smith is truly an American hero and he deserves to be praised for his outstanding acts. Everyone can learn from his example and because of it, the Hammocks now have an opportunity to live out their New Year's resolutions with many more to come.

On behalf of the people of south Alabama, I salute Mr. Floyd Smith, and ask that a copy of this statement be entered into the CONGRESSIONAL RECORD.

TRIBUTE TO MAJ. GEN. EARL G. PECK, USAF, RETIRED

HON. MICHAEL BILIRAKIS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 25, 1996

Mr. BILIRAKIS. Mr. Speaker, I would like to take this opportunity to pay tribute to a man who has served his country and his State for almost 50 years, Maj. Gen. Earl G. Peck. I have had the privilege of working with Earl for a number of years on issues of concern to veterans.

General Peck began his military service in 1948 and served for more than 36 years in the U.S. Air Force. He was a command pilot with more than 7,000 hours in fighters, bombers, tankers, and trainers. Earl received numerous military decorations, including the Defense and Air Force Distinguished Service Medals, the Legion of Merit with three oak leaf clusters, the Bronze Star, the Vietnam Service Medal with four campaign stars and the Republic of Vietnam Cross of Gallantry with Palm.

During his distinguished military career, Earl held many different positions. He served as Chief of Staff, Strategic Air Command; Director, Intelligence and Space Policy, Office of the Secretary of Defense; Deputy Commander, Sixth Allied Tactical Air Force, Izmir, Turkey; Chief, Office of Air Force History; Commandant, Squadron Officers School; Commander, 3902d Air Base Wing; Chief, Special Air Operations, Vietnam; and many others as a squadron pilot and staff officer.

When the general left the Air Force in 1985, he could have sat back and enjoyed his retirement. But as so often is the case with veterans, Earl continued to contribute to his community.

Since his retirement, he has been active in the Retired Officers Association, the Air Force Association, and the Order of Daedalians. He is also a member of the American Legion, the Veterans of Foreign Wars, Disabled American Veterans, and Paralyzed Veterans of America.

In 1989, Earl was appointed as the Executive Director of the Florida Department of Veterans' Affairs. Immediately preceding his appointment, he was Director of the Florida Division of Veterans' Affairs, the department's predecessor.

As an advocate for Florida's veterans, Earl has worked to improve the quality of life for all of the State's 1.73 million veterans. The resources of the department has increased by 400 percent, providing increased services to veterans. During his tenure, veterans' homes have been constructed in Lake City and Daytona Beach and more are planned. He has worked to elevate the VA's understanding of Florida's problems and to improve the resources and facilities available to our veterans. He has always been a valuable resource for our congressional delegation in Washington.

Earl is the outgoing President of the National Association of State Directors of Veterans Affairs. Secretary Jesse Brown presented Earl with the Secretary's Award for Outstanding State Director—a well-deserved honor.

In 1994, I was honored by the Association as ''Man of the Year.'' I know he was instrumental in my selection for this award and I am grateful for his support.

As Earl prepares to retire from the Florida Department of Veterans Affairs, I wanted to wish him the best of luck in his retirement. Although he may be retiring, I know Earl will remain a strong advocate for Florida's veterans.

GEORGE DYKSTRA: A GREAT AMERICAN

HON. RODNEY P. FRELINGHUYSEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 25, 1996

Mr. FRELINGHUYSEN. Mr. Speaker, today I rise to pay tribute to the life of George Dykstra, known as Mr. Sparta to people in the town he called home. George Dykstra lived a great American life: In good times and bad, he was always there to serve his family, his neighbors, and his country.

Born in Fulton, IL, in 1921, George grew up in Prospect Park, NJ. He served his country in the U.S. Marine Corps for 7 years and received a Purple Heart while serving in the Pacific Theater as a sergeant during World War II, which included action in Guadalcanal and the Philippines. After the war, George finally settled down and moved to the township of Sparta in the heart of Sussex County, NJ. Little did George know that he would dedicate the next 50 years of his life to serving the citizens of this small, mountainous town. Whether it was the Sparta VFW Post, the North Jersey Midget Football League, flood victims in Wilkes Barre, PA, or planting flowers in front of the municipal building, George Dykstra was there to lead the way or just lend a helping hand. According to Monsignor Charles C. Cassidy, the retired pastor of Our Lady of the Lake Roman Catholic Church in Sparta, ''everything he did was for someone else.''

George also made significant contributions through his service in municipal government. He was a member of the Sparta Township Council for 18 years, including four terms as mayor. It was through this venue that I first met George and came to know him as a straight-shooting, thoughtful, and caring man. Whether it was keeping tabs on the Superfund sight at A.O. Polymer or acting as a sounding board for local veterans as a valued member of my Veterans Round Table, George didn't tinker around the edges, he always got right to the point. He was someone I could trust. Sparta Councilwoman Dolores Blackburn put it perfectly when she said that ''he cannot be replaced. The things he did were well-intentioned, whether you agreed with him or not. He was our local color.''

I could not possibly name all of the organizations that George Dykstra was involved in during his years in Sparta, he was literally a part of everything that went on in the town. According to Pat, his wife of 22 years, ''he just loved Sparta. He always wanted to stay here.'' David Ferguson worked along side George as Sparta's township manager and wholeheartedly agrees, stating that ''He is 'Mr. Sparta.' I don't know anyone who cared more and loved Sparta more than George. He was the most dedicated individual I have ever known toward his community. He had a heart of gold and we all loved him.'' His fellow councilman, Michael Devine, aptly described him as ''straightforward, uncomplicated and reliable as a man could be.'' Sparta always counted on George to come through for the community and he never let them down—he was a sure thing.

George Dykstra had a way with everyone—even reporters. Carole Hartman covered George for 4 years with the Sparta Independent and the New Jersey Herald and found out

quickly that he was not like most other politicians. ''George shot from the hip. The words 'no comment' were not in his vocabulary.'' Of course covering George was no easy job, he was always on the move trying to beautify the town in some way or keep tabs on what was going on at police headquarters. And George was no stranger to controversy. As Carole Hartman said, ''George didn't care if he was politically correct. Even if you disagreed with George, you always had to realize that his one and only motivation was plain and simple: He only wanted what was best for Sparta.''

My sympathy goes out to George's wife Pat, their 6 children, 11 grandchildren and his 3 sisters. While we all mourn George's death, his family, the township of Sparta and the people that George touched in his lifetime should all feel a sense of pride for having known a man of such uncommon character. George Dykstra lived a great American life and his legacy will live on forever.

CONFERENCE REPORT ON S. 1124, NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 1996

SPEECH OF

HON. FRANK A. LoBIONDO

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 24, 1996

Mr. LoBIONDO. Mr. Speaker, the conference report to S. 1124, the fiscal year 1996 Defense Authorization bill, contains many positive and long-sought provisions. As a cosponsor of two bills to correct the inequity in cost-of-living adjustments for military retirees, H.R. 38 and H.R. 2664, I applaud the inclusion of a provision to correct this injustice to our military retirees. Under the conference report, military COLA's will once again match Federal COLA's, as they ought to and as they have traditionally.

The conference report contains two other important provisions: A 2.4-percent basic military pay increase and a 5.3-percent increase in the basic allowance in quarters [BAQ]. By all accounts the quality of life for our military personnel has been declining over the past decade. These two measures will help to alleviate the shortage of quality housing and ensure that military pay keeps up with he annual inflation rate.

Despite my strong support for these provisions, I am unable to support the conference report to S. 1124. Simply put, this bill exceeds what is needed for a strong national defense and even goes beyond what the Pentagon requested in its budget. For example, the bill authorizes $772.9 million to purchase parts for 20 more B–2 Stealth bombers despite Congress's 1993 vote to limit the number of B–2's to the 20 currently under production or already delivered and despite the Pentagon's desire not to build any more. Moreover, future funding to complete the additional 20 B–2's is by no means assured, making the $772.9 million a risky gamble.

The conference report also authorizes $700 million for a third *Seawolf* submarine, an item the Clinton administration requested after the *Seawolf* program was terminated in 1993. According to experts, the *Seawolf* design is already outdated, and this is evidenced by the development of the new attack submarine line and the fact that the House National Security Committee, in its committee report to H.R. 1530, opted not to build a third *Seawolf* but instead opted to upgrade the second *Seawolf* with a new hull section. I agree with the National Security Committee's original analysis, approved by the House when it passed H.R. 1530, that a third *Seawolf* is unnecessary and the $700 million could be better spent.

For these reasons, I must oppose passage of the conference report to S. 1124.

CHIEF MURAWSKI BLAZES ON

HON. JAMES A. BARCIA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 25, 1996

Mr. BARCIA. Mr. Speaker, all we need to do is think about the recent snow storms and floods to find real life heroes. Many of those heroes are firefighters, men and women who each and every day risk their safety for that of ourselves, our families, and our constituents. Fred Murawski has served the people of Bay City for the last 30 years as a member of the Bay City Fire Department, including the last 5 as its chief. Fred is retiring from this care of service, and is being honored at a retirement party next Tuesday, January 30.

Fred Murawski has spent his life caring about people. The countless calls, the many moments of anguish when a few more minutes might have meant the difference in saving a home or a life, the moments of joy when property was saved or an injury spared, the flashes of frustration when someone refused to pay attention to the warnings of danger offered by an experienced public servant, all combine to describe a career that no one can forget.

I know the Greek philosopher Heraclitus said ''The world, an entity out of everything, was created by neither gods nor men, but was, is and will be eternally living fire, regularly becoming ignited and regularly becoming extinguished.'' Fred Murawski had a chance to live the observations of that philosopher, knowing that but for the grace of God he might be extinguished by the fire, rather than being the extinguisher of fire. His lifetime membership in both St. Stan's A.C. and St. Stan's Ushers Club, as well as his involvement with the parish council provided him with the solace that he needed after the demands of his work.

His dedication to his community also included service as a member of the Bay County Sheriff's Department, where he rose to the rank of sergeant. It included a proud tenure as a member for 17 years of the Bay County Democratic Executive Committee, including being its past chairman. His dedication to his profession urged him to become involved in a number of associations, including the International Fire Chief's Association, the Michigan Fire Chief's Association, the Southeastern Fire Chief's Association, the Bay County Fire Chief's Association, the Bay County Fire Fighter's Association, the Third District Emergency Management Association, and the Michigan Emergency Management Association.

I am sure that his wife Madeline and his daughters Rebecca and Cynthia were glad when the end of each day came and Fred was able to return home safe from harm. His grandchildren Gregory, Scott, and Mark Bokhart have probably heard a number of stories of dangerous thrills from their grandfather, and can look forward to years of many more.

Mr. Speaker, on behalf of the thousands of lives who were touched by the dedication to duty of Bay City Chief Fred Murawski, I urge you and our colleagues to join me in thanking this wonderful man for a career of caring for the public, in wishing him the happiest of retirements, and the best for whatever new challenges his life may bring.

THE OFFICIAL MURDER OF ORPHANS IN CHINA

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 25, 1996

Mr. LANTOS. Mr. Speaker, a few days ago, the world was shocked with the recent release of a detailed report by Human Rights Watch which documented the fact that a majority of children who entered a Shanghai orphanage during the late 1980's and early 1990's died within a year. The report suggests that there has been a deliberate policy of starving these orphans rather than caring for them. This deliberate and unimaginable treatment of one of the most vulnerable groups of Chinese society is both stunning and reprehensible. Tragically, this is consistent with Chinese human rights policies that we have seen far too often in the recent past.

Mr. Speaker, an excellent article appeared in the Washington Post yesterday—Wednesday, January 24, 1996—by Dr. Walter Reich, a physician who is the director of the U.S. Holocaust Memorial Museum and the chairman of the Committee on Human Rights of the American Psychiatric Association. Dr. Reich draws chilling parallels between the practices that have been observed in China and the horrors of the Holocaust.

I urge my colleagues to read Dr. Reich's most thoughtful article and consider the somber implications of China's appalling human rights record.

HOLOCAUST: THE CHINA PARALLEL

(By Walter Reich)

On rare occasions, historical parallels of contemporary events are so sharp that they pierce decades of time to penetrate our minds and skewer our souls. Accusations of the deaths, by deliberate neglect, of disabled children in Chinese orphanages, made by a credible human rights organization, summon up memories of the deaths, by both deliberate neglect and direct killing, of disabled children in Nazi German institutions. Those memories impose on us a powerful obligation to respond to the accusations against the Chinese orphanages by calling for an international investigation—and, if the accusations are confirmed, to take decisive action to end the medicalized killing of helpless innocents.

Human Rights Watch has reported that a majority of children, who entered a Shanghai orphanage in the late 1980s and early 1990s died within a year; that this high death rate was typical of orphanages throughout China, and that it was a result of a policy, euphemistically called ''summary resolution,'' which selected children for death by starvation, sometimes aided by the administration of sedating drugs. These deaths, the report noted, were attributed to such causes

as ''congenital malformations of the brain'' and ''mental deficiency.''

Critics have cited a number of reasons for the deliberate starving of these Chinese children. Many of the children admitted to the orphanages were abandoned because they were born disabled. In a country that has an official policy limiting families to one child, some couples abandon disabled children so that they can try again for a healthy child; others may do so to shift to the state a caretaking burden they are unable to bear.

In the Chinese orphanages, according to these critics, it is these disabled children who tend to be subjected to ''summary resolution''—deliberately starved, not treated when they develop easily treatable medical conditions, sometimes medicated to keep them quiet as they starve, and confined to ''dying rooms.'' Chinese orphanages realize significant income from adoptions of healthy babies by childless Western couples; disabled babies are not only unlikely candidates for adoption but also no less burdensome for their institutional caretakers than they would have been for the parents who abandoned them.

The parallels with the treatment of disabled children in German institutions during the Nazi era are haunting. Although the vast bulk of Nazi killing was, of course, eventually focused on Jews and became what we now know as the Holocaust, it was heralded, before the start of the Second World War, by the systematic, government-sponsored killing of children and adults who were disabled—a practice that continued after the war began. The killing methods, especially in the cases of children, often involved starvation and the administration of lethal doses of medications. In the cases of disabled adults, direct killing using gas was common—a method that, once refined, was used on a mass scale against Jews after the German armies rolled into Poland.

The German killing of disabled children and adults was justified on the grounds that these persons constituted ''life unworthy of life.'' After 1934, mental hospitals were urged to neglect their patients. In 1935, Hitler was confident that a war would require healthy people, and that during a war it would be possible to easily eliminate the ''incurably ill.''

According to the reports provided by Human Rights Watch, the starved children in the Chinese orphanages look very much like the starved children in the German ''Children's Specialty Institutions''; the Chinese institutions, too, administer sedatives to some children selected for death; they, too, use false diagnoses as coverups; they, too, cremate the remains of starved children; and they, too, employ physicians, many of whom probably tell themselves that the children dying under their care would have died anyway, and in any case are useless eaters in a country challenged by scarce resources.

It should be clear; even if the existence of the ''dying rooms'' in Chinese orphanages were confirmed, it would not amount to the Holocaust, or even a semblance of it. Unlike Nazi Germany, China has not developed a systematic racial ideology, particularly one that requires all members of certain groups to be killed because of ethnic origin. Chinese leaders, as contemptuous of human rights as they have been, have not promulgated any such ideology; nor is it known that they have promulgated national or regional programs aimed at killing disabled children.

But if the report by Human Rights Watch is correct, it seems clear that the general circumstances in China, including the lack of individual human rights, have enabled at least some Chinese orphanages to engage secretly in practices that parallel some of the practices, particularly death by starvation, that were carried out by Nazi Germany against disabled children and adults.

If the Human Rights Watch report can be verified by international inspections, the parallels between the Chinese orphanages and the Nazi programs to kill disabled children are alarming. These parallels remind us that human beings, including physicians and other caregivers, are extraordinarily vulnerable to inhuman acts and extraordinarily capable of justifying their behavior on what they see as rational grounds. And they remind us that countries in which democratic institutions are forcibly forbidden and human rights systematically quashed are ones in which human life becomes, quite simply, expendable.

The experience of the Holocaust, and the world's silence in response to it, have taught us that we must never shut our ears to reports of evil acts. We must investigate such reports and respond vigorously if they are confirmed. We have an obligation to do that—to ourselves, to the most defenseless of our fellow human beings, and to memory.

CHINA THREATENS TAIWAN

HON. SHERROD BROWN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 25, 1996

Mr. BROWN of Ohio. Mr. Speaker, An editorial in the New York Times this morning reads ''China Threatens Taiwan.'' My Taiwanese-American constituents are extremely concerned about this news. And so am I.

According to yesterday's New York Times, Beijing has redeployed forces from other parts of the country to the coastal areas facing Taiwan and set up new command structures for various kinds of military action against Taiwan. The article quotes a Chinese official as asserting that China could act military against Taiwan without fear of intervention by the United States because American leaders care more about Los Angeles than they do about Taiwan. This statement can be interpreted as an indirect threat by China to use nuclear weapons against the United States.

This past July and August, China already carried out a series of surface-to-surface ballistic missiles, live artillery, and joint air and sea forces combat exercises in the seas 80 miles off the coast of Taiwan. And China now vows to hold more rounds of military exercises. Allegedly, the People's Liberation Army has prepared plans for a missile attack against Taiwan consisting of one conventional missile strike a day for 30 days. These strikes will take place just after this March's Presidential elections. The first democratic and direct Presidential elections in Taiwan's history.

Indeed, China has threatened to use force against Taiwan under various scenarios, including the election of a President who does not support unification with China, and second, a declaration of independence, even if that declaration is the outcome of a democratic process such as a plebiscite or democratic elections.

The United States must reject military bullying from Beijing. Not only that; in accordance with the Taiwan Relations Act of 1979, any threat to the peace and security of Taiwan is of grave concern to the United States. The act explicitly states that the United States is obliged to make available to Taiwan such defense articles and defense services in such quantity as may be necessary to enable Taiwan to maintain a sufficient defense capability. Article section 2(a)(5) of the act reads, and I quote, ''It is the policy of the United States, to provide Taiwan with arms of a defensive character.''

Peace and stability in the Taiwan Straits is in the political, security, and economic interest of the United States. United States interests are served by supporting democracy abroad. It is therefore necessary that the U.S. reaffirms its safety and security commitment to the people of Taiwan.

The U.S. should declare that any attempt by China to threaten the peace and security of Taiwan is a threat to peace and security in the Pacific and a matter of grade concern to the United States.

The United States should call upon the President of the United States to review the defense needs of Taiwan, under the terms of the Taiwan Relations Act, and act accordingly.

The United States should reaffirm that it is the right of the people of Taiwan to determine the future status of Taiwan without any interference from China.

GARABED ''CHUCK'' HAYTAIAN TO RECEIVE AWARD

HON. MARGE ROUKEMA

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 25, 1996

Mrs. ROUKEMA. Mr. Speaker, I rise to congratulate Garabed ''Chuck'' Haytaian on an award he will receive later this month. Mr. Haytaian, the recently retired speaker of the New Jersey Assembly, will be honored on January 27 with the 1995 Humanitarian of the Year Award from the Warren County chapter of the Arc. The Arc is an organization devoted to serving individuals with development disabilities and Speaker Haytaian is being honored in recognition of his long commitment to that cause. I have known Chuck Haytaian for many years and know that this honor is well-deserved. I am extremely pleased to serve as cochair of this event.

Speaker Haytaian's extensive work on behalf of people with developmental disabilities was shown recently in his support of the human services bond issue of 1994, passed under his leadership as speaker. This vital piece of State legislation provided $160 million for the creation of new housing for those challenged by developmental disabilities, and upgrading of existing housing. This initiative benefited 4,000 people on waiting lists for residential services, including 60 people on an emergency list in Warren County alone. This assistance for Warren County is of particular importance to me, as the county is part of my congressional district as well as Speaker Haytaian's former legislative district.

Speaker Haytaian has been a longtime member of the Arc, supporting its policies, programs and fundraising. His involvement has helped attract others, who have served the organization in positions ranging from volunteers to board members.

This award is the latest recognition of Speaker Haytaian's lifetime of public service. Having served as an elected Warren County Freeholder, he spent 15 years in the New Jersey Assembly, rising through successively

higher leadership posts until becoming assembly speaker in 1992. Speaker Haytaian has retired from the legislature but will continue as chairman of the New Jersey Republican State Committee, a role he took on in 1995 at the request of Gov. Christine Todd Whitman.

Prior to his 4-year term as speaker, Speaker Haytaian served as both minority leader and majority leader in the assembly. He began his political career as a member of the Warren County Board of Freeholders from 1976 to 1981, serving as Freeholder director in 1977 and 1980. He became chairman of the Warren County Republican Committee in 1990, served as a member of the reapportionment committee and was a delegate to the 1988 Republican National Convention. He was one of New Jersey's representatives to the National Conference of State Legislatures.

Speaker Haytaian, of American heritage, is a national leader in Armenian-American affairs, participating in a number of Armenian cultural events each year, serving as a trustee of the Hovnanian Armenian School and as a director of the Armenian assembly. He is a trustee of Centenary College, a member of the honorary board of directors of Warren County Community College and a former chairman of the Warren County Cancer Society and the United Way campaign for Warren County.

A 1961 graduate of the University of Alabama, the New York City native is marketing director for Superior Graphics Inc. A wonderfully devoted family man, he is married to the former Joan Mardenly. The couple have two sons, David and Darrell, a daughter, Debra Haytaian Snyder, and a granddaughter, Nicole Corrine Snyder.

TRIBUTE TO GWYN GANDY

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 25, 1996

Mr. TOWNS. Mr. Speaker, I come before the House today to extol the many milestones of Gwyn Gandy. Gwyn is the chief executive officer and president of G&G Insurance Brokerage Co., Inc., a full-service firm specializing in all forms of insurance. Gwyn is a 12-year veteran of the insurance industry and has the distinction of being the only African American female from New York to participate in the Democratic National Convention [DNC] which awarded a contract that provided for special events coverage as part of the DNC.

Gwyn's parents left the rural south and traveled to Brooklyn where she was raised as the oldest of six children. Financial necessity prompted Gwyn's entrepreneurial talents to shine through, as she became a very competent door-to-door saleswoman. She graduated from Franklin K. Lane High School at the age of 17. A marriage which ended in divorce produced three children, Kenneth, Sheree, and Kevin, each of whom has distinguished themselves academically and professionally.

Ms. Gandy is a graduate of Hunter College and the Fashion Institute of Technology. She is a staunch environmentalist and community activist. Gwyn serves as a member of the Bedford Stuyvesant YMCA Board of Managers, and has served on the trustee board of the First A.M.E. Zion Church in Brooklyn. I am delighted to share her vast contributions to the community and America with my House colleagues.

TRIBUTE TO BOYS AND GIRLS CLUB OF COACHELLA VALLEY, CA

HON. DAN BURTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 25, 1996

Mr. BURTON of Indiana. Mr. Speaker, at a time in America, when many areas are experiencing an increase in juvenile crime, a society that is more violent than ever, when there is virtually no training for youngsters to prepare them for a productive adult life and the number of needy families and children is on the increase, there exists an organization in California that is doing their part to fight all of these social problems. It is the Boys and Girls Club of Coachella Valley.

On a recent visit to California, I had the opportunity to see firsthand the work that is being carried on by this fine organization. In addition to offering a full schedule of activities for children on a daily basis that includes athletics, homework assistance, fine arts, health education, community service, cooking instruction, and computer classes, I also witnessed the following very meaningful programs: A nutrition program where meals with substance are served on a daily basis to the children. The club also identifies needy families in the community through the churches and other social service organizations and distributes nourishing food to them. The club's nutrition program is operated in conjunction with a local food bank called FIND, Food In Need of Distribution. FIND serves 7,200 needy families weekly and distributes 3,200,000 pounds of food annually.

I also witnessed another program operated by the Boys and Girls Club called Building Horizons. How appropriate a name, as this program teaches high school students from five different high schools the skills necessary to pursue a career in the construction industry upon graduation. On-the-job training is created for the students by constructing two homes each school year. Through a partnership with a local city the homes are sold to low- and moderate-income families. This program is also run in cooperation with the local school districts and the building industry. So you can see where the Building Horizons program serves two purposes, one, to provide career opportunities for aspiring students in the construction field and much needed affordable housing in the Coachella Valley.

Finally, their criminal justice program accepts youngsters who are referred from the local police department who commit minor infractions. Successful solutions to the child's problem are found and the child is encouraged to get involved in Boys and Girls Club programs and with their professional staff, who are wonderful role models. Their counselor also works with young people who are trying to separate themselves from gang involvement.

The Boys and Girls Club of Coachella Valley does an incredible job with the children. As you can see, one of the things that they do extremely well is partnership with other agencies and organizations both private and public.

I congratulate my good friend Leo Wyler, who is one of the leaders in the Coachella Valley, for dealing with these problems as well as all of the other people in that area who are working so hard to make their young people successful, productive adults.

The future of America, in my view, depends on programs like these and the involvement of leaders in the community in making sure that we have productive alternatives for our young people. If we don't emulate programs like these, then the future of America as respects drugs, crimes, et cetera, will not be very bright.

Again, Mr. Speaker, my congratulations go out to all of those who support these programs, including my former colleagues Al McCandless and my good friend Leo Wyler.

$100 WILL BUY $1,615.00 WORTH OF FOOD

Hunger cannot be adequately described by numbers. But ''numbers'' tell the story of FIND's 1994 services to the needy families of eastern Riverside County:

Families served weekly	[1] 7,200
Volunteers	465
Annual volunteer hours	85,000
Value of volunteer hours at minimum wage	$404,009
Pounds of food distributed annually	3,200,000
Annual operating costs (1994)	325,000

[1] 75 percent of the families served by FIND have monthly incomes of less than $800.

If purchased at store, you would have spent $5,250,000.

And we spent $325,000. This is accomplished through the energy and time of our volunteers.

[From the Desert Sun, Nov. 27, 1995]

LEAVING THE GANG BEHIND

(By Lauralee Ortiz)

Armando is thinking like a typical teenager.

He plans to graduate next year and make some serious career plans.

The 16-year-old wants to join the U.S. Marines to become a tank specialist or a military police officer.

Every time Armando steps outside, he risks being shot at or beaten up by a gang member.

The Indio High School junior has been jumped twice already—once for wandering into rival territory; the second time, he said, the gangbangers thought he was somebody else.

These days, the youth is among more than a dozen with similar tales who are making an effort to separate from a life they describe as dangerous and frightening.

But, as one former gang member named Joe said, ''It's a lot easier to get in than it is to get out. You can't just walk away.''

If you do, he said, the people you thought were friends become enemies.

Joe tried to change his look with long hair and a beard in hope that he wouldn't be recognized by former rivals.

Armando said he is not and never has been a gang member.

Admittedly, he's surrounded by gangs, he knows gang members and, yes, he's been hanging with them since he was 12 years old.

Guilt by association?

Last year, he was expelled from a neighboring city school for his role in beating up a student trying to dissociate himself from the group.

In his defense, Armando said he was a bystander in the incident.

He said he transferred to the school earlier in the year to get away from problems at Indio High School.

Each Monday afternoon, Armando, Joe and other teens meet at the Boys & Girls Club of Indio to talk about the trials of gang involvement. They agreed to share their stories on the condition that no real names be used. They're afraid of reprisals.

During a typical meeting, they stroll in, shake hands with everyone in the room and plop down for an hour of honesty.

As threatening as their looks appear—some with freshly shaved heads donned what they described as the gang uniform, white T-shirts, dark work pants and Nikes—their words reveal the opposite.

These boys are scared.

''I look around the room and wonder how many of us are going to wind up dead, how many will be in prison,'' said Raymond, a 16-year-old fresh from Indio Juvenile Hall.

''Personally, it scares me,'' said Armando, who added that he now spends all his free time at the club on Date Avenue. ''These guys are tough. And they think by shooting someone, it makes them the toughest.''

What are they killing and dying for?

''Race, property, land, streets, neighborhoods, girlfriends,'' Armando said.

''Every day's a risk,'' said Joe, a 16-year-old Indio boy who has been in Juvenile Hall three times. ''You could be driving to pick up a girl, and somebody shoots at you.''

Or, he said, you might get it just for looking at somebody wrong.

A self-described ''mean guy'' before being exposed to the Boys & Girls Club, Joe gave animated descriptions of why he participated in gang activity.

Once, he said, he got into a battle with a white man who, he claimed, was ''looking kind of crazy at me.''

Another time, Joe said, he beat up an elderly white man who was coughing near the pay phone he was using. He said his friend ''decked'' the man's wife.

Joe said he felt bad about the second incident when he learned the man had cancer.

Exaggerated, perhaps, said program counselor Ron Houston. But, by the same token, such testimonials are evidence that everyone—regardless of race of gender—is at risk of gang violence.

''You never know exactly what motivates or drives them,'' said Houston, who was an Indio police officer for 17 years. ''A lot of it is peer pressure. They commit these violent acts to be accepted.''

Frightening for society, the number of gangs continue to grow, he said. During his early years on the police force, there were a few gangs in town.

''Now every section of town has its own.'' Houston said. Even worse, the members are being recruited at 11 and 12 years old.

''They're the scariest,'' he said. ''They don't have any remorse. They'll do anything to impress the older members.''

Houston and Program Director Tony Williams have become father figures to the teens, many of whom never had one. Houston said the body language of the teens—the light punches, arms around him, the kidding—lets him know a connection has been made.

''We take this seriously,'' said Williams, 29, who worked more than two years with some of the teens during their time at Juvenile Hall. ''We are genuinely concerned about kids. We want them to know that once they walk in that door, there's somebody here who cares about them.''

NORTH MIAMI POLICE DEPARTMENT OFFICER OF THE YEAR, FELIX GUADARRAMA, HONORED

HON. CARRIE P. MEEK

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 25, 1996

Mrs. MEEK of Florida. Mr. Speaker, Officer Felix Guadarrama has been selected by a committee of his peers to be the North Miami Police Department's Officer of the Year, 1995. I am certain you will agree with me that Officer Guadarrama is a fitting choice. His actions on the force since 1990 have distinguished him as an officer of valor.

During 1995, Officer Guadarrama received numerous commendations from his supervisors, the community, and other police agencies. Many noted his compassion, expertise, and judgment in handling chaotic situations. His superiors credit Guadarrama with saving the life of the victim of a violent attack.

In addition to his daily activities, Officer Guadarrama serves on the North Miami Police Honor Guard and is assigned to the motorcycle unit. He actively raises money for the Police Officers' Assistance Trust Fund and has represented the department in motorcycle escorts at local prestigious events like the recent Summit of the Americas.

Thank you, Officer Guadarrama for your bravery and diligence in the line of duty. You are certainly a credit to our community.

IN MEMORY OF CHRISTA McAULIFFE AND THE ENTIRE CREW OF THE SPACE SHUTTLE ''CHALLENGER''

HON. EDWARD J. MARKEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 25, 1996

Mr. MARKEY. Mr. Speaker, I rise today to honor the memory of the crew of the space shuttle *Challenger*, and to recognize in particular, Christa Corrigan McAuliffe, one of Framingham State College's most distinguished graduates.

Ten years ago, on January 28, 1986, the *Challenger* disaster occurred and changed millions of lives instantly. For the families and friends of the astronauts, it meant incomprehensible loss. For young school children throughout the world, a dashing of hopes. But hope springs eternal.

We are fortunate in this country that our citizens respond so well to adversity. This national tragedy of a decade ago also served to spark the imagination of educators and students to develop a fitting tribute to our Nation's first teacher-astronaut.

In October 1994, Framingham State College opened the Christa Corrigan McAuliffe Center and the Challenger Learning Center, two innovative educational facilities. Inspired by the memory of the *Challenger* crew, the learning centers serve as a continuation of part of the *Challenger* mission: to motivate students to pursue math, science, and technology studies by providing them with exciting educational programs which use space exploration as a theme, and to energize teachers by providing new and interesting training.

In addition, Framingham State College is commemorating the 10th anniversary of the *Challenger* mission by sponsoring a program entitled ''Christa's Teachers,'' a teachers' honor roll which pays tribute to Christa McAuliffe, America's teacher in space, by recognizing the best teachers in America.

Christa Corrigan McAuliffe and the *Challenger* crew were true American heroes. They have left an indelible mark on the fabric of our society, particularly in education; and their enduring legacy is the network of Challenger Centers throughout our Nation which links our students and teachers and captures the imaginations of millions.

SAMHSA REGULATION

HON. SAXBY CHAMBLISS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 25, 1996

Mr. CHAMBLISS. Mr. Speaker, the Food and Drug Administration and the Substance Abuse and Mental Health Services Administration [SAMHSA], both of which are located in the Department of Health and Human Services, have proposed tobacco regulations. FDA has just begun its regulatory process by issuing proposed regulations last August, while SAMHSA's final regulations are set to take effect this February. SAMHSA's regulations implement the so-called Synar amendment, which Congress passed with bipartisan support in 1992 to address the problem of underage tobacco use.

The SAMHSA regulations are superior to FDA's more extreme approach. The SAMHSA regulations implement a clear congressional mandate. They will do a better job in a shorter time, with much less Federal involvement and much greater respect for the proper role of the States in our constitutional system.

The Synar amendment conditions substance abuse grant assistance to the States on their taking steps to reduce youth access to tobacco and directs SAMSHA to issue implementing regulations. Today every State prohibits the sale of tobacco products to minors and imposes penalties for violations. In fact, as a result of the Synar amendment, since 1992 some 30 States have taken additional legislative steps to reduce youth access to tobacco.

While the SAMHSA regulations were still pending within HHS, FDA—an agency with no jurisdiction over tobacco and no authorization from Congress to act on youth tobacco issues—published its own extreme proposal to regulate tobacco products as medical devices. FDA is engaged in a blatant attempt to circumvent Congress and override the States. FDA's rules would nullify or supplant dozens of State youth access laws, in favor of an extremist, one-size-fits-all regulatory straightjacket imposed by Washington bureaucrats. FDA's proposed rules are an end-run around Congress and the States.

Mr. Speaker, in contrast to FDA's extreme proposal, SAMHSA's approach allows flexible responses by the States to reduce underage smoking. FDA's proposed regulations should be withdrawn in favor SAMHSA's final regulations, which directly implement Congress's will show proper respect for the constitutional authority of the States.

THE PRESIDENT'S MESSAGE

HON. MAC COLLINS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 25, 1996

Mr. COLLINS of Georgia. Mr. Speaker, after reflecting on the President's State of the Union Address Tuesday evening, I am deeply disturbed over the many contradictions in his speech. In one breath the President declared: ''The era of big Government is over.'' And in the next he states: ''But we cannot go back to the time when our citizens were left to fend for themselves.''

The President is again trying to be all things to all people. But, he is being dishonest with the American people. The President knows the magnitude of our Government's financial crisis.

Mr. Speaker, he knows our Nation is nearly $5 trillion in debt. He knows that Government subsidized programs and entitlements are draining our Nation's Treasury. And, he knows that to continue down this road leads us to moral and financial bankruptcy.

Yet, the President continues to try and please everyone. He continues to pander to every person and every group that has come to depend on a Government subsidy paid for by the American taxpayer. He continues to pander to his voting base for the 1996 Presidential campaign.

The elections of 1992 and 1994 were about change. The people of this Nation said ''enough is enough.'' The people told Washington they were tired of big government. They told Washington they were tired of the Democrat's tax and spend policies.

Mr. Speaker, 1996 is another election year. And the President can read the polls. His State of the Union Address played to the people's desires and emotions. The President challenged Republicans in Congress to give him a balanced Federal budget, tax cuts for working Americans, welfare reform, educational scholarships, crime prevention programs. And the list goes on and on.

Well Republicans have already met the President's challenge. But he failed to tell the American people that in his State of the Union Address.

The President failed to tell the American people we gave him a balanced Federal budget—and he vetoed it.

The President failed to tell the American people we gave him a bill that cut taxes for all working Americans—and he vetoed it.

The President failed to tell the American people we gave him a bill to reform welfare as we know it—and he vetoed it.

The President failed to tell the American people we gave him a bill providing $2 billion in new crime prevention programs—and he vetoed it.

And, the President failed to tell the American people we gave him a bill that increases Federal funding for education, Medicare, Medicaid, veterans and all the Federal programs that help people help themselves. The President failed to tell the American people he vetoed it.

Mr. Speaker, we did all of this and cut wasteful Federal spending and the Washington bureaucracy. We also did all this and returned the power and decisionmaking to individuals, families, and States.

The President failed to tell this to the American people in his address. Why? Because Bill Clinton believes in big government. Bill Clinton believes in Washington bureaucrats making decisions instead of the people.

The President was right when he said the era of big government is over. But the rest of his address was a last gasp for tax and spend big government. The American people rejected that philosophy in 1994 and we in Congress reject it now. We will not continue to pass on more and more financial obligations to our children and grandchildren.

Mr. Speaker, Bill Clinton needs to be more honest with the American people. He needs to have a change of heart or we need to change President.

FAREWELL TO INDIA'S ENVOY TO WASHINGTON

HON. GARY L. ACKERMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 25, 1996

Mr. ACKERMAN. Mr. Speaker, I rise to pay tribute to one of the very finest diplomats it has been my pleasure to work with during my tenure on the House International Relations Committee, India's Ambassador to the United States, Siddhartha Ray.

I worked closely with Siddhartha during my service as chairman of the House International Relations Subcommittee on Asia and the Pacific, and we have enjoyed a close friendship for the last 4 years.

During his years in Washington, Siddhartha worked tirelessly to improve Indo-United States relations, and to promote policies designed to reduce tensions between India and Pakistan. In both of these areas, he was enormously successful.

Ambassador Ray and his embassy effectively publicized the importance of the Indian market to American business. It was during Ambassador Ray's tenure that the United States Secretary of Commerce led a high level business delegation to India.

Ambassador Ray was equally effective in helping to curtail the South Asian arms race by effectively arguing against the administration's plan to transfer advanced fighter aircraft to Pakistan.

Siddhartha and his delightful wife Maya were an extraordinary team in Washington. They came to this post after distinguished careers in law and government. Siddhartha came to understand the workings of the U.S. Congress as only a former Member of Parliament could.

I join my colleagues in wishing Siddhartha and Maya Ray the very best of luck in their future endeavors, and we hope to see them back in Washington often.

TRIBUTE TO ELIZABETH REILLY

HON. JACK REED

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 25, 1996

Mr. REED. Mr. Speaker, it gives me great pleasure today to pay tribute to the young woman who is nearing the end of her tenure as Miss Rhode Island. Elizabeth Reilly not only displays the poise, grace, and character that are often associated with participants in the Miss America contest, she has also made a significant contribution to the welfare of Rhode Island's children.

Elizabeth is a second grade teacher at West Broadway School in Providence. Her father is a teacher, and Elizabeth has long known that she, too, wanted to enter this critical field, in which she could work to help our youngest citizens.

Three years ago, while teaching at Sackett Street School in Providence, Elizabeth saw that many of her students did not have adequate clothing. This serious problem distracted the children and prevented them from focusing their energy on learning.

To address this troubling situation, Elizabeth established a clothing bank that collected donations of clothing and distributed them to children in need. Elizabeth's selection as Miss Rhode Island attracted additional attention and donations for the clothing bank, helping her to expand this vital service. Although Elizabeth's tenure as Miss Rhode Island is nearing its end, the clothing bank that she has created will continue to benefit Rhode Island children for many years to come.

On this floor, we often state that our Nation's citizens must reach out to each other in order to address the problems confronting our communities. Today, I ask my colleagues to join me in saluting Elizabeth Reilly, whose work exemplifies the true spirit of community. I know the future holds a great deal more for Elizabeth Reilly, and I wish her all the best.

IN MEMORY OF LILLIAN VEGA

HON. JOSÉ E. SERRANO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 25, 1996

Mr. SERRANO. Mr. Speaker, I rise today to pay tribute to the memory of Lillian Vega, a remarkable woman whose lifelong commitment to her family, friends, and the Bronx contributed to the nourishment and strengthening of our community.

Today her memory will be honored by her family and friends at a meeting of Community Planning Board #9, in the Bronx.

Ms. Vega was born in Ponce, PR. When she was 15 years old, Ms. Vega and her family moved to New York. After completing high school, she married Cesar Rivera and had five children.

Ms. Vega started working as a secretary at the Hunts Point Community Corporation. Fifteen years of experience, dedication, and hard work led to her promotion to deputy director of the agency.

Ms. Vega's political career began at the Hubert H. Humphrey Democratic Club in the 1970's. She was the first Puerto Rican woman to become district leader and held this office for almost 20 years. Her co leaders included Bronx Borough President Fernando Ferrer, State Senator Efrain Gonzalez, and Councilman Rafael Castaneira Colon.

Ms. Vega also worked as a community liaison for Assemblyman Hector Diaz and, most recently, as Community Associate at Community Planning board #6.

Her active work in the community and her accomplishments led to numerous awards.

Among other organizations, Ms. Vega was a member of the Puerto Rican Day Parade Committee, Cruzada Civica Del Voto, Puerto Rican Civil Rights Association, Area Policy Board, Community Planning Board #9, Bronx County Democratic Committee, and the Bronx County Democratic Women.

Ms. Vega leaves a legacy of courage, faith, hope, responsibility, love, and commitment. She is survived by her five children, ten grandchildren and one great granddaughter.

Mr. Speaker, I ask my colleagues to join me in paying homage to the life of Lillian Vega, who still remains with us through the many people she served and touched.

HON. JAMES ZANGARI, A CARING PUBLIC SERVANT

HON. ROBERT MENENDEZ

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 25, 1996

Mr. MENENDEZ. Mr. Speaker, I stand before you today to pay tribute to an extraordinary individual, Hon. James Zangari, minority leader pro tem of the New Jersey State Assembly. A man, who for 20 years, has served the public with dedication and conscience. A gala tribute will be held in his honor on Friday, January 26, 1996 in Old Bridge, NJ.

Assemblyman Zangari's illustrious career in politics began almost 20 years ago. Born and raised in Newark, NJ, Assemblyman Zangari was elected as an Essex County freeholder in 1978. Shortly thereafter, he was elected assemblyman of the 28th legislative district. Since his election to the General Assembly, Assemblyman Zangari has authored more than 100 pieces of legislation. Assemblyman Zangari's legislative initiatives address many issues of great concern to the residents of New Jersey, including crime prevention, drug abuse, education, unemployment, senior citizens, and environmental consumer protection.

Through his experiences as an Essex County freeholder and executive director of Irvington's property maintenance department, Assemblyman Zangari has been able to bring expertise to his Assembly leadership position. Assemblyman Zangari is a man who takes great pride in representing the area where he grew up and truly cares about his constituents. For eight terms in the General Assembly, Assemblyman Zangari has fought hard for the issues that are important to him and his community.

While in the Assembly, Assemblyman Zangari served as a member of the Revenue, Finance and Appropriations Committee, the Subcommittee on Taxation, and the Labor and Transportation Committee, as well as many others. He was elected majority whip for the 1986–87 term and served as assistant minority leader in the 1988–89 term.

A man of extraordinary talents and a fighting spirit, James Zangari has been honored by various organizations. His many civic awards include distinctions from the New Jersey Education Association, the Essex County Education Association, the Fraternal Order of Police, Irvington, P.A.L.—Man of the Year, and Essex County PBA—Legislator of the Year.

I take great pleasure and honor in paying tribute to James Zangari. He is a man that has fought hard for issues of concern to all the citizens of New Jersey. Please join me in honoring a remarkable individual.

TRIBUTE TO MAYOR EDWARD GALLAGHER

HON. MARGE ROUKEMA

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 25, 1996

Mrs. ROUKEMA. Mr. Speaker, I rise to recognize Mayor Edward J. Gallagher of Old Tappan, NJ, on the occasion of his retirement. Mayor Gallagher served 16 years as mayor and 4 years as councilman. His many friends will honor him at a testimonial dinner January 21. Mayor Gallagher's 20-year contribution to municipal government has been exemplary. He will be missed.

Mayor Gallagher was sworn in as a member of the Old Tappan Borough Council in 1976 and promptly rose to key leadership positions in the borough government. He served in successive years as chairman of the council's committees on finance, pubic works and health, and police and civil defense. He was also chairman of the Old Tappan Golf Course Commission.

He became mayor in 1980 and held the post until January 1 of this year.

Mayor Gallagher's expertise was well recognized throughout the State. He was a president of the New Jersey State League of Municipalities and served on Governor Jim Florio's Municipal Issues Advisory Group, which was formed to help alleviate State fiscal problems related to municipalities. He was president of the Pascack Valley Mayors Association and a member of the Northern Valley Mayors Association and the Bergen County Republican Mayors Association. He was president of the Old Tappan Republican Club, a member of the advisory committee of the Bergen County Utilities Authority and Old Tappan's representative to the joint insurance fund.

The mayor's contribution to public service has gone beyond government office. He serves as a eucharistic minister at St. Pius X Church, and has been a trustee and treasurer of the Old Tappan Lions Club, a coach of the Old Tappan Little League and active with Old Tappan Boy Scout Troops 132.

A graduate of Pace University and of Stanford University's executive program, Mayor Gallagher is the retired financial vice president of E. Leitz, Inc., and president of Optometric Inc. of Houston.

Mayor Gallagher's long commitment to public service is well appreciated by the people of Old Tappan. I offer my congratulations on his dedicated career.

46TH REPUBLIC DAY FOR THE WORLD'S LARGEST DEMOCRACY

HON. SHERROD BROWN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 25, 1996

Mr. BROWN of Ohio. Mr. Speaker, I would like to take this opportunity to congratulate India on the 46th anniversary of Republic Day.

For 46 years India has been showing the world that an extremely diverse democracy can work. With over 52 major languages, 950 million people, in a country geographically much smaller than the United States, India has upheld the ideals of judicial review, multiparty elections, secular government, and a peaceful transfer of power.

For 46 years India has encouraged higher education and self reliance. Today India is one of the world's largest software manufacturers and has put rockets into space. Their entire domestic market has developed indiginously. Now India is considered one of the most important emerging markets in the world.

For more than 46 years Americans of Indian descent have been leaders in their communities. Indian-Americans represent one of the best educated, financially secure populations in the United States.

Now our two nations are beginning a new path. America has begun to look to other nations to do business. India has begun a remarkable economic liberalization process which has opened up one of the largest consumer markets in the world. United States companies are already the largest source of foreign investment in India and will continue to be a major provider of goods and services.

I congratulate India on their success as the world's largest democracy, and look forward to our two nations becoming ever closer in the future. I join with my colleagues here in wishing India continued good fortune for the future.

IN HONOR OF WILLIAM M. SCHREIBER OF INDIANA

HON. ANDREW JACOBS, JR.

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 25, 1996

Mr. JACOBS. Mr. Speaker, once in a while strong partisans are strongly liked by both parties. It happens, I think, because even though partisan, such people are also public spirited enough to put our country first and are decent enough to care about the personal feelings of their opposite numbers.

Such a person was Bill Schreiber of Indiana whom cruel cancer took from us on January 11, 1996.

He was 52 and the father of a months-old baby boy, Will. The following shows the affection felt for him by Hoosiers who knew him, Democrat and Republican alike.

Our hearts go out to little Will and his mom, Connie. Bill Schreiber is irreplaceable.

[From the Indianapolis Star, Jan. 13, 1996]

WILLIAM M. SCHREIBER, 52, WAS STRATEGIST FOR DEMOCRATS

William M. Schreiber, 52, a key strategist for the Indiana Democratic Party and an aide to Lt. Gov. Frank L. O'Bannon, died Jan. 11 in Community Hospital East.

Calling will be Tuesday from 4:30 to 6:30 p.m. in the rotunda at the Statehouse, followed immediately by a memorial service.

Mr. Schreiber died of cancer which was discovered in October, six weeks after his wife, Connie Bainbridge Schreiber, gave birth to a son, William.

State Rep. John D. Gregg, D-Sandborn, a close friend, said Thursday: ''He was probably the smartest Democratic politician, with a razor-sharp wit, to hit Indiana in the '70s and '80s and this decade.''

Mr. Schreiber was the mastermind behind the election in 1990 of a majority of Democrats to the Indiana House of Representatives, ending 15 years of Republican control.

He had been an assistant to former Rep. Michael K. Phillips, D-Boonville, when Phillips was minority leader and speaker.

Mr. Schreiber also was expected to play a key role in O'Bannon's gubernatorial bid this year.

In 1968, he was treasurer of Robert F. Kennedy's presidential primary campaign in Indiana.

Mr. Schreiber was Marion County Democratic Party chairman from 1972 to 1976.

Although considered mainly a strategist in the party, Mr. Schreiber ran unsuccessfully for two political offices—for the nomination for secretary of state in 1974 and mayor of Indianapolis in 1975.

In 1976 he became a backer of presidential candidate Jimmy Carter, who stayed overnight in Mr. Schreiber's home during the campaign.

When Carter was elected president, he named Mr. Schreiber a commissioner for the International Boundary Commission, which oversees U.S.-Canada border affairs.

Mr. Schreiber also served as legislative assistant to Rep. Andrew Jacobs, Jr., D-Ind., from 1969 to 1973.

He was an adjunct professor of political science, an author and a political analyst and commentator, as well as a member of the American Civil Liberties Union.

O'Bannon said Mr. Schreiber ''has been a close friend and adviser in my office and we will miss him greatly.''

''The good of the community came first,'' O'Bannon said, ''and he could explain that in terms that could be partisan, but informative, but never abusive to a republican.''

Gov. Evan Bayh said: ''I was very saddened to hear of Bill's death. He was a fine, hard-working man, honest and dedicated to the public interest.

''At a time when there is alot of skepticism about politicians, Bill was an honorable person who always tried to do what was right for the state. We need more of his type.''

Former House Speaker Phillips said Mr. Schreiber was not only a close friend but ''a real politician's politician.''

''He loved politics and the governmental process.

''He was a student of government and politics, had a keen insight into what caused things to work, how to get things accomplished,'' Phillips added.

But Democrats were not the only ones close to Mr. Schreiber.

John Sweezy, Marion County Republican Party chairman, said he had known him since 1972, when Sweezy became the GOP chairman and Mr. Schreiber was the incoming Democratic chairman.

''He was a good friend,'' Sweezy said. ''A fierce competitor, but a good friend.''

''Fierce competitor'' were the same words other Republicans used to describe him. Among them were House Speaker Paul S. Mannweiler, R–Indianapolis, and GOP strategist R. Mark Lubbers.

Lubbers, presidential campaign manager for U.S. Sen. Richard G. Lugar, matched political wits and quips with Mr. Schreiber for years on radio and television on the political insight program, Indiana Week in Review.

''I think he was one of the very best political minds of our time,'' Lubbers said. ''Bill understood the nuts and bolts of how to get voters to the polls on Election Day. No matter how much politics changed with television, Bill never lost sight of the absolute core of democracy.''

And in an era when professional politicians are reviled by many, Mr. Schreiber was proud of his profession.

''Bill had been doing this long enough that he stopped caring what people thought about him being a political guru,'' Lubbers said.

''He was satisfied he was doing something very, very important. He was absolutely one of the very best.''

Memorial contributions may be made to the William Riley Schreiber Education Fund, P.O. Box 24253, Indianapolis, Ind. 46224.

Survivors include: wife Connie; sons Matthew, Benjamin, William; daughter Claire Aileen; parents Rudolph and Margaret Schreiber; brothers Robert, Richard, Matthias Schreiber; sister Nancy Hagist.

[From the Indianapolis News, Jan. 13, 1996]

WILLIAM M. SCHREIBER

William M. Schreiber was one of those unsung heroes who made the political system work.

Schreiber died this week at the age of 52, leaving a gap in Indiana Democratic Party circles.

His death is a loss not only to the campaign for governor of Lt. Gov. Frank O'Bannon, but also to other Democrats who had come to rely on his wisdom and counsel.

''He was one of the most civil-minded people I've met in government and politics,''. O'Bannon said, ''The good of the community came first, and he could explain that in terms that could be partisan, but informative, but never abusive to a Republican.''

Schreiber served Democrats in a number of capacities, as Marion County party chairman in the 1970s, as an aide to House Speaker Michael Phillips, then as an aide to O'Bannon.

''Bill understood the nuts and bolts of how to get voters to the polls on Election Day,'' noted Mark Lubbers, presidential campaign manager for Sen. Richard Lugar, R-Ind.

Schreiber had the kind of friendships across party lines that can keep two-party politics competitive, without getting nasty about it. ''He was a good friend,'' said Republican county chairman John Sweezy. ''A fierce competitor, but a good friend.''

In a time when many people are mourning the loss of civility in political debate, Schreiber's example will be missed in Indiana, in both political parties. But his life and example remain a standard for those who continue in the political battles.

MEDICAID

HON. PATRICIA SCHROEDER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 25, 1996

Mrs. SCHROEDER. Mr. Speaker, I got a letter from the director of the Office of Management and Budget yesterday that made me glad once again that the President vetoed the Republican budget reconciliation bill.

OMB tells me that my State of Colorado would lose more than $1 billion under the Republican proposal to block grant Medicaid, as the reconciliation would have done.

Now, I think it's important to remember who the Republicans would have shortchanged under their Medicaid cuts—low-income families, elderly, and disabled. And they're still working on making this come true.

As OMB put it, the Republican reconciliation bill would have made extreme cuts in Medicaid. Colorado is just one example:

OFFICE OF MANAGEMENT AND BUDGET,
Washington, DC, January 22, 1996.

Hon. PATRICIA SCHROEDER,
House of Representatives,
Washington, DC.

DEAR REPRESENTATIVE SCHROEDER: Thank you for your letter to the President expressing your particular concern about the devastating effects H.R. 2491 would have for the Medicaid program. The President asked me to respond on his behalf.

As he promised all along, the President vetoed H.R. 2491, the budget reconciliation bill adopted by the Republican majority. This bill would have balanced the budget on the backs of working families, while targeting a tax cut to those who are already the most well-off. It would have made extreme cuts in Medicare and Medicaid, and raised taxes on millions of working Americans.

The President has offered instead a detailed plan to balance the budget the right way. It balances the budget in 7 years while investing in education, the environment, and other priorities, protecting Medicare and Medicaid, and cutting taxes for middle-income Americans.

Your letter mentions a specific concern about reductions in Colorado's federal Medicaid funds for disproportionate share hospitals (DSH). I understand that Colorado would lose more than $1 billion under the Republican proposal to block grant Medicaid. We are committed to maintaining the Medicaid program as a source of guaranteed coverage for disabled and low-income Americans and will work with you and your colleagues to ensure that our plan to reduce the growth in DSH payments is fair to all states.

Thank you again for writing.

Sincerely,

ALICE M. RIVLIN,
Director.

A TRIBUTE TO DAZELLE DEAN SIMPSON, M.D., ON HER RETIREMENT

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 25, 1996

Mr. HASTINGS of Florida. Mr. Speaker, as educator Geraldine Rickman stated, ''Firsts are always difficult. We don't know that things can be done, that dreams can be fulfilled, that great accomplishments can be realized, until somebody takes that first step and shows the way.'' Indeed, Dr. Dazelle Dean Simpson did not just take that first step, she blazed a trail.

Certain endowments of temper and temperment can be attributed to Dr. Simpson's significant firsts. She attended Meharry medical School in Nashville, TN, the first medical school founded for the sole education of blacks. Her years there were marked by hard work and high intelligence, as evidenced by her selection as valedictorian of her M.D. class.

Excellence in education translated into outstanding achievements throughout her career. Dr. Simpson has devoted 47 years to practicing medicine. She has accomplished a ground-breaking collection of notable firsts, including being the first black pediatrician in Florida, the first to achieve specialist certification in her specialty and the first black president of the Greater Miami Pediatrics Society.

Child care and preventive medicine are areas of concern and commitment for Dr. Simpson. She was the first black pediatrician to conduct a children's clinic for the poor in Dade County. In fact, the Family Christian Association of America recently dedicated a new child development center in Buena Vista. ''Before I came here,'' Dr. Simpson said, ''a lot of people did not even know the word pediatrician, or why it was important to go to one.'' As

vice-chairman of the board of directors of the Miami Children's Hospital, she certainly has done a lot to change that.

Even with her busy practice, Dr. Simpson has found the energy and the time to advance the cause of medical education. She served as the national president of Meharry Medical College, and was elected Alumna of the Year in 1975 and 1995. She is a life member of the NAACP, attesting to several years of continuous service.

In addition to her professional success and community efforts, Dr. Simpson is a mother of three children and an active participant in her church. And although she is a very accomplished woman, she is modest and reluctant to call attention to her achievements. It is in this spirit that, on the occasion of her retirement, I would like to pay tribute to a role model, for all Americans, Dr. Dazelle Dean Simpson.

RECOGNITION OF FRANK PEDONE

HON. MARGE ROUKEMA

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 25, 1996

Mrs. ROUKEMA. Mr. Speaker, I rise to recognize Frank J. Pedone, executive vice president of the Bergen County—New Jersey—Council of the Boy Scouts of America. Mr. Pedone will be presented with the distinguished Eagle Scout Award January 19 at the council's Eagle recognition dinner. This is one of scouting's highest honors, presented to only 1,200 individuals nationwide. It is a fitting and well-deserved recognition of Mr. Pedone's many years of devoted dedication to scouting and to the young men for whom scouting helps build character and integrity.

The distinguished Eagle Scout Award was established in 1969 to acknowledge Eagle Scouts who have distinguished themselves in business, professions, or service to their country. Only Eagle Scouts who have earned the Eagle Scout Award a minimum of 25 years are eligible for nomination. The award is made by the National Court of Honor upon the recommendation of a committee of distinguished Eagle Scouts.

Among past recipients have been President Gerald Ford, astronaut James Lovell, and movie director Steven Spielberg.

Mr. Pedone, of Cliffside Park, NJ, achieved the rank of Eagle Scout in 1963 and has received many scouting awards since, including the Award of Merit, Silver Beaver, Vigil Honor, Silver Wreath, Distinguished Commissioner Award and Silver Antelope. He has served as a board member of the Bergen Council since 1988 and has held many leadership positions within the council. He also serves on the executive board of the Greater New York Council of the BSA, with which he has been active since 1972.

As president of Pedone & Associates Inc., an executive recruiting firm, Mr. Pedone has used his professional skills and contacts to bring numerous high ranking and talented executives into scouting service. He and those he has recruited—both as volunteers and for BSA staff positions—have helped tremendously with BSA fundraising and organization of scouting units and activities.

He was instrumental in establishment of the $7 million Cub World facility built at Camp Alpine for Cub Scouts, among other projects.

Mr. Pedone's public service has not been limited to scouting. He has been active in the Catholic church, serving as Parish Council President, a district warden of the Knights of Columbus and chairman of a parish youth council. He has been president of three homeowners associations. He is a member of the New York University Fundraising Committee and has been cited by the New Jersey Assembly for his community service.

Mr. Pedone is a wonderful example of how a successful individual can give something back to his community. He has followed his scout's oath to do his best, to do his duty to God and country, and to help others at all times.

MARIA CHRISTINA ROSA, A DEDICATED COMMUNITY LEADER

HON. ROBERT MENENDEZ

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 25, 1996

Mr. MENENDEZ. Mr. Speaker, I rise today to honor Maria Christina Rosa, who is retiring as the president of the Puerto Rican Society of Elizabeth. An event will be held in her honor on Saturday in Union, NJ.

Ms. Rosa came to the United States from her native hometown of Tao Alto, Puerto Rico, in 1956. As a graduate of the University of Puerto Rico, Ms. Rosa attended Edison State College and worked at John E. Runnell's Hospital in Union as a patient services coordinator for 20 years. In 1979, she began working with the U.S. Equal Employment Opportunity Commission and for 16 years she has devoted herself to helping individuals fight for their civil rights.

Despite her very busy work load, Ms. Rosa is very active within the community. She has dedicated her time and efforts to improving our educational system by serving as a member or delegate in numerous city and statewide committees related to education. She served as secretary for the Advisory Committee for Bilingual Education in Elizabeth and until recently was one of the members of the Elizabeth Educational Foundation.

As president, for the past 6 years, of the Puerto Rican Society of Elizabeth, Inc., Ms. Rosa has been able to raise funds for educational scholarships. The various ethnic, historical, and cultural celebrations hosted by the Puerto Rican Society of Elizabeth have given the community an opportunity to experience the rich cultural heritage of Puerto Rico. She has also volunteered her time for a variety of social and community organizations such as the Puerto Rican State Wide Parade of New Jersey, the Puerto Rican Association of Professional Women, the Puerto Rican Congress of New Jersey, and the Elizabeth Borinquen Lions Club.

Her service and outstanding dedication to her work and to the citizenry have merited her appointments as commissioner of the Elizabeth Welfare Board, commissioner of the Union County Advisory Commission on the Status of Women, and commissioner of New Jersey State Equal Employment Opportunity Advisory Commission.

I ask that my colleagues join me in honoring Maria Christina Rosa, an outstanding community leader and role model. I wish her the best of luck on her retirement, may she always maintain that spirit of generosity and love that she has given to the public.

EXPRESSING SUPPORT FOR THE AMERICAN TROOPS IN BOSNIA AND HERZEGOVINA

HON. JACK KINGSTON

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 25, 1996

Mr. KINGSTON. Mr. Speaker, I enter the attached resolution, H.R. 791, from the House of Representatives of the State of Georgia, into the CONGRESSIONAL RECORD:

H.R. NO. 791

By: Representatives Bunn of the 74th, Heckstall of the 55th, Hembree of the 98th, Mueller of the 152nd, Brown of the 130th and others

A RESOLUTION

Expressing support for the American troops in Bosnia and Herzegovina urging President Clinton and the Congress to give the troops sufficient resources to ensure their well-being; and for other purposes.

Whereas, President Clinton has dispatched American troops to assist in supervising the fragile peace in Bosnia and Herzegovina; and

Whereas, those American men and women along with their NATO counterparts are experiencing severe hardship and facing real personal danger in order to protect the former combatants and their respective civilian populations in that tragic region; and

Whereas, those brave men and women deserve not only our moral support but also the real material support necessary to ensure their safety in a hostile environment.

Now, therefore, be it resolved by the House of Representatives, That the members of this body express their confidence that the American troops deployed in Bosnia and Herzegovina will acquit themselves professionally and honorably, pledge their unreserved support for the American troops, and pray that their mission will bring a return of peace and prosperity to the citizens of the region.

Be it further resolved, That the members of this body urge the President and Congress to provide the United States contingent with the resources and support necessary to ensure the success of their mission and their early safe return home.

Be it further resolved, That the Clerk of the House of Representatives is authorized and directed to transmit appropriate copies of this resolution to President Clinton, the presiding officers of the House of Representatives and Senate, the majority leader of the Senate, and the Secretary of Defense.

TRIBUTE TO EIGHTH LEGISLATURE OF

HON. VICTOR O. FRAZER

OF THE VIRGIN ISLANDS

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 25, 1996

Mr. FRAZER. Mr. Speaker, today, I would like to pay tribute to the members of the eighth legislature of the Virgin Islands, with special recognition of Dr. Melvin Herbert Evans posthumously, the Governor of the Virgin Islands who signed this historic legislation into law.

The legislature of the Virgin Islands, in 1970 designated January 15, the birthday of Dr. Martin Luther King, Jr. as a legal holiday, in the Virgin Islands. The legislation was proposed by the Committee of the Whole, which included senators John L. Maduro; Randall N. James, David Puritz; Earle B. Ottley; Augustin Doward; Louis P. Hestres; Horace A. Callwood; Alexander A. Farrelly; Santiago Garcia; David M. Hamilton; Arnold M. Golden; Frits E. Lawaets; Theovald E. Moorehead; Aureo Diaz Morales; and Percival H. Reese. It was received at the legislative desk February 2, 1970, reported, read in full and adopted February 2, 1970 transmitted to the Governor February 5, 1970 and approved February 16, 1970, to become effective in 1971.

This legislation became bill No. 4293 which states: It is most fitting and proper that the anniversary of the birth of Dr. Martin Luther King, Jr. be set aside each year as a day to honor the memory of a leader who symbolized the freedom and faith of America. The life, works, and philosophy of Dr. King brings to Americans and Virgin Islanders the hope and dream that what he stood for will one day become a reality. All Virgin Islanders and particularly our youth, may take comfort and gain encouragement from the life of this great apostle of nonviolence who sought through constructive measures justice and liberty for all mankind. We Virgin Islanders have long prided ourselves in having attained the liberty, justice, and brotherhood for which Martin Luther King gave his life. Therefore, let us annually, on January 15, commemorate Dr. King and examine our hearts to determine that we are honoring the dream and fulfilling the vision of brotherhood, justice, and individual liberty that gave true purpose to the life and works of Martin Luther King.

The passage of this legislation made the Virgin Islands the only place under the U.S. flag to legally celebrate the birthday of Dr. King, which also gives it historical significance. Mr. Speaker, on the 25th anniversary of the passage of this historic legislation by the eighth legislature of the Virgin Islands, I pay tribute to those individuals for their leadership and foresight. Because 13 years later in 1983, as outlined in Public Law 98–144, Dr. Martin Luther King, Jr.'s birthday became a national holiday.

SUPPORT PEACE, DEMOCRACY, AND JUSTICE FOR ALL OF TURKEY'S CITIZENS

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 25, 1996

Mr. SMITH of New Jersey. Mr. Speaker, I rise today to offer a resolution advocating a peaceful end to the conflict between the Turkish Government and Kurdish militants. The ongoing war undermines the very foundations of both the Turkish State and our bilateral relations and its persistence challenges the desires of the United States and Turkish Governments to establish a secure, long-term relationship. For the sake of the people of Turkey, the end of the conflict will strengthen Turkish democracy, help eliminate the scourge of terrorism, resuscitate a shaky economy and promote regional stability.

Mr. Speaker, Turkey is home to half of the world's 25 million Kurds and has experienced 28 Kurdish uprisings in the past century. Since 1984, more than 20,000 people have died in clashes among security forces, the Kurdistan Workers Party [PKK] and shadowy Moslem fundamentalist groups. In the past 3 years, security forces forcibly evacuated or destroyed more than 2,650 villages in southeast Turkey and displaced more than 3 million people. Villagers have been rounded up by security officials and subjected to beatings, mass arrests and intimidation. Death squads, believed connected to security forces and fundamentalists, have been responsible for hundreds of extrajudicial killings and disappearances. PKK fighters have also snuffed out the lives of innocent civilians. Each month there are reports of individuals killed in detention and torture remains widespread in cases involving political charges. Eight southwestern Turkish provinces are under a constant state of emergency authorizing local authorities to curb political and media activity.

Mr. Speaker, successive Turkish Governments have viewed the PKK solely as a terrorist phenomenum undermining its sovereignty and dividing the country along ethnic lines. The Government has dismissed as propaganda recent PKK statements renouncing violence and separatism and calling for peaceful and lasting political solutions. Turkey's Government has given the military free reign in responding to the PKK, and its heavy-handed approach has also stifled legitimate Kurdish political voices.

Mr. Speaker, in southeastern Turkey, citizens are often forced to choose between supporting the guerrillas and risking violent reprisal by Turkish security—or not helping and facing equally harsh PKK retribution. Locals believed to be sympathetic to Turkish authorities have been executed by the PKK. Eleven years of violence has polarized Turks and Kurds and threatens to rend Turkish society along ethnic lines. Kurds, resentful of military abuses, become more supportive of the PKK. Turks, angered by the costs and brutality of terrorism, become increasingly intolerant of the rights of Kurdish citizens.

Mr. Speaker, no one disputes Turkey's key role in preserving U.S. strategic, political and economic interests in a critical region. However, the inability of successive Turkish Governments to resolve the Kurdish crisis remains an obstacle to improved ties and enables persistent human rights problems to stunt Turkey's democratic development. The time has come for Turkey's true friends and supporters to call on all sides in the conflict to abandon violence and settle their differences peacefully, democratically and within the framework of the territorial unity of the Republic of Turkey. Following recent elections, Turkey's Government finds itself in a state of protracted paralysis. Observers believe that any new government is unlikely to offer substantially new approaches to the Kurdish issue because of prevailing nationalist sentiments and the possibility of new elections in the near future. Additionally, Turkey's military supports the war in southeast Turkey, although its approach has failed to do anything but foster local support for the PKK.

Mr. Speaker, I have learned from our experiences dealing with the PLO and Israel, the ANC and South Africa, and the IRA and Britain, that the longer it takes to begin reconciliation, the harder it becomes to look beyond the bloodshed and suffering. Mr. Speaker, violence will not resolve this conflict. The time for dialog is long overdue.

Mr. Speaker, the U.S. Government has often been instrumental in promoting peace in troubled areas. So too should we demonstrate our commitment to encouraging the resolution of this destructive and bloody conflict. The resolution which I am introducing, along with Mr. STENY HOYER, ranking minority member of the Helsinki Commission, is an important first step in this direction. I would ask our colleagues to join us in cosponsoring this resolution. I ask that the language of the resolution be printed in the RECORD at this time.

H. CON. RES. _____

Whereas armed conflict has existed in southeastern Turkey since 1984, and the entire region has been placed under a state of emergency since 1987;

Whereas the human toll of this conflict has been great, with the loss of more than 20,000 lives, the displacement of more than 3,000,000 civilians, and the destruction of more than 2,650 Kurdish villages;

Whereas free expression in Turkey is restricted by laws which criminalize nonviolent expression, resulting in the incarceration of journalists, writers, academics, human rights activists, and others as political prisoners;

Whereas in the past 2 years, 13 Kurdish members of Turkey's parliament have been removed from office, jailed, or exiled for expressing political opinions or having alleged contacts with the illegal Kurdistan Workers Party (PKK);

Whereas Kurdish citizens of Turkey have been denied certain basic political and civil rights such as the right to full and free participation in political life, the right to be educated in their mother language, and the right to freely write and publish materials in the Kurdish language;

Whereas the conflict between Kurdish guerrillas and Turkish armed forces has spilled over Turkey's borders and threatens the stability of the region;

Whereas the escalating conflict poses grave threats to economic stability and the existing political order and prevents realization of full-fledged democracy;

Whereas international and local humanitarian organizations, including the International Committee of the Red Cross, have been denied access to southeastern Turkey;

Whereas terrorism poses a grave threat to human rights and violates international law;

Whereas Turkey's leaders have made commitments to building a democratic society and have made significant progress in realizing this goal;

Whereas the Government of Turkey has acceded to upholding international human rights agreements, including the United Nations Universal Declaration of Human Rights, the Geneva Conventions, and the Helsinki Final Act;

Whereas Turkey, a member of the North Atlantic Treaty Organization and the Organization for Security and Cooperation in Europe, is an important strategic and economic partner of the United States;

Whereas long-term strategic and economic interests of the United States are jeopardized by the continuing conflict in Turkey;

Whereas after 11 years, Kurdistan Workers Party (PKK) guerrilla leaders have offered to lay down their weapons;

Whereas a military solution to the Kurdish question in Turkey is not possible, and only a nonviolent political solution can bring peace, stability, full democracy, and prosperity to Turkey; and

Whereas such a solution must be sought and implemented within the framework of

the territorial unity of the Republic of Turkey: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That it is the sense of the Congress that—

(1) the Government of Turkey should immediately release all political prisoners and lift restrictions on free expression and thereby enable all Turkish citizens, including those of Kurdish origin, to enjoy the political and cultural rights of peoples in all democratic countries;

(2) the President should take every opportunity to encourage the Government of Turkey to initiate steps to end the armed confrontation in that country;

(3) the Kurdistan Workers Party (PKK) should declare a cease-fire and restate support for resolution of the conflict through democratic means and within the framework of the territorial unity of the Republic of Turkey;

(4) the Government of Turkey should declare a cease-fire and reaffirm a foundation upon which its Republic is based: ''Peace at home. Peace in the world'';

(5) upon cessation of hostilities, the International Committee of the Red Cross and other appropriate humanitarian and monitoring organizations should be given access to southeastern Turkey;

(6) the Government of Turkey should take steps to further reduce the potential for future confrontation, including—

(A) allowing all political parties committed to nonviolence to participate in Turkish political life;

(B) repealing the state of emergency in southeastern Turkey;

(C) dismantling the paramilitary ''village guard'' system;

(D) lifting all constraints on the dissemination in the Kurdish language of television and radio broadcasts, print, music, and other media;

(E) allowing schools to offer instructions in the Kurdish language; and

(F) establishing consultative mechanisms to defuse sources of conflict and propose strategies to resolve current crisis in southeastern Turkey; and

(7) the President should support providing technical assistance to carry out paragraphs (1) through (6).

SAMSHA REGULATIONS

HON. BART GORDON

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 25, 1996

Mr. GORDON. Mr. Speaker, I came to the floor last August to express my opposition to Food and Drug Administration [FDA] Commissioner David Kessler's unilateral move to regulate tobacco products.

I said that I supported the President's goal in reducing underage use of tobacco products, but the answer was not FDA regulation. Thirteen Federal agencies already regulate tobacco.

I remarked that Congress had already spoken on the matter of youth access to tobacco products by passing the Synar amendment to the Substance Abuse and Mental Health Services Administration [SAMHSA]. I encouraged the President to direct the Health and Human Services [HHS] to release the final SAMHSA regulations so the will of Congress can proceed.

Mr. Speaker, I come to the floor today—6 months later—to express my support for the final SAMHSA regulations. Now everyone can join hands and work together toward a common goal.

The actions called for in the regulations are the most immediate and effective way to make positive gains in reducing youth access to tobacco products. The regulations recognize that the individual States—all of which have laws on the books which prohibit minors from purchasing tobacco products—are better equipped to enforce these laws than the Federal Government.

Under the regulations, States are required to enforce their laws preventing the sale of tobacco to minors in a manner that is at least 80-percent effective. States will have to conduct annual random, unannounced inspections to ensure compliance with the law. In addition, each State will be required to submit an annual report detailing its activities and its overall success.

Mr. Speaker, the issue here is not whether juvenile use of tobacco products should be curbed. Everyone agrees it must be. Rather, the questions is how best can we make immediate and effective advances. Commissioner Kessler's unilateral attempt to create jurisdiction is not the answer. Over 3 years ago, Congress overwhelmingly asserted its commitment to prohibiting minors from purchasing tobacco products. Finally, Mr. Speaker, we now have the ability to start down the road of progress.

INDIA REPUBLIC DAY: A CELEBRATION OF 46 YEARS OF DEMOCRACY

HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 25, 1996

Mr. PALLONE. Mr. Speaker, tomorrow, January 26, is a date of enormous significance for all the people of India, and for the many sons and daughters of India living in the United States and around the world. January 26 marks the celebration of Republic Day, a national holiday that holds the same significance for Indians as the Fourth of July does for Americans.

On January 26, 1950, India became a Republic. The country adopted a Constitution which enshrined the principles of democracy and secularism. At that time, Dr. Rajendra Prasad was elected as the nation's first President. Since then, despite the challenges of sustaining economic development while reconciling her many ethnic, religious and linguistic communities, India has stuck to the path of free and fair elections, a multi-party political system and the orderly transfer of power from one government to its successor.

Since many Americans may be unfamiliar with the anniversary that the people of India celebrate tomorrow, I would like to draw particular attention to the similarities and shared values of the United States and India. The framers of the Indian Constitution drew inspiration from our own Constitution and its Bill of Rights. Both of our countries are former British colonies that gained their freedom after a long and difficult struggle. English continues to be an important language of commerce in India, while the principles of common law continues to shape the nation's judicial system. Many Americans almost instinctively saw in Mahatma Gandhi a reflection of values that our country holds dear. During this month when we celebrate the birthday of one of America's greatest heros, Martin Luther King, Jr., we should remember that Dr. King derived many of his ideas of non-violent resistance to injustice from the teachings, actions and self-sacrifice of Gandhi.

Mr. Speaker, I am happy to report that United States-India relations are continuing their trend toward greater cooperation and partnership on many key issues. Last year was marked by an unprecedented flurry of visits—in both directions—from leading government and private sector officials from both countries. Three United States Cabinet Secretaries travelled to India during 1995, and major contracts valued in the billions of dollars were concluded. In my capacity as cochairman of the Congressional Caucus on India and Indian-Americans, I am proud that our bipartisan Congressional Member Organization has been able to host forums for Members of Congress to hear from these distinguished Indian leaders, including Cabinet Ministers, Members of Parliament, opposition leaders and the heads of major firms and trade organizations. In 1996, I hope we in Congress will continue to make it a high priority to continue this momentum and move it forward. The steady improvement in United States-India relations will benefit the people of both of our countries.

In addition, Mr. Speaker, I want to point out that Republic Day will be celebrated by the one million Asian Indians here in America, a community of hard-working, family-oriented people who have contributed greatly to their new country while maintaining pride and devotion to their motherland.

Finally, Mr. Speaker, Republic Day 1996 marks one of the final events to be presided over by Ambassador Siddhartha Shankar Ray. After more than 3 years of representing his country in Washington, Ambassador Ray is returning home and returning to the political fray in this year's parliamentary elections. I would like to take this opportunity to wish a fond farewell to the Ambassador and his wife Maya Ray, herself a barrister, former Member of Parliament and an effective representative for her country before the international community.

Mr. Speaker, it is an honor for me, an elected Representative of the oldest continuous democratic republic on Earth, to pay tribute to the world's most populous democracy on the occasion of their great national day.

IN MEMORY OF AMBER HAGERMAN

HON. MARTIN FROST

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 25, 1996

Mr. FROST. Mr. Speaker, I would like to take a few moments to apprise my colleagues of a tragic incident which recently occurred in my congressional district.

Earlier this month, Amber Hagerman, a 9-year-old girl from Arlington, was kidnaped and murdered. The autopsy has not yet been completed; however, it is likely that Amber was sexually assaulted.

The crime has sparked national outrage over the brutality of the incident. Amber was

kidnaped from the parking lot of a vacant shopping center on January 13. For a week, volunteers and police searched the city of Arlington hoping that they would find her safe and sound. Her body was found almost a week later on January 17. The authorities are still searching for her killer.

Arlington citizens, deeply disturbed by the incident, have held numerous community meetings and are urging passage of more State and Federal laws to strengthen prosecution of sex offenders.

I share the concerns of my constituents and agree that there is an urgent need to toughen the sentences for sex offenders.

I urge my colleagues to support legislation addressing these types of crimes. It is high time that we lock up these repeat sex offenders and throw away the key. Stricter sentencing laws can prevent sex offenses and protect our citizens from such heinous crimes.

J. KENNETH BLACKWELL AND STEVE ENTIN, TWO TREASURES IN MY DISTRICT

HON. STEVE CHABOT

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 25, 1996

Mr. CHABOT. Mr. Speaker, the Cincinnati district that I am privileged to represent has an abundance of treasures. One of them is a good friend and former colleague of mine from our days together on the Cincinnati City Council, J. Kenneth Blackwell. After leaving the council, Ken went on to serve as Assistant Secretary for the Department of Housing and Urban Development and then as ambassador to the United Nations Human Rights Conference in Geneva during the Bush administration. He recently became the first African-American ever elected statewide in Ohio and now serves as State treasurer. He also serves as a member of the National Commission on Economic Growth and Tax Reform, which last week issued its much heralded recommendations for a new Federal tax system. Goodness knows, the present Internal Revenue System is an atrocious mess in need of complete overhaul.

I was privileged this last Martin Luther King Day to attend the Cincinnati ceremony in which Ken and his distinguished wife Rosa were presented the prestigious Dreamkeepers Award. Today, I would like to enter into the CONGRESSIONAL RECORD a November 15 speech delivered by my friend, Ken Blackwell, at Ashland University's Ashbrook Center for Public Affairs (established in honor of the late, legendary Ohio Congressman John M. Ashbrook). Additionally, I'd like to include an article written by Mr. Blackwell and Steve Entin, resident scholar at the Institute for Research on the Economics of Taxation, published in the January 18 edition of the Cincinnati Post.

The speech and article follow:

DEVOLUTION—REVOLUTION IN THE THIRD CENTURY

(By J. Kenneth Blackwell, Treasurer of State of Ohio)

For baseball fans in our home state, 1995 was a remarkable year. It was when Ohio became the third state to have two teams involved in major league post-season play in the same year. It is regrettable that Georgia's only team killed the Ohio I–71 World Series by knocking out the southern end, and that it then compounded its inconsiderate behavior by depriving the northern end of the championship. Still, for Ohioans, it was the greatest baseball year ever. Until next year.

The Season was still in full swing when I began thinking about what I would say here today. Perhaps that is why a baseball story from the sixties came to mind. Even for non-fans, the name Frank Robinson should ring bells. My first paying job was selling peanuts at old Crosley Field, and one of that job's most important fringe benefits was watching Frank Robinson play ball. Frank was a more than adequate defensive player in the outfield and at first base, but he is remembered because he was an offensive dynamo. He hit for average and he hit with power. He made all-star teams in both the National and American Leagues, he played in World Series for teams in both leagues, and he was voted MVP in both leagues. Frank became the first African American hired to manage a major league team. He also had the dubious distinction of becoming the first one fired. He was one of two players in what some people consider the worst baseball trade ever made. Reds management called him old-at-thirty and traded him to Baltimore for Milt Pappas, which had the unfortunate side effect of laying a bad Trivial Pursuit rap on a very good pitcher.

The story, which I confess may be apocryphal, takes place after Frank became a Baltimore Oriole. It is the bottom of the ninth. The Orioles are down by one run, but the bases are loaded, and Robinson is coming to bat. The crowd is going wild. You can cut the tension with a knife.

Earl Weaver, the legendary Manager of the Orioles, looks over at Frank in the on-deck circle. He must see visions of grand slam dancing in Frank's eyes. Weaver crooks his finger to beckon Frank over. He puts his face in Frank's face. In a low, deadly tone-of-voice, Weaver says, ''Listen up, Mr. All-Star! Not too hard, and not too soft! Just la-de-da!''.

Frank smiles at his manager. He nods. He goes to the plate, and he lays that beautiful grooved swing of his on the first pitch. He hits a frozen-rope single to center and drives in the tying and winning runs.

''Not too hard, and not too soft! Just la-de-da . . .!

That is what we must learn to do with our government as we enter our third century of nationhood. We are a nation of home run hitters. We have a two hundred year history of swinging from our heels. More often than any nation in history, we have hit home runs, but all too often these days, we strike out.

Especially at the federal level, we have forgotten that our national game is baseball, not sumo wrestling. We have considered it acceptable to weigh five hundred pounds as long as we stayed strong. It is time now for us to get back in shape. It is time for us to learn to be disciplined at the plate. We have to make our government not too hard and not too soft, not too fat and not too lean, not too big and not too small . . . just la-de-da . . .

This will not be easy for us because imbedded in our national character, indeed, imbedded in our language, is the idea that bigger is better and smaller is worse.

Expansion is good. Shrinkage is bad.

Generous people are big people. Selfish people are small.

Successful companies are green and growing. Unsuccessful companies are contracting and dying.

Not until we are talking about diets or tumors do we arrive at the idea that becoming larger can be unhealthy and becoming smaller can be beneficial, yet that is exactly the thinking we must apply to our government if we are to return national growth to the places were we want growth.

I submit that we want growth in personal opportunity. We want growth in personal freedom. And for Americans to have more personal opportunity and more personal freedom, we have to reduce the intrusion of government into our lives at all levels, but especially at the federal level.

Today our most conspicuous area of national growth is in the national debt. Some people think that our nation has been in hock from the time we fought the Revolutionary War on borrowed money, but this is not so. It is true that we entered the nineteenth century with a debt of almost one hundred million dollars, about fifteen dollars per capita in the money of that time. This would be roughly one hundred fifty dollars in today's money. The debt went up to finance Thomas Jefferson's Louisiana Purchase, but it was then steadily worked down under James Madison, James Monroe and John Quincy Adams. In 1832, Andrew Jackson was elected President, and, believe it or not, toward the end of the first term of the first modern Democrat, thanks to rapid economic growth and pruduent fiscal management, the debt was eliminated. Our political landscape today would have a very different look if Jackson's Democratic successors had been equally tightfisted.

Through our first century and a half, the national debt reached its highest levels as a consequence of wars, and it was always paid down between wars. Expressed in terms of Gross National Product, the debt was close to half of GNP coming out of the Revolutionary War. From zero in 1835 and 1836, it went over twenty-five percent of GNP in the aftermath of the Civil War, and again after World War One. It reached its all-time high, about one and a quarter times GNP, following World War Two. It came down in the sixties and seventies, but its low then was still higher than the highs following the previous century's wars. And from about a third of GNP in 1980, the debt has soared to more than half of GNP today.

What has caused this growth where we do not want growth? Well, it is not low taxes. Total tax revenues have more than doubled since 1980. Taxes now consume more than forty percent of the income of the average American family. Taxes cost that family more than food and clothing and shelter combined. Taxation at the state and local levels in most parts of the country is relatively restrained. The lion's share of the American family's confiscatory tax burden goes to the federal level.

Our federal government is a five hundred pound baseball player. There is no meal of tax dollars large enough that it will not wolf it down and growl for more. We have to get the monster on a diet before it kills itself and us with it.

The first steps in curbing the federal appetite for our money have just been taken by both houses of Congress in passing budget bills which will eliminate the deficit in seven years. Differences between the bills will soon be worked out in conference committee, but there is no assurance that they will go into effect in the form they are passed because of a threatened veto.

There is a straight forward solution to this kind of obstacle to balanced budgets and ultimate elimination of the national debt. It is the balanced budget amendment to the Constitution. Forty-nine of our fifty states had balanced budgets last year. Forty-eight of those have balanced budget requirements in their constitutions. There is no doubt that some members of all of those legislatures

could, and would, have found ways to spend more tax money than their states took in, but they did not because they could not. We need the same discipline at the federal level.

If the subject were not so serious and the need for the amendment so clear, the arguments of its opponents last year would have been funny. They remind me of a wonderful song in an album made some years ago by Harry Belafonte and Odetta. Odetta tells Harry, her husband in the song, to fetch some water. He can't fetch the water because the bucket has a hole in it. She makes a series of suggestions for solving the problem. He has a new objection to every suggestion. Toward the end of the song, she tells him to use a straw to mend the hole. He cannot use a straw because it is dry. She tells him to wet the straw. He cannot do that because he has no water. She tells him to fetch some water, and that brings him full circle. He cannot fetch water because the bucket has a hole in it.

The opponents of the balanced budget amendment came up with an array of arm-waving objections to it, some on lofty, if somewhat vague, constitutional principles, but the bottom line is one reason is as good as another when you do not want to do something. If only one Senate opponent changes his or her mind during the session, the amendment may yet pass during this session, but if that does not happen, the American people will surely change the composition of the next Congress to pass it. And if that prediction is correct, I have to believe that the legislatures of three-fourths of the states will hear the message clearly enough to make it happen in short order.

Requiring the Congress and the President to go on the line for the taxes necessary to support their spending will help immensely in reducing the federal appetite for our money, but in my judgment we need action which goes beyond that.

Ten states now require a super-majority in their legislatures to increase taxes. I am a strong advocate of this form of taxpayer protection, and I believe that Ohio will soon join the ten states which have it in place.

The super-majority idea should be applied at the federal level. Opponents say it is somehow anti-democratic to require more than a simple majority to raise taxes. They apparently think it is all right to require a two-thirds majority when the subject is amending the constitution, or going to war, or impeaching a president, but such a requirement is not all right when the subject is taking the property of one citizen to give to another. It would be interesting to see what the result would be if this question were put to a national referendum. I have a hunch it would pass by a super-majority.

The third area of taxation which belongs in the federal government's diet is the tax code. All of us know it is a mess, but just how much a mess strains belief.

In 1950, the tax code had one hundred and three sections. It now has one thousand five hundred and sixty-four sections.

In the past forty years, Congress has on average changed the tax code every one point three years.

Since the last major overhaul in 1986, there have been four thousand changes in the tax code.

There are seventeen thousand pages of Internal Revenue Service rules.

Each year, the IRS prints eight billion pages of tax forms.

Americans spend five point four billion hours filling them out.

Individuals and corporations spend, or should I say waste, in excess of two hundred and fifty billion dollars worth of time per year to pay their taxes.

I believe that the time is right to simplify the federal tax system to the point that we can reduce Form 1099 to a postcard and virtually eliminate the Internal Revenue Service.

I am serving on a National Commission to reshape the tax code for Senator Dole and Speaker Gingrich. Our mission is a major overhaul, not an academic review. I cannot discuss the deliberations of the Commission at this point in our work, but I can discuss some ideas I believe have merit as we move toward a better system.

I have a strong personal bias toward systems which encourage savings and investment. I would prefer a system which would tax consumption instead of income, but for solid, practical reasons, mostly rooted in the inseparability of our national economy from the global economy, I think we need to continue to rely on the basic structure of an income tax.

We can and must vastly simplify our income tax. The starting point is a single-rate tax at about twenty percent of income. I favor a substantial exclusion from paying this tax, perhaps thirty thousand dollars for a family of four. This structure passes the tests of fairness and progressivity. As incomes go up, the percent taxes represent of total income go up, though in no case will they reach the single-rate because the initial exclusion will not be subject to recapture. We can eliminate the marriage penalty by setting the exclusion for a single taxpayer at one-half the level of a married couple filing jointly. By setting the exclusion well above the poverty level, we will also eliminate the disincentive of today's tax structure to poor families working their way off welfare.

I favor retaining three deductions from gross income.

One is mortgage interest. This helps young wage-earners achieve home ownership without having to wait through a lifetime of wealth-building. I realize that this amounts to accomplishing a social objective through the tax code, but I believe the benefits to families and neighborhoods make it worth this exception to theoretical purity.

The second is money placed by individuals in savings toward retirement. We can tax that money as it comes out of savings, but while it is saved, we should let it grow. And the effect of exempting savings is to turn an income tax into a consumption tax without the complexity or wrenching transition that would be involved in moving to a national Value Added Tax or sales tax.

The third deduction is charity. As we move to replace governmental largesse with private initiatives, we need to stay away from tax disincentives.

We should apply the same single-rate to individuals and to corporations. Doing so eliminates the historical incentives to move in or out of incorporation. We should apply the same single-rate to capital gains as to income. This will eliminate a ton of IRS rules designed only to distinguish between the ways people make money.

At the corporate level, we should treat dividend payments the same way we treat interest expense. This will eliminate the bias of the current system for debt over equity.

These, then, are the key elements at the intake end of our federal diet: one, a balanced budget amendment to compel our government to live within its means: two, a super-majority tax increase requirement to compel government to look first to its spending habits to balance its budget; and three, a clean, simple, fair system of taxation to restore incentives to work, save and invest.

The next question is what we do at the outgo end.

The answer is devolution. The answer is governmental change which is faithful to the principle of subsidiarity. The answer is change which reverses the upward flow of money and power and sends it back to levels of government which are closer to the people governed.

The modem centralized welfare state—and like it or not, we are living in one—is built on a foundation of three wrong ideas.

The first is that government can do a better job with our economy than the market. Wrong.

The second is that bureaucrats can make better decisions about what is good for families than the families themselves. Wrong, wrong.

The third is that the work ethic is outdated, and that we can have a healthy society which has disconnected effort from return. Wrong, wrong, wrong.

We must reawaken our recognition of the fact that in most domestic matters, the states can perform more effectively and efficiently than the federal government. Our founders knew this. Senator Dole and Congressman Bob Dornan have repeatedly reminded their audiences of the tenth amendment to the constitution, the amendment which has been honored in the breach for most of the twentieth century. It reads, in one powerful sentence, ''The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.''

It does not stop there. In most domestic matters, cities and counties can perform more effectively and efficiently than the states.

In many domestic matters, neighborhoods can perform more effectively and efficiently than cities and counties.

And in matters having to do with what to do with their money, families can perform more effectively and efficiently than any level of government. Colin Powell says it very well in his autobiography: ''Every tax dollar taken away from a consumer or a business is a dollar that will be spent less efficiently than if left in private hands.''

We are only just beginning to apply this thinking at the federal level, but successful state and local models are out there to show what can be done. One standout example is Indianapolis where Mayor Stephen Goldsmith reduced the size of city government, law enforcement functions not included, by an astonishing thirty-eight percent in three years. What he did was to systematically review city functions one by one using a team of entrepreneurs which he called the Service, Efficiency and Lower Taxes for Indianapolis Commission, SELTIC for short. The recommendations from SELTIC alone helped him trim $100 million from the city budget.

Indianapolis opened the operation and management of the city's waste-water treatment plants to competitive bidding. The winning bid improved water treatment and cut costs by forty-four percent.

Trash collection was opened to competitive bidding. The cost of trash collection has dropped from eighty-five dollars per household to sixty-eight dollars.

Competitive bidding cut street repair costs by twenty-five percent.

Microfilming public records was privatized for an annual cost reduction of sixty-three percent.

What do the people of Indianapolis think of all this? They answered that question last week by reelecting Mayor Goldsmith in a landslide. And if the Republican elected President in 1996 continues the work begun in this session of Congress and applies the Indianapolis approach, we can look for a landslide reelection in 2000.

The principle of subsidiarity can help us deal with two of our most intractable national problems, what to do about Social Security and Medicare.

The cynicism of our young people toward Social Security is a matter of real concern. A recent poll of 1600 Americans between the ages of eighteen and thirty-five showed that more of them expected to see a UFO in their lifetime than a social security check.

I was in Santiago, Chile last week to review what has been done there over the past fifteen years with their Social Security system. In 1980, their approach looked a lot like ours, a system of transfer payments featuring high withholding taxes and an endless, futile struggle to keep benefits up with inflation. In 1981 the government offered workers their choice of staying in the old system or moving to a new system in which a mandatory ten percent of wages are automatically invested in an individual investment account, with an option to add as much as ten percent voluntarily. The worker chooses one of several private Pension Fund Administration companies to invest the account. These AFP's are like mutual funds, putting money in stocks, bonds and government debt. Workers are free to move from one AFP to another, so there is competition among companies to provide higher returns and better service. About one-fourth of the Chilean work-force signed up for the new system in the first month, and more than ninety percent are now in it. The results have been phenomenal. More than half of Chile's retirees have done so well that they have taken early retirement.

I believe a lot of Americans would choose a system like this over Social Security or UFO's. The thirty-eight million beneficiaries of the current system and the number of workers in their forties, fifties and sixties who cannot have a full working career under a savings plan present transition problems as we change systems. We cannot break faith with these people, but we do not need to. The problems are formidable, but they are surmountable so long as we fund the transition through reduced governmental spending in other areas, not future borrowing.

A conceptually similar idea is emerging to deal with Medicare. The idea is medical savings accounts. In these, individuals would be able to put an amount like three thousand dollars into a tax-free account. The money could come either from the employer or the employee. Some form of catastrophe insurance would cover expenses beyond this first three thousand, but the effect would be to put individuals in charge of expenditures for routine care, medication, eyeglasses and the like. This would bring most health care expenditures under the control of the marketplace, with all the attendant benefits of competition and price comparison.

This, then, is the shape of the revolution which can see us safely through our third and fourth centuries of nationhood.

Devolution to give us a lean, responsive government with the power and the money where it belongs, closest to the people. Not too big and not too small. Just la-de-da.

A NEW TAX SYSTEM FOR THE 21ST CENTURY

(By J. Kenneth Blackwell and Steve Entin)

The National Commission on Economic Growth and Tax Reform has just issued its recommendations for a new tax system for the 21st century. The Commission wants to scrap the current tax system, with its biases against saving and growth and its complicated rules that give favors to some taxpayers and impose penalties and uncertainties on most of the population. In its place, the Commission favors a similar, fairer system that will reward thrift and hard work, raise employment, and lift family incomes.

The Commission would like the new tax system to have a generous exempt amount, high enough to enable lower income families and individuals to take care of their basics needs and get an economic head start before the federal government takes a part of their income. The exempt amount should not be so high, however, that too great a share of the population becomes insensitive to the cost of government.

Above the exempt amount, the Commission favors a single low tax rate that would treat all citizens equally before the law. Income is a measure of what one contributes to the economy through work, saving, and investment. Anyone contributing to the economy by producing additional goods and services should be equally rewarded. A single rate system allows that.

The current system of graduated tax rates slaps increasing tax penalties on people the more that they add to the economy. It punishes people who take the time to get an education and earn higher income over a shorter working life. It punishes people who take the risk to start their own businesses in hopes of a greater income. It punishes people the more that they save and invest. These penalties hurt not only the individuals who pay the higher rates, but all the people they might employ or who might work at higher wages with the plant and equipment that more saving would make possible.

The Commission favors extending the deduction of payroll taxes, now allowed only for employers, to employees as well. The object is to increase employment and to reduce the burden of the payroll tax on the incomes of middle income workers.

Savers and investors are treated very badly under the current tax system, unless they have access to a very good pension plan. People pay tax when they earn their income. If they use the after-tax income for consumption, there is generally no further federal tax. If they buy a bond, there is tax on the interest. If they buy stock, there is corporate tax on the earnings, individual tax on the dividends, and capital gains tax if the earnings are reinvested and the share price rises. If they buy a machine for their business, complex depreciation schedules result in understated costs and over-stated taxable income. There is an estate tax if the saver doesn't live to spend the money. Current law is clearly biased against saving and investment.

The Commission would end these biases. It would let savers defer tax on their saving until they withdraw it for consumption, as in a pension; if saving is not deductible, the returns should not be taxed, as with tax exempt bonds. Either approach would put saving on the same basis as income used for consumption, and would let people save more easily for a home, an education, or retirement. An individual saving $1,000 per year from age 20 onward could build a retirement nest egg of more than $400,000, compared to about $250,000 under current law, providing a 60% increase in retirement income and security.

The Commission would end the estate tax and the double taxation of businesses and their shareholders. It favors deducting investment in full when the outlay is made, instead of stringing the write-off out over years or decades, as under current law, losing value and depressing investment and employment.

What would such a tax system do for the average family? Professor Dale Jorgenson of Harvard University told the Commission that a tax system that ended the biases against saving and investment would lift the level of output and income in the economy by between 15 and 20 percent within a few years. Investment, productivity, wages, and employment would all rise. Gains of that size would rise the yearly income of a typical working family by between $4,000 to $6,000, and by more if they are savers.

Some people worry that setting the system right will cost the Treasury revenue. But the current tax code is costing the economy and everyone in it a fortune in lost income. That lost income, and the added taxes that would be paid on it, must be factored into the calculation. That, and a modicum of federal spending restraint, could make a growth-friendly tax system a reality. There is no reason not to scrap the current tax system and set things right. Everyone would be a winner.

IN HONOR OF THE 46TH ANNIVERSARY OF

HON. ROBERT MENENDEZ

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 25, 1996

Mr. MENENDEZ. Mr. Speaker, I rise today to honor the Indian-American community and the people of India, celebrating the 46th anniversary of India's Republic Day. Throughout the United States, members of the Indian-American community will hold festivities to mark this occasion.

On January 26, 1950, the Indian Constitution became law and the day was named Republic Day. This document symbolizes the principles of democracy and secularism, which India cherishes. Its author, Dr. B.R. Ambedkar, was influenced greatly by the U.S. Constitution and the Bill of Rights. Since India became a republic, it has continued to hold free and fair elections, to support a multiparty political system and to transfer power peacefully.

The relationship between the United States and India is still unfolding. The United States and India share many similarities. Both of our countries are former British colonies. English is a vital language of communication throughout India. Democracy continues to thrive in both places. The Indian judiciary system is based on English common law. In addition, India is proceeding with its economic reforms to develop a vibrant market economy.

India still faces the challenges of achieving economic development while ensuring harmony between its many ethnic, religious, and linguistic communities. In spite of these obstacles, India has strengthened its democratic institutions by harnessing the potential of its multireligious, multiethnic and multilinguistic citizenry.

Bilateral trade between the United States and India is flourishing. The activities of American companies have made the United States India's leading trade partner. Recently, a consortium of American companies, led by the Enron Corp., successfully renegotiated a deal to complete a $2.5 billion power plant in the state of Maharashtra. United States companies are positioned to fill India's appetite for services and products.

India is committed to maintaining its democracy and economic reform program. The Indian-American community, with over 1 million people, has taken a particular interest in promoting United States-India relations. Please join me today in honoring the world's most populous democracy, India, on the 46th anniversary of its Republic Day.

DOWN PAYMENT ON AMERICA'S FUTURE

HON. RON PACKARD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 25, 1996

Mr. PACKARD. Mr. Speaker, I am very disappointed that even after a very compelling State of the Union Address, the President still only pays lip service to a balanced budget. He spoke of a smaller Government, of reforming welfare and Medicare and of limitless possibilities for the 21st century. Well, the truth is, he has vetoed the very legislation that would implement these changes and proposed countless new programs.

Balancing the budget is not a partisan issue. It is an American issue. We need to find a way to do it—to work together as the President urged. I fear, however, that the President remains a congenital liberal, taxing and spending away America's future. Unless the President is willing to make hard decisions, such as reforming entitlements, we will never get a handle on unwieldy Federal spending. Right now, entitlement programs alone, account for more 50 percent of Federal outlays. We cannot continue on this path.

My Republican colleagues and I will continue to work for a balanced budget. While it may not be possible with this President, we can make a down payment. The funding bill before us today takes those critical first steps. It continues to fund existing programs for which the President has not signed a regular appropriations bill, reducing spending on many bloated programs, and eliminating some which have proven to be ineffective.

Mr. Speaker, the President has talked the talk, but it is time for him to walk the walk. He made a commitment to the American people on Tuesday night not to shut the Government down again. This funding measure gives him the opportunity to not only keep his word to the America, but to make a down payment on a balanced budget and a better future for the generations to come.

TRIBUTE TO MICHAEL S. WIENS ST. JOHN

HON. LYNN C. WOOLSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 25, 1996

Ms. WOOLSEY. Mr. Speaker, I rise today to honor one of my district's more dedicated and caring individuals, Michael S. Wiens St. John. I wish that I could be with his colleagues, friends, and family tonight as we celebrate his remarkable accomplishments.

Michael is particularly recognized for serving the people of Marin County in his capacity as search and rescue operations coordinator and he has earned the reputation for saving lives. He has been working for many years to improve and coordinate our emergency response system in Marin County. I wish to recognize Michael for his commitment to the people of Marin County, and to thank him for his long record of public service.

He has been a role model for young men and women and he has devoted the better part of his life to helping others. Michael Wiens St. John has been instrumental in planning and implementing changes that improve the quality of Marin County emergency response, and, for developing interagency collaboration. He is largely responsible for taking what was a search and rescue program with less than a dozen members and making it into what it is today—a very well organized and recognized unit of 60 trained individuals. I continue to be impressed by his dedication and vision.

Mr. Speaker, it is my great pleasure to pay tribute to Michael S. Wiens St. John during this special evening at the Alta Mira. Marin County owes a great deal of gratitude for the tireless efforts of Michael Wiens St. John over the years. Time and time again he has extended himself on behalf of many people and for many causes. I extend my hearty congratulations and best wishes to Michael and to his wife Nancy for continued success in the years to come.

PERSONAL EXPLANATION

HON. MAXINE WATERS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 25, 1996

Ms. WATERS. Mr. Speaker, I was unavoidably detained, due to pressing personal business during both votes on Thursday, January 25, 1996.

Had I been present, I would have voted ''no'' on House Resolution 342, ''yes'' on the motion to recommit on H.R. 2880, the short-term continuing resolution, and ''yes'' on final passage of H.R. 2880.

ROMANIA IS HELPING PEACE EFFORTS IN ANGOLA

HON. JOHN LEWIS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 25, 1996

Mr. LEWIS of Georgia. Mr. Speaker, I rise today to commend the Government of Romania for its contribution to the U.N. peacekeeping force in Angola. It is heartening to see that Romania is willing to spend its own limited resources to help maintain peace and stability in an African country that has witnessed so much tragedy and fighting.

Romania currently has nearly 1,000 peacekeepers in Angola, which is the second largest national contingent in the U.N. force. Romania has also established a program to help train and educate Angolans so that they can better rebuild their country and has contributed 54 medical personnel to run a 40-bed hospital. Romania is involved in these efforts even though they have no economic or geopolitical interests in the region. As far as I can tell, Romania is participating in this humanitarian venture because of a commitment to the United Nations and a sense of responsibility to fellow human beings.

Democracy in Angola is important to the stability and the vitality of the region. In the post-Cold War era, we as a nation must work with other countries to help promote democracy and freedom throughout the world. I am pleased that Romania, despite facing its own challenges as it moves toward a market economy, understands the importance of supporting democracy elsewhere in the world. Romania's participation in the peacekeeping force in Angola is an important reminder that we are all part of the international community and have a responsibility to help each other.

THE PRESIDENT SPEAKS

HON. JACK KINGSTON

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 25, 1996

Mr. KINGSTON. Mr. Speaker, I enter the following story into the CONGRESSIONAL RECORD. This story was written by Nancy Welch. It was printed in the Statesboro Herald on December 10, 1995:

THE PRESIDENT SPEAKS

(By Nancy Welch)

President Clinton stood on a podium draped with army camouflage. Soldiers stood in formation on the parade field in front of him. Their families dotted the surrounding hills. It was gray and foggy. He tried to cheer them. He told the soldiers they would soon be leaving for Bosnia, not to worry, they would be back in a year or so.

I shivered, aware of that damp cold that so often enshrouds the small village of Baumholder, Germany. I could almost feel the snow stinging my face and my feet turning icy cold.

But the real chill hit my heart.

I remember too well the time I spent in Baumholder. On top of a mountain. Caring for babies. Doing laundry. Washing dishes. Being frightened.

The cold war still raged. The enemy sat just across the East German border. And our husbands were constantly put on alert.

The days of fear would begin before dawn. An MP car with a loudspeaker would cruise the streets of the military housing areas.

''This is an alert. Report to your units,'' would be the deafening words from the speaker. We would be jolted awake. All over the area men would rise from their beds, jump into their uniforms, grab their gear, kiss the wife and kids and leave.

We never knew at that early hour whether they would be gone an hour, a day, a month or a year. We wouldn't find out until later in the day whether the early morning call to arms was a practice or for real.

As the snow fell on the foggy mountain, we wives turned to each other for any news a husband might smuggle through. We drank hot tea and offered moral support. We continued to take care of the children, do laundry, cook, wash dishes and fight the cold fear that nagged at the pits of our stomachs.

Sometimes there was good news. Just as the early dark of winter fell, the call would come. He would be home for dinner.

But other times it would be weeks before the men would come home. It was awful.

But the wives of the soldiers in Bosnia today are faced with a greater challenge. They face at least a year, without their husbands, on the cold, snowy, foggy mountain in a country far away.

And they face the long separation just before Christmas.

My heart goes out to them. They will deal with so much. They will have to tangle with the Santa Claus wishes, do the tree, go to the school programs and church programs. They will have to put on a happy, hopeful face for the children.

They will have a strong support system. Military families do take care of their own.

Christmas day they will gather in groups. The children will play happily under the tree while the women drink a glass of German wine and enjoy their turkey and dressing. But there will be a lump in every wife's throat.

There's nothing easy about what the soldiers are about to do. But, believe me, there is nothing easy about what those strong women are about to face.

Think of them during this holiday season.

TRIBUTE TO CARTER BURDEN

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 25, 1996

Mrs. MALONEY. Mr. Speaker, today I rise to pay tribute to Carter Burden, a philanthropist, former New York City councilman, candidate to Congress, publisher, and arts benefactor. It saddens me to report that Mr. Burden died on January 23, 1996 at the age of 54 years. With his death, my district has lost a compassionate advocate for the elderly and generous contributor to the arts and libraries of New York City.

Mr. Burden was city councilman in New York City from 1969 to 1978. As city councilman, he was dedicated to improving the health and housing for New York City's children and elderly. He advocated to improve standards for prisoners and introduced legislation for one of the first gay rights bills in the Nation. Mr. Burden ran for Congress in 1978, but lost to Bella S. Abzug.

Previous to his years on city council, Mr. Burden was a legislative aid to Senator Robert F. Kennedy. While working for Senator Kennedy, he was the liaison to minority groups in East Harlem and helped establish the Bedford-Stuyvesant Development Project. He was one of the founders of the New Democratic Coalition which fought for reform within the Democratic Party, and against Tammany Hall style politics.

Mr. Burden was born on August 25, 1941 in Beverly Hills, CA. He was fortunate to be a great-great-great-grandson of the railroad and shipping magnate Cornelius W. Vanderbilt, and great nephew of the actor Douglas Fairbanks. He attended Roman Catholic school, military school, and completed his secondary education at the Portsmouth Priory School in Rhode Island. Mr. Burden graduated cum laude with a bachelor of arts degree in English from Harvard college in 1963. He received a bachelor of laws degree from Columbia University Law School in 1966.

During these same years, he was active in the publishing industry. In 1969, Mr. Burden became the principal owner of the Village Voice, which was then the country's largest weekly newspaper. In 1980, Mr. Burden turned to broadcasting and founded Commodore Media, a New York City company which owns and operates 20 radio stations. At his death, he was also managing partner of William A.M. Burden & Co., and director of the Reliance Insurance Companies.

Although he never held another elected position after his loss to Ms. Abzug, he continued serving the public as a philanthropist. He established the Burden Center for the Aging in Yorkville, NY. He supported the National Crime Prevention Council, the Brookdale Center on Aging, and Survivors of Domestic Abuse.

In the arts, Mr. Burden was a major benefactor of the New York Public Library, the Morgan Library and the New York City Ballet. His collection of rare first edition books by 20th century authors is regarded as one of the world's finest. He was also a collector of drawings, most significantly of works by Sargent, Picasso, and Matisse.

I am deeply saddened by the passing of Carter Burden, and am compelled to recognize his important contributions to the people of my district and to the city of New York at large.

IN MEMORY OF PEYTON MCKNIGHT

HON. RALPH M. HALL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 25, 1996

Mr. HALL of Texas. Mr. Speaker, it is an honor to come before this body to pay tribute to a distinguished public servant and outstanding American, Peyton McKnight of Tyler, TX. Peyton's recent death leaves behind a powerful legacy of achievement and a void that will not be easy to fill.

Peyton was widely known and admired throughout the State of Texas for his record of public service. He served as both a State representative and as a senator. The energy and enthusiasm that he brought to public service is legendary—and the results of his efforts are significant.

His legislative career began at the age of 23, when he was elected to the Texas House while attending the University of Texas at Austin Law School. As a representative, he authored the bill that established what is now the Texas Department of Mental Health and Mental Retardation. He supported prison reform and helped enact the highway safety code, and he supported a proposal that resulted in the East Texas Chest Hospital—now the UT Health Center at Tyler. As a State senator, Peyton introduced the bill which moved the University of Texas at Tyler into the University of Texas system.

At the age of 28, Peyton was appointed U.S. Marshal for the eastern district of Texas, making him the youngest marshal in history at the age of 28. He became a lifetime member of the East Texas Peace Officers Association.

He was an independent oil producer and businessman and was a member of the All-American Wildcatters Association and the Southern Legislative Conference of the Council of State Governments Committee on Energy. Peyton was active in his community and was involved in numerous worthwhile organizations. He served on the board of directors of Scott and White Memorial Hospital, the Sherwood and Brindley Foundation, and the East Texas Hospital Foundation. He was a Shriner and a member of the Sons of the American Revolution, the American Legion, and the Veterans of Foreign Wars.

Peyton also devoted his considerable talents to the field of education. He served on the board of regents of Texas A&M University for 6 years, served on the UT Tyler Development Board, and held a similar position with the University of Texas Health Center in Tyler.

Peyton was a native of Alto and a graduate of Quitman High School. He flew with the U.S. Army Air Corps on combat missions in Europe during World War II and graduated from Texas A&M with a degree in history and government.

During his lifetime he was honored on numerous occasions, including a ''Peyton McKnight Day'' in Tyler and in Kilgore. He was respected and admired by the State's top political leaders and loved by his many friends throughout Texas. Peyton was one of those rare individuals who made a difference in everything he tackled. He was a true American patriot and a true friend—and he leaves behind a remarkable legacy of accomplishment. He will be truly missed by all those who knew him and loved him.

RECOGNIZING THE NATIONAL BONE MARROW DONOR PROGRAM'S BLACK HISTORY MONTH CAMPAIGN

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 25, 1996

Mr. RANGEL. Mr. Speaker, I rise today to recognize the Bertelsmann Music Group and the National Bone Marrow Donor Program's The Choice is Yours, month-long campaign. Bertelsmann Music Group designed this campaign to highlight the importance of choice and responsibility among African-American businesses and communities. This campaign will focus on the civil participation of African-Americans the recruitment of potential donors among African-Americans for nationwide bone marrow donorship and increased voter registration.

Life threatening diseases such as leukemia and aplastic anemia are nondiscriminatory diseases. They occur at similar rates among members of all races and ethnic heritage. If a patient is diagnosed with one of these life threatening diseases requiring a bone marrow transplant in order to survive, the first place to find an identical human leukocyte antigen matched bone marrow donor is among the patient's siblings. If no match is found among the patient's brothers and sisters, a donor unrelated to the patient must be found. Due to the uniqueness of antigen types and the rare occurrence for exact matches between bone marrow patients and donors, the first place to find a matched unrelated donor is from within the patient's own racial or ethnic group.

The National Bone Marrow Donor Program is vigorously engaged in an unprecedented 11-State and 15-city campaign tour to expand the pool of eligible unrelated bone marrow donors of minority heritage in order to improve the chances of minority patients finding matching unrelated donors. At this late date, African-Americans currently have a 34 percent chance of finding a matched unrelated donor on the National Bone Marrow Registry, while Caucasians have a 71 percent chance of finding a matched unrelated donor. The only way to equalize the chances of finding unrelated matched bone marrow donors for patients of minority backgrounds is for more minority donors to volunteer to join the National Bone Marrow Registry.

The Choice is Yours campaign will offer potential African-American and other donors the

opportunity to join the National Bone Marrow Registry at various retail outlets across the country. This project will also feature voter registration, providing a user friendly environment for young people to become both registered voters and potential bone marrow donors.

The Choice is Yours campaign exemplifies what can be accomplished when the for-profit and nonprofit sectors, combine their resources to promote civic responsibility. Most importantly, programs of this nature help save lives. The Choice is Yours campaign demonstrates the commitment by the Bertelsmann Music Group and the National Bone Marrow Donor Program, to provide leadership and heighten awareness on these important issues that strongly impact the African-American community.

I am very pleased to recognize this campaign that will be inaugurated at the world's famous Apollo Theater in my district, the 15th Congressional District in the State of New York on February 1, 1996.

PERSONAL EXPLANATION

HON. MIKE WARD

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 25, 1996

Mr. WARD. Mr. Speaker, on January 24, 1996, I was unavoidably detained due to my travel with President Clinton to my district, and missed one rollcall vote. I would like the record to show that had I been present for rollcall vote No. 16, on S. 1124, the Defense authorization for fiscal year 1996, I would have voted ''yes.''

STATE OF THE UNION MESSAGE

HON. BOB CLEMENT

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 25, 1996

Mr. CLEMENT. Mr. Speaker, last Tuesday evening we heard the President of the United States eloquently proclaim to the American people that the ''era of big government is over,'' that ''big government does not have all the answers,'' that ''there is not a program for every problem,'' and how ''we need a smaller, less bureaucratic government in Washington.''

Mr. Speaker, I could not agree with the President more, and I venture the vast majority of working men and women in my district agree with him as well. But at the same time the President is preaching small Government, the Food and Drug Administration is proceeding in the opposite direction.

There are probably few Federal agencies which personify better than the FDA the inherent dangers of the kind of large, unwieldy, arrogant, and power-hungry bureaucracies which characterize the big Government condemned last night by the President.

By its estimates, the Food and Drug Administration regulates approximately 25 cents out of every dollar spent by Americans on products. Food and Drug Administration rules currently occupy approximately 4,270 pages of the Code of Federal Regulations.

But despite, or maybe as a result of, this wide reach, the agency had failed miserably in carrying out its core mission of approving promptly and efficiently new medical technologies, devices and pharmaceuticals. As a result, costs of these products have propelled skyward; the research and manufacture of these products has been chased overseas, and absurd scarcities have been created whereby literally hundreds of potentially life-saving technologies and medicines are widely available abroad, but not here in America.

For example, during the last fiscal year, it took an average of 7 months for the FDA to review so-called 510K applications for low-risk medical devices—those which may duplicate devices already in the market. This is almost three times longer than it took in 1989 and well beyond the agency's statutory requirement of 90 days. The FDA's review of more complicated products, such as implants and those which may pose serious risks in the event of failure (so-called Class III devices) now takes an average of three years, despite the fact that the law requires this review process to be completed within 180 days.

In addition, the amount of time it takes to move a drug from laboratory to market has doubled since 1962 (from an average of 6 years then, to 12 years now). As approval time for drugs has lengthened, the costs pharmaceutical firms incur bringing a drug to market have similarly increased. In the 1970's, it cost approximately $50 million and took 5 to 7 years to develop a new drug. By the 1980's, the cost had increased to an average of $231 million. By the early 1990's, the cost had increased to about $369 million. Is it any wonder, then, that the cost to American consumers of prescription drugs has increased by 137 percent?

But, instead of seeking ways to do a better job at the tasks to which it is already assigned, the FDA now proposes, in 140 pages of the Federal Register, to expand its jurisdiction to include control over tobacco, its sales, its distribution, its advertising and promotion.

This past Friday, the Department of Health and Human Services published its final rule for implementation of provisions of the Alcohol, Drug, and Mental Health Administration Reorganization Act of 1992 restricting Federal assistance to States which fail to enact and enforce statutes prohibiting tobacco sales to minors, conduct random inspections, and meet certain reporting obligations.

Although almost 2 years and 5 months have passed since the agency published its preliminary regulations, last week's action comes at an opportune time; specifically in the middle of a debate as to what role, if any, the FDA should have in regulating tobacco. If it seems somewhat inconsistent for HHS to be issuing regulations imposing on the States the responsibility for dealing with underage tobacco use at the same time the FDA is attempting to grab authority to manage this issue from the Federal level, that is because it is inconsistent.

Beyond this inconsistency, as a matter of practicality and efficiency, it makes little sense for the FDA to spend its time attempting to assume the very expensive, far-reaching, and time consuming responsibilities entailed in managing underage tobacco use at a time when the agency has proven itself incapable of performing adequately its core mission of approving medical devices and drugs.

I agree with the goal of preventing underage tobacco use. But if the FDA cannot currently perform its core missions, what reason is there to believe it can effectively prevent underage tobacco use? Further diluting FDA's energies to take on a task which is outside its statutory jurisdiction will not prevent teenagers from smoking. But it will serve to further detract the agency from its primary mission of approving promptly safe new medicines and medical devices.

That is why the public interest will best be served by the FDA dropping its unauthorized campaign against tobacco and refocusing its efforts to fulfill its core mission while the States and the Federal Government work together to assure efficient and effective implementation of the ADAMHA Reorganization Act of 1992.

APPEASEMENT DOES NOT WORK: NATO MUST EXPAND

HON. GERALD B.H. SOLOMON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 25, 1996

Mr. SOLOMON. Mr. Speaker, I insert for the RECORD the following three quotes which clearly display the flaccidity, moral bankruptcy, and ahistorical nature of current Western policy toward Central Europe:

> I want to make it clear that I don't see this as a great ambition of NATO to get bigger. What of NATO's future? There can be no security without taking Russia into account.—British Defense Minister Michael Portillo, 1/23/96.
>
> There is basically no difference between what he (Portillo) said and what we are saying.—U.S. State Dept. Official, 1/23/96.
>
> Today, out of fear of Russia, Western countries are no longer prepared to enlarge NATO. But by hesitating, they have stirred Russia's interest in this region. The longer these hesitations last, the more Russia's ambitions increase because it feels that this area is empty. If the West is not careful, I think that we can still expect many troubles.—Czech President Vaclav Havel, 1/23/96.

Mr. Speaker, the sellouts of Munich, Yalta, and detente are being repeated as we speak. We are once again reaching over the heads of smaller Central European countries to do a deal with a larger aggressor. It is important to remember that Munich, Yalta, and detente were not just immoral sellouts, they were huge intellectual failures which led to tragedies of incalculable proportions.

Mr. Speaker, there is no better source than Vaclav Havel when it comes to Russian behavior or the danger of leaving a vacuum in Central Europe, and we should heed his words. We need to expand NATO—now.

JOHN F. HENNING, UNIONIST OF THE YEAR

HON. RONALD V. DELLUMS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 25, 1996

Mr. DELLUMS. Mr. Speaker, I rise today to share with my colleagues the illustrious public career of my friend John F. Henning, the executive secretary-treasurer of the California Labor Federation of the AFL–CIO. This coming February, Jack will be honored by the men

and women of organized labor in Alameda County as this year's ''Unionist of the Year,'' an honor granted each year by the Alameda County Central Labor Council.

Jack Henning has dedicated his life to improving the lot of working men and women throughout the United States. As a young union member, he fought to integrate his local union. His leadership and skills were recognized early, and he was put to work as a union representative for organized labor.

Twenty-one years after graduating from St. Mary's College, he became the director of the California State Department of Industrial Relations—1959–62. His public service career would include contributions as United States Under Secretary of Labor, 1962–67 and United States Ambassador to New Zealand, 1967–69. These extraordinary achievements for one from a working class background allowed the entire Nation and, indeed, the world to witness the skill, vision, and leadership for which Jack has become legendary. They are a testament to the fact that all of our citizens can achieve great goals when the resources and support are available to them.

Jack has made many other public contributions as well—serving on the board of regents of both the University of California and Lone Mountain College (San Francisco) and the board of trustees of St. Mary's College. He has served on several San Francisco City and County commissions and is the past president of both the San Francisco Archdiocesan Council of Catholic Men and the St. Mary's College Alumni Association.

Since 1970, Jack has been the executive secretary-treasury of the California Labor Federation, AFL–CIO, and one of the Nation's most respected labor leaders. Under his leadership the labor federation has assumed its rightful place in the coalition of forces that have fought for civil rights for all Americans and an end to apartheid in South Africa. Labor under his leadership helped to secure representation rights for the Nation's farm workers. And, in league with ethical visionaries such as Dr. Martin Luther King, Jack Henning helped to bring the California labor movement into the effort to end our terrible involvement in the war in Indochina.

In this time when we despair so much of a loss of public compassion, diminution of public spiritedness, and the demise of the social contribution, Jack Henning's life continues to shine as a beacon of moral commitment. He is truly one of the Nation's heroes—a man who has without fail pursued equality, justice, and a fair share for working men and women throughout his distinguished career.

I am very proud to share this brief account of the significant career of a very public servant with my colleagues and I commend it as an example for us all.

TRIBUTE FOR CHIEF MASTER SERGEANT FRED M. BEARD

HON. G.V. (SONNY) MONTGOMERY

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 25, 1996

Mr. MONTGOMERY. Mr. Speaker, I ask colleagues to join me in paying tribute to Chief Master Sergeant Fred M. Beard, who will be retiring from the Air Force after 30 years of faithful service. The chief is culminating his service to the United States as a noncommissioned officer in charge, Airman Management Branch, Airman Assignments Division, Directorate of Assignments, Headquarters Air Personnel Center, Randolph Air Force Base, TX.

During his career, Chief Beard consistently demonstrated the highest standards of leadership and management expertise in effecting major changes in the management of base closures, unit activations and deactivations, retraining, and the integration of computer programs to implement new policies in support of enlisted assignments.

His dedication and commitment were evident when he took the lead in the complete reorganization and reengineering effort for the Airman Branch ensuring each section was structured and aligned with the appropriate personnel to meet the challenges for the future.

Chief Beard unselfishly volunteered his assignment expertise as a member of the Air Force Budget Review team that was charted to conduct a systematic ''cradle-to-grave'' review of the process and provide viable recommendations to reduce annual expenditures. His ability to analyze all reassignment processes and provide viable recommendations to reduce costs were key to the success of this review team.

Chief Beard's accomplishments culminate a long and distinguished career in the service to our Nation and the U.S. Air Force.

FAREWELL AND THANK YOU TO INDIA'S AMBASSADOR RAY

HON. ROBERT E. ANDREWS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 25, 1996

Mr. ANDREWS. Mr. Speaker, I would like to bid farewell to a close friend in the diplomatic community, Ambassador Siddhartha Shankar Ray of India. Ambassador Ray's work here has greatly improved the relationship between the United States and India. During his tenure, he focused not only on government-to-government relations, but on business-to-business relations as well. He returns to India to run for elected office, and I am sure he will serve his constituents well.

Ambassador Ray is no stranger to elected life. Before coming to Washington both he and his wife served as Members of Parliament. He served in both majority and minority positions in his home state of West Bengal, and served as the Minister of Education, Social Welfare, and Culture in the Indian Cabinet. Before his appointment as Ambassador to the United States, he served as Governor of Punjab.

Ambassador Ray has always understood that good relations with the United States would have to be built upon with more than just political diplomacy. He has focused a considerable amount of his efforts on improving business relations between our two nations. Following the dramatic economic reforms instituted by Prime Minister Rao in 1991, Ambassador Ray worked hard to encourage United States companies to go into India. He knew that having American business leaders meet their Indian counterparts would improve relations.

Because of his efforts, a number of high-level American officials traveled to India to promote United States investment there. Commerce Secretary Brown and Energy Secretary O'Leary both led delegations that succeeded in finalizing multibillion-dollar deals. From India, both the Prime Minister and the Finance Minister came to spread a message of opportunity and goodwill.

I join with my colleagues in thanking Ambassador Ray for his service, and I wish both him and his wife happiness in the future.

AWARDING CONGRESSIONAL GOLD MEDAL TO RUTH AND BILL GRAHAM

SPEECH OF

HON. BOB CLEMENT

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 23, 1996

Mr. CLEMENT. Mr. Speaker, I rise in support of H.R. 2657, legislation which would award a Congressional Gold Medal to Ruth and Billy Graham. In a time when we are searching for leaders to show us the way back toward the values of community, hope, faith, and character, Ruth and Billy Graham stand among us as the embodiment of that kind of leadership. For over 60 years, together they have worked in a nonpartisan way to bring reconciliation, justice, peace, and salvation to the people and leaders of America and the world. As they have sought to follow the will of Jesus Christ in their lives and lead many toward faith, they are living sacraments of God's love and the highest American ideals.

It is no wonder that the Grahams consistently rank among America's most respected people. When numerous ministries and their leaders have disappointed us with their insincerity and greed, the Billy Graham ministries stand as an unfailing rock of integrity and conviction. When a majority of evangelical ministers were content to preach a message of salvation from within their church walls while ignoring social issues like racism and poverty, Billy and Ruth Graham, looking deep into the heart of the Gospel they proclaimed, stepped into the public arena to confront its greatest evils with love and truth. When most of us are content to settle for partisan bickering and alienation, Billy and Ruth Graham have served America's Presidents and the world's leaders in our times of greatest crises without regard to party or platform. Truly, they are a man and woman of and for our times.

My father and mother, the late Frank G. and Lucille Clement, found faithful friends in Billy and Ruth Graham. They visited together on numerous occasions during and after the time my father served as Governor of the State of Tennessee. They often took trips together, and Dr. Graham begged Dad to leave politics and join the Billy Graham crusades. My Dad was a man steeped in biblical knowledge—he even taught a Sunday School class while he was Governor. My father assisted Dr. Graham with his crusades in Nashville, but also around the country. Dad was honored by Dr. Graham's invitation, but his calling lay in politics, not preaching.

Dad asked the Tennessee poet Peck Gunn to work with Billy Graham on the road, and together they organized train crusades originating from Nashville, TN and stretching across the country. These were memorable moments

for the crusades as the good news made its way across the heartland carrying God's spokesman.

Dr. Graham's loyalty and friendship toward my family has endured now for a half century. Just recently, my mother, Lucille Clement, passed away after 75 beautiful years. Several years ago, Mother visited Ruth at the Graham home in Montreat. My mother spoke often of how she was blessed by this time well spent. So, upon my mother's death, Dr. Graham issued a statement to the press of his great love and friendship for my mother and our family. I was very grateful.

For these reasons and more, it was my pleasure to work with Representative CHARLES TAYLOR to invite our colleagues to sign on as cosponsors of this important legislation which will record for history our admiration and highest honor for these two servants of God and the world.

I call upon my colleagues today to support this bill which awards the Grahams with the highest honor of the U.S. Congress, but an award much too inadequate for this couple. I am reminded today of how the writer of the New Testament book of Hebrews describes the heroes of our faith. These heroes, like Billy and Ruth Graham, are those ''of whom the world is not worthy.''

CONSTRUCTED WATER CONVEYANCES REFORM ACT OF 1995

k of Hebrews describes the heroes of our faith. These heroes, like Billy and Ruth Graham, are those of whom the world is not worthy.''

SPEECH OF

HON. JAMES A. HAYES

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 23, 1996

Mr. HAYES. Mr. Speaker, last May, I stood in this very well and expressed my belief that clean water is for people—people who believe more in their State and community than in Federal mandates and regulations. I was pleased to see that the House endorsed these precepts as we overwhelmingly passed this Corrections Day legislation.

There are many rice farmers in south Louisiana, and many more in the district of my good friend from California, Congressman CONDIT, who irrigate their fields or transport agricultural wastewater to treatment plants by utilizing man-made ditches. Although the number of these systems in Louisiana has dwindled over the last decade, the cost of planting with such canals is approximately half of the cost of the current most common irrigation method—pumping private well water.

Among the reasons for the aforementioned switch from low-cost to high-cost irrigation were undoubtedly costs added by requirements of the Clean Water Act. The current law compels States to establish water quality standards for waters of the United States. Water quality standards identify designated uses such as swimming, fishing, and drinking and criteria necessary to achieve these uses. Incorrect past interpretations have required farmers to meet water quality standards for swimming, fishing, and drinking, uses beyond the intentions for many man-made water conveyance systems.

H.R. 2567, the Constructed Water Conveyances Reform Act, is intended to afford States necessary flexibility in setting water quality standards, if purposes of man-made water conveyances are not compatible with designated uses and were never meant to support recreation or aquatic life. I am also pleased that this legislation, as the first to come under the scrutiny of the Unfunded Mandate Reform Act, should reduce costs to States and local jurisdictions.

These provisions are virtually identical to language which passed the House by a widespread bipartisan majority as part of H.R. 961, the Clean Water Act amendments. H.R. 2567 is an extremely non-controversial and commonsense solution to yet another overbearing regulatory problem for our Nation's farmers.

TRIBUTE TO THE LATE HONORABLE BARBARA JORDAN

SPEECH OF

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 24, 1996

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise in remembrance of a wonderful woman, a former Member of Congress and a great Texan, Ms. Barbara Jordan. Ms. Jordan passed away on Wednesday, January 17, 1996, and all of Texas will miss her dearly.

She was born into poverty during the Depression in Houston's fifth ward, the most segregated neighborhood in Texas. As a young politician, she earned and demanded respect among experienced politicians at the top of power in Texas which sealed their great respect for her.

She served well in the House of Representatives and subsequently as a teacher at the University of Texas. Most recently, she gave much of her time as the Chairwoman of the U.S. Commission on Immigration. I will always remember her efforts to unite her community, the State of Texas and the Nation as a whole.

Barbara Jordan may have been best known for her participation in the Watergate hearings, but she will always be remembered by Texans as a leader and a teacher. She was a strong proponent of teaching English and American history in order to bring all of us together as Americans. She will be remembered by many of us for different reasons. Many will remember her as a colleague, and many as a teacher.

One Saturday in June 1972, Barbara Jordan was ''Governor For A Day'' in the State of Texas. I am still amazed at the record number of people of all races that converged on the State capitol that day. Also I will remember her close work with Oscar Mauzy, Ms. Jordan's fellow fifth ward of Texas resident.

Barbara Jordan followed her conscience and did what she thought was right. When she spoke everyone listened, and when people spoke to her, she listened to them.

She will be missed by all of us. Texas and the Nation has lost a friend. But her wisdom, I hope, will continue to be heard and felt in the halls of Congress and around the Nation.

TRIBUTE TO THE LATE HONORABLE BARBARA JORDAN

SPEECH OF

HON. CARRIE P. MEEK

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 24, 1996

Mrs. MEEK of Florida. Mr. Speaker, I am deeply saddened to hear of Barbara Jordan's untimely death.

When she spoke with her Jehovah-like voice, it was like a powerful voice from on high. She was a great American patriot whose dedication to public service and unshakable faith in, and love of, the Constitution served her well, earning her national recognition during the Watergate impeachment hearings. When she spoke of the Constitution, her tremendous voice resonated and made it sound like the Founding Fathers themselves were speaking.

She personified the principles of ethics, justice, and compassion.

Her untimely death is a major loss to the citizens of this great Nation, particularly as we seek to resolve the difficult public policy questions confronting our country. We have lost an outstanding public servant. We will miss her advice and counsel. She leaves a great legacy that challenges all of us to rededicate ourselves to the principles of freedom and equality for all Americans.

With her eloquent voice, she spoke for ordinary Americans in a language that all could understand. To those who felt disheartened, she made them believe that they too were included in the American dream.

She will be a constant reminder of the power of integrity and fairness.

I will always remember her. The Nation has lost a treasure and a powerful friend.

THANK YOU FOR FUNDING LIHEAP

HON. BERNARD SANDERS

OF VERMONT

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 25, 1996

Mr. SANDERS. Mr. Speaker, I want to offer my complete gratitude to the House of Representatives and the leadership for their support of full-funding for the Low-Income Energy Assistance Program [LIHEAP] to be allocated to States immediately. Last night I delivered the following letter to the chairman of appropriations, which was signed by 154 Members of Congress, asking for the immediate release of the $190 million remaining in fiscal year 1996 allocation for LIHEAP:

HON. BOB LIVINGSTON,
Chairman, Committee on Appropriations, Capitol, Washington, DC.

DEAR CHAIRMAN LIVINGSTON: As you know there is approximately $190 million remaining in FY 1996 allocation for the Low-Income Home Energy Assistance Program (LIHEAP). When a continuing resolution is developed on January 26th, we would very much appreciate your releasing 100 percent of these funds immediately.

While $810 million in LIHEAP funds have been released so far this year, these funds are not even half of the LIHEAP monies allotted to the states in FY 1994 and significantly less than the $1.3 billion allocated in

FY 1995. In order to deal with the problems that our cold weather states are currently experiencing, it is essential that the full $1 billion in LIHEAP funds be released this year.

As you know LIHEAP is a time sensitive program, providing heating assistance to low-income households during the cold winter months. As you also know there has been brutally cold weather throughout America, and states are in desperate need of funding for heating assistance.

Last year, an estimated 6.1 million households received LIHEAP benefits. Three-quarters of those households had incomes of less than $8,000 per year. The average LIHEAP family spent 18.4 percent of their income on the cost of home energy, compared with 6.7 percent for all households. Unless action is taken immediately, hundreds of thousands of Americans who live in the coldest states will again be unable to heat their homes. We don't want to see families forced from their homes because of unpredictably cold weather.

We encourage you to take immediate action in the next continuing resolution to assist millions of low-income Americans in need of heating assistance this winter.

Sincerely,

Representatives: Bernard Sanders, Peter Blute, Martin Sabo, Peter Torkildsen, Amo Houghton, Mike Ward, John Elias Baldacci, Joseph Moakley, Joseph Kennedy, John Olver, Phil English, Rick Boucher, Sam Gejdenson, John McHugh, Harry Johnston, Paul McHale, Ronald Dellums, Tim Johnson, Jose Serrano, Eddie Bernice Johnson, Nydia Velazquez, Sheila Jackson-Lee, Michael Doyle, Robert Borski, Collin Peterson, Luis Gutierrez, Sue Kelly, Carrie Meek, Albert Wynn, Victor Frazer, James Oberstar, Glenn Poshard, Gerry Studds, Barney Frank, Thomas Sawyer, Ed Whitfield, Frank Lobiondo, and Sherwood Boehlert.

Robert Andrews, Eva Clayton, Eliot Engel, Benjamin Gilman, Charles Schumer, Donald Payne, Nancy Johnson, Cynthia McKinney, Richard Neal, Major Owens, Rosa Delauro, Earl Pomeroy, Elizabeth Furse, Peter DeFazio, Patrick Kennedy, David Minge, James Longley, Matthew Martinez, Paul Kanjorski, Henry Gonzalez, Bob Wise, Jim McDermott, Edolphus Towns, Tim Holden, James Clyburn, Norman Sisisky, Nick Rahall, George Brown, William Coyne, Frank Mascara, Earl Hilliard, Gerald Kleczka, Maurice Hinchey, William Clinger, Dale Kildee, Rick Lazio, Carolyn Maloney, Patricia Schroeder, Martin Meehan, Thomas Foglietta, Frank Tejeda, Ike Skelton, William Clay, Pat Williams, Jim Ramstad, and Andrew Jacobs.

Vic Fazio, Lane Evans, James Barcia, Barbara Kennelly, Sherrod Brown, Robert Menendez, Alan Mollohan, Ron Klink, John Conyers, Louise Slaughter, Jack Reed, Harold Volkmer, William Martini, Gary Ackerman, Sander Levin, Lee Hamilton, Steny Hoyer, Sanford Bishop, James Traficant, Richard Durbin, Bart Stupak, Gene Green, Jack Quinn, Bob Filner, Ron Wyden, Marcy Kaptur, Scotty Baesler, Connie Morella, Jerry Costello, Martin Frost, Jon Fox, Floyd Flake, Tom Barrett, Henry Waxman, Robert Ney, John Murtha, Michael Castle, Rodney Frelinghuysen, Charles Rangel, Jerrold Nadler, George Miller, John Dingell, Edward Esteban Torres, Lynn Rivers, George Gekas, and Bobby Rush.

John LaFalce, John Lewis, Blanche Lambert Lincoln, Susan Molinari, Eleanor Holmes Norton, Thomas Manton, Lucille Roybal-Allard, Nita Lowey, Harold Ford, Gary Franks, Michael McNulty, Tony Hall, Edward Markey, Norman Dicks, Christopher Smith, Robert Scott, Sidney Yates, Robert Torricelli, David Bonior, Thomas Petri, Marge Roukema, Michael Patrick Flanagan, Jesse Jackson, Jr., James Walsh, and Pat Danner .

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S355–S390

Measures Introduced: Four bills and one resolution were introduced, as follows: S. 1525–1528, and S.J. Res. 47. **Page S377**

Messages From the President: Senate received the following messages from the President of the United States:

Transmitting the report of the Department of Transportation for fiscal year 1994; referred to the Committee on Commerce, Science, and Transportation. (PM–112). **Page S377**

Nominations Received: Senate received the following nominations:

Richard A. Paez, of California, to be United States Circuit Judge for the Ninth Circuit.

Elmer B. Staats, of the District of Columbia, to be a Member of the Board of Trustees of the Harry S Truman Scholarship Foundation for a term expiring December 10, 2001. **Page S390**

Messages From the President: **Page S377**

Statements on Introduced Bills: **Pages S377–89**

Additional Cosponsors: **Page S389**

Additional Statements: **Pages S389–90**

Adjournment: Senate convened at 12 noon, and adjourned at 4:15 p.m., until 12 noon, on Friday, January 26, 1996. **Page S390**

Committee Meetings

(Committees not listed did not meet)

NATIONAL FORESTS MANAGEMENT

Committee on Energy and Natural Resources: Subcommittee on Forests and Public Land Management concluded oversight hearings on the management of the national forests, after receiving testimony from Barry T. Hill, Associate Director for Energy, Resources and Science Issues, Charles S. Cotton, Assistant Director, and Chester M. Joy, Senior Evaluator, all of the General Accounting Office; and James Lyons, Under Secretary for Natural Resources and Environment, and Jack Ward Thomas, Chief, Forest Service, both of the Department of Agriculture.

WHITEWATER

Special Committee to Investigate the Whitewater Development Corporation and Related Matters: Committee resumed hearings to examine issues relative to the Whitewater Development Corporation, receiving testimony from Beverly Bassett Schaeffer, William Brady, and Charles Handley, all on behalf of the Arkansas Securities Department, Little Rock.

Committee will meet again on Tuesday, January 30.

House of Representatives

Chamber Action

Bills Introduced: 22 public bills, H.R. 2879–2900; 1 private bill, H.R. 2901; and 9 resolutions, H. Con. Res. 134–136, and H. Res. 343–348 were introduced. **Pages H912–913**

Speaker Pro Tempore: Read a letter from the Speaker wherein he designates Representative Taylor of North Carolina to act as Speaker pro tempore for today. **Page H839**

Rules Waiver: By a yea-and-nay vote of 229 yeas to 191 nays, Roll No. 17, the House agreed to H. Res. 342, waiving a requirement of clause 4(b) of rule XI with respect to consideration of certain resolutions reported from the Committee on Rules. **Pages H842–53**

Recess: House recessed at 3:27 p.m. and reconvened at 5:19 p.m. **Page H879**

Balanced Budget Downpayment: By a recorded vote of 371 ayes to 42 noes, Roll No. 19, the House passed H.R. 2880, making appropriations for fiscal year 1996 to make a downpayment toward a balanced budget. **Pages H879–H900**

By a recorded vote of 193 ayes to 222 noes, Roll No. 18, the House rejected the Bonior motion to recommit the bill to the Committee on Appropriations with instructions to report it back forthwith containing an amendment to provide for the restoration for education programs. **Pages H897–99**

Legislative Program: The Majority Leader announced the legislative program for the week of January 29. **Pages H900–01**

Meeting Hour: Agreed that the House will meet at noon on Friday, January 26. **Page H901**

Committee Elections: House agreed to the following two resolutions electing Members to standing committees of the House:

H. Res. 343, electing Representative Hayes to the Committee on Ways and Means; and **Page H901**

H. Res. 344, electing Representative NcNulty to the Committee on Ways and Means. **Page H901**

Subsequently, read a letter from Representative NcNulty wherein he resigned as a member of the Committee on International Relations. **Page H901**

Veterans Programs Extensions: House agreed, with amendments, to the Senate amendments to H.R. 2353, to amend title 38, United States Code, to extend certain expiring authorities of the Department of Veterans Affairs relating to delivery of health and medical care—returning the measure to the Senate. **Pages H901–03**

Presidential Message—Transportation: Read a message from the President wherein he transmits the annual report of the Department of Transportation covering fiscal year 1994—referred to the Committee on Transportation and Infrastructure. **Page H903**

Senate Messages: Message received from the Senate today appears on page H839.

Quorum Calls—Votes. One yea-and-nay vote and two recorded votes developed during the proceedings of the House today and appear on pages H852–53, H898–99, and H899–H900. There were no quorum calls.

Adjournment: Met at 10 a.m. and adjourned at 9:02 p.m.

Committee Meetings

CLEAN AIR ACT—MONTREAL PROTOCOL IMPACT

Committee on Commerce: Subcommittee on Health and Environment held a hearing on the Implementation and Enforcement of the Clean Air Act Amendments of 1990, focusing on Title VI and the Impact of the Seventh Meeting of the Parties to the Montreal Protocol. Testimony was heard from Rafe Pomerance, Deputy Assistant Secretary, Environment and Development, Department of State; Larry Elworth, Special Assistant Pesticide Policy Natural Resources and Environment, USDA; and Mary D. Nichols, Assistant Administrator, Air and Radiation, EPA.

INTERNATIONAL ORGANIZED CRIME

Committee on the Judiciary: Subcommittee on Crime held a hearing on the Growing Threat of International Organized Crime. Testimony was heard from Jim E. Moody, Deputy Assistant Director, Criminal Investigative Division, FBI, Department of Justice; and public witnesses.

NATIONAL OCEANOGRAPHIC CAPABILITIES

Committee on National Security: Subcommittee on Military Research and Development, the Subcommittee on Energy and Environment of the Committee on Science and the Subcommittee on Fisheries, Wildlife and Oceans of the Committee on Resources held a joint hearing on leveraging national oceanographic capabilities. Testimony was heard from Neal F. Lane, Director, NSF; James Baker, Administrator, NOAA, Department of Commerce; Adm. Jeremy M. Boorda, USN, Chief of Naval Operations, Department of the Navy; RAdm. Paul G. Gaffney, II, USN, Commander, Naval Meteorological and Oceanographic Command, Stennis Space Center, NASA; Bruce Alberts, President, National Academy of Sciences; and public witnesses.

COMMITTEE BUSINESS

Committee on Standards of Official Conduct: Met in executive session to consider pending business.

Joint Meetings

POSTAL SERVICE REFORM

Joint Hearing: Senate Committee on Governmental Affairs' Subcommittee on Post Office and Civil Service and House Committee on Government Reform

and Oversight's Subcommittee on Postal Service concluded joint hearings on reforming the future operation of the United States Postal Service, focusing on the restructuring of certain international postal administrations, after receiving testimony from Michael E. Motley, Associate Director, and James T. Campbell, Assistant Director, both for Government Business Operations Issues, General Government Division, General Accounting Office; Graeme T. John, Australian Postal Corporation, Canberra; Georges Clermont, Canada Post Corporation, Ottawa; Elmar Toime, New Zealand Post Limited, Wellington; Ulf Dahlsten and Tommy Persson, both of the Sweden Post AB (Ltd), Stockholm; and James A. Waddell and David E. Treworgy, both of Price Waterhouse LLP, Arlington, Virginia.

COMMITTEE MEETINGS FOR FRIDAY, JANUARY 26, 1996

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Appropriations, Subcommittee on VA, HUD, and Independent Agencies, to hold hearings on the impact of the President's veto of the fiscal year 1996 appropriations bill for the Department of Housing and Urban Development, 10 a.m., SD–192.

Subcommittee on VA, HUD, and Independent Agencies, to hold hearings on the impact of the President's veto of the fiscal year 1996 appropriations bill for the Environmental Protection Agency, 2 p.m., SD–192.

Committee on Armed Services, to hold hearings on the nominations of Gen. Joseph W. Ralston, USAF, to be Vice Chairman of the Joint Chiefs of Staff, and Adm. Joseph W. Prueher, USN, for reappointment to the grade of Admiral in the United States Navy, 10:30 a.m., SR–222.

House

No committee meetings are scheduled.

Next Meeting of the SENATE

12 noon, Friday, January 26

Senate Chamber

Program for Friday: Senate may consider conference reports, if available, and any cleared legislative and executive business.

Next Meeting of the HOUSE OF REPRESENTATIVES

12 noon, Friday, January 26

House Chamber

Program for Friday: No legislative business is scheduled.

Extensions of Remarks, as inserted in this issue

HOUSE

Ackerman, Gary L., N.Y., E91
Andrews, Robert E., N.J., E103
Baker, Bill, Calif., E84
Barcia, James A., Mich., E84, E87
Bilirakis, Michael, Fla., E86
Brown, Sherrod, Ohio, E88, E92
Burton, Dan, Ind., E89
Callahan, Sonny, Ala., E86
Chabot, Steve, Ohio, E97
Chambliss, Saxby, Ga., E90
Clement, Bob, Tenn., E102, E103
Collins, Mac, Ga., E85, E91
Crane, Philip M., Ill., E83
Dellums, Ronald V., Calif., E102
Frazer, Victor O., The Virgin Islands, E94
Frelinghuysen, Rodney P., N.J., E86
Frost, Martin, Tex., E96
Gibbons, Sam, Fla., E83
Gordon, Bart, Tenn., E96
Hall, Ralph M., Tex., E101
Hastings, Alcee L., Fla., E93
Hayes, James A., La., E104
Jacobs, Andrew, Jr., Ind., E92
Johnson, Eddie Bernice, Tex., E104
King, Peter T., N.Y., E83
Kingston, Jack, Ga., E94, E100
Lantos, Tom, Calif., E84, E87
Lewis, John, Ga., E100
LoBiondo, Frank A., N.J., E87
Maloney, Carolyn B., N.Y., E101
Markey, Edward J., Mass., E90
Meek, Carrie P., Fla., E90, E104
Menendez, Robert, N.J., E84, E92, E94, E99
Montgomery, G.V. (Sonny), Miss., E103
Packard, Ron, Calif., E83, E100
Pallone, Frank, Jr., N.J., E96
Rangel, Charles B., N.Y., E101
Reed, Jack, R.I., E91
Roukema, Marge, N.J., E88, E92, E94
Sanders, Bernard, Vt., E104
Saxton, Jim, N.J., E85
Schroeder, Patricia, Colo., E93
Serrano, José E., N.Y., E91
Smith, Christopher H., N.J., E95
Solomon, Gerald B.H., N.Y., E102
Tate, Randy, Wash., E85
Towns, Edolphus, N.Y., E89
Ward, Mike, Ky., E102
Waters, Maxine, Calif., E100
Woolsey, Lynn C., Calif., E100

Congressional Record The public proceedings of each House of Congress, as reported by the Official Reporters thereof, are printed pursuant to directions of the Joint Committee on Printing as authorized by appropriate provisions of Title 44, United States Code, and published for each day that one or both Houses are in session, excepting very infrequent instances when two or more unusually small consecutive issues are printed at one time. ¶Public access to the Congressional Record is available online through *GPO Access,* a service of the Government Printing Office, free of charge to the user. The online database is updated each day the Congressional Record is published. The database includes both text and graphics from the beginning of the 103d Congress, 2d session (January 1994) forward. It is available on the Wide Area Information Server (WAIS) through the Internet and via asynchronous dial-in. Internet users can access the database by using the World Wide Web; the Superintendent of Documents home page address is http://www.access.gpo.gov/su_docs, by using local WAIS client software or by telnet to swais.access.gpo.gov, then login as guest (no password required). Dial-in users should use communications software and modem to call (202) 512–1661; type swais, then login as guest (no password required). For general information about *GPO Access,* contact the *GPO Access* User Support Team by sending Internet e-mail to help@eids05.eids.gpo.gov, or a fax to (202) 512–1262; or by calling (202) 512–1530 between 7 a.m. and 5 p.m. Eastern time, Monday through Friday, except for Federal holidays. ¶The Congressional Record paper and 24x microfiche will be furnished by mail to subscribers, free of postage, at the following prices: paper edition, $112.50 for six months, $225 per year, or purchased for $1.50 per issue, payable in advance; microfiche edition, $118 per year, or purchased for $1.50 per issue payable in advance. The semimonthly Congressional Record Index may be purchased for the same per issue prices. Remit check or money order, made payable to the Superintendent of Documents, directly to the Government Printing Office, Washington, D.C. 20402. ¶Following each session of Congress, the daily Congressional Record is revised, printed, permanently bound and sold by the Superintendent of Documents in individual parts or by sets. ¶With the exception of copyrighted articles, there are no restrictions on the republication of material from the Congressional Record.