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House of Representatives

The House met at 12:30 p.m. and was called to order by the Speaker.

MORNING BUSINESS

The SPEAKER. Pursuant to the order of the House of May 12, 1995, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning hour debates. The Chair will alternate recognition between the parties, with each party limited to not to exceed 30 minutes, and each Member except the majority and minority leaders limited to not to exceed 5 minutes.

DO-NOTHING CONGRESS

The SPEAKER. Under the Speaker's announced policy of May 12, 1995, the gentleman from Missouri [Mr. VOLKMER] is recognized during morning business for 5 minutes.

Mr. VOLKMER. Mr. Speaker, here we go again. Just like last week, we are going to do nothing this week. This is really a do-nothing Congress.

Mr. Speaker, let us look at today's schedule. There are not very many Members here. We can look around and see that hardly anybody is here. Well, we have got two little bills that will be debated on and not even voted on today. If they are voted on, they will be voted on tomorrow. So, Mr. Speaker, we do not do much today.

We have one that says, ''Municipal Solid Waste Flow Control.'' That will take about 20 minutes to a half-hour. Then we have got one that says, ''Land Disposal Program Flexibility.'' That will take about another half-hour. So we are going to be here for an hour today, hour-and-a-half at the very most, and then we are going to quit.

Mr. Speaker, then we are going to come back tomorrow, and tomorrow the schedule says we are going to take up the welfare farm bill. That is what it is; a big welfare program for the big farmers. They call it the Agriculture Market Transition Act, but I do not know if we are going to take it up tomorrow for the simple reason that it is still in committee.

Mr. Speaker, I am on the Committee on Agriculture. We are supposed to go into a markup at 2 o'clock on that bill. They have already scheduled it for tomorrow, so I guess they assume that it is going to be reported out of committee and the Committee on Rules will meet tonight and we will take it up tomorrow.

If we do not do that tomorrow, then there will be nothing for tomorrow, except maybe they are saying that they may devise, under the leadership of their chairman of the Committee on the Budget, the gentleman from Ohio [Mr. KASICH], a budget patterned after what the President proposed. They call it the President's budget.

Well, Mr. Speaker, we had one of those foolish things last December. They tried to do that crazy stuff, and it does not go anywhere. Even if it is voted on, it never becomes law. We spend hours debating something and voting on it, it is never going to become law. That is what we did all last year. We are doing it again.

Then, Mr. Speaker, they are talking about maybe Thursday we are going to have the President of France here in a joint session. Many of us, I am sure are not going to be here for the simple reason that we disagree with France and their nuclear testing policies.

We may take up a sense-of-the-Congress resolution, they tell me, and that does not become law. So what are we going to do? Nothing. What did we do last week? Nothing.

What should we do? I will tell my colleagues what we should do, and think most of the responsible Members of this House know, Mr. Speaker, that this week, right now, in order to soothe the concerns of our financial community, the bondholders and everybody, we should be passing a debt limit bill to increase the debt limit.

Mr. Speaker, I do not care if we do it for 60 days or 30 days or 6 months or a year; whether it is for $5.5, $5.7 trillion, whatever maximum. My Republican colleagues have already done it. They did it in their budget resolution, their reconciliation bill last year. So, Mr. Speaker, I do not see why we do not just go ahead and pass one; send it to the Senate. They will pass it, and we can get past that hurdle.

No, Mr. Speaker, we are not going to do that. We are not going to do something that needs to be done and has to be done so that this country does not go into bankruptcy, and so that we do not default and become a Third World power, so that we do not go into a recession. They tell me that after Thursday, we are going to recess all the way to February 26.

Mr. Speaker, Treasury Secretary Rubin has said that March 1 we go into bankruptcy, we go into default if the debt limit is not increased. What are we waiting on, Mr. Speaker? For those Members, both Republican and Democrat, who feel like I do that we need to do something about the debt limit, we need to increase the debt limit, there is a discharge petition up here. Mr. Speaker, 154 Members have signed. We only need 64 more. Surely there are 64 Republicans that are responsible that will be glad to bring it out, and we can bring it out and pass it and let it become law.

Now, Mr. Speaker, about this little thing right here. If this bill ever gets to the floor, I want my colleagues to know that I am going to be fighting it tooth and toenail. It is the biggest welfare bill that has ever hit this House. The other side talks about AFDC; they talk about food stamps. That is nothing.

Mr. Speaker, would you believe that under this bill, farmers in Texas and

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Arkansas and California, and other places, can get up to $120,000 a year, will get up to $120,000 a year, and not have to farm? They do not have to farm at all. They do not get it for 1 year; they get it for 7 years. For 7 years. That is $840,000 a farmer.

Mr. Speaker, I want to mention something. In the State of Kansas, in western Kansas where the chairman of the Committee on Agriculture comes from, there will be payments to 85 percent of those big wheat farmers to the tune of the average of $30,000 a year for the next 7 years.

FEDERAL BILINGUAL EDUCATION PROGRAMS MUST BE REEVALUATED

The SPEAKER pro tempore (Mr. YOUNG of Florida). Under the Speaker's announced policy of May 12, 1995, the gentleman from Wisconsin [Mr. ROTH] is recognized during morning business for 5 minutes.

Mr. ROTH. Mr. Speaker, actions have consequences. it is about time that we as a Congress analyze how our congressional actions impact on America's future.

Mr. Speaker, in September, U.S. News & World Report put on its cover the issue of making English our official language. It was an absolutely eye-opening investigation into bilingual education, and I recommend it to every Member of Congress to read this portion of the magazine.

Mr. Speaker, the billion-dollar program of bilingual education reasons that children taught in their native language will somehow learn English more quickly. I would like to share some of the article's conclusions, as I found their analysis to be right on target.

Mr. Speaker, the first point and criticism that can be made of transitional bilingual education programs is that they are not really transitional. Too many students are held in these language maintenance programs, never acquiring enough English fluency to regain mainstream classroom capabilities. U.S. News pointed out a woman in New York who had a ninth grade daughter in the classroom of bilingual education for 9 years and this family had a very poor experience in that the youngster never did get into transitional English.

Mr. Speaker, all kinds of examples in the magazine, in U.S. News and World Report, point out that the family's experiences are all too common. For example, Ray Domanico, of the New York Public Education Association, says that bilingual education, ''is becoming an institutionalized ghetto.'' Arthur Schlesinger in his book, ''The Disuniting of America,'' points out that ''bilingual education promotes segregation, nourishes racial antagonism, and shuts the door to students,'' all things that we do not want to happen in America.

Bilingual education also is all too often not actually bilingual, as the report points out. The word ''bilingual'' implies that students in these programs receive equal amounts of instruction in two languages. This could not be further from the truth. Many students in bilingual education get as many as 30 minutes a day in English.

Mr. Speaker, how can anyone expect to pick up English quickly under these conditions? How can we expect the students to pick up English under these conditions? The answer is that they cannot.

Bilingual education does not help children learn English quickly and effectively, as Congress intended it to do, yet the program has flourished for at least three decades, going from a small pilot program 28 years ago to a $10 billion business, spawning a bureaucracy bent on self-preservation. Some of the Government's worst bureaucratic excesses can be found in the administration of these programs.

The inertia of billion-dollar budgets drives bilingual education expansion. In many areas across the country, children are misplaced into these programs. In some cases they are put into bilingual education classrooms not because they do not understand English well, but because they cannot read English well. These children need remedial English classes; not history in Spanish or Mandarin Chinese.

Worst still, Mr. Speaker, some children are placed in these programs simply because they have ethnic surnames. In a complete perversion of the so-called multiculturalism, children with names like Ming or Martinez are red-flagged on school rolls and are placed, without their parents' consent or permission, into these programs.

In New York City recently, a number of families became so frustrated with the bilingual bureaucracy that they took the New York Board of Education to court in order to win the right to withdraw their children from bilingual educational programs.

In some ways, these children are the lucky ones. They had parents who had the strength and courage to stand up to the system. How many children are not so lucky? Mr. Speaker, I have heard horror stories of Haitian Creole-speaking children placed in Spanish classes because there are not enough of them to warrant their own instructor.

In other cases, desperate school superintendents struggling to meet State and Federal bilingual education guidelines are forced to recruit uncredentialed, unqualified, instructors from abroad, many of whom do not speak English. The result, Mr. Speaker, is that we have teachers who cannot speak English teaching children who do not speak English. It does not take an Ivy League-educated Education Department bureaucrat to conclude that under these conditions, children do not learn English quickly or effectively.

An entire generation of children has been forced to suffer through these public policies gone awry. The high school dropout rate in these areas is exceedingly high; higher than any other rate. That is why, Mr. Speaker, I have taken this time to focus Congress' attention on what bilingual education is doing to our students.

Mr. Speaker, the high school dropout rate for Hispanic students, one of the telling indicators bilingual education was supposed to change, has not budged since the programs began. Tellingly, it remains the highest of any ethnic group—four times higher than that of most other groups and another example from U.S. News, three times higher than that of Afro-Americans.

Mr. Speaker, for most of our Nation's history, America gave the children of immigrants a precious gift—an education in the English language. As each new wave of immigrants arrived on these shores, our public school system taught their sons and daughters English so they could claim their piece of the American dream.

What are we doing for these new Americans today? Instead of a first-rate education in English, our bilingual education programs are consigning an entire generation of new Americans—unable to speak, understand, and use English effectively—to a second-class future.

This tragedy has human faces. Let me tell you about two people's experiences which will illustrate the impact of our failed bilingual education programs. I have never heard the problems with bilingual education more poignantly put than in the words of Ernesto Ortiz, a foreman on a south Texas ranch who said: ''My children learn Spanish in school so they can become busboys and waiters. I teach them English at home so they can become doctors and lawyers.'' Ernesto understands that English is the language of opportunity in this country. He understands that denying his children a good education in English will doom them to a limited—as opposed to limitless—future.

Bilga Abramova also understands this simple truth. Bilga is a 35-year-old Russian refugee who has entered a church lottery 3 times in an attempt to win 1 of 50 coveted spaces in a free, intensive English class offered by her local parish. Her pleas in Russian speak volumes about the plight of all too many immigrants: ''I need to win,'' she said. ''Without English, I cannot begin a new life.''

The ultimate paradox about our commitment to bilingual education in this country is that Bilga and others like her all across the country sit on waiting lists for intensive English classes while we spend $8 billion a year teaching children in their native language.

You have heard from parents like Ernesto Ortiz and how they feel about bilingual education. Even teachers oppose these programs. A recent survey of 1,000 elementary and secondary teachers found that 64 percent of them disapproved of bilingual education programs and favored intensive English instruction instead.

Even longtime defenders of these programs are starting to change their tune. The California Board of Education approved a new policy recently in which they abandoned their preference for bilingual education programs.

This year marks the 28th year of bilingual education programs. For more and more people, that is 28 years too long. It is time to take a fresh look at this problem. Bilingual education has had 28 years and billions of dollars to prove that it accomplished what it said it would do in 1968: teach children English

quickly and effectively. Too many people lose sight of the fact that the real issue here is how to help children and newcomers who do not know English and who need to assimilate.

Let us not forget Ernesto Ortiz and his children, Bilga Abramova and other new Americans like them. Mr. Speaker, this is not just an abstract public policy issue; bilingual education and our national language policies have real world consequences. When our policies fail, the failures have names and faces attached to them. When our policies serve to divide rather than unite us, the rips appear in the very fabric of the American Nation.

The following description of bilingual education comes from US News and World Report: ''along with crumbling classrooms and violence in the hallways, bilingual education has emerged as one of the dark spots on the grim tableau of American public education. Today, the program has mushroomed into a $10 billion-a-year bureaucracy that not only cannot promise that students will learn English but may actually do some children more harm than good.''

Mr. Speaker, this should be bilingual education's epitaph. I urge all of my colleagues to see the writing on the wall. Bilingual education has had its time to prove its effectiveness; 28 years is long enough to see if this approach works. These programs were created with good intentions, I am sure. However, after almost three decades and billions of dollars, we must recognize the painful truth that bilingual education does not work.

CONGRESS PLAYING POLITICAL CHICKEN WITH NATION'S CREDIT RATING

The SPEAKER pro tempore. Under the Speaker's announced policy of May 12, 1995, the gentlewoman from Colorado [Mrs. SCHROEDER] is recognized during morning business for 5 minutes.

Mrs. SCHROEDER. Mr. Speaker, I came to the floor to speak about something else, but I ask the gentleman from Missouri [Mr. VOLKMER] to stay, because I was very fascinated by what he was saying, and he only had the 5 minutes. The gentleman is saying that his committee is going to mark up this megabill that is going to cost billions of dollars, and really it is going to be basically for the fat-cat farmers?

Mr. VOLKMER. If the gentlewoman will yield, yes, basically the wealthy, the farmer with a lot of acreage producing a lot of crops will benefit from it.

To give another example, down in cotton country, in west Texas and New Mexico and other places where upland cotton is grown, if they gave a good year, and it looks like next year is going to be a good year, if they follow the programs, they could make, say, half a million dollars in selling their cotton. At the same time, a father and two sons, or a father with his two brothers, as long as they have three entities, they can get $40,000 each. They will get that whether they farm or not.

If they make half a million dollars, they are still going to get $120,000 from the Government. If they do not farm at all, they decide, ''Well, we are going to quit farming, we are going to let the land stay idle. Let us go down south for a while,'' they get $120,000. That is right. They do not have to farm at all.

Mrs. SCHROEDER. Mr. Speaker, reclaiming my time, that is absolutely astounding. They get paid whether they decide to work or not?

Mr. VOLKMER. Mr. Speaker, the gentlewoman is correct.

Mrs. SCHROEDER. Mr. Speaker, this is a welfare program that makes welfare look tough.

Mr. VOLKMER. Mr. Speaker, if the gentlewoman would continue to yield, it makes AFDC and food stamps and everything so little and so pikey. And yet they on that side made a big to-do on how we have to save all of this money, getting back to kids eating, to school lunches, and then giving big farmers, many of which have their own airplanes and their own big cars and Mercedes and make hundreds of thousands of dollars a year, they are going to give them money.

Like I said before, in the chairman's own district, it has been estimated that in the chairman's own district in western Kansas, he has 85 percent of his wheat farmers in the program. So they will, each one of them will get on the average, estimated on the average, $30,000 a year, even if they do not farm. If they do, and next year wheat prices are looking real good, and they make a $100,000, they still are going to make that $30,000.

Mrs. SCHROEDER. They do not have to give it back?

Mr. VOLKMER. No, no, it is guaranteed.

Mrs. SCHROEDER. Mr. Speaker, reclaiming my time, I thank the gentleman for staying. I know the gentleman is very busy.

Mr. Speaker, what the gentleman is saying is classic about what is going on around here. This place is basically shut down. They throw out a bill, and we find out all of these special interests here in it. Here we are, playing political chicken with the credit rating of this Nation. This is outrageous.

Mr. VOLKMER. Mr. Speaker, if the gentlewoman would yield, it is the same thing that happened in the 100 days. Remember, if we were on the committee, we got the bill that morning. Guess what, I got the final version of their bill this morning, and we are going to mark it up at 2 o'clock.

Mrs. SCHROEDER. Mr. Speaker, I thank the gentleman from Missouri. He is obviously a speed reader, if he got through it that fast, and the rest of us will never see ti.

Mr. Speaker, it will be like the committee that I am on that came to the floor last week. The Committee on National Security got notice that there were two copies of the bill, and we could go in the morning and could go to the room where the two copies of the bill were located. We could spend our time reading the bill, of course, this thick. Get a clue.

So I must say, this is really very troubling as to what is going on here and how stuff is ramrodded through, and we are getting paid, but we are doing nothing. We are becoming like the farmers, I guess. We get paid whether we legislate or not or whether we do anything realistic or not. Here we are, this is great. I guess we are changing our programs so that everybody else gets to be like Members of Congress.

This is a light month; February, we are hardly here. But the tragedy is, this is a very serious month. This is the month when the birthdays of Washington and Lincoln come up. I wonder what they must be thinking that we are celebrating their birthday in February by pushing this country to the brink of shoving its credit rating right off the side.

Mr. Speaker, I think of every American family sitting around their kitchen table, and one of the things they are terribly worried about is obviously their credit rating. In America, if one's credit rating goes sour, they are going to have a very tough life. If our country's credit rating goes sour, we are going to look like fools on this planet.

Mr. Speaker, I think it is really time that we all come and have some debates about those issues. We owe that to the people sitting around the kitchen table dealing with those issues in their own family budgets. For crying out loud, we are paid to deal with this Nation's budget. We are now 5 months into the fiscal year, and we have not done it. It is about time we get on with it.

OPPOSE FRANCE'S NUCLEAR TESTS

The SPEAKER pro tempore. Under the Speaker's announced policy of May 12, 1995, the gentleman from Washington [Mr. MCDERMOTT] is recognized during morning business for 5 minutes.

Mr. MCDERMOTT. Mr. Speaker, I urge your support for a letter which will be delivered to French President Jacques Chirac when he arrives in Washington this week.

Our letter expresses our support for France's decision to end its recent series of nuclear testing, as well as our concern about the long-term damage caused by the tests in the first place.

Our letter is simple and to the point: while we oppose France's series of nuclear tests that began this past September, we ask that the French Government permanently close its testing facilities and immediately begin a comprehensive cleanup operation.

France's decision to conduct a series of tests prior to enacting a Comprehensive Nuclear Test Ban Treaty is hypocritical and lacks the sound judgment of a country that aspires to world leadership.

By continuing with these unlawful tests, France undermined its credibility in the world community. We are now forced to question the French Government's reliability in what they say is their commitment to eliminate nuclear weapons.

We implore France to join the United States and other nuclear powers to immediately push for, and complete negotiations, for a Comprehensive Test Ban Treaty.

Much is at stake. If the nations involved do not seize this opportunity to reach agreement on the Comprehensive Test Ban Treaty soon, the world's best and perhaps last chance to end nuclear testing may slip through our fingers.

I hope you will join me and Congressman MARKEY in sending a message to France that the United States objects to their series of nuclear tests, and that an agreement should be reached as soon as possible on the Comprehensive Test Ban Treaty.

TEENAGE PREGNANCY

The SPEAKER pro tempore. Under the Speaker's announced policy of May 12, 1995, the gentlewoman from North Carolina [Mrs. CLAYTON] is recognized during morning business for 5 minutes.

Mrs. CLAYTON. Mr. Speaker, yesterday the President launched a national campaign to reduce teenage pregnancy. Today, I am circulating a letter that will be sent to the President by the end of the week—stating the support of Members of the House of Representatives for this vital initiative.

The goal of the President's campaign is to reduce the rate of teenage pregnancy by one-third in 10 years. It is a reasonable goal. It is an achievable goal. This is a campaign that can be won and must be won. This is a campaign that all of us should be engaged in, Democrats, Republicans, and independents.

A recent report to Congress on out-of-wedlock childbearing indicates that 30 percent of all out-of-wedlock births are to teenagers, below age 20. The increase in out-of-wedlock births is alarming. Most alarming is that 30 percent of the out-of-wedlock births are to adolescents.

One objective of welfare reform, shared by both political parties, is to reduce teenage childbearing. We can not ignore the reality that most young men and women are increasingly delaying marriage until their mid-20's and beyond—but not sexual activity.

In 1960, 14 percent of young women ages 15–19 were married. By 1992, the proportion was less than 5 percent.

Because these young men and women are becoming sexually experienced at younger ages without the benefit of marriage and sex education, there are proportionally more teenagers exposed to the risk of unmarried pregnancy. In 1970, 29 percent of 15–19 year old females were sexually experienced. By 1988, that number had increased to 52 percent.

The relationship between poverty and teenage pregnancy is significant. In 1994, of all young women age 15–19, 38 percent were defined as poor or low-income. According to the report, of these, poor or low-income young women 73 percent were projected to become pregnant. In 1988, 56 percent of pregnant girls ages 15–19 were from families with incomes less than $12,000 annually. By contrast, 27 percent whose family incomes were between $12,000–$24,000 gave birth, and only 17 percent whose family incomes were above $25,000 gave birth.

Reducing teenage childbearing is likely to require more than eliminating or manipulating welfare programs. The underlying causes are said to include family instability, economics, poverty, lack of education, and sexual abuse. And, sadly, the report indicates that young women and men who become teen parents have few expectations, few ties to community institutions, few adult mentors and role models, and too much spare time. Many live in communities where crime and drug use are common, where dropping out of school and chronic unemployment are even more common.

In my opinion these causes can be reduced to the lack of hope and confidence in the future by our teenagers. Our society cannot endure this human burden.

We must, therefore, implement pregnancy prevention programs that educate and support school age youths, 10–19, in high-risk situations and their family members through comprehensive social and health services with an emphasis on pregnancy prevention.

But again, Government programs alone will not properly address this serious problem of teenage pregnancy. All sectors of our communities must be engaged. In my congressional district, I have created a task force of private citizens and State and local officials to study ways that we can address this problem.

The task force has begun planning for a forum on adolescent pregnancy prevention to be held on March 16, 1996. This forum is designed to help local communities understand the problem, to engage the participation of various organizations—youth, church, civic, and public institutions—and to give visibility to successful community programs.

The President's national campaign to reduce teenage pregnancy will be a tremendous boost to those efforts.

The total cost of maternity care for an out-of-wedlock birth and the baby's first 12 months of medical care is said to be more than $8,000, according to the North Carolina Department of Human Resources. The number of teenage pregnancies covered by Medicaid in North Carolina in a year is nearly 13,000. When that number is multiplied by $8,506, the grand total becomes $108,851,282. If all of these teenage mother's had been able to delay becoming pregnant until they were older and financially able to take care of a baby, those resources could have been used in other productive ways.

After the first year of life, very often these same teenagers require AFDC, food stamps, and additional Medicaid benefits for the child. Mr. Speaker, my colleagues can do the math on these figures; however, the point is obvious.

Prevention is much better and cheaper than punishment after the fact of childbearing. And, we should not forget that teen pregnancy is also a strong predictor of a new generation of disadvantage. The equation is simple. As poverty is the most accurate predictor of teen pregnancy, teen pregnancy is a near-certain predictor of poverty.

The board membership of the national campaign is broad and bipartisan, including former Surgeon General, Dr. C. Everett Koop and former Senator Warren Rudman. It is an easy, yet important gesture to let the members of the board know, through this letter to the President, that we in the House of Representatives stand behind them. Their goal is ambitious. The situation is urgent. Each Member has an obligation to be engaged in this effort.

TRIBUTE TO RALPH W. YARBOROUGH

The SPEAKER pro tempore. Under the Speaker's announced policy of May 12, 1995, the gentleman from Texas [Mr. DOGGETT] is recognized during morning business for 5 minutes.

Mr. DOGGETT. Mr. Speaker, as this Congress convenes today in Washington, many Texans are convened in Austin, TX, to celebrate the life of Ralph W. Yarborough. Senator Yarborough, Judge Yarborough, Assistant Attorney General Yarborough, a man originally from Chandler, TX, but a man now claimed by people across our great State, is one who contributed significantly to the lives of those of us who live now in Texas.

Senator Yarborough was the only southern Senator to support the Civil Rights Act of 1964. Just as the great Senator and general, Sam Houston, once cut across the grain of popular opinion in Texas when the question was union in the 1860's, so Senator Yarborough had the courage to cut across the grain of popular opinion at the time and do what was best for the future of our State by standing up for civil rights.

Senator Yarborough is a person who served our State with incredible tenacity and incredible courage. Many Texans now will perhaps not remember his service when they take an excursion to the Guadalupe Mountains National Park, when they visit Padre Island National Seashore, when as a veteran they benefit from his work on the GI bill of rights that extended education services for veterans. But his mark is there, an immense mark with reference to legislation.

I think more than any particular legislative act, those of us who continue to participate in public service in Texas will remember the role that Ralph Yarborough made in public service in our State, in every branch of government. We remember that Ralph Yarborough symbolized concern for people, but he recognized that those

who submit themselves for public service need not began by taking a poll but by trying to lead public opinion and mold it, not just to react to it.

Senator Yarborough was a leader in the true sense, a genuine public servant. We are fortunate that he came our way.

There are those, of course, who refer to him as a firebrand, but when I visited with him, I always found that the fire that burned was a fire of justice, one who responded consistently when injustice affected the people of our State.

We thank you, Senator Yarborough, for a life well lived, and a State well served. You have served well not only those of us in Texas while you were in the Senate, but have benefited generations of Texans to come.

RESCUE OUR NATION'S CREDIT NOW

The SPEAKER pro tempore. Under the Speaker's announced policy of May 12, 1995, the gentlewoman from the District of Columbia [Ms. NORTON] is recognized during morning business for 5 minutes.

Ms. NORTON. Mr. Speaker, I come to the floor this morning to say a few words about two cosmic issues. One is the state of disrepair in which our CR's and appropriation process have left Federal agencies. The other, of course, is the weightiest of all: the debt limit of the United States, our full faith and credit twisting in the wind as we speak.

Mr. Speaker, this Congress has got to face up to its responsibility to come to cloture, to settle the Government so that the Government does not dissolve into chaos waiting to see whether continuing resolutions will be for a few days, a few weeks, or until September 30. Mr. Speaker, we avoided a shutdown and took a breath, but for some Federal workers and for some agencies, what has been left is virtually the same thing.

What should Federal agencies do? Some are on CR's that go to March 15, others to September 30. There are disparate amounts of money that the agencies may spend. For those on short-term CR's, shall they wait to find out what we are going to do or should they RIF now or cut back now? Of course, if they do, they may find that the layoffs were entirely unnecessary if we reach a budget agreement. What a position to leave the Government in.

How much worse is the position in which we leave people who happen to work for the Federal Government? Let us take the EPA as an example. Should they now fire almost 4,000 employees? Shall they plan for unpaid furloughs that could last almost 3 weeks? Or will we do something to make all of this unnecessary? Is it, by any definition, fair to leave people wondering about this set of choices?

What about the States? The States depend upon money that is holed up in these agencies that we have not let free. They will not be getting their Federal funds on which they too are relying. These are your States and my States.

What about the contractors? Often contractors are out there doing the work because we said they could do it more efficiently. What about contractors? Shall they lay off people? Shall they go out on a limb and take bank loans?

This is no way to run a corner store, much less a government. If we are going to cut people off, we ought to cut them off. We should not let people and agencies starve to death. Above all, we should take our full faith and credit and decide what we are going to do with it.

Believe me, Mr. Speaker, I think I know what it means to lose your credit, because I come from the District of Columbia. There is no higher authority than the Government of the United States. The Congress is that higher authority. The District of Columbia avoided default, but it has lost its credit. Moody's has said that we could lose our credit. A default may be unthinkable, but even a threat of default could raise interest rates on ordinary Americans. Almost nobody would be immune from the effect. Those who would feel it most immediately would be those with adjustable rate mortgages, which millions of Americans have, and pensioners whose pensions depend upon interest payments from annuities.

This week we must not go home without settling, bringing to cloture what is to happen to our Federal agencies. Of course we should not walk out that door into the street without rescuing our credit, the best credit in the world, from doubt.

RECESS

The SPEAKER pro tempore. There being no further requests for morning business, pursuant to clause 12, rule I, the House will stand in recess until 2 p.m. today.

Accordingly (at 1 o'clock and 5 minutes p.m.), the House stood in recess until 2 p.m.

□ 1400

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. YOUNG of Florida) at 2 p.m.

PRAYER

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

O God our help in ages past, our hope for years to come, we come before You in this quiet moment of prayer with our petitions both great and small. We place before You our aspirations and hopes, our dreams and our ambitions, asking that You bless that which is good and honorable and show us the way of truth. May Your spirit correct us when wrong, amend our willful deeds, and teach us the power of faith and hope and love in all we do or ask or say. 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.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate had passed without amendment bills of the House of the following titles:

H.R. 2111. An act to designate the Federal building located at 1221 Nevin Avenue in Richmond, California, as the ''Frank Hagel Federal Building''.

H.R. 2726. An act to make certain technical corrections in laws relating to Native Americans, and for other purposes.

The message also announced that the Senate agrees to the amendment of the House to the amendment of the Senate to the text of the bill (H.R. 2029) ''An act to amend the Farm Credit Act of 1971 to provide regulatory relief, and for other purposes.''.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 1543. An act to clarify the treatment of Nebraska impact aid payments.

S. 1544. An act to authorize the conveyance of the William Langer Jewel Bearing Plant to the Job Development Authority of the City of Rolla, North Dakota.

S. 1463. An act to amend the Trade Act of 1974 to clarify the definitions of domestic industry and like articles in certain investigations involving perishable agricultural products, and for other purposes.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentlewoman from Hawaii [Mrs. MINK] come forward and lead the House in the Pledge of Allegiance.

Mrs. MINK of Hawaii 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.

PRIVILEGES OF THE HOUSE—WITHDRAWAL OF INVITATION TO FRENCH PRESIDENT JACQUES CHIRAC AND NOT AGREEING TO FUTURE APPEARANCES TO ADDRESS JOINT MEETINGS OF CONGRESS BY HEADS OF STATE OF NATIONS CONDUCTING NUCLEAR TESTS

Mrs. MINK of Hawaii. Mr. Speaker, pursuant to clause 2(a)(1) of rule IX, I

hereby give notice of my intention to offer a resolution which raises a question of the privileges of the House.

The form of the resolution is as follows:

H. RES. —

Whereas virtually every nation in the world has adhered to a moratorium on nuclear tests since September 1992;

Whereas, on June 13, 1995, President Jacques Chirac of France ended his nation's adherence to the moratorium by ordering a series of nuclear tests in the South Pacific;

Whereas France has acted conducted six nuclear tests on the Pacific atolls of Moruroa and Fangataufa in French Polynesia;

Whereas France has acknowledged that radioactive materials from some of the tests have leaked into the ocean;

Whereas, as a result of the tests, the people of the Pacific are extremely concerned about the health and safety of those who live near the test sites, as well as the adverse environmental effects of the tests on the region;

Whereas, in conducting the tests, France has callously ignored world-wide protests and global concern;

Whereas the United States is one of 167 nations that have objected to the tests;

Whereas the tests are inconsistent with the ''Principles and Objectives for Disarmament'', as adopted by the 1995 Review and Extension Conference of the Parties to the Treaty on Non-Proliferation of Nuclear Weapons;

Whereas, in proceeding with the tests, France has acted contrary to the commitment of the international community to the non-proliferation of nuclear weapons and the moratorium on nuclear testing;

Whereas the President of France, Jacques Chirac, is scheduled to appear before a joint meeting of the Congress on February 1, 1996; and

Whereas, in light of the tests, the appearance of the President of France before the Congress violates the dignity and integrity of the proceedings of the House: Now, therefore, be it

Resolved, That, by reason of the recent nuclear tests conducted by France in the South Pacific, the Speaker of the House shall take such action as may be necessary to withdraw the invitation to the President of France, Jacques Chirac, to address a joint meeting of the Congress, as scheduled to occur on February 1, 1996.

SEC. 2. On and after the date on which this resolution is agreed to, the Speaker of the House may not agree to the appearance before a joint meeting of the Congress by any head of state or head of government whose nation conducts nuclear tests.

The SPEAKER pro tempore. Under rule IX, a resolution offered from the floor by a Member other than the majority leader or the minority leader as a question of the privileges of the House has immediate precedence only at a time or place designated by the Speaker in the legislative schedule within 2 legislative days of its being properly noticed. The Chair will announce the Chair's designation at a later time. The Chair's determination as to whether the resolution constitutes a question of privilege will be made at the time designated by the Chair for consideration of the resolution.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will now entertain 1-minutes.

THE DEBT CEILING INCREASE

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

Mr. JONES. Mr. Speaker, I have listened with amazement as the President calls upon Republicans to pass a clean increase in the debt ceiling. Well, let me just say right now, there is nothing clean about stealing another trillion dollars from our children.

Mr. Speaker, Republicans already passed a responsible increase in the debt limit. It was part of the Balanced Budget Act. The President choose to veto it. We put it very clearly to the President: We are not going to let our Nation default on its debt, but we will not give the President a blank check to spend more money.

That is exactly what the President is asking for: a blank check, so he can spend not our money, but our children's money.

Mr. Speaker, default is not an option and Republicans will not let the President's irresponsibility let that happen. We will give him the chance to sign yet another increase in the debt ceiling. But we won't do it without at least providing a downpayment on a balanced budget.

JOINT MEETING WITH PRESIDENT JACQUES CHIRAC

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

Mrs. MINK of Hawaii. Mr. Speaker, I have filed a privileged resolution and hope that the leadership of this House will consider it before the resolution itself and its contents become moot.

The resolution asks the Speaker to disinvite the President of France to come to a joint session to address it on February 1. There is an awesome responsibility in nations that possess nuclear power. And in this time and age, certainly we are sophisticated enough and advanced enough to reject the possibility, even, of a nuclear war.

So for such a nuclear power to say that continued tests were necessary, even after their prior government in France had declared a moratorium, to me seems to be an insult not only to humanity but to future life on this planet. Therefore, I feel that the House, being host to such a person who has violated moral responsibilities of leadership, would be against the conscience and integrity of this House.

I ask Members not to attend such session.

SUPPORT IMMIGRATION REFORM

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

Mr. SMITH of Texas. Mr. Speaker, Congress has a historic opportunity to create an immigration policy that serves America's national interests—not the whims of special interests.

The Immigration in the National Interest Act, H.R. 2202, is a bipartisan effort. It has 120 cosponsors and passed the Judiciary Committee by a vote of 23 to 10.

H.R. 2202 has been endorsed by the Hispanic Business Roundtable, United We Stand, and Veterans of Foreign Wars. The National Association of Manufacturers, Information Technology Association of America, and American Council on International Personnel have endorsed the business-related immigration reforms in the bill.

This bill will secure our borders, protect American lives, make America more competitive in the global marketplace, give spouses and minor children high priority in the immigration system, and encourage immigrants to be self-reliant.

Support immigration reform in the national interest. Cosponsor H.R. 2202 today.

IN SUPPORT OF PRIVILEGED RESOLUTION

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

Mrs. SCHROEDER. Mr. Speaker, I proudly stand with the gentlewoman from Hawaii in her privileged resolution, asking that this body take up and debate whether or not the President of France should have the very special privilege that so few heads of state ever have, and that is to address this Chamber.

I thing it will be very ironic if we are allowing a French President, who has nuclear weapons and who has allowed them to be tested at the horror of all the rest of the world standing by and watching it, if we allow that French President to come here and address this body but we do not allow a resolution of a Member of Congress with many Members joining with her to come up to debate it first. I must say, if that happens, what has happened to our democracy?

But, Mr. Speaker, furthermore, we all know that nuclear weapons are very, very dangerous and with the cold-war meltdown, there is no reason to go throwing them around in the environment, harming people just because you can. That is wrong, and the French President should not be here.

A LETTER TO FRENCH PRESIDENT JACQUES CHIRAC

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

Mr. MARKEY. Mr. Speaker, after exploding six nuclear weapons tests, the

French Government has announced an end to its nuclear testing program. Last Saturday's explosion, it turns out, was the ''last thermonuclear tango in Paris.''

First, however, France joined China as the only nation to break a nuclear testing moratorium in effect since 1992. Then it was forced to admit that radioactive chemicals from its test site in the South Pacific have leaked into the sea. When President Chirac visits Washington this week, the gentleman from Washington [Mr. MCDERMOTT] and I will deliver a letter to the French Government along with several of our House colleagues praising France's decision to stop detonating nuclear test devices.

In our letter, we also urge France to permanently close its testing site in the South Pacific and to begin a complete cleanup operation. France's pledge to sign a comprehensive test ban treaty outlawing all nuclear weapons is a good position to take. But France should close its testing site as an act of good faith with the rest of the world.

COMMUNICATION FROM THE CLERK OF THE HOUSE

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

U.S. HOUSE OF REPRESENTATIVES,
OFFICE OF THE CLERK,
Washington, DC, January 30, 1996.

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

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 5 of Rule III of the Rules of the U.S. House of Representatives, I have the honor to transmit a sealed envelope received from the White House on Monday, January 29, 1996 at 1:20 p.m. and said to contain a message from the President whereby he submits a semiannual report on the continued compliance with U.S. and international standards in the area of emigration policy of the Republic of Bulgaria.

With warm regards,

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

REPORT ON EMIGRATION LAWS AND POLICIES OF THE REPUBLIC OF BULGARIA—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

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

To the Congress of the United States:

On June 3, 1993, I determined and reported to the Congress that Bulgaria is in full compliance with the freedom of emigration criteria of sections 402 and 409 of the Trade Act of 1974. This action allowed for the continuation of most-favored-nation (MFN) status for Bulgaria and certain other activities without the requirement of a waiver.

As required by law, I am submitting an updated report to the Congress concerning emigration laws and policies of the Republic of Bulgaria. You will find that the report indicates continued Bulgarian compliance with U.S. and international standards in the area of emigration policy.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *January 29, 1996.*

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to the provisions of clause 5 of rule I, the Chair announces that he will postpone further proceedings today on each motion to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 4 of rule XV.

Such rollcall votes, if postponed, will be taken on Wednesday, January 31, 1996.

□ 1415

INTERSTATE TRANSPORTATION OF MUNICIPAL SOLID WASTE ACT OF 1995

Mr. BLILEY. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 349) providing for the consideration of S. 534.

The Clerk read as follows:

H. RES. 349

Resolved, That upon the adoption of this resolution, the Committee on Commerce shall be discharged from further consideration of the bill S. 534 and the House shall be considered to have struck out all after the enacting clause and inserted in lieu thereof an amendment consisting of the text contained in section 2 of this resolution, the bill shall be considered to have passed the House, as amended, and the House shall be considered to have insisted on the House amendment and requested a conference with the Senate thereon.

SEC. 2. CONGRESSIONAL AUTHORIZATION OF STATE AND LOCAL MUNICIPAL SOLID WASTE FLOW CONTROL.

(a) AMENDMENT OF SUBTITLE D.—Subtitle D of the Solid Waste Disposal Act is amended by adding after section 4010 the following new section:

''SEC. 4011. CONGRESSIONAL AUTHORIZATION OF STATE AND LOCAL GOVERNMENT CONTROL OVER MOVEMENT OF MUNICIPAL SOLID WASTE AND RECYCLABLE MATERIALS.

''(a) FLOW CONTROL AUTHORITY FOR FACILITIES DESIGNATED AS OF MAY 16, 1994.—Any State or political subdivision thereof is authorized to exercise flow control authority to direct the movement of municipal solid waste, and recyclable materials voluntarily relinquished by the owner or generator thereof, to particular waste management facilities, or facilities for recyclable materials, designated as of May 16, 1994, if each of the following conditions are met:

''(1) The waste and recyclable materials are generated within the jurisdictional boundaries of such State or political subdivision, determined as of May 16, 1994.

''(2) Such flow control authority is imposed through the adoption or execution of a law, ordinance, regulation, resolution, or other legally binding provision or legally binding official act of the State or political subdivision that—

''(A) was in effect on May 16, 1994,

''(B) was in effect prior to the issuance of an injunction or other order by a court based on a ruling that such law, ordinance, regulation, resolution, or other legally binding provision or official act violated the Commerce Clause of the United States Constitution, or

''(C) was in effect immediately prior to suspension thereof by legislative or official administrative action of the State or political subdivision expressly because of the existence of a court order of the type described in subparagraph (B) issued by a court of the same State or Federal judicial circuit.

''(3) The State or a political subdivision thereof has, for one or more of such designated facilities, in accordance with paragraph (2), on or before May 16, 1994, either—

''(A) presented eligible bonds for sale, or

''(B) executed a legally binding contract or agreement that obligates it to deliver a minimum quantity of waste or recyclable materials to one or more such designated waste management facilities or facilities for recyclable materials and that obligates it to pay for that minimum quantity of waste or recyclable materials even if the stated minimum quantity of such waste or recyclable materials is not delivered within a required timeframe.

''(b) WASTE STREAM SUBJECT TO FLOW CONTROL.—The flow control authority of subsection (a) shall only permit the exercise of flow control authority to any designated facility of the specific classes or categories of municipal solid waste and voluntarily relinquished recyclable materials to which flow control authority was applicable on May 16, 1994, or immediately before the effective date of an injunction or court order referred to in subsection (a)(2)(B) or an action referred to in subsection (a)(2)(C) and—

''(1) in the case of any designated waste management facility or facility for recyclable materials that was in operation as of May 16, 1994, only if the facility concerned received municipal solid waste or recyclable materials in those classes or categories within 2 years prior to May 16, 1994, or the effective date of such injunction or other court order or action,

''(2) in the case of any designated waste management facility or facility for recyclable materials that was not yet in operation as of May 16, 1994, only of the classes or categories that were clearly identified by the State or political subdivision as of May 16, 1994, to be flow controlled to such facility, and

''(3) only to the extent of the maximum volume authorized by State permit to be disposed at the waste management facility or processed at the facility for recyclable materials.

If specific classes or categories of municipal solid waste or recyclable materials were not clearly identified, paragraph (2) shall apply only to municipal solid waste generated by households, including single family residences and multi-family residences of up to 4 units.

''(c) DURATION OF FLOW CONTROL AUTHORITY.—Flow control authority may be exercised pursuant to this section to any facility or facilities only until the later of the following:

''(1) The expiration date of the bond referred to in subsection (a)(3)(A).

''(2) The expiration date of the contract or agreement referred to in subsection (a)(3)(B).

''(3) The adjusted expiration date of a bond issued for a qualified environmental retrofit.

Such expiration dates shall be determined based upon the terms and provisions of the bond or contract in effect on May 16, 1994. In the case of a contract described in subsection (a)(3)(B) that has no specified expiration date, for purposes of paragraph (2) the expiration date shall be treated as the first date that the State or political subdivision that is a party to the contract can withdraw from its responsibilities under the contract without being in default thereunder and without substantial penalty or other substantial legal sanction.

''(d) MANDATORY OPT-OUT FOR GENERATORS AND TRANSPORTERS.—Notwithstanding any other provision of this section, no State or political subdivision may require any generator or transporter of municipal solid waste or recyclable materials to transport such waste or materials, or deliver such waste or materials for transportation, to a facility that is listed on the National Priorities List established under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 unless such State or political subdivision or the owner or operator of such facility has adequately indemnified the generator or transporter against all liability under that Act with respect to such waste or materials.

''(e) EFFECT ON EXISTING LAWS.—

''(1) ENVIRONMENTAL LAWS.—Nothing in this section shall be interpreted or construed to have any effect on any other law relating to the protection of human health and the environment, or the management of municipal solid waste or recyclable materials.

''(2) STATE LAW.—Nothing in this section shall be interpreted to authorize a political subdivision to exercise the flow control authority granted by this section in a manner inconsistent with State law.

''(3) OWNERSHIP OF RECYCLABLE MATERIALS.—Nothing in this section shall authorize any State or political subdivision to require any generator or owner of recyclable materials to transfer any recyclable materials to such State or political subdivision, nor shall prohibit any persons from selling, purchasing, accepting, conveying, or transporting any recyclable materials, unless the generator or owner voluntarily makes such recyclable materials available to the State or political subdivision and relinquishes any rights to, or ownership of, such recyclable materials.

''(f) FACILITIES NOT QUALIFIED FOR FLOW CONTROL.—No flow control authority may be exercised under the provisions of this section to direct solid waste or recyclable materials to any facility pursuant to an ordinance if—

''(1) the ordinance was determined to be unconstitutional by a State or Federal court in October of 1994;

''(2) the facility is located over a sole source aquifer, within 5 miles of a public beach, and within 25 miles of a city with a population of more than 5,000,000; and

''(3) the facility is not fully permitted and operating in complete official compliance with all Federal, State, and local environmental regulations.

''(g) LIMITATION ON REVENUE.—A State or qualified political subdivision may exercise the flow control authority granted in this section only if the State or qualified political subdivision limits the use of any of the revenues it derives from the exercise of such authority for the payment of one or more of the following:

''(1) Principal and interest on any eligible bond.

''(2) Principal and interest on a bond issued for a qualified environmental retrofit.

''(3) Payments required by the terms of a contract referred to in subsection (a)(3)(B).

''(4) Other expenses necessary for the operation and maintenance of designated facilities and other integral facilities necessary for the operation and maintenance of such designated facilities that are identified by the same eligible bond.

''(5) To the extent not covered by paragraphs (1) through (4), expenses for recycling, composting, and household hazardous waste activities in which the State or political subdivision was engaged before May 16, 1994, and for which the State or political subdivision, after periodic evaluation, beginning no later than one year after the enactment of this section, finds that there is no comparable qualified private sector service provider available. Such periodic evaluation shall be based on public notice and open competition. The amount and nature of payments described in this paragraph shall be fully disclosed to the public annually.

''(h) INTERIM CONTRACTS.—A lawful, legally binding contract under State law that was entered into during the period—

''(1) before November 10, 1995, and after the effective date of any applicable final court order no longer subject to judicial review specifically invalidating the flow control authority of such State or political subdivision, or

''(2) after such State or political subdivision refrained pursuant to legislative or official administrative action from enforcing flow control authority and before the effective date on which it resumes enforcement of flow control authority after enactment of this section,

shall be fully enforceable in accordance with State law.

''(i) AREAS WITH PRE-1984 FLOW CONTROL.—

''(1) GENERAL AUTHORITY.—A State that on or before January 1, 1984—

''(A) adopted regulations under a State law that required or directed transportation, management, or disposal of municipal solid waste from residential, commercial, institutional, or industrial sources (as defined under State law) to specifically identified waste management facilities, and applied those regulations to every political subdivision of the State, and

''(B) subjected such waste management facilities to the jurisdiction of a State public utilities commission,

may exercise flow control authority over municipal solid waste in accordance with the other provisions of this section and may exercise the additional flow control authority described in paragraph (2).

''(2) ADDITIONAL FLOW CONTROL AUTHORITY.—A State that meets the requirements of paragraph (1) and any political subdivision thereof may exercise flow control authority over all classes and categories of municipal solid waste that were subject to flow control by such State or political subdivision thereof on May 16, 1994, by directing it from any existing waste management facility that was designated as of May 16, 1994, or any proposed waste management facility in the State to any other such existing or proposed waste management facility in the State without regard to whether the political subdivision within which the municipal solid waste is generated had designated the particular waste management facility or had issued a bond or entered into a contract referred to in subsection (a)(3)(A) or (B), respectively.

''(3) DEFINITION.—For purposes of this subsection, the term 'proposed waste management facility' means a waste management facility that was specifically identified in a waste management plan prior to May 16, 1994, and for the construction of which—

''(A) revenue bonds were issued and outstanding as of May 16, 1994,

''(B) additional financing with revenue bonds was required as of the date of enactment of this section to complete construction, and

''(C) a permit had been issued prior to December 31, 1994.

''(4) LIMITATION OF AUTHORITY.—The additional flow control authority granted by paragraph (2) may be exercised to—

''(A) any facility described in paragraph (2) for up to 5 years after the date of enactment of this section, and

''(B) after 5 years after enactment of this section, only to those facilities and only with respect to the classes, categories, and geographic origin of waste directed to such facilities specifically identified by the State in a public notice issued within 5 years after enactment of this section.

''(5) DURATION OF AUTHORITY.—The authority to direct municipal solid waste to any facility pursuant to this subsection shall terminate with regard to such facility in accordance with subsection (c).

''(j) SAVINGS CLAUSE.—Nothing in this section is intended to have any effect on the authority of any State or political subdivision to franchise, license, or contract for municipal solid waste collection, processing, or disposal.

''(k) APPLICATION OF FLOW CONTROL AUTHORITY.—The flow control authority granted by this section shall be exercised in a manner that ensures that it is applied to the public sector if it is applied to the private sector.

''(l) PROMOTION OF RECYCLING.—The Congress finds that, in order to promote recycling, anyone engaged in recycling activities should strive to meet applicable standards for the reuse of recyclable materials.

''(m) EFFECTIVE DATE.—The provisions of this section shall take effect with respect to the exercise by any State or political subdivision of flow control authority on or after the date of enactment of this section, and such provisions shall also apply to the exercise by any State or political subdivision of flow control authority before such date of enactment unless the exercise of such authority has been declared unconstitutional by a final judicial decision that is no longer subject to judicial review.

''(n) DEFINITIONS.—For the purposes of this section—

''(1) ADJUSTED EXPIRATION DATE.—The term 'adjusted expiration date' means, with respect to a bond issued for a qualified environmental retrofit, the earlier of the final maturity date of such bond or 15 years after the date of issuance of such bonds.

''(2) BOND ISSUED FOR A QUALIFIED ENVIRONMENTAL RETROFIT.—The term 'bond issued for a qualified environmental retrofit' means a revenue or general obligation bond, the proceeds of which are dedicated to financing the retrofitting of a resource recovery facility or a municipal solid waste incinerator necessary to comply with section 129 of the Clean Air Act, provided that such bond is presented for sale before the expiration date of the bond or contract referred to in subsection (a)(3)(A) and (B) respectively that is applicable to such facility and no later than December 31, 1999.

''(3) DESIGNATE; DESIGNATION, ETC..—The terms 'designate', 'designated', 'designating', and 'designation' mean a requirement of a State or political subdivision, and the act of a State or political subdivision, individually or collectively, to require that all or any portion of the municipal solid waste or recyclable materials that is generated within the boundaries of the State or any political subdivision be delivered to one or more waste management facilities or facilities for recyclable materials identified by the State or a political subdivision thereof. The term 'designation' includes bond covenants, official

statements, or other official financing documents issued by a political subdivision issuing an eligible bond in which it identified a specific waste management facility as being the subject of such bond and the requisite facility for receipt of municipal solid waste or recyclable materials generated within the jurisdictional boundaries of that political subdivision.

''(4) ELIGIBLE BOND.—The term 'eligible bond' means—

''(A) a revenue bond specifically to finance one or more designated waste management facilities, facilities for recyclable materials, or specifically and directly related assets, development or finance costs, as evidenced by the bond documents; or

''(B) a general obligation bond, the proceeds of which were used solely to finance one or more designated waste management facilities, facilities for recyclable materials, or specifically and directly related assets, development or finance costs, as evidenced by the bond documents.

''(5) FLOW CONTROL AUTHORITY.—The term 'flow control authority' means the authority to control the movement of municipal solid waste or voluntarily relinquished recyclable materials and direct such solid waste or voluntarily relinquished recyclable materials to one or more designated waste management facilities or facilities for recyclable materials within the boundaries of a State or within the boundaries of a political subdivision of a State, as in effect on May 16, 1994.

''(6) MUNICIPAL SOLID WASTE.—The term 'municipal solid waste' means any solid waste generated by the general public or by households, including single residences and multifamily residences, and from commercial, institutional, and industrial sources, to the extent such waste is essentially the same as waste normally generated by households or was collected and disposed of with other municipal solid waste as part of normal municipal solid waste collection services, consisting of paper, wood, yard waste, plastics, leather, rubber, and other combustible materials and noncombustible materials such as metal and glass, including residue remaining after recyclable materials have been separated from waste destined for disposal, and including waste material removed from a septic tank, septage pit, or cesspool (other than from portable toilets), except that the term does not include any of the following:

''(A) Any waste identified or listed as a hazardous waste under section 3001 of this Act or waste regulated under the Toxic Substances Control Act.

''(B) Any waste, including contaminated soil and debris, resulting from—

''(i) response or remedial action taken under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980,

''(ii) any corrective action taken under this Act, or

''(iii) any corrective action taken under any comparable State statute.

''(C) Construction and demolition debris.

''(D) Medical waste listed in section 11002 of this Act.

''(E) Industrial waste generated by manufacturing or industrial processes, including waste generated during scrap processing and scrap recycling.

''(F) Recyclable materials.

''(G) Sludge.

''(7) POLITICAL SUBDIVISION.—The term 'political subdivision' means a city, town, borough, county, parish, district, or public service authority or other public body created by or pursuant to State law with authority to present for sale an eligible bond or to exercise flow control authority.

''(8) RECYCLE AND RECYCLING.—The terms 'recycle' and 'recycling' mean—

''(A) any process which produces any material defined as 'recycled' under section 1004; and

''(B) any process by which materials are diverted, separated from, or separately managed from materials otherwise destined for disposal as solid waste, by collecting, sorting, or processing for use as raw materials or feedstocks in lieu of, or in addition to, virgin materials, including petroleum, in the manufacture of usable materials or products.

''(9) RECYCLABLE MATERIALS.—The term 'recyclable materials' means any materials that have been separated from waste otherwise destined for disposal (either at the source of the waste or at processing facilities) or that have been managed separately from waste destined for disposal, for the purpose of recycling, reclamation, composting of organic materials such as food and yard waste, or reuse (other than for the purpose of incineration). Such term includes scrap tires to be used in resource recovery.

''(10) WASTE MANAGEMENT FACILITY.—The term 'waste management facility' means any facility for separating, storing, transferring, treating, processing, combusting, or disposing of municipal solid waste.''.

(b) TABLE OF CONTENTS.—The table of contents for subtitle D of the Solid Waste Disposal Act is amended by adding the following new item after the item relating to section 4010:

''Sec. 4011. Congressional authorization of State and local government control over movement of municipal solid waste and recyclable materials.''.

The SPEAKER pro tempore (Mr. YOUNG of Florida). Pursuant to the rule, the gentleman from Virginia [Mr. BLILEY] will be recognized for 20 minutes, and the gentleman from Massachusetts [Mr. MARKEY] will be recognized for 20 minutes.

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

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

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

Mr. BLILEY. Mr. Speaker, I rise in support of the resolution.

Mr. Speaker, this legislation authorizes flow control authority. That is, it authorizes State and local governments, rather than the people who transport the waste, to choose where waste generated within their borders is sent.

In its May 16, 1994, Carbone opinion, the Supreme Court ruled that the exercise of flow control violated the interstate commerce clause. The Court found that flow control was simply another in a long line of mechanisms burdening interstate commerce. Only Congress or its duly authorized designee can impose such restrictions.

In my view, this legislation is a necessary evil. In an arena where the private sector is perfectly capable of doing the job, it authorizes State and local government regulation over interstate commerce. Where the waste hauler could find a cheaper disposal site, or a closer disposal site, or a more environmentally sound disposal site, this legislation says that under certain conditions, the hauler would have to send that waste to another site chosen by the government. That is contrary to my own views.

However, State and local governments across the country, in good faith reliance on the ability to exercise such regulation, entered into contracts and made billions of dollars worth of investment in waste facilities. Much of this investment is in the hands of investors who purchased bonds that could be at risk absent some congressional action. Taxpayers also face risk if the continued stability of these facilities and investments is not ensured. Hence this bill.

The road to the floor of the House of Representatives sometimes twists and turns in an unusual fashion. We dispense today with full committee consideration of this bill some 7 months after subcommittee markup. Following subcommittee markup last May, this legislation languished while the interested parties, primarily local government organizations and the waste industry, stared at each other in resolute disagreement. Only as the situation reached a dire stage for some bondholders and certain jurisdictions, including the State of New Jersey, did the parties open the window of opportunity. The Public Securities Association, along with Browning-Ferris Industries and Waste Management, approached the Committee on Commerce about negotiating a flow control agreement. We welcome their offer and facilitated their discussions.

After input from States, local governments, the waste industry, bondholder organizations and of course the Members of this body, the result is the legislation before us today. I am proud to hold a letter supporting this legislation from the National Association of Counties, WMX Technologies, the Solid Waste Association of North America, Browning Ferris Industries, the Public Securities Association, and Ogden Projects.

The principle driving this bill is that if you have bonded indebtedness issued prior to the date of the Carbone case, or if you entered into a contract prior to Carbone obligating you to provide a minimum quantity of waste to a particular facility or pay for the contract amount, then you can exercise flow control in the future for the life of the bond or the life of the contract. If not, the recourse for your facility is to become competitive in the marketplace.

There are a lot of situations across the country that we have sought to take care of within the context of this principle. Many that simply did not meet the test will find themselves in the same situation that private sector facilities have long been in: competing for business. Others may meet the test but were not brought to the committee's attention in time for consideration in today's bill. I am willing to work with Members to make sure that situations that meet the principle are not inadvertently left out.

Another issue also bears mentioning. Flow control has long been linked to

interstate waste in both the House and the Senate. This bill deals only with flow control. I am not opposed to moving interstate waste legislation through the Committee on Commerce and have committed to bring it up for a vote on February 28. However, that legislation was simply not ready for consideration today because of outstanding issues between waste importing and waste exporting States. I hope they can be resolved soon. I appreciate the forbearance of the many Members who selflessly have agreed to let this legislation go forward despite local issues so we can solve pressing problems in other States.

Mr. Speaker, I would also like to acknowledge the contribution of the many minority members who have been very interested in this issue and whose assistance is reflected in this legislation today.

Mr. Speaker, I urge adoption of the legislation, and I reserve the balance of my time.

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

Mr. Speaker, the question before this body today is whether to suspend the rules of the House in considering legislation which would grandfather flow control authority for certain local jurisdictions and waste management facilities. While I support flow control legislation, I do not believe this is an appropriate bill for consideration under procedures which circumvent the committee process.

In bringing up the flow control bill on the suspension calendar, there has been a serious breach of the normal legislative flow control. Without explanation, we have bypassed the normal full committee markup process and denied members of the Committee on Commerce their opportunity to offer amendments to this legislation.

The Subcommittee on Commerce, Trade, and Hazardous Materials reported a flow control bill, H.R. 2323, on May 18 of last year. H.R. 2323, which also contains provisions addressing the issue of allowing States and local governments to limit receipt of out-of-State municipal waste, has been languishing before the full Committee on Commerce for the last 6 months. No full committee markup of the bill has ever been scheduled.

The language before us today was only introduced as a bill this morning. In fact, the bill which we have is marked ''12:20,'' at 12:20 this afternoon. It is now 2:20 in the afternoon. For 2 hours we have had the bill and the bill itself has been changed from the last version which we saw.

Mr. Speaker, that is wrong, just from a procedure perspective, in terms of what all Members are owed as procedural due process in the notice of important substantive changes in legislation. It contains provisions that were not agreed to by the minority, and it deletes the interstate waste language.

Reportedly, this new bill was negotiated downtown between special interests who did not favor the subcommittee-reported bill apparently lacked the votes at full committee in order to weaken it. So as a result, it has been weakened in the Committee on Rules, with no public notice, with no debate, and with all Members now expected to vote upon legislation which has not gone through the traditional legislative committee process.

In addition to the substantive changes made in the flow control language, the bill has also delinked flow control from the interstate waste legislation. This creates serious problems for many Members who are concerned that their States and localities not become the dumping grounds for out-of-State waste.

In the past, the flow control and interstate waste bills have always been linked together in the same legislation. In the 103d Congress, for example, a flow control/interstate waste bill was considered by this body under an open rule that allowed Members to offer amendments where the will of the Members could be fully expressed. The resulting product was approved by the House by unanimous consent. In this Congress, the Senate passed legislation which addresses both the flow control and interstate waste issues.

Delinking these two issues, as is being proposed today, means that we may not have any interstate waste legislation this year, despite the fact that 23 Governors have called for such legislation.

I must object, therefore, Mr. Speaker, to consideration of this bill today under suspension of the rules. The bill before us is controversial, and maybe Members have been denied their opportunity to offer amendments as a result of this procedure. I urge the Members to oppose the motion to suspend the rules of the House so we can defeat this legislation.

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

Mr. BLILEY. Mr. Speaker, I yield myself 30 seconds, to answer the gentleman from Massachusetts.

Mr. Speaker, the bill was introduced and it is in the RECORD for Friday. Yes, it was changed today to insert two provisions for the benefit of the ranking minority member of the full committee. One deleted the so-called double-dipping language, and the other was to insert a central Wayne County fix, so I wanted to clear up that misunderstanding.

Mr. Speaker, I yield 1 minute to the gentleman from Minnesota [Mr. MINGE].

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

Mr. MINGE. Mr. Speaker, the flow-control legislation we are considering this afternoon, from the perspective of many of us, ought to be written differently, but one thing that I have noticed in my short legislative career, congressional career, is that it is almost impossible to move legislation through this body and through the Senate in a form that each of us feels is going to take care of every problem that is faced by our constituents.

In the last session of Congress, indeed, we did pass flow-control legislation in the House of Representatives. It was passed in the Senate, but due to the lateness of the hour, the legislation languished and it never was brought back to both Chambers for final approval.

Mr. Speaker, I urge that we favorably report out this proposal today so that the process may move forward, so that a conference committee can be appointed, so that the differences between the House and Senate provisions can be reconciled, and ultimate legislation which serves the needs of our country can be passed by this institution.

Mr. MARKEY. Mr. Speaker, I yield such time as he may consume to the gentleman from Michigan [Mr. BONIOR].

Mr. BONIOR. Mr. Speaker, I thank my colleague for yielding time to me.

Mr. Speaker, let me just begin by saying that I think there is broad bipartisan agreement for supporting a flow-control bill. I am all for it. I regret that the coming together of sides on this issue as it relates to not only flow control but the interstate waste bill has been so late in developing as we come to the floor, because there are, frankly, folks who are not here today who have a real stake and a real interest in this legislation who I would like to have consulted with.

Mr. Speaker, I am also for a bill that gives our local governments the ability to prohibit out-of-State from being dumped into our communities. I, along with the gentleman from Michigan, FRED UPTON, and the gentleman from Ohio, MIKE OXLEY, and a whole host of other people on the other side of the aisle, the gentleman from Virginia, Mr. BOUCHER, and many others on our side of the aisle have been fighting for this now for a number of years, and we have come within a whisker of having this accomplished over the last two Congresses. We do not want the opportunity to go by without having our full say.

Mr. Speaker, we are willing to work with Members on both sides of the aisle to get this done; in fact, to get both done, the flow control as well as the out-of-State. It appears right now, Mr. Speaker, and I am still talking with folks, that the out-of State provisions fall a little bit short here. By not addressing the out-of-State-issue, as has been mentioned by the gentleman from Massachusetts [Mr. MARKEY], on the floor of this House, or in committee, for that matter, in the House, Members on both sides of the aisle are limited in their negotiating ability once this goes to conference.

I am concerned about that, because the Senate bill that deals with out-of-State is not as environmentally strong as, frankly, some of us would like it to

be. The House provisions that we have had over the years, and which we seek to have come before the House today which would give more autonomy to local units of government, as opposed to having the say on what can come into the State in terms of out-of-State waste controlled by the Governor.

Further, the 11th-hour negotiations still going on among many parties involved in this issue I think clearly shows that this may not be the best way to handle this in terms of the suspension calendar, although there is an advantage to doing it that way, and the gentleman from Virginia [Mr. BLILEY], and I talked about that a little earlier today. I recognize parts of the procedural advantages.

□ 1430

But it does shut out a lot of folks, and that is somewhat troubling to me.

I would hope that we would be able to have an honest debate on this. This is a big issue. This affects all of our districts; it is one of the key environmental votes that we will have probably this Congress. it deals with how we are going to deal with our waste in this country.

It seems to me that the proper role for local and State governments in solid waste management really hinges upon the full participation, not just the narrow participation, of the Representatives from those individual States in this body. We want to work together to open up the process and give all of the States in this debate an opportunity to be heard.

So, Mr. Speaker, let me reserve my comments at this point and say to my friends on both sides of the aisle, I hope we can continue to have some good discussions on this, although I am rather troubled by the procedure under which we are working here this afternoon.

I thank my colleague from Massachusetts for yielding me the time.

Mr. BLILEY. Mr. Speaker, I yield 3 minutes to the gentleman from Ohio [Mr. OXLEY], chairman of the Subcommittee on Commerce, Trade, and Hazardous Materials, who has put endless hours in on this subject.

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

Mr. OXLEY. I thank the gentleman for yielding me this time.

Mr. Speaker, the issues of flow control and interstate waste have vexed this Congress for the last several years. I believe that it has been proper all along to consider these issues in tandem, because they both speak to how responsibly we, as a society, manage the disposal of solid waste.

Some communities find themselves in desperate financial condition because of the Supreme Court's Carbone decision that struck down flow control. These communities sold bonds to investors in good faith, and are relying on limited flow-control power to pay them back. There is a need for Congress to act with dispatch in order to provide legitimate relief.

Not everyone will agree with the bill in front of us today. Some people wanted a broader bill, others, no bill at all. But this bill sends a clear signal that obligations will be honored.

A great controversy has arisen over the last few days over the decision to move this flow bill before the House arrived at a position on interstate waste legislation, which is equally as important to importing States like Ohio. Frankly, I was prepared to oppose the decision to divorce the two titles, especially since they were approved by my subcommittee on a voice vote.

Adding to the anxiety of importing States were recent statements that the move to split the two bills would have killed any interstate legislation this year.

I have received assurances, however, that in approving this flow-control bill that we will be able to conference interstate waste with the Senate. I had a productive discussion with Rules Chairman JERRY SOLOMON this morning. I would expect that the concerns of importing States will be adequately and forcefully represented in conference. Meantime, I have encouraged the Governors of the affected States to meet and to try to reach an agreement on the issues. We need to have direct participation by all Governors with an interest in this. The National Governors Association meeting coming up soon will allow the Governors to have face-to-face discussions on this issue.

Again, I will give support to this flow-control bill only having been assured by key players in the debate that interstate waste legislation will be addressed and that the concerns of importing States, which have fallen on deaf ears in recent years, will be resolved.

I want to pay special thanks to the full committee chairman, the gentleman from Virginia [Mr. BLILEY], for providing an opportunity for those States who are importing States to actually get to conference on this important issue. I think all of us share the goal of getting to a conference and getting to agreement on this important issue, involving the Governors and all of the Members from the affected States.

Please remember that 23 Governors have signed a letter in support of the legislation that passed out of my subcommittee on a unanimous voice vote. There is strong support out there for reasonable interstate waste provisions in the statute, coupled with flow control. I ask the Members to support this important move forward as we get into a conference committee.

Mr. MARKEY. Mr. Speaker, I yield 2½ minutes to the gentleman from Ohio [Mr. BROWN].

Mr. BROWN of Ohio. Mr. Speaker, I rise in opposition to H. Res. 349 for a couple of reasons. Part of it is that this legislation does not at all resemble what the subcommittee worked on for this bill, and the problems that the subcommittee addressed.

Even more to the point, and I have great respect for my friend from Virginia, the chairman of the Committee on Commerce, Mr. BLILEY, this legislation was introduced only 2 hours ago, as the gentleman from Massachusetts, Mr. MARKEY, said.

This legislation clearly does not deal with many of the problems that a lot of districts and a lot of taxpayers have around this country. Putting this legislation forward after being introduced only 2 hours ago, having no hearings on this bill, reminds us of the way that these committees and this Congress have dealt on issues like Medicare and Medicaid, where there might be a hearing, there might not be a hearing, the vote comes to the floor, we vote it up or down without people reading the bill, without people understanding what we are voting on.

In district after district in this country taxpayers will be left out in the cold, instead of, for example, in my district in Medina County, OH, instead of issuing bonds to construct its facilities, Medina County entered into an $8 million cooperative loan agreement with the Ohio Water Development Authority.

Taxpayers in Medina County will lose, will be left out in the cold because of this bill, the way this bill is written.

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

Mr. BROWN of Ohio. I yield to the gentleman from Ohio.

Mr. OXLEY. Mr. Speaker, let me say that I appreciate the problems of Medina County. My home county has a similar kind of situation where they actually save the money to develop a landfill and then use that to initiate flow control. They did it very responsibly. They are unfortunately not covered under this particular version, and that is why it is important for us to get to conference on this issue so that we can vent these issues and have them determined.

I am on the gentleman's side on this issue, and I understand where he is coming from, but we cannot get this problem solved unless we get to conference, and that is what this procedure is all about.

Mr. BROWN of Ohio. Mr. Speaker, my friend from Ohio is actually my mother's Congressman, but she taught me a long time ago that I should take care of a problem when it is there. I do not think that the kind of back-room deals that were made in this bill with lobbyists and special interests writing these bills, whether it is Superfund or Medicare or this legislation, that we really want to just say, trust us, we will take care of it in conference committee.

People in Medina County stand to lose $8 million under this bill. People in Arkansas and people in Virginia and people of this country stand to lose lots of taxpayers' dollars. We should protect their investment, take the bill back to committee, have hearings, let us write a good bipartisan piece of legislation.

Mr. BLILEY. Mr. Speaker, I yield 2 minutes to the gentleman from New York [Mr. SOLOMON], the chairman of the Committee on Rules.

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

I do not know whether the previous speaker is worried about the taxpayers paying. I will tell the gentleman something: If this bill does not become law, the taxpayers are going to pay through the nose, and that is why I am here supporting this legislation. I have counties like Dutchess County in upstate New York that have already been obligated to bonds that have to be paid off by the taxpayers unless we are able to get this kind of legislation through.

Let us just say that we have people on both sides of this. The only way we are ever going to settle it, and the gentleman from Ohio [Mr. OXLEY] has alluded to it, is to pass this piece of legislation, then go to conference with the Senate on the interstate waste, which is a very important piece of legislation.

Once we are there, we have major Governors around this country who are concerned about this. Let us let Governor Pataki of New York, Governor Engler of Michigan, Governor Ridge of Pennsylvania, and Governor Voinovich of Ohio, let us let them sit down, work out these differences and then bring it back. I will commit, as chairman of the Committee on Rules, that when they have worked out their differences, let them come back here, and we will then bring this conference report to the floor and we will pass both the interstate waste, which is very important, as well as this flow control bill, which is extremely important, because if we do not, the taxpayers are going to pay through the nose, and we cannot let that happen.

Mr. MARKEY. Mr. Speaker, I yield 2 minutes to the gentleman from Virginia [Mr. PICKETT].

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

Mr. Speaker, I rise in strong opposition to the municipal solid waste flow control legislation being offered today. It will have a dramatically adverse financial impact on the municipal governments I represent and it is a blatant repudiation of the principle of ''no unfunded mandates.''

Late in the 1970's in the absence of any private alternative, eight municipal governments in my region joined together to create the Southeastern Public Service Authority of Virginia to manage, in an environmentally sound way, the rising volume of solid waste. In adopting this comprehensive waste management program, the participating communities all executed contracts prior to 1985 committing to dispose of their municipal solid waste to the authority. To construct the plant to convert the solid waste to energy for sale, the authority issued bonds that now amount to $275 million. In addition to guaranteeing the bonds, the municipalities are obligated by their contract with the authority to dispose of their solid waste to the authority and the authority is obligated under contract to deliver energy.

This legislation before us will destroy this established and operating environmentally sound regional waste management system, undermine the value of the bonds issued by the authority, impose additional financial burden and hardship on the participating municipalities, and create a new avenue of intrusion by the Federal Government into a purely State and local governmental activity.

This bill has been brought to the floor under a procedure that circumvents the committee process and precludes Members from offering amendments to protect their communities from financial distress. I urge Members to reject the flawed process under which we are considering this legislation and to vigorously oppose the flow control bill that is before us today.

Mr. BLILEY. Mr. Speaker, I yield 2 minutes to the gentleman from New Jersey [Mr. SMITH].

Mr. SMITH of New Jersey. Mr. Speaker, Let me begin by thanking Chairman TOM BLILEY for truly going the extra mile today; for his willingness to understand and address issues that are so vital to some of our States. I especially want to thank Mr. BLILEY for the statesmanlike approach embodied in this compromise in meeting the legitimate needs of our colleagues intent on restricting the flow of waste into their States. And special thanks to Chairman MIKE OXLEY—in the House no one has worked as tenaciously as he on interstate waste legislation. And finally, special thanks to Chairman JERRY SOLOMON, who has worked hard to facilitate this bill.

After 20 months of toil and good faith compromises by all sides of the issue, we are here today with a modest, extremely narrow, rescue bill for locales throughout the country who have waste management systems predicated on flow control and tied to public debt.

Over $20 billion of public bonds and obligations of local communities and investors are today in grave jeopardy and desperately need this solution we are proposing. Our local governments—charged with managing their waste—are in desperate situations warranting immediate action.

The festering crisis dictates that we wait no more and fast-track this emergency debt protection remedy.

For communities across the country—who saw a legislative remedy vanish in the waning hours of the 103d Congress, a casualty of a failed UC request in the Senate—this is their only hope.

Make no mistake, this legislation does not establish a broad authority for flow control. Instead it prescribes a narrow grant of authority and phases out of such activity allowing communities to make a smooth transition and ensuring that investments in public projects do not go belly up.

Under the bill flow control is permitted for the limited purpose of paying off outstanding bonds and that is it. According to the EPA, less than 20 percent—one-fifth—of the solid waste market is expected to receive some type of protection under this flow control bill. And as each day passes, and municipalities pay off their bonds, this small share of the market will continue to diminish until it reaches zero.

No one likes it when rules of the game change in midstream.

The Carbone decision vitiated waste flow authority after States and local governments had devised comprehensive waste management plans—at the behest of the Federal Government—which relied on that authority to make the plan economically viable. In other words, decisions were made and funds expended or obligated based on assumptions that disappeared on May 16, 1994—the date the Carbone opinion was handed down.

In the post-Carbone world, communities still have the responsibility to manage garbage—that is: collect, treat, and dispose of it—but some may no longer have the tools to carry it out efficiently.

Flow control has been a difficult issue for the past 2 years because local governments and private industry have different opinions on how much of flow control is a good thing. State and local government organizations have historically supported the continuation of flow control authority as an important prerogative of State and local government and the best tool for safe and environmentally sound disposal of garbage. Members of the private waste industry believe there should be no constraints on the movement of waste.

The bill before us today has opted for the private enterprise position—prohibiting any future flow control. The bill is drafted as an extremely narrow grandfather—allowing flow control only in jurisdictions that exercised it, designated the waste facility to receive the waste, and sold bonds—or executed put-or-pay contracts—to finance the facility—all prior to the Carbone decision. And once the bonds are paid off, with the narrow exception of retrofits mandated under the Clean Air Act, flow control ends forever.

Importantly, because these flow control provisions are so narrow, they have achieved support from significant stakeholders on this issue: the national organizations representing State and local government interests, such as the National Association of Counties and the Solid Waste Association of North America; major companies from the waste industry, such as Waste Management Technologies, Inc. and Browning Ferris Industries; and the Public Securities Association, representing the concerns of bond holders and issuers. While all of them have a different bill of perfection in mind, they have reached a compromise that they can live with.

The situation in my home county of Mercer illustrates how urgent the situation is.

At present, Mercer has incurred debt obligations of over $189 million to finance the project, with approximately $100 million more needed for completion of the project.

Carbone has put the entire undertaking on the shelf and costs to build the waste-to-energy facility have increased by over $4 million. Accordingly to Mercer County executive, Bob Prunetti, each day of irresolution of this issue costs an additional $20,000 per day.

In the 20 months that we have been debating the perfect flow control and interstate provisions, Mercer County's bonds have been downgraded and, last week on January 25, permits for the construction of our facility expired. The authority has petitioned the New Jersey State Department of Environmental Protection for an extension of this permit. It is unclear, at this time, whether or not there is precedence for such an extension.

My State with our landfills nearing full capacity and with more than 2.1 million tons exported per year to other States has attempted to act responsibly and earnestly to resolve our waste disposal problems and become self-sufficient. My county of Mercer exports 300,000 tons to Bucks County, PA, just across the river.

If we are able to proceed with our waste-to-energy project at least 220,000 tons of municipal sold waste will stay in Mercer County to be incinerated. That, it seems to me, nips the problem at the source.

And let me remind Members that self-sufficiency has been our goal for 20 years and flow control was—is—the requisite to achieving that goal. Nearly two decades ago, the State of New Jersey took the initiative to limit its exports on its own. The State's comprehensive solid waste management plan is meant to achieve self-sufficiency by the year 2000. But the plan hinges on the use of limited flow control—without it, it just ain't gonna' happen. And worse, our 2.1 million tons of cross-State waste will only increase.

Mercer's bond downgrading has not been unique. Other communities around the Nation especially Pennsylvania, Florida, California, New York, New Hampshire, and Illinois have had their credit ratings downgraded or have been put on credit watch because they have lost the ability to flow control.

Mr. Speaker, Members of Congress anxious to pass tough interstate restrictions on the transport of garbage, take note: I respectfully submit this is your opportunity to advance that prospect since you will get your day in conference with this legislation. Yet, I am here to tell you that passage of flow control authority by this Congress—temporarily delinked from interstate—will only help alleviate the need to export garbage.

The Environmental Protection Agency's [EPA] study on flow control, released last year unequivocally states that: ''Flow control is one mechanism that State and local governments can use to foster development of in-State capacity to manage municipal solid waste.''

To my friends who are disappointed that the interstate provisions will be considered on a day other than today let me say that I have no qualms with limiting interstate waste. There is a symbolic relationship, however that should not be overlooked. If the goal of my friends in the Midwest and Pennsylvania is to ban the interstate transport of waste, then by all means you should support efforts to allow States to flow control waste within their own borders. This, of course, will diminish the urgency to transport garbage outside of the State.

In closing, Mr. Speaker, I remind our colleagues that the clock is ticking. I am hopeful that like the Senate, this body will now move on a proposal that offers real relief to communities in debt.

□ 1445

Mr. MARKEY. Mr. Speaker, I yield 2 minutes to the gentlewoman from Arkansas [Mrs. LINCOLN].

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

Mr. Speaker, I rise in strong opposition to this process as well as to the final product that has come before the floor. With all due respect to Chairman OXLEY, this is not the package we passed out of subcommittee, that we debated and we came to a compromise and conclusion on. The fact is that it is our responsibility in this House to do a good job on behalf of our constituents, to take to a conference a position that is good for them.

With all due respect to the gentleman from New Jersey [Mr. SMITH] and the gentleman from New York [Mr. SOLOMON], who speak of their communities who are in such danger, who have leveraged bonds, we have communities just like that. I have communities just like that. However, mine does not get a special fix in this bill, and it is very important for us to go to the drawing board and look at what is fair to everyone.

I am absolutely amazed and disturbed that a bill such as the one we are considering today is being considered on the Suspension Calendar. This bill is not the product of Member negotiations, it is not the product of committee consideration, and it is not the product of the administration. However, it is a product of many interests downtown who have drafted a bill without Member input.

As a Member who is supportive of flow control legislation and supportive of our communities in their efforts to effectively manage their solid waste, I urge a ''no'' vote on the bill we are considering today. While this legislation does help some of the communities out there, it does not protect legitimate financial obligations incurred by many of our communities.

I also urge a ''no'' vote on this bill because the whole legislative process has been circumvented. The Subcommittee on Commerce, Trade and Hazardous Materials held a markup in May where amendments were adopted. The subcommittee-passed bill is now probably in one of those landfills out in the Midwest. What we are working on now is a piece of legislation that no Member has voted on, let alone seen or examined.

The Suspension Calendar is a mechanism by which the House can consider relatively noncontroversial issues that have broad bipartisan support. This flow control legislation is not a worthwhile candidate for such consideration.

This bill is controversial, not so much for what it contains but rather for what it does not contain. It does not contain relief for many communities holding legitimate debt, and it does not contain interstate waste provisions.

It is our responsibility in this House to take care of those issues and then move it to conference. I urge a ''no'' vote on this bill.

Mr. BLILEY. Mr. Speaker, I yield 30 seconds to the gentleman from New Jersey [Mr. SMITH].

Mr. SMITH of New Jersey. I thank the gentleman for yielding me the time.

Mr. Speaker, I would ask the gentlewoman if she would just respond. Again, I am a proponent of prospective flow control. We did not win that one. We tried hard. There are a sufficient number of Members who disagree with that that we were unable to get that in there.

The compromise that is struck here says that anybody who obligated funds, expended funds, or sold bonds prior to the Carbone decision on May 16, 1994, they are included, they are grandfathered. It is my understanding that those in your locale did so after the fact, after Carbone had been handed down.

Mr. MARKEY. Mr. Speaker, I yield 30 seconds to the gentlewoman from Arkansas [Mrs. LINCOLN].

Mrs. LINCOLN. I thank the gentleman for yielding me the time.

Mr. Speaker, for those communities that did extend those bonds, they did so under the understanding that Congress was taking up that issue last year and the year before with the idea that these communities could be protected. They have extended their livelihood in those communities, their tax dollars and their resources, and many of the other communities, some of which have already been considered in this bill, did make those decisions after Carbone.

Mr. BLILEY. Mr. Speaker, I yield 1 minute to the gentleman from New York [Mr. WALSH].

Mr. WALSH. Mr. Speaker, I thank the chairman for his leadership on this. I would also like to thank the gentleman from Ohio, Chairman OXLEY,

for his allowing this bill to get to the floor.

Mr. Speaker, this afternoon the House of Representatives works toward passage of flow control legislation with bipartisan support. The legislation is a fair compromise that would grandfather facilities designated prior to the 1994 Supreme Court decision, but phases out flow control as financial obligations expire.

For example, this bill will protect the local government in Onondaga County to have the right to control the flow of municipal solid waste for financing their waste-to-energy plant and integrated waste program. Without such control, which had been put at risk by the Supreme Court ruling, the county would have been without sufficient cash flow to repay $180 million in bonds which provided funding for the plant.

It is also very good news for taxpayers in central New York. Without the legislation, the county's credit rating could have been negatively affected for future bonding and all future public works projects put at risk.

In addition, flow control is pro-environment—despite rhetoric to the contrary. If every municipality adopted a comprehensive solid waste program, they could handle their waste locally and not ship their garbage to other States. Our county's recycling program has received national recognition and awards for recycling over one-third of our waste stream. The community also benefits from the sale of electricity produced by the waste-to-energy facility.

Working closely with Onondaga County officials, my colleagues in the New York delegation and the Commerce Committee, we were able to develop an excellent bill. This is the kind of cooperation between local and Federal Government that helps communities solve problems, and I urge my colleagues to support passage.

Mr. MARKEY. Mr. Speaker, I yield 1½ minutes to the gentleman from Virginia [Mr. SISISKY].

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

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

Mr. Speaker, I rise today in opposition to this bill, and to the procedure under which the bill is being considered.

The measure we are considering today, while well intentioned, is incomplete.

This bill grandfathers the previous flow control arrangements of many communities.

Unfortunately, the Hampton Roads communities of southeast Virginia were not grandfathered in this bill.

That's not fair.

These eight communities came together in the 1970's to create the Southeastern Public Service Authority of Virginia or SPSA.

Now, like so many other localities, they are burdened with long-term bond debt.

In SPSA's case, there is $275 million in bond debt due by 2018.

The cities and towns who are served by SPSA need to be grandfathered in this bill so they can pay their debt.

If you vote to pass this bill, you are legislating against some communities while you help others.

Like all of you, I have a responsibility to the people I represent, and the communities in which they live.

Under this procedure, I cannot do that.

Mr. Speaker, I urge my colleagues to vote against this measure so we can make sure that all of our people can receive the same consideration. I do not think that is too much to ask. Under the procedures that this bill came under, it seems to me the plausible thing to do.

Mr. BLILEY. Mr. Speaker, I yield 1 minute to the gentleman from New York [Mr. BOEHLERT].

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

Mr. BOEHLERT. Mr. Speaker, I rise in strong support of this bill, and I want to thank Chairman BLILEY for the outstanding work that he has overseen as we have come to develop a bill that has earned strong bipartisan support.

This bill is very important to me for a whole lot of reasons, but basic among those is that it will save taxpayers in my district an untold amount of money. Without this measure, three solid waste authorities in my district would be unable to pay off the bonds that they have issued without unsustainable tax increases. The people and their representatives from Oneida, Herkimer, Otsego, Montgomery, Schoharie and Madison Counties acted in good faith when they sold bonds in that manner. Now they will be able to have the waste stream they need to guarantee the operation of their facilities and to be able to pay off those bonds.

I want to thank the solid waste authorities in my district for doing such a good job of educating me and my colleagues so that we would know how important it is to pass this very important flow control legislation. I urge my colleagues to support the measure.

Mr. MARKEY. Mr. Speaker, I yield myself such time as I may consume, and it is most likely with the intention of closing debate at this particular point in time.

Mr. Speaker, this is a very simple issue at this point. It is not really substantive. It is a question of whether or not we are going to have a proper use of the procedures of the House in order to deal with a very important piece of legislation which for the past 3½ years has been considered in the Committee on Commerce. Again, in the last session of Congress we dealt with this issue, we dealt with it on a bipartisan basis and we dealt with it in a comprehensive fashion.

This bill is being dealt with on a piecemeal basis and in a partisan fashion. That is not necessary. We are being promised here on the floor that if we foreswear our concern legislatively for the interstate aspects of this bill, and, by the way, what could be more important to the States in the Midwest than how much waste is going to come into their States from other States? The States of New York and New Jersey, they are basically adopting Horace Greeley's philosophy, which is, ''Go west, trash deliverer, go west.'' That is the philosophy.

Mr. Speaker, the bottom line here is that we have no guarantees, none at all. If we do not deal with this interstate issue and if the Senate acts on it, which we hope that it does—we are not sure that it does—we are ceding our legislative responsibility to the Senate—something which I find to be highly undesirable generally given their overall conduct—that we should in fact deal with these issues ourselves. However, if in fact they deal with this interstate issue and they send it back, we are going to be dependent upon the Rules Committee to determine whether or not this issue is within the scope of the bill, given the fact that the House never in fact acted upon it.

If the gentleman from New York, the chairman of the Rules Committee, would get up and promise us that that bill will come out on the floor, no matter what, it will be out here on the floor, dealing with interstate waste, then that will give us all a lot more comfort. However, if that is not the case, we are going to be like Lucy holding the football for Charlie Brown. They are holding the ball for us right now, run up to the football, but at the end of the day, and I mean April or May when the bill comes back, we are not sure that the Rules Committee will ever allow an interstate bill to come out here.

This is our opportunity to act. Vote ''no.'' Force this process, this House of Representatives, to produce a bill that deals with both aspects of this problem, and then we can go to the conference committee with the Senate with all of the cards on the table and a guarantee that the issues of the Midwest, the issues of all those States that might ultimately become the home to this waste, are dealt with properly.

That is my message to the House today, that a vote ''no'' on this issue guarantees that we will get a good and comprehensive bill dealing with all aspects of this legislation.

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

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

Mr. OXLEY. Mr. Speaker, I thank my friend for yielding.

Please remember on the separate issue we have a letter from 23 Governors supporting interstate language. There is no way in the world that a conference committee will come back with anything less than a bill that will deal with interstate commerce.

Mr. MARKEY. I respect the work the gentleman has done. The gentleman

did good work at the subcommittee. I supported the gentleman's work. It should have come through the full committee and out here on the floor in a comprehensive way. We should not cede our responsibilities to the Senate.

Mr. BLILEY. Mr. Speaker, I yield 1 minute to the gentleman from Michigan [Mr. UPTON].

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

Mr. UPTON. Mr. Speaker, I thank very much the diligent work of our chairman of the full committee and subcommittee, the gentleman from Virginia [Mr. BLILEY], and the gentleman from Ohio [Mr. OXLEY]. This is a very tough and complex issue, flow control and interstate waste.

There has always been a fear, particularly from those of us in the Midwest, that one might pass without the other. Frankly, I was prepared to vote against this bill under suspension, in fact signed a bipartisan ''Dear Colleague'' letter with a number of my colleagues asking us all to do so. But today's assurance that the Governors of the impacted States will in fact help forge an agreement that is acceptable to all of us helps resolve my goal of making sure that we will not see unfair control of interstate waste legislation move forward unless they in fact are dealt with together.

□ 1500

I accept Rules Committee Chairman SOLOMON's pledge of cooperation in working this out. In fact, I am going to go back to all of my colleagues to make sure that when this conference report comes out that it will be an acceptable bill.

Out-of-State waste is a very important issue.

Our landfills will fill up years ahead of schedule because cities like Chicago, New York, and Boston churn out garbage faster than they can deal with it.

Interstate waste is an important tool. It allows States the ability to limit garbage that crosses my borders. My State should not be forced to accept other people's garbage. Michigan isn't a dumping ground for other States' mistakes.

Michigan has had the foresight to develop a plan to dispose of our waste. We are now being forced to deal with garbage from States who haven't.

I make no apologies—frankly, New York City, Boston, Chicago, your garbage isn't our problem.

'We Recycle'—it says so right on the blue trash cans in my office. I've got to separate white paper from wet trash, glass from cardboard. But the Federal Government doesn't afford my communities with this luxury.

Michigan communities shouldn't be forced to clog up their landfills with trash from cities hundreds of miles away. When it comes to dumping in landfills, it all gets thrown into the mix—Kalamazoo's, New York City's, Benton Harbor's, and Boston's—Michigan couldn't bar any State from dumping trash on us—until now.

In a recent letter sent to Speaker GINGRICH, Michigan Governor John Engler and several other Midwest Governors wrote ''Citizens constantly ask us why they should recycle in order to conserve space for other States' trash. We need assurances that we can conserve landfill space for our own State's disposal needs.''

Governor, you got your assurance today.

Mr. Speaker, I include for the RECORD the following letter:

STATE OF OHIO, STATE OF MICHIGAN, STATE OF INDIANA, COMMONWEALTH OF PENNSYLVANIA,
January 25, 1996.

Hon. NEWT GINGRICH,
Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: We are writing to express our opposition to considering a flow control bill on the House floor under suspension of the rules without the inclusion of interstate waste provisions. As governors of states that have been receiving considerable amounts of out-of-state waste, we feel it is essential that the House move interstate waste and flow control together as one bill.

As you know, 23 governors wrote you in June to express strong support for the interstate waste provisions in H.R. 2323, the State and Local Government Interstate Waste Control Act of 1995, introduced by Congressman Mike Oxley and passed by the Subcommittee on Commerce, Trade and Hazardous Materials in May.

For too long, states have had only limited ability to place restrictions on shipments of municipal waste across state lines. Although mandated by federal law to develop comprehensive waste management plans, states' efforts to enforce their own planning rules have been overturned repeatedly by the federal courts. Lacking specific delegation of authority from Congress, states that have acted responsibly to implement environmentally sound waste disposal plans and recycling programs are still being subjected to a flood of out-of-state trash.

We are not asking for outright authority to prohibit all out-of-state waste. We are asking Congress to provide state and local governments with the tools they need to manage their own waste and limit waste from other states. Any proposal to grant specific flow control authorities, therefore, should not be considered without also including these essential interstate waste provisions.

We strongly believe that Congressman Oxley's interstate waste provisions address many of our concerns. Twenty-three governors and the Western Governors' Association have supported the interstate waste provisions in this bill and seek two strengthening amendments. One would allow states to place a percentage limit on the amount of out-of-state waste that can be received at new facilities or major modifications of existing facilities. The other would allow states to authorize the collection of a $1-per-ton surcharge on waste from other states.

H.R. 2323 would give large exporting states sufficient time to plan for the disposal of their own waste. It also would give those states that have acted responsibly to implement environmentally sound waste disposal and recycling plans assurance that they can save space within their borders for their own disposal needs.

In addition, we oppose any provisions that would prohibit interstate waste restrictions at facilities that are subject to flow control authorities. Such a provision would prohibit state and local governments that exercise flow control authorities from having the opportunity to accept or reject out-of-state waste shipments, and they could be forced to receive it unwillingly. We strongly believe that one community should not be forced to accept other states' waste while another community has the opportunity to turn it away.

Again, we respectfully urge that interstate waste and flow control move together as one bill. By considering flow control separately, Congress would only address one side of the equation and would not give importing states the tools they need to limit the large amounts of waste crossing their borders.

Sincerely,

GEORGE V. VOINOVICH,
Governor of Ohio.
EVAN BAYH,
Governor of Indiana.
JOHN ENGLER,
Governor of Michigan.
TOM RIDGE,
Governor of Pennsylvania.

Mr. BLILEY. Mr. Speaker, I yield 30 seconds to the gentleman from Florida [Mr. DEUTSCH].

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

Mr. DEUTSCH. Mr. Speaker, I rise in support of the flow control legislation before us today.

This compromise bill is now limited in scope and duration, a culmination of several months of negotiation between public and private stakeholders. Most importantly, this compromise bill protects local communities and preserves our commitment to free-market competition in the solid waste industry.

Like many States, my State of Florida enacted a law requiring communities to manage their own waste, including a goal that 30 percent be recycled. My district, Dade County, invested nearly $200 million so they could meet this challenge.

Mr. Speaker, Congress should not break up monopolies, but this legislation will not do that.

Mr. BLILEY. Mr. Speaker, I yield such time as he may consume to the gentleman from New Jersey [Mr. FRANKS].

(Mr. FRANKS of New Jersey asked and was given permission to revise and extend his remarks.)

Mr. FRANKS of New Jersey. Mr. Speaker, I rise in support of this vitally important measure and ask my statement become a part of the RECORD.

Mr. BLILEY. Mr. Speaker, I yield 1 minute to the gentleman from Pennsylvania [Mr. CLINGER], chairman of the Committee on Government Reform and Oversight.

Mr. CLINGER. Mr. Speaker, this is an issue that I have been involved with for 4 years as have most of the Members speaking on this issue today.

Frankly, I came to the floor prepared to vote against this measure, because of the real concern by dividing flow control from interstate garbage provisions, we were going to lose any consideration of interstate garbage. I am now told we have an extraordinary procedure involved here which will ensure that we will have a marriage of these two items before this thing comes back to the floor before it is ultimately resolved.

It is not as good as I would hope. I can assure you, given the concerns Pennsylvania has as the largest importer of interstate garbage in the country, that we could not possibly go for anything that does not include those provisions.

I am persuaded, however, we are probably not going to see either flow control or interstate garbage provisions unless some procedure such as this is adopted. I still have some skepticism. I can assure you I will be fighting very hard if this thing comes back without adequate provisions for interstate garbage. But given that fact, unless a concern we not get either, this moves the process forward.

Mr. BLILEY. Mr. Speaker, to close debate on our side, I yield the balance of my time, 1 minute, to the gentleman from Ohio [Mr. GILLMOR], a member of the committee.

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

I rise in support of this legislation. Although it is not the legislation I would have preferred to see out here, I would have preferred to see something closer to what we are dealing with in the Committee on Commerce. But I do so in part because of the assurances that interstate waste is going to be considered as a part of this conference committee.

I supported both flow control legislation and interstate waste legislation, because they are, in fact, part and parcel of the same principle, and that principle is giving State and local government officials both the authority and the responsibility over waste management.

The coupling of these two issues is supported by Governors from liberal Democrats to conservative Republicans, and I rise in support of this with the hope that this will give us the opportunity to come back with a conference committee report that deals with both of these important issues in a satisfactory way.

Mr. MARTINI. Mr. Speaker, I would like to take this opportunity as a Member of the New Jersey delegation to speak on behalf of S. 534, the Flow Control Act. Mr. Speaker, I am going to support this bill with the understanding that it is going to address certain problematic situations that exist in my congressional district—namely, in Passaic and Essex Counties. This legislation is necessary for the protection of government entities who have operated in good faith under a State mandate for waste disposal. It would be unjust to both the taxpayers and the local entities if deregulation were to allow such law abiding local governments to default on their payment of debt.

Following the Clarkstown versus Carbone decision of 1994, in which the Supreme Court struck down a local ordinance directing the shipment of waste to a local waste facility, local governments throughout New Jersey have been greatly affected by this decision. New Jersey, in an attempt to responsibly deal with the disposal of waste, has invested in facilities with the expectation that their cost could be financed with revenues accumulated by directing local waste to those facilities. The repayment of bonds depends on the practice of flow control. While I respect any decision passed down by the Supreme Court of the United States, I also respect the integrity of local governments that have in good faith supplied facilities to handle municipal solid waste.

The idea of grandfathering certain facilities that were in process when the Carbone decision was rendered should not even be in question. I feel that it is our duty to protect the taxpayers' investments in such facilities. The Public Securities Association recognizes that this is our duty and has voiced their support for the legislation.

It is also important to note the unique situation in the Garden State. New Jersey is the only State in our Nation in which all municipal solid waste is now flow controlled and has been flow controlled for over a decade. We must provide for preexisting arrangements of fiscally responsible local governments. The local entities in the eighth district of New Jersey should not be abandoned to default on several millions of dollars of outstanding bonds that support their waste program.

For example, Passaic County in my congressional district has in excess of $80 million in outstanding bonds for transfer stations which deal with their waste. It is my understanding through my discussions with the Commerce Committee, as well as with Governor Whitman's office and Members of the New Jersey congressional delegation, transfer stations will be included among the in-state facilities whose debt will be protected. It is important to me that this legislation addresses the ability to pay all outstanding debt that is waste related, regardless of the particular nature of the waste facility.

Furthermore, it is my understanding through such discussions that localities that send municipal solid waste through in-state transfer stations prior to sending that waste out-of-state are clearly covered under this legislation. With that in mind, I will support this bill.

It is about time that we address the effect of the Carbone decision on local governments throughout the United States and protect the monetary commitments of those localities.

Mr. BLILEY. Mr. Speaker, through its constitutional authority to regulate interstate commerce and in response to the U.S. Supreme Court's Carbone decision, Congress sets forth in this legislation the limits and conditions on flow control authority. The impact on interstate commerce of the flow control authority exercised in conformance with the provisions of this legislation has been sanctioned by Congress and may not be challenged on commerce clause grounds.

The legislation further sanctions flow control authority exercised by a particular State or local government before enactment of this legislation, to the extent the exercise of that flow control authority is in conformance with the provisions of this legislation. Congressman NETHERCUTT and others have asked for clarification on this point. The intent of this sanctioning by Congress of previously exercised flow control authority is to end pending litigation in which such exercise of flow control authority has been challenged as unconstitutional on commerce clause grounds. However, the legislation makes clear that this congressional sanction does not apply in cases where a final judicial decision no longer subject to judicial review has declared, before enactment of this legislation, the specific exercise of flow control authority by the State or local government to be unconstitutional. Of course, that same State or local government may exercise the flow control authority granted by this legislation after enactment of this legislation, if the State or local government meets the grandfather criteria set forth in the legislation.

STATEMENT ON USE OF FLOW CONTROL REVENUES

This compromise legislation limits the use of revenues derived from the exercise of flow control. Such revenues may only be used to repay the principal and interest on eligible bonds issued by a grandfathered community, to repay the principal and interest on bonds issued for qualified environmental retrofits of designated facilities, or to repay the financial obligations incurred by a community pursuant to certain contracts specified in the bill. However, to protect the viability of a community's investment in a designated facility financed by a bond, the legislation provides that all expenses necessary for its intended operation and proper maintenance, such as operation and maintenance expense of the other integral facilities, may also be paid with revenues derived from the exercise of the flow control authority.

STATEMENT ON SHAM RECYCLING

The legislation prohibits a community from exercising flow control authority over recycled materials unless such materials are voluntarily relinquished to the community by the generator or owner of the materials. The definition of recyclable materials in the legislation makes clear our intent that this prohibition is only to apply to materials that will be recycled, reclaimed, composted, or reused, and have been separated for these purposes from waste which is to be disposed. Our intent is to prevent sham recycling. Sham recycling occurs when an entity seeks to avoid a grandfathered community's exercise of flow control authority over a particular waste material by claiming that it intends to recycle the material but does not actually recycle, or recycles only very minimally, with the intent to dispose of the material at a non-flow controlled facility.

Mrs. KELLY. Mr. Speaker, I rise in strong support of S. 534, legislation to reestablish a modest degree of local flow control for the disposal of municiple solid waste. The bill seeks to preserve local flow control authority for communities which had such rules in effect prior to the Supreme Court's Carbone decision in 1994.

Mr. Speaker, Dutchess County, New York offers a good example of the desperate need to pass flow control legislation. The Dutchess County Resource Recovery Agency runs a waste-to-energy and recycling facility that was constructed with the belief that a steady stream of waste—and revenue—would be available to meet the financial obligations incurred by the county.

However, the Supreme Court's Carbone decision invalidated local flow control ordinances under the view that they violate the interstate commerce clause of the Constitution. Since that time, revenue streams and the bond ratings for waste facilities have fallen off.

In New York State alone, over $1.2 billion in public debt for solid waste management facilities and programs is threatened unless this can be resolved—$43 million of that debt was incurred by the Dutchess County Resources Recovery Agency. The loss of flow control authority resulted in a $3 million shortfall to the facility last year, and a similar shortfall is expected this year unless corrective action is

taken. Of course, in the end, Dutchess County taxpayers must make up the difference for any shortfall to the facility.

Mr. Speaker, similar legislation passed the House of Representatives during the last session by an overwhelming margin. It was recognized then, as in the case today, that once the bond obligations have been met, flow control authority ceases and the free market takes over.

I recognize that legitimate concerns remain with respect to the regulation of waste streams between States, but we cannot let this issue further delay the passage of this fair and commonsense legislation. Dutchess County, and many others around the country, can no longer afford to see the resolution of this issue delayed.

I urge my colleagues to join me in support of this legislation.

Mr. VENTO. Mr. Speaker, I support this legislation which restores limited local control over municipal solid waste.

Local governments across this country would be burdened with enormous financial debts unless this Congress acts and approves legislation such as is before us today. Whether Members favor flow control or not, the fact of the matter is that local governments have been legitimately using this planning tool for over a decade, and have outstanding contractual agreements and obligations they are responsible to meet. This bill is a fair compromise that allows our local governments to basically keep their promises to investors and citizens on a good faith basis.

This bill is not perfect. From my stand point, I support stronger flow control authority granted to the States, counties, and municipalities. I believe flow control provides State and local governments with the tools to manage waste disposal responsibility and effectively. A framework for solid waste recycling and disposal has been established in Minnesota and other States that is truly working with the underpinning of flow control. Solid waste disposal is certainly an issue that is inherently local, and State and local governments should have the authority to address the policy without being whipsawed between jurisdictions. The rationalization of sound solid waste policy responding to the environmental limits and reality is a key role of local government, surely we should permit them to do their job.

This, of course, is the broader debate that Congress should be shaping. But until we face up to the total task, let us make certain that we do not let default and harm befall our States and local governments. They need certainty and predictability, not philosophic platitudes on the magic of the marketplace. Our local governments are facing an $18 billion debt. Local governments need flow control relief today that responds to their legal obligations, and this bill provides modest and necessary relief.

I urge my colleagues to support this legislation. We cannot continue to leave our local and State governments swinging in the wind. Cooperation and responsible action should be our response to the circumstance; a commonsense pragmatic policy to the problem before us—I urge positive support for this measure.

Mr. BILIRAKIS. Mr. Speaker, I rise in support of this legislation, but also to express the concerns of Hillsborough County, FL, in my district, concerns that I understand are held by other entities in other States regarding this legislation, as well.

As is well known, the measure we consider today is intended to exempt from constitutional challenge State and municipal flow-control laws in effect on or before May 16, 1994. The necessity of this stems from the fact that the Supreme Court ruled in 1994 that solid waste flow-control was an unconstitutional interference in interstate commerce.

Nevertheless, the States and municipalities in question depend upon a steady stream of waste material to their disposal facilities in order to repay bonds issued to finance construction of these facilities.

Clearly, this matter needs to be addressed and this legislation seeks to do so. However, if we are to address it, we must ensure that our meaning is certain.

This measure also grants flow-control authority to State and local government facilities if, among other requirements, eligible bonds were presented for sale on or before May 16, 1994. Such was the case with Hillsborough County, FL, but the county refinanced these bonds in July 1994, with an expiration date on the new bond identical to that in place on May 16.

This refinancing should in no way jeopardize the flow-control authority in this case.

No changes in conditions were made other than the county's valid and, indeed, commendable desire to secure more favorable interest rates and a better financial deal for the ratepayers. Through discussions with members and staff of the Commerce Committee, it is my understanding that under this legislation this is, in fact, the case: the authority is not jeopardized.

In view of this, I support this limited flow-control-authority legislation and urge its adoption by the House. I will continue to work with the committee and its members to assure the enactment of the soundest possible solid waste flow control legislation.

Mrs. KENNELLY. Mr. Speaker, I rise in support of legislation to allow for limited flow control. As a representative of a State whose communities rely upon flow control for their solid waste disposal systems, I know firsthand the urgent need for this legislation.

It has been almost 2 years since the Supreme Court ruled that State and local flow-control ordinances violate the Interstate Commerce clause without congressional authorization. Since then, thousands of communities in my State and across the Nation have had trouble meeting their legal obligations to provide for solid waste disposal. Many resource recovery facilities, which depend upon flow control to receive enough waste to pay back municipal bonds, are being denied a steady stream of revenue. Connecticut's resource recovery authorities alone have issued over half a billion dollars in bonds to finance construction of their facilities. Without flow control, those debts might not be repaid.

In addition, the lack of flow-control authority may lead to increased taxes on millions of people if towns that entered into put-or-pay contracts with waste facilities before 1994 cannot deliver agreed-upon levels of waste. Worse, many States' solid waste disposal plans, adopted in accordance with Federal law, will be virtually unenforceable because communities will not be able to direct solid waste to resource recovery plants rather than landfills or other less environmentally preferred systems.

Those of us who represent States with flow-control ordinances understand the concerns raised about this kind of policy. However, this legislation represents a reasonable middle ground which will grandfather in flow-control laws that were on the books prior to the Court ruling and would limit their duration. This makes sure that communities that entered into obligations to dispose of waste have the ability to fulfill those obligations until their conclusion.

If we do not take this action today, the more likely it is that our country's waste disposal systems will be undermined, our environmental policies will be harmed, and our constituents will be forced to pay more taxes. I urge a ''yes'' vote on this desperately needed legislation.

Mr. FRELINGHUYSEN. Mr. Speaker, I rise today in support of H.R. 349 and in strong support of flow control.

New Jersey is facing a crisis situation that can only be averted by swift passage of this legislation. A recent court decision—the Carbone decision of May 1994—has placed New Jersey's waste management system in chaos.

Currently, 17 of 21 New Jersey counties have public debt tied directly to flow control and more than $2 billion in outstanding debt backed by flow-control bonds. This debt was incurred in compliance with a State mandate for each waste region to become self-sufficient in managing its waste.

While the Supreme Court has ruled that flow control is an undue interference with interstate commerce, the legislation that the House is voting on today allows flow control only in jurisdictions that exercised it, designated the waste facility to receive the waste, and actually sold bonds to finance the facility prior to the May 1994 Carbone decision. This is expected to apply to less than 20 percent of the solid waste market. And, once the bonds are paid off, flow control ends. This gives densely populated States like New Jersey the opportunity to regroup and plan for the redirection of their municipal waste streams.

Concern over the omission of coverage for construction and demolition debris language has been expressed by the Morris County Municipal Utilities Authority, and I will continue to work for the inclusion of these provisions which are important to Morris County and other New Jersey counties. However, in the meantime, I strongly support passage of this legislation.

Mr. TAUZIN. Mr. Speaker, I'd like to commend the gentleman from Ohio [Mr. OXLEY] and the gentlewoman from Arkansas [Mrs. LINCOLN] for their bipartisan cooperation on this bill.

To paraphrase Mark Twain, regulatory reform is a lot like the weather. Everybody talks about it, but nobody ever does anything about it.

We've had a lot of passionate debate on both sides of the aisle this year saying we all want regulatory reform, that we need to put a stop particularly to the old style of regulation that costs a lot but does very little to actually improve the environment. Well, this is our chance to prove we mean it.

Unless we act, EPA will be forced to issue another one-size-fits-all regulation that will cost, by EPA's own estimate, $800 million per year to implement.

EPA is asking for our help, because they know that little, if any, real risk reduction would occur if these rules are promulgated.

What this means for me is that one chemical plant in my district could be forced to

spend about $34 million to replace a well-operated wastewater treatment system.

Risk assessments performed by the company show that its surface impoundments already protect human health and the environment to RCRA risk standards. In fact, the emissions of highest risk hazardous constituents from all plant sources, including wastewater treatment, has been determined to have a lifetime cancer risk to the nearest receptor of less than one in a million.

This plant has been growing and could put the resources to greater economic and environmental benefit.

This bill represents a bipartisan agreement between Congress and the administration, and is the kind of targeted regulatory reform that many have been advocating. Chairman OXLEY should be commended for recognizing the need to correct this court-imposed conflict between our environmental statutes. The administration also deserves credit for including this correction in its RCRA rifle-shot proposals.

Mr. MINGE. Mr. Speaker, I rise in support of the Flow Control Act of 1996. Since 1990, the United States has generated 195 million tons of municipal solid waste—more than any other country in the world for which data are available and almost double the amount generated by Japan and the European Union. The challenge before us today is to manage the flow of all this solid waste in a manner that strikes a balance which is both environmentally sound and protects free-market principles.

The legislation we have before us on the floor attempts to strike this balance by partially restoring flow-control authority to some local governments so that they can pay off their debts without having to raise taxes. Some will argue that flow control is an unfunded mandate on taxpayers. Yet, the real unfunded mandate is the mandate the Federal Government leveled on State and local governments under the Resource Conservation and Recovery Act [RCRA] in 1976. Under this law, the Federal Government required the States to dispose of solid waste in an environmentally sensible fashion. To meet this unfunded Federal mandate, local governments in the State of Minnesota sold 400 million dollars' worth of municipal bonds—$48 million in my district—to build environmentally sound waste facilities, charged for their use, and directed the flow of waste to those facilities in order to pay for them. Despite the RCRA mandate, Congress never explicitly provided States and local governments the authority to control the flow of municipal solid waste.

I'd like to illustrate the problem facing local governments by highlighting two counties in my district. Responding to Federal and State mandates, the counties of Wright and Martin built state-of-the-art composting facilities in the early 1990's. Instead of landfilling, the waste is turned into composting material, which can be sold on the market and into refuse-derived fuel, which provides electricity needs for some Minnesota cities. As a result, the amount of solid waste headed for overcrowded landfills has been reduced by 80 percent, which benefits the environment.

These facilities were built with public bond financing based on the premise that flow control would guarantee an adequate flow to the facilities to keep them financially stable. This stability was put in jeopardy in 1994 when the Supreme Court struck down local flow-control laws. The Court said that only Congress has the power to grant flow-control authority. Since the 1994 decision, much of the waste is now going out of State, making it extremely difficult for counties to pay off their bonds.

If Congress does not act to allow those counties to pay off their debts through flow control, the taxpayers will ultimately and unfairly be forced to pay higher property taxes to meet debt obligations. Certainly, this is not an outcome this Congress should condone. This is a result that no one wants, yet it is already happening in my district. For example, in Wright County, the county commissioners were forced to raise property taxes by $1.25 million in 1995 to make up for the shortfall of revenues caused by the diversion of waste out-of-state rather than to the county's compost facility. This is patently unfair, as it penalizes those who generate the least amount of waste by forcing them to pay higher taxes. With flow control in place, on the other hand, those who generate the most waste pay the highest fees, which is a fairer way to proceed. And in Martin County, commissioners are deciding whether to shut down their facility and just pass on the remaining $7 million in debt to the taxpayers absent congressional action.

The legislation before the House is narrowly drafted. It is apparently intended to allow those facilities currently in operation to meet their debt obligations. Flow-control authority will expire after the bonds are paid off. Under the bill, an estimated 80 percent of the waste stream will be immediately available to the private sector. As grandfathered communities pay off their debt, the private sector will gradually assume responsibility for the remaining 20 percent of the waste stream. This compromise language was drafted after months of intense negotiations and is supported by local governments, the public securities community, and the waste industry. It should assure communities which have accumulated debt predicated on flow-control authority that they will have that important tool. At the same time, it ensures free-market competition in the solid waste industry.

Unfortunately, there may be some drafting glitches in this bill that may handicap some communities. If these glitches unintentionally exclude some communities from being covered by this important legislation, then those glitches must be fixed in the conference committee. I expect the Chair shares my commitment to pressing for any corrections that are necessary to carry out the full intent of this bill.

It is important that any legislation passed, balance the need to protect the environment with the need to promote free-market principles. I am confident that this legislation meets both of those tests. I do not believe this legislation goes far enough to protect taxpayer liability. However, it is a good basis to move forward on this issue and provide the beginning of relief to our local governments.

Mr. GEJDENSON. Mr. Speaker, I rise in support of S. 534. I urge my colleagues to support it.

The Supreme Court decision in the case of C&A Carbone, Inc. versus Town of Clarkstown has significant implications for municipalities and taxpayers across the country. The case invalidated the use of flow control to manage solid waste generated within the borders of a community. The implications are far reaching because according to the Congressional Research Service [CRS], 41 States exercise flow control either through statute or other means. Many States have used flow control to ensure that municipal solid waste [MSW] is disposed of in accordance with several Federal laws and regulations.

Flow control authority is especially important to communities across my State of Connecticut. Many small towns in eastern Connecticut have contracts with solid waste disposal facilities which require them to deliver a minimum amount of waste or face financial penalties, also known as put-or-pay requirements. Towns entered into these agreements because they believed that flow control ordinances, authorized under State law, would allow them to meet their contractual obligations. Without flow control, residents in communities such as Norwich, Vernon, Groton, Tolland, Westbrook, and many others will be forced to pay higher taxes to pay penalties for failing to deliver the minimum volume of waste.

To make matters worse, the majority of solid waste disposal facilities in my State have been financed with State revenue bonds. Disposal authorities require a minimum amount of waste to operate at levels sufficient to generate revenue to repay these bonds. If facilities cannot make these payments, the bondholders could be forced to make the payments. According to Connecticut's attorney general, the State and its taxpayers could ultimately be responsible for 520 million dollars' worth of bonds. This would be fully disastrous for our State which is only beginning to fully recover from the recession.

S. 534 will provide relief to these communities. It grandfathers existing flow control ordinances, statutes, and agreements. It also allows communities to flow control certain recyclable material provided that the material is voluntarily relinquished. This is especially important because flow controlling common household recyclables in urban areas helps to subsidize recycling efforts in rural communities. The bill makes it clear that such authority does not place an undue burden on interstate commerce.

Contrary to what some opponents of the bill argue, this is a limited approach. Communities must have applied flow control through formal, legally binding methods on, or before, the date of the Supreme Court decision to qualify under the bill. In addition, flow control can only be exercised during the bond repayment period or life of a contract. As a result, flow control authority will expire when bonds are repaid and put-or-pay contracts have expired.

Mr. Speaker, I want to take a moment to comment on the charge flow control damages the environment. I am not aware of a single case where this argument has been proven conclusively. In fact, the vast majority of communities use flow control to direct waste to state-of-the-art disposal facilities. In my State, waste goes to transfer stations, landfills, and other facilities which meet strict State, Federal, and local standards designed to protect the air, water, and public health. Claims that flow control damages the environment are a red-herring designed to prevent Congress from providing important relief to small communities across the country.

Mr. Speaker, it is essential that the House pass this legislation today. If we fail to act, taxpayers across the country could face much higher tax bills as their communities are penalized for failing to meet their contractual obligations. This is a balanced bill which provides

needed relief while placing reasonable limits on future flow control authority. I urge my colleagues to support this important bill.

Mrs. ROUKEMA. Mr. Speaker, I rise in support of the Flow Control Act of 1996. Prompt House action on this legislation is essential for people and counties of New Jersey, and their continued ability to dispose of solid waste.

Although this is not the exact bill that I would have written by myself, the time has come for the House to take action on this very serious issue nevertheless.

Essentially, this legislation will restore to towns and cities the ability to enact flow-control ordinances, which dictate the terms and conditions of how solid waste, or garbage as most people call it, is disposed of in New Jersey.

In May 1994, the Supreme Court, in its Carbone versus Town of Clarkstown ruling, held that without congressional authorization, it was an unconstitutional restriction on interstate commerce for towns and cities to dictate the disposal of solid waste.

At that point in time, 17 of the 21 counties in New Jersey had issued more than $2 billion in debt to finance the construction of solid waste disposal facilities. Thus, the Supreme Court's rulings immediately put all of these bonds—as well as the counties that issued them—in dire jeopardy, because the bonds had been floated based on the assumption that the ability to flow control waste would remain intact.

The bill before us today grandfathers State and local flow-control arrangements made prior to the Carbone decision, as well as any existing lawful contracts entered into between May 16, 1994, and November 10, 1995. The grandfathering is in effect for the life of a county's bonded debt or an existing solid waste disposal contract, whichever is longer.

In the 36 months since the Supreme Court's ruling, I have worked diligently with all of my House colleagues from New Jersey, most notably Congressman CHRIS SMITH, to have the Congress pass legislation that restores to our State the authority to flow control solid waste.

In fact, during the 103d Congress, a bipartisan effort to approve flow-control legislation as part of a larger solid waste bill was passed by the House, only to die in the Senate in the waning hours of the session. Although the need for flow-control legislation was urgent then, it is even more serious today, almost 15 months later.

Last summer, the Senate passed its own version of solid waste legislation. The House cannot afford to delay anymore. With this in mind, I urge my colleagues in the House to join me in supporting passage of this bill.

I recognize the fact that some of my colleagues are urging the House to defeat this bill. However, their opposition to this bill is not centered so much on the provisions of the bill before us today, as much as the process by which it has been brought to the floor.

In the public arena, there is the old cliche ''Don't let the good be the enemy of the perfect.'' Clearly, today, the legislation before us today meets this test—it isn't perfect, but we know that it is good and worthy of our support. I urge my colleagues in the House to vote in support of its passage.

The SPEAKER pro tempore (Mr. YOUNG of Florida). The question is on the motion offered by the gentleman from Virginia [Mr. BLILEY] that the House suspend the rules and agree to the resolution, House Resolution 349.

The question was taken.

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

The SPEAKER pro tempore. Pursuant to clause 5, rule I, and the Chair's prior announcement, further proceedings on this motion will be postponed.

The point of no quorum is considered withdrawn.

GENERAL LEAVE

Mr. BLILEY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on House Resolution 349, the resolution just considered.

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

There was no objection.

LAND DISPOSAL PROGRAM FLEXIBILITY ACT OF 1995

Mr. BLILEY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2036) to amend the Solid Waste Disposal Act to make certain adjustments in the land disposal program to provide needed flexibility, and for other purposes, as amended.

The Clerk read as follows:

H.R. 2036

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 ''Land Disposal Program Flexibility Act of 1995''.

SEC. 2. LAND DISPOSAL BAN.

Section 3004(g) of the Solid Waste Disposal Act (42 U.S.C. 6924(g)) is amended by adding the following after paragraph (6):

''(7) Solid waste identified as hazardous based on one or more characteristics alone shall not be subject to this subsection, any prohibitions under subsection (d), (e), or (f), or any requirement (other than any applicable specific method of treatment) promulgated under subsection (m) if such waste—

''(A)(i) is managed in a treatment system which subsequently discharges to waters of the United States pursuant to a permit issued under section 402 of the Clean Water Act (33 U.S.C. 1342); (ii) treated for the purposes of the pretreatment requirements of section 307 of the Clean Water Act (33 U.S.C. 1317); (iii) or managed in a zero discharge system that, prior to any permanent land disposal, engages in Clean Water Act-equivalent treatment as determined by the Administrator;

''(B) no longer exhibits a hazardous characteristic prior to management in any land-based solid waste management unit;

''(C) has met any applicable specific method of treatment promulgated by the Administrator under section 3004(m) (42 U.S.C. 6924(m)); and

''(D) would not generate toxic gases, vapors, or fumes due to the presence of cyanide at the point of generation when exposed to pH conditions between 2 and 12.5.

''(8) Not later than 5 years after the date of enactment of this paragraph, the Administrator shall complete a study of hazardous wastes managed pursuant to paragraph (7) to characterize the risks of human health or the environment associated with such management. In conducting the study, the Administrator shall evaluate the extent to which the risks are adequately addressed under existing State or Federal programs and whether unaddressed risks could be better addressed under such Federal laws or programs. Upon completion of such study or upon receipt of additional information, and as necessary to protect human health and the environment, the Administrator may, after notice and opportunity for comment, impose additional requirements, including requirements under section 3004(m)(1) or defer management of such wastes to other State or Federal programs or authorities. Compliance with any treatment standards promulgated pursuant to section 3004(m)(1) may be determined either prior to management in, or after discharge from, a land-based unit as part of a treatment system specified in subparagraph (A) of paragraph (7). Nothing in this paragraph shall be construed to modify, supplement, or otherwise affect the application or authority of any other Federal law or the standards applicable under any other Federal law.

''(9) Solid waste identified as hazardous based on one or more characteristics alone shall not be subject to this subsection, any prohibition under subsection (d), (e), or (f), or any requirement promulgated under subsection (m) of this section if the waste no longer exhibits a hazardous characteristic at the point of injection in any Class I injunction well regulated under section 1422 of title XIV of the Public Health Service Act (42 U.S.C. 300h–1).''.

SEC. 3. GROUND WATER MONITORING.

(a) AMENDMENT OF SOLID WASTE DISPOSAL ACT.—Section 4010(c) of the Solid Waste Disposal Act (42 U.S.C. 6949a(c)) is amended as follows:

(1) By striking ''CRITERIA.—Not later'' and inserting the following: ''CRITERIA.—

''(1) IN GENERAL.—Not later''.

(2) By adding at the end the following new paragraphs:

''(2) ADDITIONAL REVISIONS.—Subject to paragraph (3), the requirements of the criteria described in paragraph (1) relating to ground water monitoring shall not apply to an owner or operator of a new municipal solid waste landfill unit, an existing municipal solid waste landfill unit, or a lateral expansion of a municipal solid waste landfill unit, that disposes of less than 20 tons of municipal solid waste daily, based on an annual average, if—

''(A) there is no evidence of ground water contamination from the municipal solid waste landfill unit or expansion; and

''(B) the municipal solid waste landfill unit or expansion serves—

''(i) a community that experiences an annual interruption of at least 3 consecutive months of surface transportation that prevent access to a regional waste management facility; or

''(ii) a community that has no practicable waste management alternative and the landfill unit is located in an area that annually receives less than or equal to 25 inches of precipitation.

''(3) PROTECTION OF GROUND WATER RESOURCES.—

''(A) MONITORING REQUIREMENT.—A State may require ground water monitoring of a solid waste landfill unit that would otherwise be exempt under paragraph (2) if necessary to protect ground water resources and ensure compliance with a State ground water protection plan, where applicable.

''(B) METHODS.—If a State requires ground water monitoring of a solid waste landfill

unit under subparagraph (A), the State may allow the use of a method other than the use of ground water monitoring wells to detect a release of contamination from the unit.

''(C) CORRECTIVE ACTION.—If a State finds a relase from a solid waste landfill unit, the State shall require corrective action as appropriate.

''(4) NO-MIGRATION EXEMPTION.—

''(A) IN GENERAL.—Ground water monitoring requirements may be suspended by the Director of an approved State for a landfill operator if the operator demonstrates that there is no potential for migration of hazardous constituents from the unit to the uppermost aquifer during the active life of the unit and the post-closure care period.

''(B) CERTIFICATION.—A demonstration under subparagraph (A) shall be certified by a qualified ground-water scientist and approved by the Director of an approved State.

''(C) GUIDANCE.—Not later than 6 months after the date of enactment of this paragraph, the Administrator shall issue a guidance document to facilitate small community use of the no migration exemption under this paragraph.''.

(b) REINSTATEMENT OF REGULATORY EXEMPTION.—It is he intent of section 4010(c)(2) of the Solid Waste Disposal Act, as added by subsection (a), to immediately reinstate subpart E of part 258 of title 40, Code of Federal Regulations, as added by the final rule published at 56 Federal Register 50798 on October 9, 1991.

SEC. 4. TECHNICAL CORRECTIONS TO SOLID WASTE DISPOSAL ACT.

The Solid Waste Disposal Act is amended as follows:

(1) In section 3001(d)(5) by striking ''under section 3001'' and inserting ''under this section''.

(2) By inserting a semicolon at the end of section 3004(q)(1)(C).

(3) In section 3004(g), by striking ''subparagraph (A) through (C)'' in paragraph (5) and inserting ''subparagraphs (A) through (C)''.

(4) In section 3004(r)(2)(C), by striking ''petroleum-derived'' and inserting ''petroleum-derived''.

(5) In section 3004(r)(3) by inserting after ''Standard'' the word ''Industrial''.

(6) In section 3005(a), by striking ''polycholorinated'' and inserting ''polychlorinated''.

(7) In section 3005(e)(1), by inserting a comma at the end of subparagraph (C).

(8) In section 4007(a), by striking ''4003'' in paragraphs (1) and (2)(A) and inserting ''4003(a)''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Virginia [Mr. BLILEY] will be recognized for 20 minutes, and the gentleman from Massachusetts [Mr. MARKEY] will be recognized for 20 minutes.

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

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

Mr. Speaker, I rise in support of H.R. 2036, the Land Disposal Flexibility Act of 1995.

During the 104th Congress, the Commerce Committee and the House have taken the initiative in trying to reform our regulatory programs. We need to ensure that the risks that are addressed are realistic and significant and that the costs of regulations are reasonably related to their benefits. H.R. 2036 is a perfect example of the type of realism we need more of.

H.R. 2036, addresses two rulemakings in which EPA tried to use principles of sound risk management but were prevented by the courts from doing so. Unfortunately, the current law, as interpreted by the courts, does not allow for a reasonable set of regulations.

EPA has already performed cost and benefit analyses on the land disposal restrictions rule and the groundwater monitoring rule for landfills that are the topic of H.R. 2036. In its own analyses of the proposed rule on land disposal restrictions, EPA has stated that ''the risks addressed by this rule * * * are very small relative to the risks presented by other environmental conditions or situations.'' In both of the land disposal restrictions and groundwater monitoring rules, the prescriptive 1984 RCRA Amendments prevent reasonable regulations. Congress and the executive branch need to fix these fundamental problems.

It is Congresses job to make changes in the laws to remove steps that are unnecessary and provide a procedural barrier to the swift enforcement of more pressing problems. H.R. 2036 is one example of Congress helping the EPA by eliminating an additional administrative step which provides relatively few benefits.

I am pleased to see we have bipartisan support for H.R. 2036. Subcommittee Chairman OXLEY, Mrs. LINCOLN, and the administration have worked together and their hard work is reflected in this bill. H.R. 2036 is also supported by the Ground Water Protection Council, the National Association of Counties, and representatives of the industrial community.

I urge the adoption of the bill.

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

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

Mr. Speaker, I rise in opposition to the motion to suspend the rules and to pass H.R. 2036. First of all, I object to the way this bill was brought to the floor for consideration under the suspension calendar. It is not in fact a procedure that is at all appropriate.

With regard to H.R. 2036, the majority worked with the minority throughout the committee process. Because of this, we agreed to take up this bill under suspension so long as important language was included in the committee report. The report was filed only hours ago, This is very distressing since it prevents Members and staff from reviewing the details of this bill.

Also, due to the last-minute decision to proceed today, some of my colleagues who had anticipated speaking against this bill could not be here. Compared to the other abuses of the suspension calendar that we have seen today, this is a minor grievance. However, we resent the continuing abuses of what is supposed to be a nonpartisan, noncontroversial process.

The second point I want to make about this bill is that although it is receiving some bipartisan support today, it is not completely without controversy. As the gentleman from Virginia [Mr. BLILEY] outlined, this legislation would give EPA authority to grant certain blanket exemptions from environmental standards that they have been barred from making by recent court decisions.

I under how Members of Congress and the administration want to work with the business community to develop a regulatory system that is more accommodating and flexible. However, I do not believe that we can lightly dismiss the environmental concerns that have been raised about this bill.

In 1992, the D.C. Circuit Court of Appeals unanimously overturned a Bush administration regulation which would have allowed hazardous waste generators with waste water treatment systems to simply dilute their hazardous waste and dump it into an unlined pit or lagoon rather than requiring them to take measures to reduce toxicity or otherwise minimize the threat posed by the waste.

The court held that simple dilution did not address the hazardous components in the waste, and if these components migrated into the ground water, they could pose significant risks to human health and the environment.

Current law requires that hazardous components and a variety of wastes be effectively treated not just diluted.

The gentleman from Virginia [Mr. BLILEY] has argued this bill is needed in order to eliminate unnecessary and duplicative environmental regulation. When sufficient regulations are in place to protect public health and environment, that is a goal that we can all support. Unfortunately, this is not a situation where regulations are redundant.

The Clean Water does cover any release of hazardous components from one of these lagoons into a nearby river or lake. However, leakage into ground water supply is beyond the scope of the Clean Water Act and releases of these hazardous components into the air are not regulated under the Clean Air Act.

EPA has stated that the risks posed by treating certain hazardous wastes in this manner are relatively low. However, the Agency's own preliminary analysis tells a very different story. Last summer they concluded that these wastes do pose potentially significant health risks including cancer risks approaching one in a thousand, if ground water becomes contaminated.

I am aware that EPA regards the current data as somewhat limited, which is why we pushed for language in the bill allowing the Agency to collect and assess additional data. After much discussion, it was agreed that they would be given 5 years to complete such a study. Although the Agency can probably meet an earlier deadline, I am satisfied to see that a time limit was adopted.

Regardless of any deadline for completion of the study, there can be no doubt the intent of this bill is that EPA will dedicate adequate resources to develop a technically sound study in

an expeditious manner. More importantly, however, I believe the Agency should be required to make a final determination based on their scientific study as to whether or not release of hazardous components from any of these holding areas into the air or ground water poses a threat to public health and the environment.

It is troubling that the bill's proponents who assume there is no significant risk involved here lack the courage of their convictions. Why should not the EPA have to inform the public and the Congress of the conclusions it draws from the study that we are requiring the Agency to undertake that so fundamentally deals with the public health of the public in our country?

The amendments adopted during the markup sessions of the Committee on Commerce greatly improved the original bill by adding language directing EPA to complete a study within 5 years. The report language clearly directs EPA to begin the study within 60 days and to complete it as soon as possible.

However, without the inclusion of a judicially reviewable final determination, the legislation lacks the commonsense requirement that EPA reach a decision to act or not act based on any risks identified in the study.

□ 1515

If that additional provision had been included, if that extra safeguard of the health of Americans had been approved, then we would be in a different posture out here on the floor today. If out of respect for the gentleman from New Jersey [Mr. PALLONE] and the gentleman from Oregon [Mr. WYDEN] and the gentlewoman from Oregon [Ms. FURSE], and other Members that wanted to speak on this bill, that we were giving them that opportunity, then we would not find this bill so unacceptable.

But in its current form, under the procedure which we are using, we find it unacceptable, and we urge all Members that care about health and safety, care about the water, which goes into hundreds of thousands, if not millions of human beings across this country, to vote ''no,'' to send a strong signal that we want a better, substantive, and procedural way to handle these critical issues of public health and safety.

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

Mr. BLILEY. Mr. Speaker, I yield such time as he may consume to the gentleman from Ohio [Mr. OXLEY], the chairman of the subcommittee.

Mr. OXLEY. Mr. Speaker, I thank the chairman for yielding me time.

Mr. Speaker, during the 104th Congress, the Commerce Committee has been highlighting the problem of inflexible or inappropriate statutory requirements. These requirements can prevent EPA from issuing regulations or facility cleanups that address realistic and significant risks in a cost-effective and cost-reasonable manner.

H.R. 2036 embodies the position of the EPA in final rules that were later struck down by the courts. In each case, EPA did a regulatory impact analysis which found that the costs of a given option were exceedingly high and the benefits very low. In each case, EPA sought a more flexible and balanced approach but was ultimately directed by the courts to the most counterproductive result.

In their March 2, 1995, summary of the proposed rule EPA wrote—

> [t]he Agency is required to set treatment standards for these relatively low risk waste and disposal practices * * * although there are other actions and projects with which the Agency could provide greater protection of human health and the environment.

In this particular case, EPA estimates suggest over half a billion dollars will be spent with little if any improvement to human health. Indeed, the Agency states that less safe alternatives may be chosen over more safe alternatives. That is unacceptable. In their letter endorsing H.R. 2036 the administration wrote—

> [t]he bill would eliminate a mandate that the EPA promulgate stringent and costly treatment requirements for certain low-risk wastes that already are regulated in Clean Water Act or Safe Drinking Water Act units.

Understand, they are covered in the Clean Water Act, so in that sense it is duplicative.

H.R. 2036 is also endorsed by organizations representing State environmental programs such as the Groundwater Protection Council, and the Association of State and Territorial Solid Waste Management Officials as well as the National Association of Counties.

I appreciate the bipartisan efforts of Mrs. LINCOLN and the administration in support of H.R. 2036. It is important to move forward with legislation that injects common sense into current statutory law and H.R. 2036 is just such an injection.

This is time-critical legislation and I hope that it can proceed swiftly through the process.

Mr. Speaker, let me talk about the process. We had hearings on this legislation. The administration came in very effectively supporting this legislation. The majority made changes in the legislation at the request of the minority. This bill passed out of our subcommittee on a unanimous vote with the support of the gentleman from Massachusetts and all the other Members on the other side of the aisle that he mentioned. It then passed out of the full committee, Mr. BLILEY's committee, again on a unanimous vote, with all members present voting in favor of the legislation.

This is probably the best example you can imagine of good, bipartisan cooperation with the administration, getting rid of unworkable regulations that are costly and ineffective. So it is time critical we move swiftly through the process.

I should note, however, these issues, while important for many, are simply the tip of the iceberg. We must make fundamental reform to ensure that our regulatory programs address realistic and significant risk through cost effective and cost reasonable means. There is much work to be done.

I urge all Members to vote for swift passage of 2036, to prevent EPA from being forced to use unnecessary and costly regulations.

In closing, Mr. Speaker, let me quote a letter to the gentleman from Virginia, Chairman BLILEY, from the administration and EPA in support of our efforts.

> The Committee on Commerce's willingness to work with the administration and the minority in a bipartisan spirit and the consequent development of a narrowly tailored and balanced approach to this issue commends this legislation for prompt action by the full House on the suspension calendar.

Mr. Speaker, nothing could be clearer than the strong support of the EPA and the Clinton administration for this legislation. I applaud the bipartisanship on the part of the gentlewoman from Arkansas [Mrs. LINCOLN] and others. Let us get this bill passed. Let us provide some relief and some common sense to the process.

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

Mr. Speaker, the only reason I want to recognize myself is I did not vote for this bill at the full committee level. It was a voice vote that I dissented from. Five of us have in fact filed dissenting views in the committee report. So I wanted the RECORD to be made clear on that issue, that there was opposition to the bill, although on a voice vote it did pass.

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

Mrs. LINCOLN. Mr. Speaker, I rise in strong support of H.R. 2036. First of all, I want to thank Chairman BLILEY and Chairman OXLEY for working with me on this bill to address my concerns. Additionally, I want to extend my deep appreciation to Mr. DINGELL who was also a pivotal player in developing this legislation. I believe that this is a good bill and represents good public policy. In passing H.R. 2036, we will be able to reduce environmental regulation without sacrificing the health of our environment.

H.R. 2036 will provide some needed relief to the regulated industry by restoring EPA's original regulatory determination that RCRA wastes that are no longer hazardous need not be treated as if they were hazardous. Not only will this bill save industry around $800 million per year, it will have little if no impact on the environment. Additionally, we have as a check and balance to the Health and the Environment of our constituents incorporated language calling for a study of the hazardous waste managed pursuant to this bill to determine if any risks to human health or the environment have resulted from this new type of management. If risks do present themselves,

EPA has the authority to impose additional regulatory requirements.

I have never been a proponent of ''treatment for treatment's sake'' and this bill will eliminate the duplication between RCRA's land disposal restrictions [LDR] provisions and other environmental laws. As long as the water treatment systems and surface water impoundments are permitted under the Clean Water Act or the wastes are injected deep into the ground under the Safe Drinking Water Act, RCRA LDR mandates are not applicable.

Again, this is a small, but very economical change to RCRA, and I encourage my colleagues both in the House and the Senate to keep this provision narrow. This bill is needed now and will only be weighted down by any extraneous amendments. We should not make H.R. 2036 a Christmas tree loaded with controversial ornaments, but rather, lets enact sensible regulatory reform, while assuring that human health and the environment are properly protected.

This bill reflects an agreement between industry and the administration, who have worked tirelessly in arriving at this compromise. True to Vice President GORE's dedication to reinventing government, we have written a rifle shot correction to RCRA—making corrections and improvements where we can without putting in jeopardy health or the environment. I believe that H.R. 2036 and its accompanying negotiations should serve as a blueprint for future environmental initiatives. It specifically targets problem areas without delving into controversial subjects and it is the result of a true bipartisan agreement between the Members of Congress and the administration.

I urge my colleagues to support H.R. 2036

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

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

Mr. BOEHLERT. Mr. Speaker, I rise to address provisions in H.R. 2036, the Land Disposal Program Flexibility Act.

First, I want to commend the leadership of the Commerce Committee for moving forward with legislation that attempts to solve problems involving the Solid Waste Disposal Act, the Clean Water Act and groundwater protection. The bill should help to streamline and coordinate an environmentally responsible approach to management of certain wastes in surface impoundments and to provide responsible exemptions for solid waste landfills in remote or arid areas and in situations lacking any evidence of groundwater pollution.

Second, I want to thank the Commerce Committee for addressing and responding to some of the concerns of the Transportation and Infrastructure Committee. The Water Resources and Environment Subcommittee, which I chair, has jurisdiction over the Clean Water Act and over the pollution of navigable waters. Clearly, we have an interest in this bill; we did not pursue a formal referral of H.R. 2036, however, in part because of the urgency of the issue and the willingness of the Commerce Committee to work with us. Like drinking water, this is an area where the two committees can and will work together.

Finally, Mr. Speaker, I want to address particular provisions involving the interplay between the Solid Waste Disposal Act and the Clean Water Act. A primary purpose of this bill is to overturn a D.C. Circuit Court opinion that would require EPA to regulate wastes under the Solid Waste Disposal Act that are already being treated to meet standards under the Clean Water Act. This bill will reinstate EPA's earlier approach to the management of these wastes: avoid duplicative regulation by regulating these wastes under the Clean Water Act alone.

Mr. Speaker, this is a good, streamlined, coordinated approach, and once again I want to restate what the gentleman from Ohio, [Mr. OXLEY] stated so well: The administration has lauded the Committee on Commerce, and the letter says, ''for its willingness to work with the administration and the minority in a bipartisan spirit.''

Mr. Speaker, that is all we can ask for. I urge support of H.R. 2036.

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

Mr. Speaker, the point is that, one, we are unhappy, again I will make that statement, with the procedures that have been adopted in order to bring this bill out on the floor. There is no need for it to come out under this particular process on this particular day, disrespectful of the interests of other Members who have worked long and hard on this subject as well.

On the issue of the protections which it is going to give to the public health and safety, the point is that no one is certain of the risks contained in the depths of these ponds and lagoons. We have creatures in these black lagoons that can be transmogrified into very dangerous substances as they are put into human bodies. That is why this is such a critical subject for us to be deliberating out here on the floor. That is why we support a study of these bodies of water, of these ponds, of these lagoons, and that it be conducted in an expeditious fashion.

□ 1530

I anticipate that the industry will cooperate in providing data to the EPA and that the agency will commit adequate resources to this study. But because the bill does not require the EPA to make a judicial reviewability determination that these ponds or lagoons are not dangerous, I must oppose this measure because we just do not know whether these ponds or lagoons are dangerous to the health of the communities around them.

Supporting this legislation does not ultimately provide a mechanism by which that determination can be made and be judicially reviewable to ensure that the final measure of protection for the public health and safety is provided. So I urge all the Members and their staffs who are listening to this debate, that a no vote is the appropriate vote. Some fine-tuning is needed. The bill should be brought out in a more procedurally appropriate fashion, but this day at this time, no is the right vote on this very important piece of legislation.

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

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

Mr. Speaker, I urge a strong aye vote for this proposal.

This proposal had strong bipartisan support in the subcommittee and the full committee. The administration supports this bill, and I quote from a letter of the administration to that effect: ''We are writing to express the administration's strong support for H.R. 2036. The bill would eliminate a mandate that the EPA promulgate stringent and costly treatment requirements for certain low-risk wastes that already are regulated in Clean Water Act or Safe Drinking Water Act Units.''

The Ground Water Protection Council, an organization for State groundwater protection and underground injection control program administrators, with members representing 40 States, strongly supports enactment.

The Association of State and Territorial Solid Waste Management Officials strongly supports H.R. 2036.

Please support H.R. 2036, a bipartisan effort that has the full support of the administration. I hope it would be the pleasure for us to give unanimous consent for this bill.

Mr. DEAL. Mr. Speaker, I join my distinguished colleagues in support of H.R. 2036, the Land Disposal Program Flexibility Act. This bill is also supported by the White House and the Environmental Protection Agency [EPA].

This legislation represents a very simple, yet important modification to the Solid Waste Disposal Act that has the potential to save taxpayers as much as $800 million in annual compliance costs—an expense that the EPA says will provide no additional environmental benefit. This bill was developed through a cooperative, bipartisan effort to correct expensive and needless environmental overregulation. Efforts have been made throughout the process to accommodate the concerns of the environmental community.

The current land disposal restrictions prohibit land disposal of hazardous wastes unless these wastes have first been treated to meet EPA standards. As a result of a 1993 decision by the D.C. Circuit Court, these restrictions, known as LDR's would also be extended to nonhazardous wastes managed in wastewater systems that are already regulated under the Clean Water Act or the underground injection control [UIC] program of the Safe Drinking Water Act. The court adopted this position despite the fact that the EPA had previously adopted a rule authorizing the appropriate treatment and disposal of these materials, and

despite the fact that the Agency believed that such strict standards are inappropriate.

This legislation would restore the EPA's original regulatory determination allowing these materials to be safely treated and disposed of in permitted treatment units and injection wells.

Due to the court decision, the EPA will be forced to impose these needless and expensive requirements if Congress does not act very soon. I am glad that we are able to act on this legislation today and I hope that the bill will move quickly in the other body.

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

The SPEAKER pro tempore (Mr. YOUNG of Florida). All time has expired.

The question is on the motion offered by the gentleman from Virginia [Mr. BLILEY] that the House suspend the rules and pass the bill, H.R. 2036, as amended.

The question was taken.

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

The SPEAKER pro tempore. Pursuant to clause 5, rule I, and the Chair's prior announcement, further proceedings on this motion will be postponed.

The point of no quorum is considered withdrawn.

GENERAL LEAVE

Mr. BLILEY. 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. 2036, the bill just considered.

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

There was no objection.

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. YOUNG of Florida). 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 Florida [Mr. STEARNS] is recognized for 5 minutes.

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

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

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

PROTECT THE NATION'S CREDITWORTHINESS

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

Mr. DOGGETT. Mr. Speaker, we now approach a time within only a very few weeks when for the first time in over two centuries of this country, the full faith and credit of the United States of America is being placed in dire risk. The creditworthiness of this country, to an extent the creditworthiness of all of us as American citizens, is being put on the line.

Is this for some lofty purpose or for some deep political principle? No, not at all. Only to gain some momentary advantage are our Republican colleagues willing to push this Nation right to the brink of financial disaster by trying to use the adjustment of the limits of this country's creditworthiness, that everyone agrees is essential, that Republican colleagues have already voted to extend in another format in a previous occasion, in fact more than one previous occasion. But now that it is time to adjust the limit and protect the creditworthiness of every American citizen acting through their Government, they want to use that device as leverage to put into effect some of the provisions that they cannot pass and enact in this Congress through ordinary democratic means to get adjustment and get a little leverage and use a crowbar to adjust and get the political ends that they think are necessary, rather than to let the democratic process work and rather than protect the creditworthiness and full faith and credit of this country.

I read with some alarm in the news of this afternoon that only this morning at a forum the respected Chair of the House Committee on Ways and Means, the gentleman from Texas [Mr. ARCHER] says we need something to get our House Republican Members to vote for the debt ceiling that they would not otherwise vote for.

I assume from those remarks that just merely protecting the full faith and credit of the United States is not sufficient reason. The mere prospect of this country defaulting on its obligations, obligations that all of us as American citizens have undertaken, that is not enough to get them to vote to extend and adjust this ceiling.

Mr. Speaker, he added that there would be no debt ceiling bill that will not have some additional matters attached to it.

He indicated in the same speech that it was his objective to place in that debt ceiling bill the revisions in the capital gains tax that have been referred to along with other provisions in the contract on America as the crown jewel of the contract. That is basically the program in which our Republican colleagues begin a transfer of wealth in the country by reducing the taxes on those at the top of the economic ladder and by increasing the taxes on those at the bottom of the economic ladder, a strange approach but one surely designed to widen the gap that already exists between rich and poor in this country.

Mr. Speaker, I do not know what it is about those colleagues. I have nothing against people down at the country club enjoying their tax breaks, but I hate to see them lonely down there. I hate to see many Americans only have a chance to get to the country club if they are there to sweep the floor or mow the lawn.

Why not assure every citizen an opportunity to share in the American economic dream instead of providing all of the tax benefits to those at the top and raising taxes on those at the bottom? But that is the logic of the Republican contract on America, a contract provision that they cannot get approved through ordinary democratic means. So apparently they are willing to risk a default on the obligations of the United States of America for the first time in its history just in order to force this adjustment in the tax rate and accomplish the crown jewel, as they refer to it, in the contract on America.

I think that would be a very serious mistake, to get right up to the brink of disaster without adjusting the obligations to protect our creditworthiness.

The other aspect of this work is what we see here this afternoon, and that is a House working not on full throttle but barely turning on the ignition. This is a House that in recent months, every time it has approached a crisis, whether a manufactured crisis by the Speaker such as the ''Cry Baby'' shutdown or the Christmas Eve shutdown that we had of Government.

Mr. Speaker, every time they approach the crisis in America, the solution is to treat work in this Congress as if it were not only a four-letter word but a dirty four-letter word. Instead, the word that has become honored in this Congress is another four letter word, the word ''quit.'' Every time we approach a crisis, whether it is a shutdown or now the possibility of governmental default on our obligations, the solution is to condemn work. The idea that we would stay here like Americans are working across this country today and really work and labor to solve the problems that we face in a bipartisan basis, rather, the approach is to quit.

So the approach this week is to work just a little bit and then quit on Thursday afternoon, deferring apparently until February 26, just up and quit during that time and wait until approximately 5 or 6 days before we enter complete default so that they can at the last minute, in true brinkmanship fashion come forward with a debt limit bill that contains things like the capital gains tax cut for those at the top of the economic ladder, perhaps whatever other approach might be necessary in order to bring together not this House, but just the Republican Members of this House to support an adjustment they have already voted for that is essential to protecting the economic security of this country.

That kind of brinksmanship, rather than bipartisanship, is what has brought this House to the state that it is in today and produced the risks that this Nation faces of fiscal disaster.

What does the possibility of a default really mean to ordinary American citizens? Why, they are talking about it on Wall Street. The political commentators discuss it. But what does it really mean to the ordinary American family that is just out there trying to hear a little through all the static that they hear about what is going on in Washington about who is ahead of whom and who is doing what to whom and who is complaining about this, what does it mean?

Mr. Speaker, it has far-reaching implications for every American citizen who has a variable rate mortgage; for every American who has a balance on their credit card; for every American citizen who has a car loan or the possibility of a car loan in the future. They have a stake in what is happening here in Washington. Indeed any American citizen who ever plans to borrow money in the future has a stake in what is happening, because the effect of the United States defaulting on interest rates in this country could be very significant indeed.

What about those who are in such good shape that they are going to benefit from these tax breaks that are being proposed and are not borrowing money? Well, yes, they, to the extent they pay any taxes, have a stake in this whole issue of governmental default. If this occurs, it will be no different than the neighbor or the relative that each of us knows who abused their credit rating; who ran up big bills on their charge cards and did not pay them, who perhaps did not pay them because they lost a job or they went through domestic problems, and they did not get those bills paid. Now there is a big black mark in someone's computer against that individual.

Well, the same thing can and has happened to nations in this world. Ours has never been one of them. We have stood by our obligations in the past 220-plus years that this Nation has existed. But once we permit a default to occur and have that on our Nation's credit rating, every single one of us who pays taxes in this country will be paying more taxes to cover the higher borrowing costs that this Nation will incur if we end up with a governmental default.

So, Mr. Speaker, we have very high stakes indeed. Yet, instead of dealing with this question of default, Members of this House plan to head back home and leave the matters to work out however they might. They plan to wait until just a very few days in the last week of February before default will actually occur to do anything about it and hope that perhaps in the dead of night they can force over on to the President's desk some bill with a Christmas tree of goodies for special interests and those at the top of the economic ladder and force him to sign that bill. A sorry state of affairs, indeed.

□ 1545

We also face, along with this question of default, the question of how the Government will handle its business with reference to the continuation of governmental operations. We have already had two governmental shutdowns, cost the American taxpayer a billion and a half dollars, a billion and a half dollars added to the national deficit, unless they plan to raise taxes or do something else to cover the cost of this waste, a billion and a half dollars that should never have been incurred. And now we have a continuation of the operations of the Government not through the rest of this fiscal year but only until March 15.

Who knows that is to occur on March 15? Indeed, that ''who knows what is to occur'' is really what the problem is, because it is impossible for many agencies to plan out and operate their functions of Government and deliver the services that all of us depend on in varying degree, if they cannot plan for more than a month or 6 weeks at a time.

We have had a kind of hurry-up-and-stop Government since early last fall, where the personnel at these Federal agencies, the directors at these agencies do not know whether they are going to be on the job from 1 week or 1 month to the next.

Under the decision of this House last week, that is exactly what we have now. Let me just give you one example of why that makes a significant difference to ordinary American working families who are out there trying to make ends meet and provide enough encouragement to a child in their family to get them through school, to get them through high school and get that diploma and have an opportunity to go on for some type of advanced degree, perhaps go to college, perhaps get a good technical degree, whatever the choice might be, hopefully to get them all of the education that they need and can use. What impact does this hurry-up-and-stop type of Government have on our educational system?

Well, of course, we are dealing with an educational system that is already facing severe cuts under this Republican budget, a budget made necessary and cuts in education made necessary because of the desire of the Republican leadership here in the House, the Speaker, to provide tax breaks to those at the top of the economic ladder and to give to the Defense Department not just what it asked for but $7 billion more than it asked for this year.

With that kind of approach, education already has obstacles, already has cuts, but what it has now is not the pursuit of knowledge for American families and American young people but a lack of that knowledge, the lack of knowledge as to what will happen after March 15, what will happen for the rest of this year.

We are at that point in the college year, I remember how it affected my family, when my daughters were looking for those college notices that are coming out or being issued by colleges and universities around the country at this time of the year. They sit there and they wait, after they have spent all the effort, they have sent in the application fees. They have filled out the applications. They have gotten the reference letters from teachers and from individuals for whom they have worked or that have knowledge of their abilities. And they are waiting, hoping that that envelope will come and will say that they have been accepted to the college or the university of their choice. But now the question is not simply did I get in but will I be able to afford to go, because the effect of the hurry-up-and-stop Newt Gingrich approach to our Government this year is that the Department of Education is unable to fulfill its responsibilities to outline what kind of Federal financial assistance is going to be available for students.

Many financial assistance officers at colleges and universities across this country, I have talked, for example, with the officer at the University of Texas in my home town of Austin, with Austin Community College, which has many students that rely on Federal financial assistance. They cannot get the information they need to do their job to provide the student and the student's family the information they need to know whether that educational assistance is going to be available. Some students may well have to decide to not go on and get the education they need because they do not think the financial assistance will be there.

Those who talk about our future, who talk about relieving debt from our children in the future, as well we should do, ought to be worried about the kind of future we will have in America, if we have a future in which we deny our young people the opportunity to get the education that they want and can absorb, if they place one obstacle after another in front of young people in this country. What kind of future is this country going to have, if we do not have the educated work force to be able to compete with our economic competitors across the country and how fulfilling a life will many of these young people have, if they do not have the opportunity to get the education that they want and deserve simply because of some kind of political brinkmanship in this House and in this Congress that believes in hurry-up-and-stop Government, that refuses to provide the support for education that we need, the same kind of brinkmanship that risks default in our obligations come the end of February because someone wants to hijack and crowbar the President and load on things like the crown jewel of the contract, rather than tend to business, rather than work and address the affairs of this country?

Mr. Speaker, I see the gentlewoman from Connecticut has arrived, who has been such a leader in the effort both for support of education and to prevent our Nation from having the first default in its history.

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

Ms. DELAURO. Mr. Speaker, I want to say thank you to my colleague, the gentleman from Texas, for taking this time and for the opportunity to talk about a rather extraordinary time, I think, in our Nation's history.

First of all, I do not know that we have seen anything like what has occurred either in the shutdown of the Federal Government twice in a row and now trying to, if you will, have Government by increments here in 2- or 3-month periods at a time, which is incredible in terms of how anyone can really do business in that kind of way. I have often heard from my colleagues on the other side of the aisle that we ought to run this institution like a business. Well, any business that would stop, start, stop, start is not going to see either their goal or the mission of that business carried out or not see, quite frankly, their bottom line grow and increase and provide any kind of profit for that business.

So I do not know what the purpose, except to try to hold the President hostage, that all of this activity has and actually, in fact, the long and the short, you can hold the President hostage, you can hold the Congress hostage, the long and short of it is the President is here, the Members of this House and the Senate are here basically to do public service for the people of this country. It really ties up and holds up the business that we are about, and that is to provide services, whether that is education, and clearly education is the key and the critical opportunity for Americans. It always has been and it continues to be the way in which this country grows and prospers and remains competitive. Like my colleague from Texas, I am sure our own experiences as well as the experiences we want to provide for our own children, I could not have gone to school without student loans. Anyone who will try to curtail that opportunity for either a Pell grant or a student loan or a direct lending program to make it as easy as possible for working middle-class families today to get their children to school really does not understand what this country is all about and is out of touch with the people who have sent them here.

That is what is on the mind of the American public today, an opportunity to be able to see their young, their children compete for the future. It only reinforces what people are thinking about today, and that is that Government is getting in the way of opportunity instead of trying to foster it.

The commentary that I want to try to make here today is something that I find to be almost incredible, beyond politics, beyond anything. I think one of my colleagues last week said that, and I will quote what this is first and then talk about it, ''abdication of leadership.'' Anyone, anyone on any side of any aisle, Republican, Democrat, independent, et cetera, who would like to see the U.S. Government default in paying its bills and jeopardizing the credit rating of the United States clearly does not belong in a position of any kind of power. They ought to pack their bags and go home. To take the credit rating of the United States, after a proud 220-year history of paying its debts, and to turn around and say that we ought to play chicken with the country's credit rating, again, does not belong in this body as far as I am concerned.

Last month we had House Republicans shut down the Government, again, trying to blackmail the President into signing an extreme agenda. Now they truly are at it again. The crowd that did bring you the shutdown is the same crowd that wants to destroy this Nation's credit rating. Everyone in this country understands credit rating. They know that if you do not pay your bills, somewhere, somehow there is a mark by your name. And the next time you go out to purchase, the next time you go out to try to get a loan if you want to buy a car, if you want to buy an appliance, whatever you want to buy, if you need to get a loan to send your kids to school, when that comes up on the computer and it has that mark, they know that you are a bad credit risk.

What we are doing here is saying, let us turn the United States into a bad credit risk.

Let me say that 220 years is a long time and much has changed. Quite honestly, at one time we had an America that was led by Madison and Jefferson, who got to be known as our Founding Fathers of this great democracy. Quite honestly, today what we are left with are GINGRICH and DOLE, who seem intent on becoming the deadbeat dads of democracy.

What was important in this issue on the credit rating is how the effect of this credit rating and defaulting on that credit rating has to do with working middle-class families in this country. I think it is important to note and for people to know that if we default on paying our bills, what the effect of that is to working families.

Raising mortgage rates for home owners, that is what it is about, denying tax refunds to hard-working Americans. We had one of our colleagues who said that the Republicans are so committed to their blackmail strategy that they would be willing to allow the Government to default, even if it means that they will have to delay income tax refunds next year.

Now, my gosh, that is the kind of thing that people wait for every single year. It is important for working families to understand that those interest rates, which will go up, will cause an increase in that adjustable rate mortgage. It will cause an increase in their loans that they have taken out, if it is on their cars, if it is on student loans, if it has to do with any of their credit cards. That is what will happen. Their interests rates will go sky high.

It is interesting to me that it was last week that the Moody's investor service warned that it was considering lowering the U.S. credit rating because of this threat. I think everybody in this Nation knows what junk bonds are, not worth the paper they are written on, and what has happened in that market over the last several years.

Well, the moving of this credit rating down by Moody's, they did not say exactly junk bonds but it would just be just slightly above what junk bond status is. That means for now, and often people do not understand how long that stays with you. As your own credit rating stays with you throughout your lifetime, if the United States' credit rating is lowered and if we default, that will be, for a future we cannot even imagine in terms of how the rest of the world will regard the United Stats in terms of paying its bills.

Mr. DOGGETT. Mr. Speaker, indeed, there is in this country for individuals a whole credit counseling profession; that is, a group of individuals trained in counseling people about their credit needs. But there is no credit counselor available for a nation as large as the United States which for the first time in its history, through various political shenanigans, would default on its obligations.

□ 1600

I know the gentlewoman referenced the action of Moody's. The reaction of one banker to Moody's comment that it would be placing this Nation on a credit watch, potentially, was the whole notion that U.S. bonds are on some kind of credit watch is wild. This is the kind of thing that happens to some companies, not to the United States. It is embarrassing, and it is embarrassing that a few people who call themselves leaders would countenance jeopardizing the full faith and credit of the greatest Nation in the world by doing this kind of thing, is it not?

Ms. DELAURO. Mr. Speaker, folks can say that those of us who are speaking here, that we are partisan in some way, and that this is not accurate, but let me just quote from this. This is a November 9, 1983 quote from the then Federal Reserve Board Chairman Paul Volcker to the then Treasury Secretary Donald Regan:

> The failure of the Congress to act on the debt ceiling would in either case create great uncertainty and confusion in banking and money markets that count on timely payment, and in individual cases could result in hardship. In addition to the broader implications for confidence in the government's credit, a failure to increase the debt limit would not only create havoc in the payment system because of the necessary delays that I have outlined, but it would also undermine confidence at home and abroad in the government's ability to manage its affairs.

A November 11, 1983 letter from the then Attorney General William French Smith to the then Republican Senate majority leader Howard Baker:

> It is extremely doubtful that any action to stop issuing checks or determining payment of benefits conferred by law would, in these circumstances, be effective to ameliorate, much less solve, the extraordinary crisis that would be presented should the Congress not raise the debt ceiling. No responsible government should place itself in a situation in which it would default on its obligations. I therefore urge in the strongest possible way that the Congress act to spare our citizens from the hardship, the flood of litigation, and the unprecedented constitutional crisis that would be threatened by the inability of the United States to meet its financial obligations.

Mr. Speaker, people who do not understand the import of this, I will repeat, do not belong in a position of responsibility or a position of power, and certainly not in a position of leading the United States Congress.

Mr. DOGGETT. Of course, Mr. Speaker, the gentlewoman referred to partisanship. There is nothing partisan about the fact that six or seven prior Secretaries of the U.S. Treasury, Republicans and Democrats, have basically said, ''Don't do this. This is too important to play political games. Do what is right for the future of this country,'' a concern that I know is shared by my colleague, the gentleman from Hawaii.

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

Mr. ABERCROMBIE. Mr. Speaker, I appreciate the gentleman for yielding on this point, because I think he has been not only eloquent in making the presentation day after day, not only has taken a leadership position on the question of the debt, but he has helped to make a point very clear.

I would like to reiterate it at this juncture by way of asking a rhetorical question of the gentleman from Texas, precisely because I think he has made the case on the face of it for not getting into a situation in which we attach other elements, attach other items to the debt limit bill.

Would the gentleman agree it is fair to say that he certainly has tried to make the case that this debt limit resolution should be dealt with in and of itself as a consequence of the necessity of dealing forthrightly with our credit standing?

Mr. DOGGETT. Unequivocally, and then let these credit issues, many of which are important, some on which you and I agree with our Republican colleagues on and some we disagree on, let us get those disputes resolved in the appropriate manner, rather than risk the creditworthiness of every citizen of this country.

Mr. ABERCROMBIE. Would the gentleman agree, Mr. Speaker, if he would be kind enough to yield a bit further to me, would he agree that when there is an attempt to deal with balancing the Federal budget and attaching that or some element of that process to the debt limit process, that we are not only confusing the issues, but in fact, we are retarding the process?

Specifically what I mean here is that the gentleman from Georgia [Mr. GINGRICH] has stated that the capacity to balance the Federal budget has failed for this year, and therefore, he wants to make what he terms a downpayment on this balanced budget, utilizing, utilizing the debt resolution as the vehicle for this.

My contention would be, and I would be interested in the gentleman's reflection and observation on it, quite the opposite is the case. The President, and the gentleman and the gentlewoman from Connecticut [Ms. DELAURO] have been on this floor with me many times in this special order process, and I think we would agree, and I think the RECORD would reflect, that over and over and over again at that podium and at that podium on the other side of the aisle the mantra was enunciated: ''Give us a balanced budget as scored by the Congressional Budget Office in 7 years, to be enacted in the year 2002, and that's the end of it for us. That is all we want the President to do. That's all we want the Democratic Party to do, give us a balanced budget in 7 years as certified by the Congressional Budget Office.''

Now, my understanding is, and I think I can read as well as, certainly, the Speaker of the House can, I think my academic credentials are in at least as much order as his, the President did precisely that. He presented a 7-year balanced budget as certified by the Congressional Budget Office. The problem was the Speaker did not like the numbers or how it was achieved, so he moved the goalposts.

Mr. DOGGETT. The problem was, as the gentleman will remember, that more than anything else, he did not like the fact that the President of the United States absolutely refused to join him in his determination to let Medicare wither on the vine. And when the President said, ''No, I do not want Medicare to wither on the vine,'' as the Speaker had committed, as Senator DOLE, who said he was so proud to have voted against Medicare when it was created in 1965, then they started talking about entitlements, and what they really meant was they were entitled to a crown jewel of tax breaks for those at the top of the economic ladder. They had to savage Medicare in order to do it. And if they could not get that, they really kind of lost their interest in a balanced budget.

Mr. ABERCROMBIE. So they really did not have the balanced budget in mind as much as they had the destruction of these programs, the reduction of these programs, at the very least, which is what they had in mind. They were upset, the Speaker was upset because the President managed to do as he was asked by the Republican Party and still balance the budget in 7 years with the Congressional Budget Office certification, and save, in the process, the programs for environment, education, Medicare, and Medicaid, that he said would be his bottom line. He managed to do that.

Now, the fact that the Speaker is upset that the President actually accommodated him on what was requested, he is attempting to recoup by attaching his desires not with respect to a balanced budget, but some new prospect for a balanced budget that remains beyond me in terms of how he wants to accomplish it, by attaching it to the debt resolution.

Ms. DELAURO. Let me just go back a step with the gentleman, because he has made the point very, very well. I think what we have found in this process with the rhetoric of a balanced budget, that that in fact was what it was all about. It was not a balanced budget, but as you have pointed out and our colleague, the gentleman from Texas, has pointed out, it was the crown jewel. It is the tax break, in addition to which the President laid down his 7-year balanced budget under the economic assumptions that the Republicans called for, and he even included a modest tax break, for working families.

That is not what the issue is, the issue is how you get to the tax break for the wealthiest Americans, so it is not a balanced budget, it is that tax break that was at stake, and in order to pay for that tax break, where do you go? You turn Medicare into a piggybank, you turn Medicaid into a piggybank, you decimate education, and you look at the environment.

Now, having moved the goalpost, as you said, what they have tried to do is politically to come around the corner, because they have now backed off a 7-year balanced budget CBO scoring, because the President met that, so they cannot get out of that box now, and what they are trying desperately to do is to figure out a political way that they can try to maneuver. They want to talk about now muddying the water on the credit rating of the United States by putting this half-baked, if you will, notion and trying to muddy up the debt limit with this, once again to try to do something piecemeal that makes no sense at all in the way of holding up either the Government, or holding up the appropriations process in order to deal with the budget. You do not have to do that. You can have your differences on the budget and have Government move forward. Now they truly are, again, playing political chicken with the credit rating of the United States with this half-baked idea.

Mr. ABERCROMBIE. On that point, will the gentleman yield one last time to me?

Mr. DOGGETT. Certainly.

Mr. ABERCROMBIE. I would like to ask him to comment and make such observations as he will.

Is it not then the case, keeping in mind what the gentlewoman from Connecticut just outlined, that fundamentally what they are trying to do with

the debt limit hike here is attach their tax cut for the wealthy and tax credits with respect to child care, if that is what they have in mind, which does not address either the short-term or the long-term needs with respect to child care, and if anything, is just the down payment on more indebtedness?

So if we are to deal with the debt limit hike in and of itself, that is one thing, but if we are to deal with these other issues and attach it to it, is it not the gentleman's position, as it certainly is mine, that any attempt to attach a phony tax credit bill or some kind of tax giveaway is inimical to solving the debt limit problem, and in fact, will work against the best interests of the United States?

Mr. DOGGETT. Absolutely. And I appreciate very much the gentleman's insight on this issue this afternoon. This is not a time that the American people are demanding more tax breaks and loopholes in our Tax Code. They are demanding equity. They would like for us to move forward.

The President of the United States came here to this very body last week. He was conciliatory. He asked for a bipartisan effort. He recognized that neither party has a monopoly on wisdom, and asked us to work together to solve the problems of this country. But the first thing he indicated was in doing that, let us not have any more of these silly crybaby shutdowns of the Government. Let us not threaten the full faith and credit of this country. And the reaction, as the gentleman from Hawaii has pointed out, of the Speaker of the House is nothing short of bizarre.

At a time when the President comes and says, ''Let us work together,'' and everyone smiles and claps and says, ''Yes, let us do it,'' and the President says ''Yes, I will agree to a 7-year balanced budget; we will even let your people calculate the numbers, using your numbers to get the 7 years,'' and as soon as he does that they begin to back away from the whole notion of a balanced budget and saying, ''We want not a balanced budget; what we have in mind, instead of bringing the deficit down, is to have a downpayment.''

What kind of a downpayment is it that they propose? A key element of this downpayment is not bringing the budget deficit down, but increasing it by having an election year, or election eve, actually, tax break announced. I know that is troubling to the gentlewoman from Connecticut as well.

Ms. DELAURO. It is, and I would just say, Mr. Speaker, it is very, very interesting, that to add this piece to the debt limit, because the fact of the matter is that if we default on an adjustable rate mortgage, that could go up around $1,200 to a family. We are talking about $125, as an election eve tax break for people, and it is mindless when you think about it in terms of a $1,200 potential increase on your mortgage payment if this country goes into default. So that it is one more of a political posturing once again to try to blackmail the President, to blackmail the Congress.

I concur with my colleague, that the President was here last week and talked about a spirit of coming together, of looking at ways in which we could work together on some of these issues for the good of the country. We have the continual mantra, as our colleague, the gentleman from Hawaii, said, that says, ''No, we do not want to do that.''

What is also interesting to me is it is a very explicit strategy, this is not being hidden or covered up, where there are a number of Members on the other side who are just saying, ''Yes, what we want to do is to use this as leverage, to use it as blackmail, to use it to get the President to move.'' To move on what are we talking about now, because the President in fact laid down a 7-year balanced budget certified by the Congressional Budget Office. So in fact, the debate has ended. It is not the numbers. It does come down to what my colleague was talking about earlier, the values of this Nation, the priorities; what are the things that we do hold dear, what are the areas in which we want to build on?

That has to do with a dignified retirement for people who have worked hard all of their lives, played by the rules, and they are deserving. They have paid a price. They have paid all these years. What about education, allowing people to be able to get the skills training they need to go to college, to get their kids to college, to be able to know that if they do have to leave a job, they can get the kinds of skill training that is important for them to succeed to grow the economy; to make sure that people have wage increases and a raise at the end of that year.

Those are the issues and the things that people are concerned about. Government today is turning its back on people and not understanding that those are the directions that we ought to be going in, and not playing these silly games that people are trying to play to shut down the Government, to have the United States default on its credit limit.

□ 1615

The public is deeply concerned about their future and what it is all about. Working men and women are frightened to death that they are not going to be able to give their kids, or the kids are not going to have the same opportunities that they had. That is what we need to be talking about today.

Mr. DOGGETT. Surely in a Nation as great as these United States, we ought to be able to achieve the objectives that the gentlewoman has so eloquently described to protect the retirement security and the health care security of those who have served our country and been our strong citizens and to provide opportunity to our younger citizens so that they might have an even better tomorrow. That is what is being dashed in this budget debate in order to give more tax breaks and loopholes to those at the top of the economic ladder; it is to sacrifice the great American middle class, and those struggling to get into it, that these budget priorities are providing.

Mr. Speaker, the gentlewoman referred a few months ago to this whole question of leadership and the fact that the leaders ought to get out of the way of, really, the will of this body. I know the gentlewoman is acquainted with a number of Republican Members of this body who would like to be responsible. In fact, I think if tomorrow morning, when we come in here, we had a provision to make the adjustment in the debt limit in order to assure the full faith and credit of this country, and we did not have Speaker GINGRICH twisting arms and the whip whipping them over there and threatening not to show up at fundraisers and doing all of the other silly things that have occurred over the last few months, there are Republican Members of this body who would join with a near-unanimous Democratic caucus, and tomorrow morning, we would not risk the full faith and credit of this country; we would protect it with a bipartisan vote.

But we cannot seem to get the leaders out of the way. The leaders continue to block and obstruct and pressure and cajole their caucus to avoid dealing with this problem until we get right up to the cliff and are almost ready to be pushed over by this kind of kamikaze mentality, that we can risk anything in order to accomplish political objectives.

Ms. DELAURO. Mr. Speaker, I went over to the veterans hospital in my community to say thank you to the people who worked there during the shutdown, at the outset not knowing whether or not they are going to get paid. A young woman there was very eloquent. She said, this is not a game.

There are some people and the leadership in this House and some who are an extreme, self-styled, revolutionary band who view this as a game. She said, this is not a game. People's lives are at stake. People's livelihoods are at stake. She said, please carry that message back. She summed it up.

The public is very aware of what is at stake. It is not a zero-sum game. If you do not like things, you just do not pick up the ball and go home. That is not what this is about. That is not what we are sent here to do.

We have an obligation to lead and to negotiate and to make compromises sometimes and talk together so you further the agenda of the American people. I said at the outset, in my view, I think we do have an abdication of leadership here at the moment. I was reading in the newspapers over the weekend that I think a number of the Republican freshmen had a retreat and there were some ideologues who went to address them and who said to them, do not compromise. Do not back down. Continue to fight.

No balanced budget, no dealing with the credit rating of the United States. Hold the President hostage. Keep doing this.

I am hopeful that these folks were not listened to, that we can in the next several weeks, though we are not going to be in session, which is unbelievable, that the Republican majority would send Members home when it is not clear what is going to happen, dealing with the credit rating of the United States in the short term here.

I was hoping that people would come back with a kind of a zeal and an effort to try to see if we can continue the dialog and the conversation and bridge the gap and move forward. I think the gentleman would agree that that is what we are sent here to try to do.

Mr. DOGGETT. Sometimes you get the impression that it is almost un-American to work toward common ground, to try to resolve differences, to have some give and take, to realize that there is no party that has a monopoly on truth. There are insights we both have to offer, and that we could work together surely to protect the full faith and credit of the United States.

Surely, as is the case with your veterans, workers there in Connecticut, I had the same experience in Austin, TX. Some of our Veterans' Administration employees were there working without pay; others, denied the opportunity to work, were actually in the process back in December of developing a food bank, not for people outside of the Veterans' Administration, but just so there would be food at Christmastime and before Christmastime for those who serve the men and women who risk all in order to protect this country.

The whole notion that we could be here even today debating whether or not we would risk the full faith and credit of the United States about whether or not people that serve our veterans, whether it is in Connecticut or in Texas or anywhere else, might be facing another situation where they are worried about having a food bank instead of serving our veterans, would be, you know, it would—it just sounded like another crackpot idea. But now crackpotism seems to be in up here.

Ms. DELAURO. It is in vogue up here. It is very simple to take a look at this debt limit. We need to just say to people that to substitute credit rating, debt limit, debt ceiling, just put that out of your mind or understand it as credit rating. All that is being asked for here is, please, send the President a clean bill with no whistles and bells on it or anything else, so that we can really stay with the full faith and credit, maintain that full faith and credit of the United States, maintain that to the rest of the world, to the bond markets here, to the citizens, the working, middle-class families every day who do not want to see their mortgage rates or their car payments or their credit card bills go up. That is not what they want.

When the public sometimes observes the process here, I know I get and I am sure the gentleman gets in his district, people say, well, why do you keep attaching this to a bill or that to a bill? Why can you not just say or do what you are going to do?

This is exactly what this situation is about. This is to try to turn this borrowing authority bill into a Christmas tree, to put all kinds of things on it for whatever political motivations are out there, which we have talked about. But the argument is simple; I know that the gentleman shares this sentiment with me.

I really plead with my colleagues on the other side of the aisle, and there are some who are there already, to say, make this a clean piece of legislation, do not dress it up, dress it down, put all kinds of things on it that ultimately turn it into something else and put in jeopardy the credit rating of the United States. It is a very simple argument, as I think the gentleman would agree. It is an easy one to understand, I think, by the public, and they are going to understand it.

Mr. DOGGETT. Well, I think they are. I know that in my hometown of Austin, TX, the newspaper editorialized just within the last week under the title, ''House Republicans Get Burned.'' They said,

> ''Republicans in the U.S. House of Representatives, like hardheaded children, had to learn the hard way this week that there are serious consequences for serious misbehavior. They have been playing with fire for months now, threatening to allow the Nation to go into default in order to accomplish political objections.
>
> This week they danced too close to the flames and got burned by refusing to compromise with President Clinton on a temporary extension of the country's debt limit. The House Republicans placed the Credit of the entire country in jeopardy.

''It is foolish,'' this newspaper says,

> In the extreme, for a small group of representatives with only a year in office to threaten financial default as a political strategy. That gambit had ''loser'' written all over it since last fall, but new Members, so blinded by narrow ideology, just could not see it.

It seems to me that comment from deep in the heart of Texas is exactly the kind of viewpoint that you are hearing from your neighbors up in New England.

Ms. DELAURO. Just to say, it is Texas, it is Connecticut, this is an editorial from the Hartford Courant from the end of last week:

> There they go again. Congressional leaders have a penchant for irresponsible comments about the ongoing budget crisis. Recently House Speaker Newt Gingrich's remarks that there probably would not be a budget agreement until after the November election caused the stock market to plunge by almost 100 points.
>
> Now House majority leader Dick Armey is demanding,'' ''substantial budget concessions from President Clinton if the House is to raise the Federal debt ceiling so that the government can pay its creditors.''

It goes on, for example, the comment here is that

> The stakes are high. If the government defaults on some of its bonds, investors, including both Americans and foreigners, will demand much higher interest rates to compensate for increased risk. Such an event could trigger runaway inflation. All investors' holdings would lost value, which would mean financial devastation from Wall Street to Main Street. If you keep it up, Mr. Armey, everyone will get burned. You are playing with fire.

I mean in Texas, in Connecticut; I have to believe that this kind of editorial is being written all across this Nation.

I have been talking to mayors and first selectmen and women in my community. I am sure the gentleman is doing the same. Towns, cities issue bonds, school bonds, all kinds of bonds, municipal bonds. They are worried.

I would just ask the gentleman about his localities, if they are concerned about this default and what it means in terms of what our States and cities are going to face with this.

Mr. DOGGETT. Well, certainly they are concerned about the impact, and particularly as responsible officials, they would be run out of town with the accountants defaulting on the local obligations of the school district or the city or the county hospital or the like. The very notion that just because the U.S. Government is bigger and the egos of some of the people involved in it are bigger still, that we could countenance the default on our obligations, it mystifies most of the people that I visit with.

The Hartford editorial to which you referred seems to me to imply something else that is very significant, that while we have until perhaps March 1, the estimated time of actual default, that given all of the world pressures, the way people in Japan that hold our debt or in some other part of the world get skittish about a rumor they hear, we do not know from one day to the next what the consequence of this political irresponsibility might be, but we do know it is not going to be good.

Ms. DELAURO. Just that point again which I made earlier, and I think my colleague would agree, we have heard over and over and over in this body that we ought to run the U.S. Government as a business; and that was an argument for balancing the budget that everybody does this, we have to do it, we have to put it on a business footing.

How can a business, any business, make good business decisions, one, as I said, if you are opening and closing or opening some directions or initiatives in your business over a 6-week period or over an 8-week period, and then you shut it down. Who has confidence in any business that does not know what direction it is going to go in, whether or not it is going to shut down; or the long and the short of it, whether or not it is every going to pay the financial obligations that it incurs? What kind of a business is that? You would be out of business in a second. Nor would you give any credit to that business.

We have small businesses going to get capital every single day. They try to get loans from banks. Can you imagine? Can you imagine what that means

if you have a record that shows you stop, you start, you let some people go home, you do not know where you want to go in the future, that you not pay your bills?

□ 1630

My God. The bank will say, ''What kind of a risk is that? We're not going to deal with this individual.''

Mr. DOGGETT. And how truly ironic that this is happening at a time when Vice President GORE has done such a wonderful job with the reinventing Government initiative, when this administration has actually brought down the size of the Federal work force, when we have some really creative efforts underway to try to ensure that the American taxpayer gets a full dollar's worth from Government, that Government works more efficiently, that we search out those departments that are not doing their job and change things there. Instead of working to see that our Government that is essential works better, we end up with this hurry up and stop kind of government that cannot help but destroy employee morale, make for greater inefficiency.

I am sure that your office, like mine, is frequently involved with working with citizens that have a problem on a Social Security check or a veteran's benefit or a problem with some other Federal agency where we are trying to assist the citizen in working with their Government, and it is difficult to get timely responses for citizens from agencies that are closed one day and starting up the next and not knowing whether they are going to be there the following month.

Ms. DELAURO. That is precisely it, because people are almost—I find this, I know you do—losing confidence in what Government is about. That is the tragedy of all of this, when you can have a conversation about a role of Government and what role that it does play, but every single day that these kinds of things occur here, there is less and less confidence in what the Government is able to do, and in terms of trying to assist people to do what they want to do, not to do it for them. That is not what it is about, but to assist people, whether it is, as I said, in retirement or education.

One of the other pieces of this, which I do not know if it was mentioned in this discussion, is that come March 1 there are billions of dollars in Social Security payments that are supposed to go out, veterans' benefits, including the payments to our young men and women who are serving in Bosnia. If the Government defaults, as the current strategy is, none of those payments will go out.

Mr. DOGGETT. The gentlewoman will remember that in December we got within hours of a delay or stoppage in benefits for our veterans, and only because the gentlewoman and others of us took to the floor to emphasize the disaster that would occur if this shutdown continued were we able to get legislation enacted within less than a day of the time that, had it not been enacted, those benefits would not have been there when the people needed them.

Ms. DELAURO. I would just like to thank my colleague for taking this time to have us have a conversation and discussion. I think once again it comes down to why people do send us here, why they put their faith and their trust in all of us. They give us a tremendous amount of responsibility and of power and of leeway to work on their behalf.

I think that it is this kind of abdication of leadership by the Republican majority in this House and the Gingrich leadership that makes people feel that why should they bother, why should they participate in Government, why should they trust a Government that will be willing to put them in economic difficulty, jeopardize them and their families. That is not what this is all about. But what the Gingrich leadership in this House wants to do is precisely that, is to put the United States in jeopardy as Nation but, more importantly, to put the people of this country and their families in economic harm.

Mr. DOGGETT. Very well put. I thank the gentlewoman for participating. Let us address the question of this Nation's creditworthiness this week and not jeopardize it further.

ABERCROMBIE APPEARS ON SPEAKER'S LIST

The SPEAKER pro tempore (Mr. YOUNG of Florida). Under a previous order of the House, the gentleman from Hawaii [Mr. ABERCROMBIE] is recognized for 60 minutes.

Mr. ABERCROMBIE. Mr. Speaker, I come here today in a rather interesting position, having recently been the recipient of what might be regarded, and I do regard it as a compliment.

You may recall that in years past there was a so-called enemies list that President Nixon ostensibly had, the Nixon enemies list, and people after awhile were quite pleased to have been on it, and those who were not on it were a little bit disappointed. Well, I take it similarly as a compliment to be on Mr. GINGRICH's target list.

Mr. Speaker, I notice that one of our colleagues has come to the floor. I take it that he is maybe making an inquiry whether he might have been able to take some of the time from one of the previous speakers from the Republican side.

Have I guessed correctly on that?

Mr. SHAYS. If the gentleman would yield.

Mr. ABERCROMBIE. Yes, I will.

Mr. SHAYS. I would love to have some time. You have an hour, we have an hour afterwards. Just curious how long you might be going.

Mr. ABERCROMBIE. I just started because you folks missed your time.

Mr. SHAYS. You can have it.

Mr. ABERCROMBIE. But I tell you what. No, I understand that running-down-the-aisle situation.

Mr. Speaker, if it is all right with you, I would cede a half-hour of time right now to my good friend.

Mr. SHAYS. I would be happy to come back in a half-hour, if the gentleman would like to speak, and I will come back in a half-hour.

Mr. ABERCROMBIE. All right.

Mr. SHAYS. Thank you very much.

Mr. ABERCROMBIE. Of the 60 minutes, I would like to cede 30 minutes to my good friends.

The SPEAKER pro tempore. The gentleman from Hawaii is recognized for 30 minutes minus the 2 that he has already used.

Mr. ABERCROMBIE. Thank you very much, Mr. Speaker.

I think that was a good example, Mr. Speaker, of the fact that we do have comity on this floor. Some of our colleagues might think we are spelling that ''comedy'' rather than ''comity'' but I think that you and I both are committed to this institution.

I have been the beneficiary of your wisdom, Mr. Speaker, and your leadership in this House, and I would hope that I could make a similar contribution in whatever role I find myself on this floor or in any committee, in any post. I think we both view this as a privilege that has been given to us, an honor bestowed by the voters in our districts. But as I indicated, nonetheless, this is an institution in which the politics of this country are played out in a setting which I think is most appropriate for coming to those decisions.

In the process of engaging in political debate, inevitably sides are taken. I think perhaps that is one of the reasons why for some individuals they fail to understand that, the proposition, well, why can they not all get along? Why is there what is called bickering?

I would hope, Mr. Speaker, you and I have never been in a position of bickering with one another. I think we have probably had a division of thought and philosophy and possibly policy at one time or another, and other times we were not only able to agree but to work in concert with one another toward a common goal, seeking to achieve it. Nonetheless, there are different political philosophies that are put forward by individuals who put themselves up for public office, and people make a decision on those philosophies.

So as a result, we often find ourselves in opposition to one another, not necessarily personally, Mr. Speaker, but in terms of political parties and policies that might or might not be pursued.

I say all of this by way of preliminary remarks because, as I indicated before my friend from Connecticut came to the floor, there was this list that was put together. I suppose it had a bit of drama attached to it because of the press, journalists categorizing it a certain way, but it was called the enemies list and it was associated with

then-President Nixon. Some people were wont to even brag a little bit after that list became known, that they were on that list, and it was a source of some disappointment to some people that they were not on the list.

Well, for the 1990's, we have a list, too. The Speaker of the House, Mr. GINGRICH, has put together a list, a target list, for next year—I should say for this year, rather—for the congressional elections this year, some 20 to 30 Members of the Congress who are being targeted by Mr. GINGRICH for defeat in November for one reason and another, I presume perhaps because of opposition on policies, perhaps, I would hope, effective refutation of the Speaker's positions.

In any event, I find myself on that list. I am one of the Speaker's targets this year. I am on the Gingrich target list. I do take that as a compliment. I am very pleased to be on it. I trust and hope that perhaps some of the commentary that I have been making on the budget, and on what I see as the lack of solid policy on Mr. GINGRICH's part and his leadership with respect to the budget, I hope that some of the things I have had to say have led him to designate me as a target in this upcoming election.

I am very pleased to be recognized. It is not always those of us from some of the smaller States at such great distance, particularly being out in Hawaii, where we would certainly welcome the Speaker after the election in November, hopefully as the ex-Speaker. We will be happy to have him come out and take a little rest with us out there, and I will be happy to provide some hospitality for him, and I certainly hope to be in the victors column when that election takes place despite being a target.

But I bring this up about being a target because I do not want to deceive any one of our colleagues who may be tuned in, or others who may have access to our deliberations here, that I am anything other than partisan when it comes to defending what I believe are the interests of the people of the United States, the public interest of the United States with respect to the budget and with respect to the other issues that I have a difference with the Speaker on, and apparently have contributed to me being this target.

As the target, I invite the Speaker yet once again to come to the floor. I have done this in the past and do it now.

I recall at one point being in the chair, even as the Speaker is now, and had the opportunity to listen to with great interest, Mr. GINGRICH's recitation on various subject matters having to do with policy. He has indicated that as Speaker that he does not deal with the day-to-day floor activity here. He has entrusted that to Mr. ARMEY and his whip structure.

He says now that the deal, the supposed deal or the possibility of a deal on the budget has broken down with the White House. So he does not have anyplace to go, I guess, in the afternoons now that he is not speaking with Mr. Clinton, so he should have the time to come down here.

Inasmuch as I am going to be a target, I would like to deal with the issues that apparently have upset him, particularly with regard to the budget or any other issue that has caused me to be put into this position by Mr. GINGRICH. I invite him to do so. I would like to think that our academic backgrounds, perhaps, might be an inducement to lecture. I suppose some people might see what we are doing here in special orders as lectures, but that is all right. I think it is good to have the opportunity to lay out, in a detailed and comprehensive way, one's position.

So I invite him once again and would be happy to see him and yield him time, any time that he wishes to take advantage of it.

□ 1645

In the meantime, let me then state a couple of propositions with respect to the budget process and build upon the commentary that I have made to this point. Mr. Speaker, perhaps you recall a bit of my discussion with the gentleman from Texas, Mr. DOGGETT, in the hour just passed in which I indicated that I thought perhaps, I will not say the Speaker, Speaker GINGRICH, misspoke himself, but perhaps I would characterize it as being a bid disingenuous in indicating to the public that he thought that is was not possible to have a balanced budget agreement with the President this year.

Now, I am sure you will agree, Mr. Speaker, that I have been very reluctant to endorse the bona fides, if you will, of a 7-year balanced budget agreement, whether it was certified by the Congressional Budget Office or by the Office of Management and Budget which is the Executive accountants, if you will, the scorekeeper. The Congressional Budget Office is our; the Congress', the Legislative scorekeepers. I am reluctant to believe that this could be done without causing a great deal of pain regardless of whether it is a Democratic budget, Republican budget or anybody else's budget. But nonetheless, the indications from the Republican side of the aisle, from the office of the gentleman from Georgia [Mr. GINGRICH], was that if the President would only present to the gentleman from Georgia [Mr. GINGRICH] a 7-year balanced budget as certified by the Congressional Budget Office, that that would be sufficient unto the day, that would involve the kinds of savings the Speaker was looking for, et cetera. Over and over again, the gentleman from Georgia [Mr. GINGRICH] and other Members of the majority would come to the floor and state with no equivocation, ''Just give us a 7-year balanced budget as certified by the Congressional Budget Office, and have got a deal.''

Well, Mr. Clinton did that. I have my reservations about the bookkeeping, as I indicated, in that just as I do with the Republican proposal. I think I have gone over that in detail before. There are all kinds of gimmicks associated with it. There are all kinds of bookkeeping maneuvers and tricks, all kinds of accounting gambits that put such a budget together.

For example, what is called backloading or a look-back provision; in other words, you do not really make the savings until 3, 4, 5, 6 years from now when you have already gone through a presidential election, when you are going to go through two, possible three, congressional elections, when you cannot quite be sure what the economic stability or instability of the country might be.

Mr. Speaker, I noticed my good friend from American Samoa is here. I noticed that you had called his name previously, and he is only able to arrive right now.

Mr. Speaker, I yield to the gentleman from American Samoa.

Mr. FALEOMAVAEGA. Mr. Speaker, I just want to, if I could, have a dialogue with the gentleman on the topic he is just taking up. I will ask for my own time at a later point in time.

I thank the gentleman for bringing the issue up and his interest. He wanted to conduct a dialog with our Speaker, and given the fact that we have had some very serious problems with our budget, and I noticed earlier that the gentleman mentioned about the 7-year cycle that our Republican friends have advocated so strongly for the past several months, that it is as if we have got to have the 7-year balanced budget.

Can I ask the gentleman, to his knowledge, where do we come up with this number 7? Is it so much that it has to be 7 years? Are there assurances without 7 years we will never have had a balanced budget? Why can we not do it in 5 or 10 or 8 or 9?

Mr. ABERCROMBIE. The answer to that question comes from the gentleman from Georgia [Mr. GINGRICH], and he said that he felt that the 7-year was intuitive on his part. Now, if intuitive is taken to mean generally or generically a kind of sense that this was the right time, a kind of emotional and mental guesswork, that might be the correct phrase, but I think he intuited, I would project, that this was the number of years in which the kind of accounting gymnastics that I have mentioned would allow him to say that the budget was balanced even only for the briefest of bookkeeping moments.

Mr. FALEOMAVAEGA. Is it the gentleman's understanding also that our Republican friends did make a request to our President, come up with a 7-year budget plan and we will consider it, and did not the President issue a 7-year budget plan?

Mr. ABERCROMBIE. That request was made of the President over and over and over again, and obviously a brief reading and overview of the general press will show that he did, in fact, do exactly that.

Mr. FALEOMAVAEGA. What were the objections that our Republican friends now have with the President's proposed 7-year budget plan?

Mr. ABERCROMBIE. Well, they did not like the numbers. After all, it did not do to Medicare what they wanted to do.

Mr. FALEOMAVAEGA. But it did provide a 7-year balanced budget?

Mr. ABERCROMBIE. Oh, yes. It gave them exactly what they wanted. As you know, the old saying is be careful what you ask for, you might get it. That is exactly what happened. What they asked for was a game plan according to the rules that they said they wanted established. The President appeared on the field with that game plan, and I am sorry to say some of our poor Republican friends then turned around to their quarterback, but he had left the field after moving the goal posts and was now hiding in the locker room under the bench.

Mr. FALEOMAVAEGA. So now what are our Republican friends trying to do to off-balance what the President set out? ''Here is your 7-year balanced budget plan.'' What are they going to do now?

Mr. ABERCROMBIE. Of course, they are claiming now a deal cannot be reached, that we cannot come to an agreement even through the American people in poll after poll and inquiry after inquiry are requesting, is the nicest way I can put it, the Government, that is to say, the Congress of the United States regardless of whether they are Democrats or Republicans, and the Executive in the person of President Clinton, to come to an agreement so that there can be some stability in our economy and in our political life.

Mr. FALEOMAVAEGA. Do you think, in my good friend's opinion, that our Republican friends have a high esteem for education as part of this proposed budget plan that they have in mind.

Mr. ABERCROMBIE. I am sure many of our Republican friends, if not all of them, esteem education, including the Speaker. The problem is not esteem. The problem is paying for it. The problem is setting it as a priority. The problem is do you have education as a priority, or do you have a tax giveaway as a priority.

Mr. FALEOMAVAEGA. That is basically the platform our side of the aisle has in conjunction with the President's proposal.

Mr. ABERCROMBIE. Yes. The proposal coming from the President, with all attendant difficulties associated with balancing the budget, nonetheless, has as its priorities the Medicare, Medicaid, environment and education. Those are priorities that the President has consistently stated from the very beginning as elements which he felt had to be protected in any budget proposal that came forward.

Mr. FALEOMAVAEGA. I thank the gentleman for yielding.

Mr. ABERCROMBIE. I thank you very much.

That bit of Socratic dialog, Mr. Speaker, I think has stated the essence of it.

Now, obviously any of our colleagues who were tuned in can say, well this is just a partisan observation or series of partisan observations by myself and the gentleman from Samoa, and that is OK. It does not bother me any it would be seen as partisan.

The problem is, is it fair, is it accurate, is it factual? I will not say truthful. Truthful is always a matter of debate. What the truth is, is a matter of debate.

I do think that people nonetheless come to conclusions. They nonetheless reserve judgment, if they are prudent, and when they think that they have heard the facts and contemplated the factual basis for a judgment, they then make it.

Now let us take somebody outside the political system itself, the electoral system, and see what they have to say about it. I am referring now to Jodie Allen. I do not know Jodie Allen, if he is male or female. I have not met Mr. or Ms. Allen. All I know is Jodie Allen is editor of the Outlook section of the Washington Post where columnists are found of a Sunday.

I do not blame Jodie Allen one way or another for the headlines. I think, Mr. Speaker, you and I are sufficiently well versed in dealing with newspapers as elected officials to know that the person who writes the story does not necessarily write the headline, and the headline does not necessarily refer to what is in the story, and you can find yourself reeling from what it says, but these headlines over the Allen columns say, ''Who won the budget battle?'' The sub headline is: ''Clinton's phony plan beats the GOP's phony plan.'' So I would guess that Jodie Allen has not got too much good to say about either. I will not say either of us, Mr. Speaker, but about either of these plans.

But the whole point of the headline, I think, is to try and summarize the position of the Allen editorial which nonetheless contains some very interesting material which I would like to quote very briefly in what will be a series of remarks from me in time to come with respect to the budget and its realities as well as the debt limit and its connection to the budget.

Just the opening commentary, and I am quoting now from Jodie Allen's editorial of January 28 in the Washington Post Outlook section, ''To hear the President tell it in his masterfully ingratiating State of the Union message last week, the country came very close to solving its Federal budget problem once and for all.''

Quoting further then the President within the column, '''There is now broad bipartisan agreement that permanent deficit spending must come to an end,' said President Clinton last Tuesday evening,''' again quoting, '''though differences remain among us which are significant.' He also noted, 'The combined total of the proposed savings that are in common to both, that is to say, the White House and the congressional Republican plans, is more than enough using numbers from your Congressional Budget Office to balance the budget in 7 years and provide a modest tax cut. These cuts are real.'''' Jodie Allen then goes on to say, ''Are they? It is a question worth asking as the country, having clearly decided the President got the best of Congress in the blame affixing event tries to decide whether it should now care that the overall competition has been called on account of political rain. In fact, the details of the competing proposals suggest that at least as far as the cause of fiscal solvency is concerned, less has been lost than either side would care to admit. No doubt some elements in both plans are real enough. Both sides, for example, were and apparently still are, determined to give out a pre-election tax cut, deficit be damned. It is also a pretty safe bet the agreements Congress extracts from the President in return for allowing the Government to keep running and borrowing more money will make substantial cuts in the immediate operating budgets of the many Federal agencies. Beyond that,'' and I think this is the important point here, I say parenthetically, ''Beyond that, things get a lot less real. For example, even had the White House embraced the GOP's harshest cuts, the deficit would still be upwards of $150 billion this fiscal year and still higher in 1997. By the end of the century, it might or might not dip below $100 billion. After that further progress against the deficit would likely be arrested and ultimately reversed under either plan'' from the Jodie Allen column.

Mr. Speaker, that has been the essence of the observations that I have made from this podium again and again during this whole budget process. I have maintained from this podium, while all of the broader discussion is going on, about the balanced budget and all the posturing was taking place and all the puffed up rhetoric was being stated on this floor and in press conferences and covered by television cameras and radio microphones with breathless anticipation, nobody wanted to talk about the fact that regardless of what kind of balanced budget proposal was coming forward, it was actually increasing the deficit.

□ 1700

I will state without equivocation again: No one can come to this floor, at least no one has to this point, despite my invitations again and again and again, to refute the position that I am maintaining that there has not been a balanced budget proposal put forward by anybody of either party that will stand the scrutiny of an honest appraisal as to whether or not it is increasing the deficit.

It might be possible, Mr. Speaker, to achieve a balanced budget at some

point in the future. Going into debt is no sin and no crime. Anybody who has purchased a home over time or a major appliance, an automobile, et cetera, understands that. In fact, it is encouraged.

The question is, are you able to pay? Can you acquire debt in such a way and such a manner and for such a length of time that enables those or that institution doing the lending to be reasonably sure you are going to be able to make the payment, be able to sustain the debt, and sustain your life and its requirements monetarily.

That is all this is about. I do not think that can be done in 7 years, but I am in the minority. I have been in legislative life in a State legislature, in the house of representatives at the State level and the State senate, in a city council, and in the Congress of the United States. I have been part of the board of directors of nonprofit organizations in many venues, Mr. Speaker. In other words, just about every community and electoral venue there is, I have participated in a legislative function where you had to deal with budgets, where you had to deal with coming to grips in most of those instances with balancing the budget.

I have participated both as the chairman of an authorizing committee and as a member of an appropriations committee in balancing budgets in every legislative venue. So this is not something strange and new to me. I have better than two decades of experience in this area. So I am quite willing to come to grips with the idea that I am in the minority on this floor with the question of the number of years that should be reasonably made available to deal with the balanced budget.

But I am not required, Mr. Speaker, simply because I am in the minority at the moment with respect to the numbers of years that would be required to do this, I am not required in that context to keep quiet about the fact that those who are putting forward a proposal that they can balance in 7 years cannot do it, and that to delude the American people, deliberately or otherwise, I am not trying to at this juncture cast some sort of aspersions on those who say they want to attempt it at least. All well and good, if that is what the proposition is.

If someone wants to come to the floor and say no, I do not think it can be done, or on paper it cannot be done in 7 years if we are being honest about it, and the word ''honesty'' has been used over and over and over again on this floor, we want honest numbers. If that is the case, fine. You want to make an attempt over 7 years to do it, possibly it could be done. I think it would entail the kind of cuts that would cause incredible pain to people in all kinds of areas.

Part of the pain that would come would come after 2002, after the 7-year period, when I am maintaining, and I think the burden of the rest of the article by Jodie Allen is that once you pass 2002, to the degree that you are able to achieve anywhere near the kind of goal that has been set in 1996 over that period of time, that 7-year period of time, there will be an explosion of debt, an explosion of indebtedness, an explosion of deficit spending.

One of the categories that would, I think, harm us the most would be in Social Security. The Allen article, again I am citing it because I wanted this to be an outside person. It justifies not NEIL ABERCROMBIE by standing up here and tossing out facts and figures as suit me and then could be dismissed as a result of simply being partisan, no matter how accurate it might be. I am citing these columns, and I am glad to see the Jodie Allens and some of the other people I am going to be citing are beginning to pick this commentary up. I will be going over that in greater detail in time to come.

Mr. Speaker, I believe my half hour is almost up. Let me conclude simply by saying that it is not a question of who wins the budget battle, it is a question of who loses. If the American people lose the budget battle, believe me, we all lose here politically. I hope in days to come to be able to shed a little more light on not only what the process is to this point, but what we can do about it in a practical way to bring a successful conclusion to this budget confrontation.

GETTING OUR FINANCIAL HOUSE IN ORDER

The SPEAKER pro tempore. Under the Speaker's announced policy of May 12, 1995, the gentleman from Connecticut [Mr. SHAYS] is recognized for 30 minutes as the designee of the majority leader.

Mr. SHAYS. I thank the gentleman from Hawaii, and I thank you, Mr. Speaker. It is unusual to have a special order with such a seasoned veteran at the helm as Speaker. I thank you for your willingness to take this time from your busy schedule to allow the gentleman from Michigan [Mr. UPTON], and myself to make a few comments about what we have been faced with and what we will be facing in the months to come.

I would start by saying a lot of good people are leaving Congress, a lot of people I have tremendous respect for. One of their comments is they are leaving because it is not a fun place anymore; that there is some animosity between parties and among chambers. I was thinking, you know, the reason goes far more than that, because there is some disagreement that is quite significant.

But I contend that some of my colleagues who are leaving are leaving when we need them the most and when the heavy lifting has really begun. In a way, they are escaping the responsibility for dealing with the crisis that has just been pushed for that next Congress to deal with.

For decades we knew that we were getting ourselves deeper in a hole. At the end of the Vietnam war, if I went to 1974, the national debt was about $430 billion. That is the debt, not the deficits. That national debt has grown to $4.9 trillion, a tenfold increase since the last great war. We have a tenfold increase since the last great war in Vietnam. It was not called a war, but it clearly was a major expenditure on the part of the United States.

So we fought the Revolutionary War, we fought the War of 1812, we actually fought the war with the pirates and their taking some of our sailors in the Mediterranean. We fought the Civil War, we fought the war with the Indians throughout the course of our history, the Spanish American War, World War I, World War II, Vietnam war, the Korean war, and we have a debt of $435 billion. Then what happened? That debt has just gone up almost exponentially in the last 22 years.

I contend it has gone that way because both Republicans and Democrats have, for whatever reason, agreed that they would not give in on what they did not want to give in on. Democrats did not want to give in on the growth of entitlements, and some of my Republican colleagues did not want to give in on defense spending. They both agreed to deficit spend in the process. We find ourselves in a tremendously difficult situation with a lot of large debt, and now the heavy lifting begins.

We are taking on a lot of special interests, because this Republican majority, candidly, wants to get our financial house in order. Ultimately we can only succeed if the President wants to be part of that effort. He should be an equal partner to it.

The bottom line is we need to do some heavy lifting. So yes, this is not a fun place anymore. It is not a fun place because we are having to do some very significant effort.

I will just make a few more comments before I yield to my colleague from Michigan. Prime Minister Rabin, before he died, made it very clear that he was elected by adults to represent the children. I think that is a good message for all of us, we are elected by adults to represent the children. If we are concerned about the children, we have to be concerned about the national debt and the kind of burden we are placing on our children and our children's children.

So we are setting about to accomplish three major tasks: One is to get our financial house in order and balance our Federal budget in 7 years or less; another is to save our trust funds, particularly Medicare, from bankruptcy. I know my colleague at the chair, representing Florida, is representing so many constituents who in fact are receiving Medicare. This fund is going insolvent, Medicare part B is going insolvent this year. More money is going out of the fund than coming in from the payroll tax. We want to save the trust fund from insolvency.

The third thing we are eager to do is to transform this caretaking social and

corporate welfare state, it is just not welfare for the poor, it is welfare for corporations, and move it, transform it, into a caring, opportunity society, where everyone has an opportunity to succeed. It is not a hands-off, we do not care. It is a very much hands-on. But instead of giving the people the food, we want to give them the seed.

In the process of doing these three things, getting our financial house in order and balancing the budget, saving Medicare from bankruptcy and transforming the social and corporate welfare state into an opportunity society, we are talking about change.

In the process of this change, we have made a number of people who want the status quo, we are confronting them. I would contend rather than being critical of my colleagues, and particularly our freshmen, bless our freshmen's hearts, that we should be appreciative that these, many of them business men and women, said ''I ran for this job to get our financial house in order. If I lose the next election, so be it. This is not my life. My country is my life, my family is my life, God is my life. But being here is not my life.'' They are willing to risk defeat in the process of doing something right.

So we have this special order just to talk about some of what we want to do and why we think it is so important.

With and I yield to my colleague from Michigan.

Mr. UPTON. Mr. Speaker, I thank the gentleman from Connecticut, my good friend, for yielding during this special order. I must say a couple of things to begin with. One of the things I have said a lot as I have gone around my district and around the State of Michigan and here in Washington too is in this Chamber, sometimes it seems as though we have too many Republicans and too many Democrats, and not enough U.S. Congressmen and women willing to make some tough choices. We have got to do that. I am 42 years old. You and I are about the same age.

Mr. SHAYS. A little older.

Mr. UPTON. But, you know, back in 1980 when I first came to this town and worked for President Reagan, the baby-boom generation, our generation, was 30 years away from retirement. The deficit then was a lot smaller, the national debt was a lot smaller. The amount of interest that we paid on that debt was about $50 billion.

Today, 15 years later, 16 years later, we are now 15 years away, our generation, from the big retirement age, with all the entitlement kick-ins and all of that, and we are not spending $50 billion on interest, we are spending $250 billion on interest, and the debt, not being $1 trillion or so, is now actually over $5 trillion, and in 2 years, we will be spending more just on the interest, servicing that $5.5 trillion national debt, than all of defense, foreign aid, Congress and the Intelligence budgets put together.

We have got to make some tough choices. It is not easy to say no to some of these different groups that are coming in. The easy vote is always yes. Somehow in this Chamber, working with the administration downtown, because we do not have the votes, let us face it, to override a veto, we have got to work together and bridge the gap to get the job done.

I have a 4-year-old and I have an 8-year-old, and a newborn child today is going to pay, their share of what we owe is $185,000 in taxes just to pay the interest on the national debt. Somehow I think that it should be incumbent on everyone in this Chamber, as we think about our kids and their kids and this country, to work together in a bipartisan fashion to do a number of things.

First of all we have got to come up with a balanced budget. Why did our side pick 7 years? Because the markets, those folks running the markets say if it is not 6, 7, or 8 years, it is not going to be credible; you put it off in the future and no one will believe it.

We need declining deficits each and every year. None of this stuff where you have a straight line deficit, and then the last 2 years it falls off to zero. They have to be real, and they have to come down in benchmark fashion each and every year.

The other thing, we said this on our side and so has the President and the Democrats, is we have got to have an honest scoring mechanism, the Congressional Budget Office.

I want to share a story. Back in 1990, when President Bush was in office, you probably went down there, as well as I did. In fact on the budget agreement in 1990, President Bush, I spent a lot of time with him. I worked with him. I worked with President Reagan, as I said earlier, for a number of years. His office was around the corner when he was Vice President, and my office, I was in charge of congressional affairs at the Office of Management and Budget.

□ 1715

President Bush called me down to his office and put his hands on my shoulders. He said: Fred, you can vote for this. You are going to get reelected. I have been to your district. I know you. You are going to win your race, and I need your vote for this. This is so important. We have the gulf war coming up, and we need to get this off the table and get this country on a sound fiscal basis.

And I said: Mr. President, I cannot vote for this because I did not run for office, and I do not feel in my heart that I can vote to increase spending and increase taxes, and that is what your budget does.

And as I look back at those numbers, back then, in 1990, in my notes, his statisticians told him if his budget passed, and it did, we would have a surplus in 1995 of $63 billion. Well, they are off only by $250 billion.

Mr. SHAYS. Mr. Speaker, if the gentleman would yield, I have the other side of that story.

Mr. UPTON. Mr. Speaker, we cannot allow those phony assumptions to come into place. That is why, as we make the tough decisions today, Medicaid, Medicare, what size of the tax cut, if any, that ought to be there, all the tough choices, we do not want to go through this drill again and come up $250 billion off when we say it is going to be balanced.

Mr. SHAYS. Mr. Speaker, if the gentleman would yield, I happen to have voted for the 1990 budget. I voted for it because I was willing to even vote for a tax increase where there was a slight tax increase to balance the budget. But I used those numbers that were done not by the Congressional Budget Office, but by the Office of Management and Budget, and they were basically the President's numbers. They were basically Dick Darman's numbers, the head of the budget office, and they simply turned out to be extraordinarily unrealistic.

I vowed that I would never ever again be unmindful of how the numbers were calculated, and that is why we want the President to be willing to use basically conservative numbers, certainly not numbers that just estimate ourselves out of the problem. What I did like about that budget agreement, and I think my colleague would agree it was an important part, Gramm-Rudman, which was a 5-year plan to get to a balanced budget and sequestered funds. In other words, if one did not reach one's deficit target, there would be automatic cuts. It only dealt with one-third of the budget. Appropriations. Half of the budget, though, are entitlements.

This gets me into the whole point of the challenge of balancing the budget. Our first task is to balance our Federal budget, and get our financial house in order. We cannot do it just looking at appropriations. I think my colleague in the chair would recognize that we have been squeezing what we call discretionary spending. We have been cutting back traditional government, but we have allowed the entitlements, in other words, someone who fits the category gets the money, Medicare, Medicaid, welfare, foods stamps and so on, certain agricultural subsidies. Fit it and get the money. That is on automatic pilot. It continues each and every year.

What the 1990 agreement did, one of the good parts, it said, if we increased the entitlement, we had to come up with the dollars to pay for it, either with a tax increase or a spending cut. What Congress had done to get around Gramm-Rudman was we squeezed the discretionary spending coming out of the Committee on Appropriations, and they increased the entitlement. They did not get it through an annual vote of Congress; they did it through a mandatory expenditure.

We are taking on entitlements. We are not cutting them. We are slowing the growth. One of the big criticisms is that we are doing cuts to the earned income tax credit, a very important program for the working poor. They pay

no taxes because they do not make enough. The Federal Government gives them something back to get them to get beyond that working-poor status.

We want to slow the growth of that program because under existing law that would go to $35,000. We want to keep it around $30,000, and we want it to apply to families and not to single individuals in particular. But we still allow that program to grow from $19.9 billion to $25.4 billion. That is an increase in spending; not a cut. We are changing the program but we are increasing spending.

The School Lunch Program, which was something that has always distressed me, and I bring it up when we have the opportunity, the President is going to schools and telling young children that they are not going to have a school lunch, when we are going to go from $5.2 billion to $6.8 billion. That is not a cut; that is an increase. We are allowing it to grow about 4.5 percent a year instead of 5.2.

Mr. UPTON. Mr. Speaker, as I understand, it was a $200 million increase each year for 5 years.

Mr. SHAYS. Mr. Speaker, whatever the numbers ultimately that have come through the addition of negotiations in the budget agreements that happened since, the bottom line is that we were spending hundreds of millions of dollars more each year and to get up to $6.8 billion in the 7th year.

The student loan is the one that really gets me the most. We are going to allow that to grow from $24.5 billion to $36 billion. That is a 50-percent increase. It is not a cut; it is an increase.

We do something. We are saying to students they have to do something they have not done in the past. Present law is, when they graduate, for 6 months they pay no interest. The Government, taxpayers, pay the interest. Then what we have said is no, students will pay the interest not when they are in school; they pay no interest when they are in school. They will have a 6-month grace period when they pay no return on the loan. But 6 months on, they start to pay the loan back, and we amortize the interest as soon as they graduate. It is a 6-month period.

Ultimately, we are saying, yes, students are going to pay more. They still get the same loan. They are going to pay $9 more a month. It is a movie and a Coke. It is a pizza. The bottom line is, it is something that a working person now, having graduated, can pay. It saves the taxpayer $4 billion in the course of 7 years. We still allow that program to grow, though, notwithstanding, from $24.5 billion to $36 billion.

Mr. Speaker, just take two more numbers, and then I would like to yield back to my colleagues. On Medicare and Medicare, our numbers were $89 billion; they grow to $127 billion. Only in this place, and in the Senate, maybe at the White House, not maybe, but at the White House, really in this city, when we spend so much more, do people call it a cut.

Or in Medicare from $178 billion to $289 billion in the seventh year. This is the number that really gets me. We are going to allow for a significant increase in Medicare on a per beneficiary, per elderly citizen, they get an equivalent of $4,800. In the seventh year that is going to grow to $7,100 per beneficiary. All of our constituents, that is what they will get. Hardly a cut. A very definite increase.

We are looking to, what? Control the growth in spending. We spent $9 billion in the last 7 years. We want to spend $12 billion in the next 7. We just do not want to spend $13.3 billion. We want to slow the growth in spending.

Mr. Speaker, I would like to yield to my colleague, and then I notice my colleague from Delaware has come, and we can perhaps yield to him.

Mr. UPTON. Mr. Speaker, it was about a year ago that this House first took up some of the contract items and passed a number of things the first day and the first month, certainly. As I recall, one of the things that we passed on the very first day was a change in the House rules to allow for honest budgeting.

As my colleague pointed out, school lunches are going up at least $200 million each and every year. I can hardly wait next fall to go to the schools where they believe that school lunches are going to be over and sit down and have lunch with my fourth and fifth graders and say, ''Oh, my gosh, we are still having lunch.''

I signed some mail today, people complaining about Medicare cuts. It is going up any way you look at it, 50 percent over 7 years in the plan that we passed and the President vetoed. And it is going up on a per beneficiary basis by $2,100.

But I thought it was in this House that it passed almost unanimously, not quite, 390-something to 12 or something like that, to use honest budget numbers. And what that meant to me was that we were not going to start looking at these things as cuts, unless they actually went down. Is it a violation of the House rules to talk about cuts when in fact they are going up?

Mr. SHAYS. Mr. Speaker, the way this started, we are talking about a baseline, and we figured in inflation. Then we said last year, even though we spend more, it is not an increase in spending.

I remember when I was first elected in 1987, I would go back home and say, ''We cut spending here and here and here,'' and my constituents would say, ''If you cut spending, how come the spending keeps going up?'' That was a very logical question, and I realized I was using that concept of a baseline budget.

Mr. UPTON. Mr. Speaker, we changed the House rules, but we are not living up to them. Maybe we should get the mace out.

Mr. SHAYS. We are trying to. It is a different kind of mace. It is the mace you hold.

But bottom line, Mr. Speaker, we want to get our financial house in order and balance the budget.

I get into this whole issue of Medicare, which is really trying to save our trust funds. There is not a Member of Congress who does not represent a number of seniors, and we have had to talk to our constituents about this issue. It has been very interesting to me because what they want, we are giving them.

I, as a Member of Congress, pay 28 percent of my health care like any other Federal employee. I do not get anything other than any other Federal employee. I pay 28 percent, and the Government pays 72 percent. The wonderful thing is that we get choice. What do we do with Medicare is we do not increase the copayment or increase the deductible. We keep it at 31.5 percent; the taxpayers pay 68.5 percent, and we give choice. We allow recipients to join plans where they might get eye care, dental care, hearing aid assistance, where they might have their copayments paid for by an HMO if they choose to join an HMO, but they can stay where they are.

Mr. UPTON. Mr. Speaker, I would note that there is no decline in benefits. They cannot say no, they cannot blackball one from enlisting in any of the programs, and benefits cannot be cut. One has got to have at least a standard benefit package that is there today. It can only be broadened, not lessened.

Mr. SHAYS. The bottom line is the only private plans that can be offered are plans that offer something better, the same or better. But in order to get people into those private plans, they will have to be better; otherwise the people will stay in the fee for service.

Mr. Speaker, at this time I yield to the gentleman from Delaware [Mr. CASTLE].

Mr. CASTLE. I thank the gentleman from Connecticut [Mr. SHAYS] for this opportunity to just address for a few minutes the issues of budgeting and balancing the budget here in Congress.

One point I thought of as I was on my way over, and I hope my colleague did not make it because I was on my way over, is that there are so many Members of this House of Representatives, and actually the U.S. Senate as well, who are focusing on balancing the budget. It is not just JOHN KASICH, God love his soul. He is a wonderful person. Or NEWT GINGRICH and a few others. There are groups of moderate Republicans that we might belong to. There are groups of Blue Dog Republicans and Democrats that are conservative Republicans and Democrats. There are all kinds of groups in this Congress who realize how important it is, and I think sometimes we do not state that enough.

There is a view that maybe one or two leaders are trying to drive the need to balance the budget. The freshman class of the Republican Party has taken some lumps, but they came down

here with a concept to make Government more efficient. I think they deserve tremendous credit for that.

Then I hear the pundits and a lot of critics out there saying, well, Congress can never balance its budget because of entitlements and because of interest payments and various reasons. I say that is absolutely wrong.

I come from Delaware, and for 8 years Pete du Pont was Governor of Delaware. He was the one who made up his mind that we could balance the budget in Delaware. We had not done that, and then we did it. I was Governor for 8 years, during that period of time, and it continued on with Tom Carper, the Democratic Governor of the State of Delaware. We not only balanced our budget; we have had a series of tax cuts, and we have two rainy day funds on top of each other. We take care of almost every possibility in terms of being able to keep in balance from year to year, and I am absolutely convinced that it can be done.

I would tell my colleagues that there is a lot of protection, not just in this Congress, but by constituent groups on the outside, and particularly by the press, who try to protect the status quo. They do not welcome true innovation or change.

In just one area of tremendous concern, people will say to us, why do not you cut your salaries, and you can balance the budget? That is 100th of 1 percent of the budget. Or cut foreign aid. That is a small percent.

But get into Medicaid and Medicare, which is the fastest growing segment of the budget, 17 or 18 percent collectively between them now in the budget of the United States, and there is an area which has grown from zero about 30 years ago to where it is today, which is growing faster than everything else which we need to address.

□ 1730

I do not know of any Member of Congress, if these seats were all filled, who would not say ''I want health care for the poor and I want health care for our senior citizens.'' We all feel that way.

So the question is, how can you reduce those expenditures in those particular programs but still provide the health care. There is a very simple lesson. Look at today's newspapers. Today's newspapers brought us the news that there was a slight increase in the cost of health care to the private insurers last year. I think it was about 2 percent or something. When you had HMOs, it was actually a decrease in the amount they spent. When you had regular health care, it increased by about 2.5 percent or something of that nature. Yet, we have these Government programs which are still going up at the rates of 10 percent or 11 percent or 12 percent. That is well beyond population growth.

The truth of the matter is that we deliver health care at the Government level exactly the way we have done all along, and perhaps we should innovate. There are innovations out there. There are HMO's. The medisave account is something which could work. We do not know that for sure. But if you are doing what some people have talked about doing here, I am sure they are going to cut into health care, and they might do some of the things you are talking about.

You can get your prescription eyeglasses, perhaps, or your pharmaceuticals which you need as part of the plan you get into because we let people expand and go to a market-based system. I am convinced we can do this same thing with welfare. We have done this in Delaware. We have basically told people they have to start going to school, that they had to get a job after a period of time. They started going to school.

I thought it was going to be a very difficult thing to do. We went down and visited these people, and they were perhaps the most contented citizens I visited in the whole time I was Governor. They were being given an opportunity. One-third of those people are working today, and one-third are off of welfare altogether as a result of that. That is a pretty good result. I would like it to be a 100 percent, we all would, but that is a pretty doggone good result.

But I think there are ways in which we can come up with creative and good opportunities for people to improve their lives and still provide the same services we have today, but do them in a different way, and balance our budget. Yes, we have to work at it, but there are a lot of experts in this room. I think given that opportunity, that could happen, and we could really do what we have to do, which is to balance the budget in 7 years. It is tough, but is not impossible. We should be doing it.

Mr. SHAYS. Mr. Speaker, the bottom line to this is that people have said, ''Well, we got into this over 30 years. It should take us 30 years.'' No, we got into debt in 1 year. We are not looking to pay back the debt. We were simply saying, ''Let us not make the debt any larger.'' So we have a 7-year plan. Frankly, a number of us here have said, ''Let us balance the budget sooner with no tax cut,'' but the issue is ultimately balancing the budget, getting our financial house in order.

Mr. Speaker, we are not paying back that debt, we are simply saying, ''Let us not make the debt any larger.'' When you talk about the innovation, we have seen extraordinary innovation on the State level. You were a Governor for 8 years. I can remember that we looked at how you did it when we were in the State of Connecticut, because Delaware was doing innovative programs. We looked at what Tennessee is doing and what Arizona is doing with managed health care for nursing care and so on.

Why is it that the working American basically is under managed care, but the elderly, who are under taxpayer expense, and the poor, who are under taxpayer expense, are under the traditional old system of fee-for-service? We are still going to allow them to have fee-for-service, but we are eager to encourage them to get into plans that save money and are more efficient and provide better service.

Mr. Speaker, we could talk about a lot of issues, and we are basically, I think, running out of time in the next few minutes. We have about 3 minutes. I would be delighted to yield to my colleague, the gentleman from Michigan.

Mr. UPTON. I would just like to make this point, Mr. Speaker. As I look at my State of Michigan, a few years ago we had a debt of about almost $2 billion, which is a lot for any State. Our Governor and our legislature went after spending, tightened everybody's belts. Today they have cut taxes 23 times in the last 3 years. We can do the same here, but we have to focus on the spending side. We have to do something about deficits that average somewhere between $150 billion and $250 billion over the last couple years, and we have to do it together. That means this side of the aisle and this side of the aisle working together to get the job done, and really get the budget balanced.

Mr. CASTLE. If the gentleman will continue to yield, just briefly, I could not agree with the gentleman more. I worry a little bit when I read in the press that some of the leadership here in both houses and even the White House are beginning to say, ''I do not think we can get to a balanced budget.'' I certainly have not given up on that. I think this is the time to do it.

People do not realize how close we are. We have really narrowed the differences. Yes, there are some policy differences that need to be resolved as well, but from a numbers point of view, we are as close as they have ever been to do this. I think to give up on it now would be a huge mistake. I hope we push hard in the remaining weeks of this spring and hopefully get this done sometime before we go too much further into the fiscal year.

Mr. SHAYS. I thank my colleague for making this point. The bottom line is we have an extraordinary opportunity. We want to seize this opportunity and we want to work together with the President, who came in with a very conciliatory message, I thought, and with our colleagues on the other side. But we want them to be real numbers, we want there to be structural change in the program. We want to save this country for future generations.

IMPLICATIONS OF FRANCE'S NUCLEAR TESTING NIGHTMARE

The SPEAKER pro tempore (Mr. YOUNG of Florida). Under a previous order of the House, the gentleman from American Samoa [Mr. FALEOMAVAEGA] is recognized for 30 minutes.

Mr. FALEOMAVAEGA. Mr. Speaker, on Monday, January 29, 3 short days before he is to arrive in Washington,

President Chirac of France announced, in a formal news release, the end to nuclear testing in the South Pacific. Though he makes a pretty speech, just in time to come to Washington as a fervent advocate of nuclear disarmament and to establish warm ties with America, I want to point out for my colleagues and to the American people, Mr. Speaker, the hypocrisy of Chirac's recent piece of propaganda.

Mr. Chirac began his news release with these words:

> Dear compatriots, I announce to you today the find end to French nuclear tests. Thanks to the final series that has just taken place, France will have a durable, reliable, and modern defense.

Point No. 1, Mr. Speaker, France already has the world's fourth largest Navy and the world's third largest stockpile of nuclear weapons before it even began its final series of nuclear tests. France had already exploded over 200 nuclear bombs in land, air, and water, far from the home of the enlightenment. In particular, France had already exploded 178 nuclear bombs in the South Pacific. Were those 200-plus nuclear bomb explosions not enough to ensure a durable, reliable, and modern defense? If those 200 were not enough, why should we now believe that the 6 additional nuclear bomb explosions France has just conducted in the South Pacific would be enough to stay its appetite for an even more modern defense?

Point No. 2: The final series of French nuclear tests were not even necessary. The United States freely offered France the technology it sought to ensure its so-called nuclear weapons reliability. Why did France not accept the United States offer? Because of a combination of two things: French national pride, and French suspicions that the United States was withholding state-of-the-art technology.

Now Chrirac wants to be perceived as promoting nuclear disarmament and warm ties with America? One who defiantly violates world moratoriums and resumes unnecessary nuclear testings cannot and must not be regarded as a promoter of nuclear disarmament, and one who is suspicious of any offerings the United States might make certainly cannot be regarded as one who is promoting warm ties with the United States.

Mr. Speaker, President Chirac continues his speech by saying: ''The security of our country and our children is assured.'' In turn, Mr. Speaker, I say ''At what price, and whose children?'' The sixth nuclear bomb that France exploded on Saturday, last Saturday, since violating the world's moratorium, was six times more powerful than the bomb dropped on Hiroshima, Japan; a bomb, incidentally, Mr. Speaker, that took the immediate lives of some 150,000 people, and later claimed another 50,000 who died from nuclear contamination and illnesses.

In response to France's latest nuclear explosion in Fangataufa Atoll, the mayor of Hiroshima said these words: ''I feel renewed anger. Nuclear tests aimed at developing and maintaining nuclear technology will do nothing but increase the risk of putting human beings on the brink of ruin.''

I might now ask, Mr. Speaker, what kind of security has France really secured for our children? The Pacific Ocean covers one-third of the world's surface. I submit, Mr. Speaker, that France has put not only its children but all of our children on the brink of ruin by exposing them to nuclear contamination through a resulting toxic food chain.

Mr. Speaker, Chirac's reckless actions have initiated the nuclear arms race all over again. Horrific environmental concerns aside, Chirac's decision to resume unnecessary nuclear testings in the South Pacific has opened a Pandora's box that holds chilling implications for nuclear and nonnuclear nations alike. Prime Minister Keating of Australia recently said, and I quote:

> The French government is to be strongly condemned for the latest test at Fangataufa Atoll, and for conducting it during negotiations for a Comprehensive Test Ban Treaty which are now entering the final critical stages in Geneva, Switzerland.

What implications, Mr. Speaker, does Chirac's reckless decision to initiate the nuclear arms race all over again hold for those negotiations and for the security of the world? Let me share with you, Mr. Speaker, the domino effect of Chirac's reckless decision. These is now a serious move by India to link the negotiations of a Comprehensive Test Ban Treaty in Geneva to its call for negotiations to start this year on removing all nuclear weapons in a specified time. The five nuclear superpowers are, of course, against this move, but joining India is, ironically, Pakistan.

Adding to this difficulty, India refuses to sign the Nuclear Non-Proliferation Treaty on the basis that the nuclear nations are still maintaining their nuclear arsenals, which in effect make the whole treaty meaningless and discriminatory. India's Prime Minister has said and I quote: ''We are of the view that to be meaningful, the treaty should be securely anchored in a global disarmament context, and be linked through treaty language to the elimination of all nuclear weapons in a time-bound framework.'' In other words, Mr. Speaker, India is pushing for no loopholes in the Nuclear Non-Proliferation Treaty.

As it currently stands, what assurances do nonnuclear nations have if nuclear nations retain their nuclear arsenals? If France's resumption of nuclear tests in the South Pacific is a case in point, nonnuclear nations have next to nothing in assurances from a five-member club comprised of one who is willing to defy world moratoriums at will, and four who are willing to act in complicity by looking the other way.

Mr. Speaker, because of Chirac's reckless and selfish decision, India is now ignoring Western pressure to scrap its ambitious ballistic missile program. India is saying. If France can defy world moratoriums to ensure a durable, reliable, and modern defense, then so can we. Just this week India successfully launched a new ballistic missile, the Prithvi, that has a range exceeding 150 miles and a capability of being fitted with nuclear warheads.

This means, Mr. Speaker, that India has a missile with nuclear capabilities that can reach the capital of Pakistan, Islamabad, so now Pakistan wants to utilize M–11 ballistic missiles from China. These M–11 missiles are also capable of carrying nuclear warheads, and they could hit key cities throughout India.

But the chain reaction Chirac has created does not stop there, Mr. Speaker. India and China have just signed a mutual contract for India to purchase uranium from China. Now China, in an expression of its own security concerns, is developing warm relations with Russia. China's position is that you cannot depend on Western powers for its security. Now there is renewed apprehension between Russia and the NATO powers. All of this, Mr. Speaker, is a result of the fear France has created and fueled by its defiance in violation of the world moratorium to stop nuclear testing.

Australian Prime Minister Keating sums it up this way: ''Such irresponsible actions send the worst possible signal to nations that aspire to possess nuclear weapons. The French government is to be strongly condemned.''

Despite world condemnation, Mr. Speaker, Chirac arrogantly continues his speech of Eurocentric rationale by marginalizing Asian Pacific concerns.

President Chirac state: ''I know the decision I took last June may have caused worries and emotions.'' Mr. Speaker, can you believe this? Charac thinks his decision only caused ''worries and emotions''. Is he still denying the environmental effects of his unnecessary nuclear bomb explosions in waters conveniently located halfway around the world from France? Is he still claiming that his nuclear bomb explosions have no ecological consequences?

Is he unaware that he has initiated a nuclear arms race all over again? Or does he just take nuclear proliferation lightly, suggesting that it should cause nothing more than a few worries and emotions? What kind of world leader could be so barbaric in his interpretations, Mr. Speaker?

President Chirac continues by claiming that, ''While my resolve was not affected, I was not insensitive to those movements of public opinion.'' How sensitive, Mr. Speaker, was he? Was he sensitive enough to stop nuclear bombings? Was he sensitive enough to consider the 28 million people living in the Pacific region whose lives will be affected for decades to come as a result of the nuclear nightmare Chirac's unaffected resolve created for them?

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As Prime Minister Bolger of New Zealand has noted, and I quote:

Despite all suggestions from France that this is a totally safe and benign operation, there is no such thing as a safe nuclear test. They all create massive damage. It is just a matter of how much, when, and what leakage there is.

Philippines President Ramos also has this to say, Mr. Speaker, and I quote once again:

I condemn in the strongest terms the latest tests by France. This latest test is a continued definance of the international communities' appeals to France.

Mr. Speaker, I might also note, this latest test comes shortly after all 10 Southeast Asian countries signed a treaty providing for a nuclear-free zone in that part of the world.

While President Chirac may claim sensitivity, the latest in French nuclear testings are an affront, a slap in the face, to Asia-Pacific countries. Since when is a slap in the face, Mr. Speaker, considered to be an expression of sensitivity?

Promoting his propaganda to the hilt, Mr. Speaker, Chirac continues his response to the world's condemnation of French nuclear testings. These movements, as Chirac likes to call what have really been international, ''testified,'' he says, ''to the growing importance the world's inhabitants attach to collective security and safeguarding the environment. I share these concerns.''

Mr. Speaker, I am appalled that the world's No. 1 nuclear proliferator, the man responsible for initiating the nuclear arms race all over again, would now try to convince us that he shares our concerns for collective security and safeguarding of the environment. If this were the case, why did he not just accept the technology the United States offered?

Why conduct unnecessary nuclear testing? Why reopen the nuclear arms race? Why create the paranoia? Why pit nuclear nations against non-nuclear nations? Why pit Western powers against non-Western powers? Why, on the one hand, claim that there are no ecological consequences of nuclear testings, but on the other hand, choose to conduct these nuclear tests far from the borders of France?

Whose environment is Chirac really interested in safeguarding, Mr. Speaker? And whose security is he really concerned about?

In a very patronizing way, Mr. Speaker, Chirac also said, and I quote:

I know that nuclear energy can be frightening, but in a world that is still dangerous, our weapon is a deterrent—that means a weapon that can serve peace. Today I have the feeling of having accomplished one of my most important duties by giving France, for decades to come, the capability for its independence and security.

I think that answers in question for us, Mr. Speaker. It is French security and the French environment that Chirac is concerned about. To heck with everyone else's independence and security. France has its own rules. France does its own thing. If it wants to violate world moratoriums, it will. France, after all, comes first.

Mr. Speaker, excuse me, but I thought peace meant working together to create an equitable environment for all citizens of the world not just French ones.While I am on the subject, Mr. Speaker, I might question Chirac's use of the word ''independence.'' Does ''independence'' in Chirac's vocabulary include freedom for the native people of Tahiti who have felt the brunt of French colonial reign since the islands of French Polynesia were what Westerners would call ''colonized'' by France, after some 500 French soldiers with guns and cannons subdued the Tahitian chiefs and their warriors in the 1840's. Or is independence just a concept, like security, that Chirac applies only to the people of France?

Mr. Speaker, Chirac continues his dramatic monolog by saying, and I quote:

A new chapter is opening. France will play an active and determined role in world disarmament and for a better European defense.

Mr. Speaker, do I hear Chirac correctly? Do I hear him trying to justify his latest nuclear testings by saying he did it all to stabilize relations in Europe?

For him to suggest that the resumption of French nuclear testing was done to stabilize relations in Europe is ridiculous. When France first presented the idea that in an effort of concerted deterrence it would extend its nuclear umbrella to its European partners, there were few takers, Mr. Speaker. In fact, Mr. Speaker, 10 of the 15 European Union members voted with the United Nations, protesting the resumption of French nuclear testing.

Why, Mr. Speaker, are not the European Union members more anxious to be a part of the French nuclear umbrella? Partly because the European Union members are more comfortable with the protection the United States has provided them for the past 50 years, and partly, Mr. Speaker, because historically, France just cannot be trusted.

Mr. Speaker, in the 1940's, France surrendered to Nazi Germany. In 1966, at the height of the cold war, when nuclear missiles were pointed at every major country in Europe, France pulled out of the NATO alliance. Today France still has not officially joined NATO, and as we have clearly seen, from September of 1995 to January of this year, France cannot even be trusted to honor a world moratorium it agreed to only 4 short years ago. How can any nation, European or not, be assured of any French position?

Mr. Speaker, Chirac says, and I quote:

I will take initiatives in this direction in the coming weeks. As all of you, dear compatriots, I want peace—solid and durable peace. We all know that peace, like freedom, has to be built each day. This is the purpose of the decision I took and that will be the guideline for my action tomorrow.

Mr. Speaker, can we really put stock in Chirac's guideline for tomorrow? France's own Urban Minister said about Chirac's decision to explode eight additional bombs in the South Pacific, and I quote, ''He did what he said he would do and he did the right thing.''

Mr. Speaker, something is rotten in Denmark when world leaders consider that they have done the right thing by violating world moratoriums that they agreed to. Chirac's aide said Chirac will earn international respect for sticking determinatively to a decision almost as unpopular domestically as it was internationally.

Mr. Speaker, if the responses of world leaders from Australia, New Zealand, Japan, the Philippines, the Pacific nations and Europe is any indication of international sentiment, Chirac will be a long time in earning anybody's respect. Anyone with a social conscience, world leader or not, knows that the only interest Chirac considered in resuming nuclear testings was the higher interests of French military industrial lobbyists and their profitable $2.5 billion nuclear program.

Mr. Speaker, now Chirac wants to come to Washington and make a case for peach and act as a spokesperson for the world's poor. But, Mr. Speaker, did you know that France is now the top weapons exporter of weapons supplier in the world?

Mr. Speaker, is it with irony or with hypocrisy that President Chirac will promote peach and act as a spokesman for the world's poor when France is the biggest exporter of weapons to developing nations?

Mr. Speaker, while Chirac may script his story for Eurocentric audiences, the people of the Pacific who feel the brunt of colonial reign have their own story to tell. It is a travesty that on Thursday their voices will be made mute in this Chamber by one who so arrogantly and so openly marginalizes not only their concerns, but the concerns of the world community as well.

Mr. Speaker, it is an act devoid of all social conscience that has afforded Mr. Chirac the opportunity of delivering his downright deceptive message from a Chamber that symbolically represents the highest of democratic values. I urge my colleagues on both sides of the aisle to join together in insisting that the Speaker rescind the invitation he has extended to Mr. Chirac, and if the invitation is not revoked, then I urge my colleagues not to attend the Joint session of Congress.

To attend the session is to act in complicity, to validate France's position that it is okay to violate world moratoriums, to resume nuclear testings, to initiate a nuclear arms race all over again, to place humanity on the brink of destruction.

As a Member of both the Pacific Island community and the U.S. House of Representatives, and as one who has sailed to the nuclear testing site of Mururoa and been arrested at the

hands of French commandos in waters the good Lord gave the people of Polynesia, as one who has considered the kind of world that I want my children to live in, Mr. Speaker, I cannot in good conscience be a party to such hypocrisy.

Mr. Speaker, I include the following articles for the RECORD.

[From the Washington Post, Jan. 30, 1996]

CHIRAC ENDS FRANCE'S NUCLEAR TEST PROGRAM

(By William Drozdiak)

PARIS, JANUARY 29.—President Jacques Chirac announced tonight that France has ended its controversial nuclear testing program in the South pacific and will not embark on a fresh campaign in favor of disarmament.

In a televised statement, Chirac said he decided to halt all further nuclear tests because France can now be assured to a ''modern and secure'' arsenal as a result of data gleaned from six underground blasts conducted over the past five months.

''A new chapter is opening. France will play an active and determined role for disarmament in the world and for a better European defense,'' he declared. ''I will take initiatives in this direction in the coming weeks.''

The French decision means China is the world's only declared nuclear power that still insists on the right to carry out weapons tests. Others, including the United States, have joined a moratorium while negotiations proceed on a worldwide nuclear test ban treaty.

The Clinton administration hailed Chirac's decision and predicted it will add momentum to the treaty talks.

''The United States has consistently urged that all nations abide by a global moratorium on nuclear testing as we work to complete and sign a comprehensive test ban treaty,'' the White House said in a statement.

Under President Francois Mitterrand, France had abstained from testing for three years. Chirac's decision last June, shortly after he took office, to resume testing sparked worldwide protests and contributed to a sharp drop in his popularity at home. He insisted that the tests were necessary to verify a new warhead for France's submarine-based missiles and to perfect computer-based simulation technology that would be employed once a test ban was imposed.

The announcement that France is rejoining the moratorium came two days after the final blast, described as ''less than 120 kilotons,'' or six times the size of the atomic bomb dropped on Hiroshima, was conducted at the Fangataufa coral atoll about 750 miles southeast of Tahiti.

Chirac acknowledged that he was ''not insensitive'' to the fear and consternation provoked at home and abroad by the resumption of France's underground nuclear explosions. Despite what he called the ''frightening'' power of nuclear bombs and threats to the environment, he insisted that France's arsenal will ''serve the interests of peace.''

Chirac plans to make a state visit this week to Washington, where he will make a speech before both houses of Congress. He is expected to use the occasion to launch a diplomatic counteroffensive, promoting the virtues of the comprehensive nuclear test ban treaty being negotiated in Geneva.

French officials said Chirac also plans to co-chair an international conference on nuclear security in Moscow in April. The meeting, which will review safety problems at nuclear power stations, was conceived by the leaders of the world's major industrial democracies last year to prevent disasters such as the Chernobyl nuclear accident a decade ago.

With the South Pacific testing ground now due to be closed, the French president reportedly will announce an aid package Tuesday to help compensate French Polynesia for the loss of lucrative earnings from the nuclear testing center.

Chirac said France can afford to stop its program well ahead of schedule—and two tests short of the eight he originally planned—because he is satisfied that results already obtained have fulfilled the programs' objectives.

But it was clear that the surprising ferocity of global opposition to the French program hastened its conclusion.

Japan, Australia and New Zealand have waged a vociferous protest campaign since the tests started last September. A consumer boycott of French exports was launched in many countries, though the government here claims it did not inflict as much damage as initially feared on the French wine, perfume and clothing industries.

Chirac contends that what wounded him most was the lack of solidarity from many of France's European Union partners, even after he suggested the arsenal could serve as a strategic shield for a future European defense community.

Among the EU's 15 member nations, only Britain offered public support for the French nuclear tests. Germany and Spain remained mute out of deference to dismay among their citizens, while governments in the Netherlands and the Scandinavian countries were overtly hostile to the French program.

Now that the tests are concluded, however, Chirac gave notice that he intends to emphasize the fight against nuclear proliferation by pushing hard for a comprehensive test ban treaty by the end of this year. Seeking to curtail the hostility of protests abroad, France insisted several months ago that the treaty should embrace the ''zero option'' banning all tests, even those of the smallest explosive power.

Some military experts, notably in the Pentagon, wanted to set the ban at a certain threshold to preserve the right to carry out micro-explosions, ostensibly to ensure the reliability of existing arsenals.

After some hesitation, the United States and Britain endorsed the zero option now backed by Chirac. But Russia and China have not accepted the proposal. While Russia has stopped testing, the Chinese insist on the right to continue underground explosions because they contend their program lags far behind those of the other nuclear powers.

Besides the continuing dispute over the zero option, negotiations for a test ban treaty now unfolding in Geneva have encountered problems from other countries that may aspire to join the nuclear club.

India has predicated its support for a test ban treaty on a timetable for the elimination of all nuclear arsenals in the world, a hard-line position that if sustained could torpedo the negotiations.

[From the Washington Times, Jan. 30, 1996]

CHIRAC ENDS NUCLEAR TESTS ON EVE OF STATE VISIT

French President Jacques Chirac yesterday ended a series of underground nuclear tests in the South Pacific that were threatening to create a major embarrassment during his state visit to Washington this week.

Several members of Congress have threatened to boycott Mr. Chirac's address to a joint session on Thursday and have asked House Speaker Newt Gingrich to withdraw the invitation, according to the Capitol Hill newspaper Roll Call

In Paris, Mr. Chirac announced that with the completion of the sixth and most powerful blast on Saturday, France had achieved its objective of ensuring a ''viable and modern defense.'' He said he was calling for ''a definitive halt to French nuclear tests.''

''I know that the decision that I made last June may have provoked, in France and abroad, anxiety and emotion,'' Mr. Chirac said on state-run television last night.

''I know that nuclear weaponry may cause fear. But in an always-dangerous world, it acts for us as a weapon of dissuasion, a weapon in the service of peace.''

The announcement came just days before Mr. Chirac's state visit, which was postponed from last fall.

Roll Call reported that several Democratic members of Congress last week condemned the decision to invite the French president to address a joint session and called on Mr. Gingrich to rescind the invitation.

A spokesman for the Senate historian's office called the protest, led by representatives from Hawaii and the Pacific territories, ''extraordinary'' and said he could not recall a similar outcry in the past.

Roll Call quoted the representatives describing Mr. Chirac's appearance as a ''direct affront against the United States and its people and of the world.''

They urged fellow House members in a ''Dear Colleague'' letter to ''protest President Chirac's wanton disregard of the appeals by and on behalf of the people of the Pacific region'' for an end to the tests.

There was little chance of the address being canceled, but a top Democratic leadership aide told Roll Call the event could end up as nothing more than a ''joint session to staffers and pages.'' Mr. Gingrich might have to ''hustle to fill the room,'' the aide said.

France began the tests with a Sept. 5 blast beneath Mururoa Atoll. That detonation, roughly the size of the atomic bomb dropped on Hiroshima in 1945, broke a three-year international moratorium on nuclear testing.

It made France the only nation besides China to test weapons of mass destruction since 1992. France insisted it had to resume the tests to check its nuclear arsenal and develop computer simulation that will make actual detonations unnecessary in the future.

The testing outraged Australia, New Zealand and other South Pacific countries and provoked rioting in Tahiti. But it did not elicit strong response from such major French allies as the United States, Britain and Germany.

The environmental group Greenpeace, which fought the tests with bitter denouncements and high-seas protests, expressed relief at Mr. Chirac's decision.

''France has finally bowed to international pressure,'' said Josh Handler, the group's disarmament coordinator. Greenpeace said it would now press France to return protest ships seized over the past few months.

On Oct. 20, France, Britain and the United States jointly announced they would sign a treaty making the South Pacific a nuclear-free zone after the final French test.

White House Press Secretary Michael McCurry predicted that Paris' decision ''will provide new momentum'' to efforts to reach a test-ban treaty. The United States had pressed France to abide by the global moratorium.

In France, too, pressure had mounted on the conservative president to make Saturday's test the last. French trade in the South Pacific lost some ground, and Paris' diplomatic ties with Asian nations and many of its European partners where shaken.

Mr. Chirac's decision apparently hinged on how much information the government's nuclear scientists gleaned from the latest blast, and whether they and the military could be satisfied with an early end.

''Thanks to the final series which has just been carried out, France will have at its disposal a viable and modern defense,'' Mr. Chirac said. ''The security of our country and our children is assured.''

The Defense Ministry said the final test, conducted Saturday beneath Fangataufa Atoll, about 750 miles southeast of Tahiti, had a force of 120 kilotons—the equivalent of 120,000 tons of TNT, six times more powerful than the first blast in the series.

Greenpeace and other environmental groups called the tests needless and dangerous to a region known for its crystal seas and rich marine life. Some reports have said the continued nuclear pounding cracked the atolls and could eventually release radioactivity, a contention the government vehemently denies.

Mr. Chirac announced last June that France would conduct up to eight such underground tests, then stop for good and sign the Comprehensive Test Ban Treaty. Late last year, he said the tests would end by March and would number six or seven.

President Charles de Gaulle brought France into the atomic age in 1960. It stopped atmospheric testing in 1974 and bored the test tunnels beneath Mururoa and Fangataufa, where it has detonated 144 underground blasts.

[From the New York Times, Jan. 30, 1996]

FRANCE ENDING NUCLEAR TESTS THAT CAUSED BROAD PROTESTS

(By Craig R. Whitney)

PARIS, January 29.—The French Government said today that it had ended its nuclear weapons test program for good after conducting an underground blast in the South Pacific on Saturday, the last in a series of six such tests that were deplored by most of France's European allies and scores of other countries.

President Jacques Chirac announced the decision on national television this evening, calling the halt ''the definitive end of French nuclear testing.''

Mr. Chirac lifted a three-year moratorium on testing last year to try out a new warhead for French nuclear submarines and to gather data for computer simulations that will make future French nuclear weapons tests unnecessary.

French officials said today that the six tests carried out since last fall, which include the last and most powerful one under Fangataufa Atoll in the South Pacific on Saturday, had yielded enough data to make an additional test unnecessary.

They said that Mr. Chirac also wanted to put his best foot forward during a state visit to the United States this week and that he would use an address to Congress on Thursday to reaffirm France's intention to join the United States and other nuclear powers in signing a comprehensive test ban treaty this year to stop all further test explosions, no matter how small.

[In Washington, the Associated Press quoted the White House Press Secretary, Michael D. McCurry, as saying that that the French decision would ''provide new momentum'' to efforts to reach an international test ban treaty. The United States had pressed France to abide by the global moratorium.]

Mr. Chirac had said last June that the tests would end this spring but cut the number planned from eight to six after objections to the resumption of testing came from 10 of his 15 European Union allies, expressions of concern from the United States and vehement protests from Australia, New Zealand, Japan, and other Pacific countries.

''The possibility of rebuilding relationships with this part of the world, let alone New Zealand, is going to be very, very difficult,'' New Zealand's Foreign Minister, Donald McKinnon, said today.

In an interview late last year, Mr. Chirac defended his decision to announce the resumption last June, not long before the 50th anniversary of the United States atom bomb attack on Hiroshima at the end of World War II.

''I didn't have any choice,'' he said. ''To get the tests done in time to sign a comprehensive test ban treaty, preparations had to begin in the summer, and if we hadn't announced them, people would have discovered the work going on and accused us of being duplicitous.''

French military experts told Mr. Chirac, a Gaullist conservative, that suspension of testing by his Socialist predecessor, François Mitterrand, had left a question mark over the reliability of the new TN–75 submarine-launched warhead and had also left France without sufficient data to future nuclear weapons testing to computer simulations.

Without assurance of reliability, the French independent nuclear deterrent would lack the credibility needed to scare off potential aggressors, the military said. Mr. Chirac was as determined as the late President Charles de Gaulle to enable France to take care of itself militarily, if necessary, without help from hands across the sea that could be withdrawn at any moment.

So he clenched his jaw while protesters poured Beaujolais down the drain and hanged him in effigy as ''Hirochirac.''

''I shared their concern,'' he said tonight, speaking from his office in Elysée Palace. ''I know that nuclear tests can inspire fear.'' But, he continued, nuclear weapons served peace by deterring aggression.

It was to gather data necessary for simulation, authoritative French officials said, that the last explosion, equivalent to up to 120,000 tons of TNT and more than six times the size of the Hiroshima blast, was set off under Fangataufa Atoll on Saturday. Five other blasts were set off there and at nearby Mururoa Atoll, both in French Polynesia, between Sept. 5 and Dec. 27.

This brought to 198 the total number of French tests since the first one, which occurred in 1960 in the Sahara, in what was then French Algeria.

The end of French testing means that only China, among the admitted nuclear powers, is still carrying out underground explosions on its territory, though China's tests have not elicited nearly as much vehement protest as those of France. Tahitian protesters burned down the airport terminal at Papeete and caused $40 million in damage in a riot after the first test in September, and the Greenpeace environmental pressure group sent protest ships into the test atoll.

France seized the Greenpeace ships and has refused to give them back, but Mr. Chirac was more irritated over the conduct of some of his European allies, including Italy, Sweden, Austria, and Finland, who voted at the United Nations in November to condemn French testing instead of abstaining as Germany, the United States, and many other countries did.

French officials, who had not consulted with their European allies about resuming the tests, canceled diplomatic meetings in anger. ''It proves that there's a long way to go before Europe is built,'' Mr. Chirac said, but he thanked Britain, the only other European nuclear power, for never uttering a word of criticism about the French tests.

The French Defense Ministry has always insisted that the South Pacific tests caused no environmental damage, though it has conceded that trace amounts of radioactive iodine and other elements had been found in the waters around Mururoa after previous tests.

In a gesture to its European and NATO allies, France has offered recently to discuss ways of making its nuclear deterrent part of a stronger European defense pillar within the alliance, but concrete proposals are likely to be a long time coming, diplomats believe.●

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to section 301 of Public Law 104–99, which provided for the final disposition of Senate amendment number 115 to H.R. 1868 in both Houses, as if enacted into law, the Chair lays before the House the following enrolled bill:

H.R. 1868, an act making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 1996, and for other purposes.

REMAKING AMERICA THE RIGHT WAY

The SPEAKER pro tempore. Under the Speaker's announced policy of May 12, 1995, the Chair recognizes the gentleman from New York [Mr. OWENS] for 60 minutes.

Mr. OWENS. Mr. Speaker, the front-page article of the New York Times today, which talks about the CIA, has implications for the war to remake America that is going on in this Capitol now. Speaker GINGRICH has declared that politics is war without blood, and they have waged a relentless war.

My colleagues who spoke before about the threat of a default have indicated how serious this war is. The threat of a default is very serious. A default itself, of course, would be a disaster, but even a threat shakes the confidence of the world economies in this country and shakes the confidence of Americans.

Already the confidence of Americans has been shaken in their Government by two shutdowns of the Government. So I think it is very serious.

The following article that appears on the front page of the New York Times certainly has implications for what is going on with respect to streamlining and downsizing the expenditure side of the battle to remake America. It also has very serious implications with respect to the revenue side of the battle to remake America.

The New York Times article of today, January 30, says that a secret agency's secret budgets yield lost billions, officials say. Let me repeat that. A secret agency's secret budgets yield lost billions, officials say. Budgets, not just one budget. This secret agency has several budgets, and it has lost billions. The lost billions have been discovered, fortunately, at least as far as we know nothing has been stolen and whisked away from the American taxpayers, but it is there.

This $2 billion slush fund, you know, with the Super Bowl for football over,

but this $2 billion slush fund at the CIA is the super blunder, the symbolic super monster of this year's policy struggles. It is a symbol that we ought to take a close look at.

Mr. Speaker, how can an agency of the U.S. Government have $2 billion lost in secret funds? How can an agency that has several different budgets, and the head of the agency, not know that those budgets exist?

It is worth reading some sections of this article. I will not read all of it, but Mr. Speaker, I ask unanimous consent to enter the article in the RECORD.

The article starts by saying that the National Reconnaissance Office, the secret agency that builds satellites, lost track of more than $2 billion in classified money last year, largely because of its own internal secrets, the intelligence officials say. That they lost $2 billion, it means obviously that that is $2 billion that they did not need, $2 billion that they did not spend.

This threat of default looms because we have a group in control of the Congress, the Republican majority in control of the Congress, that is threatening to push the American Government into default because they want their version of the remaking of America to prevail. That version of the remaking of America is, they say, concerned with cutting the cost of Government, cutting the cost of Government, streamlining Government, downsizing Government.

□ 1800

The President says the era of big government is over and we all agree that the era of big government should be over. But when you examine today's article on the front page of the New York Times where an agency of the Federal Government has a $2 billion slush fund, then you wonder where is this streamlining taking place.

The implications of a blunder here are very important. We must stop and take a close look.

It says to us that if you have an agency of the government that has a $2 billion slush fund that has just been discovered, obviously $2 billion that they did not need, then the streamlining process is not really taking place across the board. In fact, the places that have the most money obviously are not being streamlined. The downsizing is not taking place. There is some kind of hypocrisy going on here. It says to us that the era of big government is not over.

The continuing resolution that was passed last Thursday did not touch the CIA budget at all. Last Thursday we passed a continuing resolution that keeps the Government in business, I think for about 45 more days, and that continuing resolution in my opinion sets the pace, sets the tone for what is probably going to prevail for the rest of this year. We are not going to move far from those figures, those numbers that are passed in that budget.

I am very dismayed, very disappointed, very angry because that continuing resolution cut the budget for education by $3.1 billion. The education budget has been cut. The people who want to remake America, the Republicans in the majority, have won. They have cut education.

They said they wanted to cut the Department of Education. They went after education with a vengeance, despite previously we have had bipartisan support for education. President Reagan initiated the Nation at Risk study. President Bush can out with America 2000 and held a big conference and set goals. We have always had bipartisan cooperation.

Suddenly this year the Republican majority came to power and education was the enemy, education was under attack. Abolish the whole department, they said, When they could not do that via authorizing legislation, they went after education in the appropriations process.

So we have not only the administration of the Education Department being cut drastically but you have programs that are proven, the Title I program that provides funding mainly to disadvantaged communities across the country, but really 90 percent of the school districts in America get some part of the Title I funding. So Title I is cut by $1.1 billion over an annualized figure. That cut stands. It stands as it is. Head Start is cut. The Head Start cut stands in the continuing resolution.

What was won in the continuing resolution—and I guess in the present atmoshpere, with the revolution to remake America going forward, we have to be satisfied with any gains—we did get back Goals 2000, which had been reduced to zero in the appropriations bill by the Republicans in the House of Representatives here. We did get back some semblance of some other programs that were there. I think we got the funding for the summer youth employment program back. I am not sure.

The continuing resolution says that any program that is not zeroed out or not specifically mentioned as a program to be defunded will get 75 percent of the funds it got last year, so I hope the summer youth employment program is included. But the language bothers me because the summer youth employment program is not specifically mentioned and some other programs are mentioned. AmeriCorps is specifically mentioned as being one of those programs that will get 75 percent funding. There is a fuzziness here about the summer youth employment program which troubles me.

It not only troubles me, it makes me very angry when I look at the headlines, the front page article of the New York Times. In the CIA slush funds, in the slush fund you have $2 billion that could have been applied to education and job training programs; $2 billion are there that could be applied to education and job training programs.

In the continuing resolution, the CIA budget is not touched. The CIA budget has certainly been discussed on the floor of this House, because I have joined with some colleagues of mine to bring a resolution to cut the CIA budget by just 10 percent per year over a 5-year period, so that that $28 billion which is the figure that is acknowledged to be the minimum that is going to the CIA, the intelligence budget, that $28 billion would be cut by $2.8 billion per year over a 5-year period and the agency would be cut to half its size within 5 years.

We have had that resolution on the floor twice and it has been soundly defeated. We have never gotten more than 60 votes. I think 57 is the highest number of votes we got for this agency that now has a $2 billion slush fund that is discovered. So that $2 billion is very important.

What does it say about the sincerity of the people who are staging, waging this revolution to remake America? What does it say if they have not even bothered to cut any portion of a CIA budget, which is a budget obviously which ought to be looked at closely, since it was fashioned during the cold war and the cold war was primarily a war with the Soviet Union. Half of all of our military and intelligence resources were directed at the Soviet Union. Why is it that after the Soviet Union has fallen, the CIA budget cannot be cut?

Well, the Soviet Union's intelligence agency at least is no longer a secret agency totally. People say, ''Well, they're only revealing certain things to us.'' At least they reveal a few things to us.

I do not want the CIA of the United States, the intelligence agency of the United States, to reveal all of its secrets to us. I would just like to know the budget. I think the American people deserve to see the budget. We do not want the safe houses revealed, we do not want the agents provocateurs named, the femme fatales, we do not want the information sources, we do not want any of that revealed. We would just like to see the budget.

The budget is a secret. Because it is a secret, nobody can really deal with cutting the budget. It turns out that not only is the overall intelligence budget a secret but within the CIA, there are secrets within the agency that even the CIA Director does not know about.

Listen to this article.

''Critics of the National Reconnaissance Office, the secret agency that builds spy satellites, lost track of more than $2 billion in classified money last year largely because of its own internal secrecy, intelligence officials say.''

The National Reconnaissance Office is a secret agency within the whole intelligence operation. It is under the supervision and oversight of the CIA Director, but it has so much secrecy, even within its own confines, the reconnaissance agency, that it lost track of $2 billion last year.

We have heard this story before when it was just germinating, and they

leaked out it was at least $1 billion and then some sources said $1.5 billion. Now it is up to $2 billion.

''Critics of the reconnaissance office said today that the money had been hidden in several rainy day accounts that secretly solidified into a slush fund.'' Listen to the language. This is not some Monty Python novel. This is a description of what the statements were of the U.S. Government Intelligence Agency.

''Critics of the reconnaissance office said today that the money had been hidden in several rainy day accounts that secretly solidified into a slush fund.''

How does a slush fund secretly solidify? How do rainy day accounts become a secretly solidified slush fund? Let us look at this from every angle. What is a rainy day for the CIA? What does that mean? Can the education agency have a rainy day fund? Can we have a rainy day fund for the School Lunch Program? What does a rainy day fund for the CIA mean?

To read on from the article itself, ''The NRO,'' the National Reconnaissance Office—this is the National Reconnaissance Office which is a major part of the whole intelligence operation—''NRO's top managers themselves had no idea''—no idea—''how much money lay unspent in their classified coffers, Senator ARLEN SPECTER, the Pennsylvania Republican who heads the Senate Intelligence Committee, and Senator BOB KERREY, the Nebraska Democrat who is the panel's vice chairman, said in a prepared statement.''

These two Senators have the oversight for the Agency, and they are telling us that not only did they not know but the top managers of the National Reconnaissance Office themselves said they had no idea. What kind of administrators are these?

I once was the commissioner for the Community Development Agency of New York City. The Community Development Agency had responsibility for the antipoverty program which was so unpopular with the establishment, and we had audiences every day. You had one set of reports required from one set of agencies, another set required from another set. At one time it was pointed out that for the Community Action program nationwide there were 100 major auditors, while at that time the Pentagon had three auditors. This was pointed out by an article in the New York Times at one point.

So I cannot see how a small community action program—I think at the height of the program we had $70 million in New York City. At the height of the program it might have been $1 billion in funding for the whole country. That program was constantly under scrutiny.

How do you have a multibillion-dollar agency where the top managers themselves can have no idea how much money is unspent in their coffers? And how do you accept that calmly? How many people are being fired today? They used to close down agencies, and they used to bring in the FBI and investigate small agencies who had a few thousand dollars that they could not account for, and people sometimes went to jail for a few thousand dollars that they could not account for.

How does it happen that the National Reconnaissance Office can have a solidifying slush fund where the top managers cannot account for it and we are not in motion all over this Capitol to deal with it? How many hearings are being called to look into this National Reconnaissance Office's top managers' failure to keep account of billions of dollars?

Whitewater, we are spending millions of dollars to conduct a hearing on Whitewater. I am told that $60 million was lost by the taxpayers when they went in to bail out Whitewater. $60 million is a lot of money, I have heard that said over and over again in the Whitewater hearings. Yes; it is.

I wonder why they did not have hearings about Silverado. Silverado was a savings and loan in Colorado that failed and they lost $2 billion. The taxpayers lost $2 billion. We have not had any hearings on Silverado.

Neil Bush, the son of former President George Bush, was involved. He was on the board of the bank of Silverado. I think he was later fined a few dollars for some conduct of that board with respect to the failure of that savings and loan association. But we never had hearings here in Washington to go on and on about Silverado. Whitewater is suddenly important.

I mention this only because it is important for the American people to get into perspective what is going on. If a $2 billion failure of a savings and loan bank called Silverado did not elicit any hearings at all, then why do you think we are having hearing after hearing about Whitewater when $60 million is involved? There must be something else they are looking for. They are not concerned really about the integrity of the Federal Deposit Insurance Corporation. They are not concerned about the vast sums of money that Americans have had to spend to bail out savings and loan associations.

The sum that we spent to bail out savings and loan associations is probably totaling something now close to $300 billion. Has any hearing been held to take a look at all of the Resolution Trust Corporation's operations? Where are we? Is there a progress report that is comprehensive about the billions of dollars we lost in the savings and loan associations?

I know I am diverting from the subject, but the savings and loans is the biggest scandal in the history of mankind. Civilization has never had a swindle near that proportion.

□ 1815

Even this National Reconnaissance Office scandal pales beside the savings and loan scandal, but maybe we can comprehend the hypocrisy of what is going on if you come back to the National Reconnaissance Office.

What I am saying is that while we are cutting Head Start by $300 million, while we are cutting title I by $1.1 billion, which is one-seventh of the total, while we cannot clarify the funding of a summer youth employment program that provides jobs for the poorest young people in the country, while we have difficulty doing all that, while this revolutionary majority in the House is threatening to push the country into default in order to get their way in cutting Government expenditures. While all this is going on, $2 billion cannot be accounted for, and there seems to be no excitement about it. I have not heard of a press conference being called by the leadership in the Senate or the House to deal with the implications of this super-blunder under the present situation.

Let me just continue to quote from the article that appeared in the New York Times today, January 30:

> The amount of money was larger than anyone had known, well over $2 billion, or more than the annual operating budget of the State Department, several military and intelligence officials said.

Just the language, just absorb the description of what is going on, the amount of money is larger than anyone had known, well over $2 billion, or more than the annual operating budget of the State Department.

It is hard for people to conceive. What is $2 billion? What is $2 billion? How many welfare families can live for a year on $2 billion? How many school lunches will $2 billion buy? How many persons on Medicaid can receive medical attention for $2 billion?

Let me just continue with the article:

> One Senate Intelligence Committee aide described the misplaced money as a severe accounting problem.

I should say so, a severe accounting problem, ''that had grown because of a lack of accountability.'' Listen to the language, you have a severe accounting problem that has grown because of a lack of accountability, in turn created by the extraordinary secrecy under which the Reconnaissance Office works. A team of auditors was dispatched by the Director of Central Intelligence, John Deutsch, and found the money in a series of investigations nearing completion. Great, Mr. Deutsch, I hope we can recover some of that money. Maybe you can give $300 million to Head Start, maybe give a billion to title I. More than $1 billion was tracked down and identified last year, in 1995, you know, less than 30 days ago.

Now that the money has been found, it will be used to help pay for Pentagon programs, we are told. I do not know how those decisions are made. Does the Congress have to get involved in making, after you discover that you have squirreled away $2 billion? You know, in an atmosphere when we are trying to streamline and downsize Government, in an atmosphere where we want to show the American people that the era of big government is over, why do we let an agency that has squirreled

away a slush fund of $2 billion decide how they are going to spend it? When do we come in? Can we use this money to guarantee that there will be a summer youth employment program in the big cities of America where the poorest children are where they need those jobs? Can we use the money to guarantee we will not cut the Head Start Program?

I am concerned, because the education deal that was made last Thursday was a shocking one. The protestations that came out of the White House, the leadership, everything indicated that education was a high priority and would be protected in negotiations, and then, you know, there was a rapid deterioration of the situation, and before we knew it, we were on the Floor voting for a continuing resolution which drastically cut education. It just so happened a few days before the continuing resolution was brought to the Floor there was a poll which was dramatized and publicized highly on the front pages of USA Today. A USA–CNN poll showed that the American people had rated education as the No. 1 priority concern. The No. 1 concern of the American people was education. I think that education had 68 percent over 67 percent of crime. Crime is still a great concern. Large numbers of people, 67 percent said that was No. 1, but a slightly higher number said that education was a primary concern.

People have great anxiety about their own education in order to keep up with the changing job environment, the downsizing, the layoffs. People have greater concern about the education of their children, whether or not their children are going to receive an education that is adequate to keep pace with this increasingly complex society. So when you consider that the polls that all politicians are supposed to look closely at, the polls show education is a No. 1 concern, it was just incomprehensible to me how we could come to the Floor and vote for a continuing resolution which cut education by $3.1 billion, there is something wrong in this democracy.

On the other hand, we get news that the National Reconnaissance Office has squirreled away $2 billion.

Let me just continue for a moment with the article:

> This same National Reconnaissance Office is the agency that secretly spent more than $300 million on its new headquarters outside Washington, a sum that the Senate Intelligence Committee said in 1994 was a shock to discover.

The Central Intelligence Agency, which has oversight responsibility for the National Reconnaissance Office which is part of the Central Intelligence Agency's responsibility, said it was shocked. The National Reconnaissance Office spent $300 million on a building. You know, this is a physical structure. They were actually building a building outside this city of Washington. I think it is near Dulles Airport. They were spending $300 million to build a building. That was a secret. How can you have a secret building? You must bow to the skills of an agency which can produce a secret building for $300 million, and the people in Washington who are supposed to oversee it not know anything about it.'' The reconnaissance office still operates in the deepest secrecy of any Government agency financed by the $28 billion a year black budget, or classified above top secret, or military intelligence programs. It spends an estimated $5 billion to $6 billion annually, outside analysts say. This sum varies from year to year depending on how many satellites the agency is funding or building.

I am just going to conclude now the reading of the article by going to the last two paragraphs. ''Mr. Deutsch, who is now the head of CIA who has responsibility for oversight of the National Reconnaissance Office, states when Mr. Deutsch took over as director of Central Intelligence last May, he vowed to control these classified accounts. On paper he is the chairman of all intelligence agencies as well as the CIA. In reality, the Reconnaissance Office has been its own fief for more than three decades, the critics like Mr. Pike say. Mr. Deutsch has sought and may receive.'' He may receive, ''Mr. Deutsch,'' who is in charge of the intelligence operations of the United States, ''has sought,'' and the article says he may receive real power over the budgets he now controls in name only. Presidential and congressional panels studying the intelligence community are likely to recommend that.

Just listen to the language in this great democracy of ours, with very responsible people making decisions. How do you get language like that, that the head of an agency may receive, even now with the scandal obvious and public is not certain that he will receive power over these secret budgets, and yet we go on with the blitzkrieg against programs for low-income people. The blitzkrieg rolls on.

Welfare as we know it, aid to families with dependent children will fall in the next 10 years. Certainly when this continuing revolution is over, I do not expect to see aid to families with dependent children still standing as an entitlement. I am sorry to be pessimistic. All the protestations that are being made lead in that direction, in my opinion. I think that will fall.

I hope we can protect Medicaid as an entitlement. It is very important to at least hold onto Medicaid as an entitlement, because it Medicaid is not an entitlement for poor people, then there is no hope ever of having universal health care.

Education, I hope, can be renegotiated back to a level that is acceptable in terms of the continuation of Head Start and title I and some other very important programs in the labor budget, especially the Summer Youth Employment Program.

I hope all of those things can go forward, but when you look at this phenomenon of the super blunder of the CIA which has received so little attention here, none of the members of the Republican majority leadership have made any statements about this, and yet they vehemently insist that school lunches must be cut, aid to families with dependent children must be cut, meaning the poorest children in America have to pass a means test, you have to prove you are poor before you can get the aid to families with dependent children, you know, all of these things are indications that this struggle, this war to remake America is about more than money. If they are really concerned about money, they would be very concerned about the CIA's $2 billion.

The concern is not about money. The concern is about the destruction of a certain class of people. There is not a class war in America. There is a class massacre going on. A war means you have two contending parties.

The poorest people in this country cannot defend themselves and they are being massacred by this new majority in the Congress. The massacre goes on. If we were concerned about streamlining government, we would be talking downsizing the Pentagon. We would have some rooms in the Pentagon available for the homeless soon.

We would be talking certainly about the National Reconnaissance agency changing drastically. The last thing we would be talking about is cutting education if we were concerned about really an American that is going to go forward and be able to carry its own weight.

Education is the primary tool by which that is accomplished. People help themselves when they get an education. In New York City, they have always understood that. Even during the Depression we had a city university which was totally free. During the Depression, where did the revenue come from to keep it a totally free university even during the Depression? Now, of course, there are tremendous cutbacks new tuition increases, et cetera.

I want to spend the rest of my time, the second half of my 60 minutes, discussion the implications of the CIA super blunder on the revenue side. You know, we have a discussion that ought to be always conducted with two major components.

Where liberals or progressives have lost out in the past is that they have left the revenue discussion, the tax discussion, to the conservatives. Somehow that has been dirty business for us, and we have not spent enough time discussing revenue.

The flat tax is a major issue within the Republican primary. Tax proposals were first initiated by Republicans. The dominant discussion is about ways in which really you can fashion the taxes, the revenue gathering process, to benefit the richest people in America. Where is the revenue counterproposal from the other side? Where are the proposals for revenue to be

gathered and how it should be gathered and how we can maintain a revenue stream that finances all programs that are important to the American people? And what does that CIA problem have to do with that?

Well, the National Reconnaissance Office is an example of a tremendous investment made by the American people in new technology, new technology. Billions of dollars have already been poured into the National Reconnaissance Office. They use new technology. They got it to maximize the use of satellites and other electronic devices in the spying operations across the globe.

□ 1830

They perfect computers, they perfect radar. Everything that is happening in the state-of-the-art technology you will find in the National Reconnaissance Agency or the taxpayer-financed space program. As you have found it in years past in all sectors of the military, the Air Force, the Navy, the Army, they have perfected new technology with the dollars that Americans have generated through their taxes.

So what does this have to do with revenue? A major problem we have in terms of the quest for new revenue or the quest for a revenue stream is that we are always talking in terms that are obsolete. The only place that new revenue can come from we believe is from the pockets of the American people. The workers must pay income tax, and income tax is the primary way we finance the Government.

Should the income tax continue to be the primary way to finance the Government? I do not think so. Even if you have tax justice and corporations begin to pay more taxes, a greater share of corporations are now not paying their fair share of the income taxes. As I have said many times on this floor, individuals and families are paying about 44 percent of the income taxes. Corporations are now paying 11.4 percent. Corporations at one time under Ronald Reagan in 1983 were paying as little as 6.4 percent of the total tax burden. That year, the tax burden for individuals and families went up to 48 percent.

There are figures that need to be repeated over and over again. So we need to have corporations pay a greater share of the taxes, because an undue burden has been placed on families and individuals. A tax cut for families and individuals is long overdue. We need a tax cut for families and individuals.

But can we get revenue which can pay for Medicare? Can we get revenue you need to pay for Medicaid? Can we get the revenue we need to pay for education? Can we get the revenue we need to pay for the system that President Clinton mentioned in his State of the Union Address? I think we heard him say in California they had a pilot project going where 20 percent of the State schools would be wired up so they could participate on the information superhighway. They would be able to join the Internet and do other things because they have computers, proper wiring for those schools. The President also said by the year 2000, he expected all of the schools of America to be able to participate in this program. We are going to have all the schools wired up with computers, and they will be able to join the information superhighway by the year 2000.

That is a great program. I heartily endorse it. I do not think we should reduce I in the meantime or Head Start, but we need to go forward with a program to lead our schools into the 21st century and have them become a part of the information superhighway.

That is going to cost money. Any investment in education will cost money. No matter how much you downsize, as you should be doing in the Pentagon or should be downsizing in the CIA, the downsizing and the streamlining of our expenditures so that we get rid of the real waste in places like the CIA, we get rid of a $2 billion slush fund, that kind of downsizing will not end the necessity for more revenue.

So we need a program. Progressives, liberals, and Democrats, and I am a liberal, proud to be a liberal, we need to tackle the revenue problem head on. I proposed in a bill that I introduced on October 24 of last year to create a Revenues Commission, a Creative Revenues Commission. The Creative Revenues Commission would facilitate the reform of the Federal tax system. The Creative Revenues Commission would go beyond a flat tax on the incomes of corporations or individuals and look at the whole situation.

We are now in 1996. We are just 4 years away from the beginning of the 21st century. Let us look at the whole tax situation, look at the whole revenue producing situation. Let us determine whether or not we need to continue to throw overboard large segments of the population. Do we have to, in America, throw overboard young people that need an education and help from the Federal Government in order for their schools to function properly? Do we have to continue to throw overboard young people who do not have the proper wherewithal, for various reasons, and they need aid to dependent children? Do we need to continue to throw overboard elderly people who will have Medicare, but in the States Medicare is already being reduced? New Jersey just took away prescription allowances. New York took away certain benefits several years ago, eyeglasses, prescriptions, a number of things. More cuts like that are going to take place. Do we need to keep trimming the health care in order to have a viable economy in order to balance the budget?

Balancing the budget is not my favorite remedy, but balancing the budget seems to have caught hold. Let us have a balanced budget. If we are going to have a balanced budget, then let us look at the revenue side and be more creative about the revenue we produce.

So I introduced a bill, H.R. 2526, to create a Creative Revenues Commission. This commission will deal with the whole spectrum of possible revenue sources. In the findings we state that many proposals have been offered to reform the Federal tax system, including a national sales tax, a flat tax, a value-added tax, and a tax system exempting savings from taxation.

These proposals have merit and they deserve to be examined. Nonetheless, none of these proposals address the fact that the Nation's tax burden has shifted dramatically over the past five decades from the shoulders of corporate America to the backs of American workers.

Ways to correct this imbalance must be developed and implemented. For the first time in American history, median wages of full-time male workers have fallen for more than two decades, therefore making it necessary to reduce taxes on wages. For the first time in American history a majority of workers have suffered real wage reductions, while the per capital domestic product has advanced.

Then I state, what is new. Technology advances have created important potential new revenue sources. Important potential new revenue sources have been created by technology. We can now derive revenue from the selling or leasing of the radio frequency spectrum.

When I first proposed that on the floor of the House, a member of the majority later that day called it a joke. He said ''Here is a Democrat who proposes taxing the air above us.'' There is a spectrum up there. There are frequencies up there. There are valuable things up there in the air above us. The air above us is owned by all of the American people. I see no reason why we cannot derive revenue from the people who are going to use that for various profitmaking endeavors. Why should not the Government and all the people benefit from what happens to the air above us?

These must be thoroughly explored. It was a joke, but I noticed that when the President came in with his balanced budget proposal, he had added quite a bit of money to the possible revenues to be derived from the selling or the leasing of the spectrum. So it is a joke that already has become a serious matter.

I want it go further than just to look at the environment, the air above us. By the way, for the American people to derive an income from the air above us is nothing new. The land that was here when we got here, the Government still owns part of that land, and we are deriving some revenue from grazing lands, we are deriving tiny amounts of revenue from mining. All of those kinds of possible revenue sources have to be reexamined. A great debate has been waged here. The interior appropriations bill has been held up here because we are tired of having mining lands given away. Mines which bear millions of dollars of ore gold and various other substances, those mines

have been almost given away in the past 20 or 30 years because of deals that have been cut with often foreign mining companies. So we should realize revenue from those mines and from any other lands still owned by the Federal Government.

The Government once regulated the way land was given out, the great land rush and stakes for land a number of processes were used to parcel out land in early America. I might note, however, that even after the slaves were freed by the Civil War and the 13th, 14th, and 15th amendments were passed, blacks were not allowed to lay claim to such lands. Nevertheless, the land was there and the Government regulated how the land was given out.

So why cannot the Government regulate what happens to the air above us? Why can we not have as much income for all the people derived from what happens to the resources the Government still controls as we can? It belongs to all of us.

What I am proposing in connection with the technology is a bit more complicated. I am saying that one of the things that the Creative Revenues Commission ought to look at is the establishment of a system of royalties. Royalties ought to be paid by companies that are benefiting from publicly financed research and development. The technology that is being used to make billions of dollars, and Wall Street is booming, technology stocks are way up, various other profits are being maximized by automation, by computerization, by miniaturization, all of these things were developed by the U.S. citizens through the financing of research and development in the military.

We would not have radio as we know it today if the Navy had not taken a great interest in the new inventions related to radio. The U.S. Navy played a major role in the development of radio, and all the things that came from radio could not have happened without that.

Radar was a military concern, and whatever happens with radar is a military product. All of these ventures were financed by the American people, by the taxpayers. We should be able to derive some continuing amount of money from the investment that the taxpayers made. There ought to be royalties on products that clearly come from a stream of research and development activities run by the Government.

The National Reconnaissance Agency, which has all this money squirreled away, the National Reconnaissance Agency, which is wasting money, is also producing some very useful technological products. The satellites that they generated and developed and pioneered, satellites are now used in civilian purposes more than for military purposes. Satellites made it possible for 750 million people to watch the Super Bowl all over the globe. Satellites make it possible for us to communicate in a matter of minutes to all parts of the globe.

Those satellites, privately owned up there, were made possible by the research and development costs financed by the American taxpayers. Every satellite ought to have some sort of surcharge on it. The profits made from the satellites ought to have an a surcharge, a royalty. Something should be done to derive some income from the investment made by the American people.

In private life, in business, nobody makes investments and suddenly allows the abrogation of their investment, the returns on their investment. You make an investment ad you do not expect anybody to tamper with your right to receive the return on that investment to the degree you have invested. The American people have invested in technologies that are making tremendous amounts of profits, and there ought to be a royalty considered, some kind of way to tap into the products, the sales of each product, or to tap into the profits made on these products that are financed by the American people.

There ought to be some laws related also to companies that have grown very big and as a result of technology have begun to absorb their competitors and establish monopolies. We have laws against monopolies. Why not take a look at monopolies and certain companies as they grow big, and if they have monopolies in certain areas and there are no competitors on the products they are selling, to the degree they lose the competition, perhaps they should have a surcharge, a surcharge on monopolies.

□ 1845

Mr. Speaker, maybe beginning at 25 percent when a company gets 25 percent of the market, maybe we can begin a surcharge. Certainly if it has a 100-percent monopoly, it ought to be paying some kind of surcharge, which relates to the fact that its expenses are less. It has access to a market, total access to a market.

All of these may seem like far-out ideas, but I wish to put them forward in order to have a creative revenues commission examine them. We do not need to continue to listen to the cries that the Medicare fund will be insolvent by the year 2002. The Medicare fund can be partially financed by other revenues if that is necessary. We do not need to listen to the cries that the American people cannot afford to invest in education.

Sure, education is not one of the items mentioned as a function of the Federal Government in the Constitution. Education is not mentioned at all, but the promotion of the general welfare means that we have to do whatever is necessary to promote the general welfare.

The national security is a major concern of the Constitution, and all avenues of the Federal Government, all of the agencies of the Federal Government are concerned with national security. Education becomes one of those ways in which the general welfare is promoted and the national security is maintained. We cannot survive, and I think it has been said over and over again that, probably education has become more important in our national security than the military might of America. The threat to America and its institutions, the threat to America and its economy, is no longer a military threat. Unless we are predicting that there is some superior intelligence in outer space that might come in, there is no threat on the Earth that makes it necessary for us to maintain the kind of military power that we have now, or to be fearful of ever being overwhelmed by any other military power.

I know that all of us have read recently where certain planets have been discovered that we did not know about before. Obviously there are certain solar systems that are there that we did not know about before. The universe is larger and more mysterious than we thought it was. It is possible that out there in outer space there are some creatures who might be able to come in and attack the United States. That is a possibility. Maybe we ought to take a closer look at that.

In the real world of the solar system that we inhabit right now and on the planet Earth, there is no force that can overwhelm America militarily, but there are forces at work all the time undermining our economy. Therefore, we should deal with the period between now and the year 2000 as a transitional period, a period where you can have maximum profits being made on Wall Street. Corporations are booming, going forward because technology is feeding the profits.

We can have that at the same time we have maximum dislocations beginning in the workforce, at the same time that we have large amounts of workers that are being laid off. Those who are working find that their wages are stagnating. Those who are at the bottom of the level in terms of wages find that there is no way to get an increase in even the minimum wage.

So, the creative revenues commission appointed by the President or appointed by the Secretary of Treasury, or some method by which we get some of the most experienced people in the country—experts in taxation, the economy, whatever—we need a cross-section of very brilliant minds. That commission would be allowed to come back with recommendations, given a finite period of time. It should be a short period of time.

Instead of Steve Forbes being the expert on the flat tax, and the only people who can challenge him are candidates who are running against him with their own point of view and their own vested interest in wanting to knock down his version of the flat tax, let us have some kind of commission that every American voter and taxpayer can look at and make a determination as to what is reality, and

what is credible and what is useful. Let us have a commission that says, we have a National Reconnaissance Agency that can afford to hide $2 billion and nobody discovers it.

If we have a National Reconnaissance Agency that is going forward creating satellites and new technology, spending billions of dollars per year, then not only do we need to look at downsizing that National Reconnaissance Agency and bringing it under control as we do every other aspect of Government, if we are going to have the end of the era of big Government with respect to expenditures, then certainly the CIA and the National Reconnaissance Agency ought to be part of the downsizing, part of ending the era of big Government.

In addition to looking at the National Reconnaissance Agency and the superblunder and what the implications are, look also at the revenue implications, all of that investment by the American people in the National Reconnaissance Agency and how many ways can the American taxpayers realize a profit from their investment, a dividend from their investment? How can that investment pay off for us? How can we make the previous investments in technology through the space agency pay off in terms of revenues for the American people?

How can we make the investment by the military in radar, in radio, in television, in computers? How can we make all of those investments pay off for the average American instead of just feeding billions of dollars into the coffers of the richest Americans who happen to be in a position to make use of the technology?

Those are relevant points as we go forward contemplating, fearing a shutdown of the Government. There is going to be a default. The worst kind of shutdown would be a default. If the issue of that default is the determination of the majority party to get their agenda across, they want to downsize the Government, they want to streamline the Government, if this is the issue, then let the majority in this House address itself to the superblunder of the day, the CIA's discovery of $2 billion in a slush fund.

If we are serious about addressing the era of big Government, let the President come forward with a special commission to investigate what is going on in the National Reconnaissance Agency.

Let us take a look at where our great investment is being made. If we are not investing in education, if the American people have indicated in a poll that they want a greater investment in education, they want education to be a priority for the Government, then we are ignoring the priorities set by the American people.

We are going forward not only in the Federal Government, but at the State level. In New York, Governor Pataki has a series of cuts in education, not only cuts in the elementary and secondary schools but also big cuts in the university system. In New York City, we have the mayor projecting another round of cuts for the city's schools, many of which are literally falling apart physically. Overcrowding is the dominant factor in many of the schools.

Mr. Speaker, all this is going forward in an era when we are able to have Government agencies squirrel away $2 billion and nobody asking any questions about how it happened and why it happened and why we cannot recapture that $2 billion for worthwhile programs like education.

The superblunder of the year is the blunder of the CIA. The superaction of the year would be to take some real steps to correct that kind of blunder, to seriously downsize our Government for the benefit of the American people, and to examine the activities of major Government agencies like the National Reconnaissance Agency, as they move technology forward, and create with American taxpayers' dollars new technological advantages for companies that make tremendous profits and give nothing back to the American people.

Everybody deserves to benefit from both the downsizing of wasteful agencies like the National Reconnaissance Agency and the CIA. Everybody deserves the benefit from the good work that these agencies do in terms of new technology that we all have a stake in and we should all be able to receive some benefits from.

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. OXLEY) to revise and extend their remarks and include extraneous material:)

Ms. ROS-LEHTINEN, for 5 minutes, January 31.

Mr. BRYANT of Tennessee, for 5 minutes, today.

Mr. DIAZ-BALART, for 5 minutes, January 31.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mrs. LINCOLN) and to include extraneous matter:)

Mr. HAMILTON.

Ms. PELOSI in two instances.

(The following Members (at the request of Mr. OXLEY) and to include extraneous matter:)

Mr. SMITH of New Jersey.

Mr. HORN.

Mr. QUINN.

(The following Members (at the request of Mr. OWENS) and to include extraneous matter:)

Mr. MFUME.

Ms. EDDIE BERNICE JOHNSON of Texas.

Ms. JACKSON-LEE of Texas.

Mrs. JOHNSON of Connecticut.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 1543. An act to clarify the treatment of Nebraska impact aid payments; to the Committee on Education and Economic Opportunity.

S. 1544. An act to authorize the conveyance of the William Langer Jewel Bearing Plant to the Job Development Authority of the City of Rolla, North Dakota; to the Committee on National Security.

ENROLLED BILLS SIGNED

Mr. THOMAS, from the Committee on House Oversight, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 1868. An act making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 1996, and for other purposes;

H.R. 2029. An act to amend the Farm Credit Act of 1971 to provide regulatory relief, and for other purposes;

H.R. 2111. An act to designate the Federal building located at 1221 Nevin Avenue in Richmond, California, as the ''Frank Hagel Federal Building''; and

H.R. 2726. An act to make certain technical corrections in laws relating to Native Americans, and for other purposes.

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 1124. An act to authorize appropriations for fiscal year 1996 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, to reform acquisition laws and information technology management of the Federal Government, and for other purposes.

BILLS PRESENTED TO THE PRESIDENT

Mr. THOMAS, from the Committee on House Oversight, reported that that committee did on the following day present to the President, for his approval, a bill of the House of the following title:

On January 26:

H.R. 2880. Making appropriations for fiscal year 1996 to make a downpayment toward a balanced budget, and for other purposes.

ADJOURNMENT

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

The motion was agreed to; accordingly (at 6 o'clock and 55 minutes p.m.), the House adjourned until tomorrow, Wednesday, January 31, 1996, at 11 a.m.

EXPENDITURE REPORTS CONCERNING OFFICIAL FOREIGN TRAVEL

Reports concerning the foreign currencies and U.S. dollars utilized by various committees of the U.S. House of Representatives during the third and fourth quarters of 1995, as well as a consolidated fourth quarter 1995 report of foreign currencies and U.S. dollars utilized for official foreign travel authorized by the Speaker, U.S. House of Representatives, pursuant to Public Law 95–384, are as follows:

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON THE JUDICIARY, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 1995

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	$ U.S. dollar equivalent or U.S. currency [2]	Foreign currency	$ U.S. dollar equivalent or U.S. currency [2]	Foreign currency	$ U.S. dollar equivalent or U.S. currency [2]	Foreign currency	$ U.S. dollar equivalent or U.S. currency [2]
Cordia Strom	8/29	8/31	Cuba		400.00		604.00				1,004.00
Committee total					400.00		604.00				1,004.00

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HENRY J. HYDE,
Chairman, Jan 17, 1996

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON GOVERNMENT REFORM AND OVERSIGHT, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 1995

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
George Nesterczuk	11/30	12/4	Great Britain				674.55				674.55
Committee total							674.55				674.55

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

BILL CLINGER,
Chairman, Jan. 17, 1996.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON NATIONAL SECURITY, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 1995

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Visit to Germany, Oct. 10–12, 1995:											
John D. Chapla	10/10	10/12	Germany		238.00						238.00
Commercial airfare							3,222.55				3,222.55
Thomas M. Donnelly	10/10	10/12	Germany		238.00						238.00
Commercial airfare							3,222.55				3,222.55
Hon. Gene Taylor	10/20	10/21	Italy		207.00						207.00
	10/21	10/21	Macedonia								
	10/21	10/23	Italy		452.00						452.00
Commercial airfare							3,450.55				3,450.55
Committee totals					1,135.00		9,895.65				11,030.65

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

Floyd D. Spence,
Chairman, Jan. 31, 1996.

AMENDED REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON NATIONAL SECURITY, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JUL. 1, 1995 AND SEPT. 30, 1995

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Visit to Israel, Greece, Italy and Portugal, Aug. 10–20, 1995:											
Hon. Partrick J. Kennedy	8/15	8/15	Italy				560.80		81.32		642.12
Visit to Belguim, Estonia, Romania, Norway, and Denmark, Aug. 21–Sept. 1, 1995:											
Delegation expenses	8/23	8/25	Estonia				221.69		37.55		259.24
Committee totals							782.49		118.87		901.36

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

Floyd D. Spence,
Chairman, Jan. 31, 1996.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON RESOURCES, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 1995

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Bonnie Bruce	11/9	11/18	Spain	216,713	1,767.93		570.95				2,338.88
Jean Flemma	11/10	11/17	Spain	206,890	1,687.80		570.95				2,258.75
Committee total					3,455.73		1,141.90				4,957.63

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

Don Young,
Chairman, Jan. 23, 1996.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON SCIENCE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 1995

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Shana Dale	9/30	10/06	Norway		1,566.00						1,566.00
Commercial Airfare							2,469.25				2,469.25
Richard M. Obermann	10/1	10/08	Norway		2,088.00						2,088.00
Commercial Airfare							2,213.25				2,213.25
Michael Quear	10/04	10/08	Mexico		956.00						956.00
Commercial Airfare							511.95				511.95
Christopher Roosa	10/04	10/08	Mexico		956.00						956.00
Commercial Airfare							511.95				511.95
Harlan Watson	12/02	12/08	Austria		1,060.00						1,060.00
	12/09	12/17	Italy		2,043.00						2,043.00
Commercial Airfare							950.00				950.00
William S. Smith	12/02	12/08	Austria		1,060.00						1,060.00
	12/09	12/13	Italy		1,135.00						1,135.00
Commercial Airfare							1,398.00				1,398.00
Committee totals					10,864.00		8,054.40				18,918.40

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

ROBERT S. WALKER,
Chairman, Jan. 22, 1996.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO NORTHERN IRELAND AND IRELAND, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN NOV. 29 AND DEC. 2, 1995

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
North Ireland:											
Hon. James T. Walsh	11/30	12/1	North Ireland	English pound	184.00		(3)				
Hon. Dennis Hastert	11/30	12/1	North Ireland	English pound	184.00		(3)				
Hon. Michael McNulty	11/30	12/1	North Ireland	English pound	184.00		(3)				
Hon. Peter King	11/30	12/1	North Ireland	English pound	184.00		(3)				
Hon. Peter Torkildsen	11/30	12/1	North Ireland	English pound	184.00		(3)				
Hon. Tom Ewing	11/30	12/1	North Ireland	English pound	184.00		(3)				
Hon. Barbara Kennelly	11/30	12/1	North Ireland	English pound	184.00		(3)				
Hon. Tom Manton	11/30	12/1	North Ireland	English pound	184.00		(3)				
Hon. Bart Stupak	11/30	12/1	North Ireland	English pound	184.00		(3)				
Hon. Joe Kennedy	11/30	12/1	North Ireland	English pound	184.00		(3)				
Hon. Ed Markey	11/30	12/1	North Ireland	English pound	184.00		(3)				
Hon. Carolyn Maloney	11/30	12/1	North Ireland	English pound	184.00		(3)				
Hon. Jerry Costello	11/30	12/1	North Ireland	English pound	184.00		(3)				
Hon. Robert Borski	11/30	12/1	North Ireland	English pound	184.00		(3)				
Hon. Maurice Hinchey	11/30	12/1	North Ireland	English pound	184.00		(3)				
Hon. Jim Moran	11/30	12/1	North Ireland	English pound	184.00		(3)				
Hon. Victor Frazer	11/30	12/1	North Ireland	English pound	184.00		(3)				
Hon. John Macke	11/30	12/1	North Ireland	English pound	184.00		(3)				
Hon. Jim O'Connor	11/30	12/1	North Ireland	English pound	184.00		(3)				
Hon. Tom O'Donnell	11/30	12/1	North Ireland	English pound	184.00		(3)				
Ireland:											
Hon. James T. Walsh	12/1	12/2	Ireland	Irish pound	271.00		(3)				
Hon. Dennis Hastert	12/1	12/2	Ireland	Irish pound	271.00		(3)				
Hon. Michael McNulty	12/1	12/2	Ireland	Irish pound	271.00		(3)				
Hon. Peter King	12/1	12/2	Ireland	Irish pound	271.00		(3)				
Hon. Peter Torkildsen	12/1	12/2	Ireland	Irish pound	271.00		(3)				
Hon. Tom Ewing	12/1	12/2	Ireland	Irish pound	271.00		(3)				
Hon. Barbara Kennelly	12/1	12/2	Ireland	Irish pound	271.00		(3)				
Hon. Tom Manton	12/1	12/2	Ireland	Irish pound	271.00		(3)				
Hon. Bart Stupak	12/1	12/2	Ireland	Irish pound	271.00		(3)				
Hon. Joe Kennedy	12/1	12/2	Ireland	Irish pound	271.00		(3)				
Hon. Ed Markey	12/1	12/2	Ireland	Irish pound	271.00		(3)				
Hon. Carolyn Maloney	12/1	12/2	Ireland	Irish pound	271.00		(3)				
Hon. Jerry Costello	12/1	12/2	Ireland	Irish pound	271.00		(3)				
Hon. Robert Borski	12/1	12/2	Ireland	Irish pound	271.00		(3)				
Hon. Maurice Hinchey	12/1	12/2	Ireland	Irish pound	271.00		(3)				
Hon. Jim Moran	12/1	12/2	Ireland	Irish pound	271.00		(3)				
Hon. Victor Frazer	12/1	12/2	Ireland	Irish pound	271.00		(3)				
Hon. John Macke	12/1	12/2	Ireland	Irish pound	271.00		(3)				
Hon. Jim O'Connor	12/1	12/2	Ireland	Irish pound	271.00		(3)				
Hon. Tom O'Donnell	12/1	12/2	Ireland	Irish pound	271.00		(3)				

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Military air transportation.

JAMES T. WALSH,
Jan. 18, 1996.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO BOSNIA, CROATIA AND SERBIA, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN DEC. 1 AND DEC. 4, 1995

Name of Member or employee	Date		Country	Per diem		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Hon. Susan Molinari	12/1	12/2	Serbia		140.00		(3)				140.00
Hon. Jim Kolbe	12/1	12/2	Serbia		140.00		(3)				140.00
Hon. Stephen Buyer	12/1	12/2	Serbia		140.00		(3)				140.00
Hon. Scott McInnis	12/1	12/2	Serbia		140.00		(3)				140.00
Hon. Sam Brownback	12/1	12/2	Serbia		140.00		(3)				140.00
Hon. Barbara Vucanovich	12/1	12/2	Serbia		140.00		(3)				140.00
Hon. Rodney Frelinghuysen	12/1	12/2	Serbia		140.00		(3)				140.00
Hon. Mike Castle	12/1	12/2	Serbia		140.00		(3)				140.00
Hon. Sue Kelly	12/1	12/2	Serbia		140.00		(3)				140.00
Hon. Sander Levin	12/1	12/2	Serbia		140.00		(3)				140.00
Hon. Glenn Poshard	12/1	12/2	Serbia		140.00		(3)				140.00
Hon. Sheila Jackson-Lee	12/1	12/2	Serbia		140.00		(3)				140.00
Hon. David Skaggs	12/1	12/2	Serbia		140.00		(3)				140.00
Hon. Earl Pomeroy	12/1	12/2	Serbia		140.00		(3)				140.00
Hon. Cynthia McKinney	12/1	12/2	Serbia		140.00		(3)				140.00
Hon. Susan Molinari	12/2	12/3	Croatia		188.00		(3)				188.00
Hon. Jim Kolbe	12/2	12/3	Croatia		188.00		(3)				188.00
Hon. Stephen Buyer	12/2	12/3	Croatia		188.00		(3)				188.00
Hon. Scott McInnis	12/2	12/3	Croatia		188.00		(3)				188.00
Hon. Sam Brownback	12/2	12/3	Croatia		188.00		(3)				188.00
Hon. Barbara Vucanovich	12/2	12/3	Croatia		188.00		(3)				188.00
Hon. Rodney Frelinghuysen	12/2	12/3	Croatia		188.00		(3)				188.00
Hon. Mike Castle	12/2	12/3	Croatia		188.00		(3)				188.00
Hon. Sue Kelly	12/2	12/3	Croatia		188.00		(3)				188.00
Hon. Sander Levin	12/2	12/3	Croatia		188.00		(3)				188.00
Hon. Glenn Poshard	12/2	12/3	Croatia		188.00		(3)				188.00
Hon. Sheila Jackson-Lee	12/2	12/3	Croatia		188.00		(3)				188.00
Hon. David Skaggs	12/2	12/3	Croatia		188.00		(3)				188.00
Hon. Earl Pomeroy	12/2	12/3	Croatia		188.00		(3)				188.00
Hon. Cynthia McKinney	12/2	12/3	Croatia		188.00		(3)				188.00
Hon. Susan Molinari	12/3	12/4	Italy	300,048	188.00		(3)			300,048	188.80
Hon. Jim Kolbe	12/3	12/4	Italy	300,048	188.00		(3)			300,048	188.80
Hon. Stephen Buyer	12/3	12/4	Italy	300,048	188.00		(3)			300,048	188.80
Hon. Scott McInnis	12/3	12/4	Italy	300,048	188.00		(3)			300,048	188.80
Hon. Sam Brownback	12/3	12/4	Italy	300,048	188.00		(3)			300,048	188.80
Hon. Barbara Vucanovich	12/3	12/4	Italy	300,048	188.00		(3)			300,048	188.80
Hon. Rodney Frelinghuysen	12/3	12/4	Italy	300,048	188.00		(3)			300,048	188.80
Hon. Mike Castle	12/3	12/4	Italy	300,048	188.00		(3)			300,048	188.80
Hon. Sue Kelly	12/3	12/4	Italy	300,048	188.00		(3)			300,048	188.80
Hon. Sander Levin	12/3	12/4	Italy	300,048	188.00		(3)			300,048	188.80
Hon. Glenn Poshard	12/3	12/4	Italy	300,048	188.00		(3)			300,048	188.80
Hon. Sheila Jackson-Lee	12/3	12/4	Italy	300,048	188.00		(3)			300,048	188.80
Hon. David Skaggs	12/3	12/4	Italy	300,048	188.00		(3)			300,048	188.80
Hon. Earl Pomeroy	12/3	12/4	Italy	300,048	188.00		(3)			300,048	188.80
Hon. Cynthia McKinney	12/3	12/4	Italy	300,048	188.00		(3)			300,048	188.80
W. Livingood	12/1	12/2	Serbia		140.00		(3)				140.00
Peter Davidson	12/1	12/2	Serbia		140.00		(3)				140.00
Tom Donnelly	12/1	12/2	Serbia		140.00		(3)				140.00
Brett O'Brien	12/1	12/2	Serbia		140.00		(3)				140.00
Kevin Tyne	12/1	12/2	Serbia		140.00		(3)				140.00
Jim Mazzarella	12/1	12/2	Serbia		140.00		(3)				140.00
Mara Rudman	12/1	12/2	Serbia		140.00		(3)				140.00
W. Livingood	12/2	12/3	Croatia		188.00		(3)				188.00
Peter Davidson	12/2	12/3	Croatia		188.00		(3)				188.00
Tom Donnelly	12/2	12/3	Croatia		188.00		(3)				188.00
Brett O'Brien	12/2	12/3	Croatia		188.00		(3)				188.00
Kevin Tyne	12/2	12/3	Croatia		188.00		(3)				188.00
Jim Mazzarella	12/2	12/3	Croatia		188.00		(3)				188.00
Mara Rudman	12/2	12/3	Croatia		188.00		(3)				188.00
W. Livingood	12/3	12/4	Italy	300,048	188.00		(3)			300,048	188.00
Peter Davidson	12/3	12/4	Italy	300,048	188.00		(3)			300,048	188.00
Tom Donnelly	12/3	12/4	Italy	300,048	188.00		(3)			300,048	188.00
Brett O'Brien	12/3	12/4	Italy	300,048	188.00		(3)			300,048	188.00
Kevin Tyne	12/3	12/4	Italy	300,048	188.00		(3)			300,048	188.00
Jim Mazzarella	12/3	12/4	Italy	300,048	188.00		(3)			300,048	188.00
Mara Rudman	12/3	12/4	Italy	300,048	188.00		(3)			300,048	188.00
Committee total					11,352						11,352

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Military air transportation.

SUSAN MOLINARI,
Jan. 3, 1996.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO BOSNIA, CROATIA, ITALY, GERMANY AND BELGIUM, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN DEC. 8 AND DEC. 11, 1995

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. J. Dennis Hastert	12/8	12/11	Bosnia/Crotia		497.00						
Hon. Bob Livingston	12/8	12/11	Bosnia/Crotia		497.00						
Hon. Dave Hobson	12/8	12/11	Bosnia/Crotia		497.00						
Hon. Todd Tiahrt	12/8	12/11	Bosnia/Crotia		497.00						
Hon. Doug Bereuter	12/8	12/11	Bosnia/Crotia		497.00						
Hon. Mac Collins	12/8	12/11	Bosnia/Crotia		497.00						
Hon. George Radanovich	12/8	12/11	Bosnia/Crotia		497.00						
Hon. Jim Ramstad	12/8	12/11	Bosnia/Crotia		497.00						
Hon. Amo Houghton	12/8	12/11	Bosnia/Crotia		497.00						
Hon. Barbara Cubin	12/8	12/11	Bosnia/Crotia		497.00						
Hon. Jay Dickey	12/8	12/11	Bosnia/Crotia		497.00						
Hon. Jon Christensen	12/8	12/11	Bosnia/Crotia		497.00						
Hon. Louise Slaughter	12/8	12/11	Bosnia/Crotia		497.00						
Hon. Rosa DeLauro	12/8	12/11	Bosnia/Crotia		497.00						
Hon. Jane Harman	12/8	12/11	Bosnia/Crotia		497.00						
Hon. Pat Danner	12/8	12/11	Bosnia/Crotia		497.00						
Hon. Alcee Hastings	12/8	12/11	Bosnia/Crotia		497.00						
Hon. Mike McNulty	12/8	12/11	Bosnia/Crotia		497.00						
Hon. Pete Peterson	12/8	12/11	Bosnia/Crotia		497.00						

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO BOSNIA, CROATIA, ITALY, GERMANY AND BELGIUM, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN DEC. 8 AND DEC. 11, 1995—Continued

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. John LaFalce	12/8	12/11	Bosnia/Crotia		497.00						
Wilson Livingood	12/8	12/11	Bosnia/Crotia		497.00						
Scott Palmer	12/8	12/11	Bosnia/Crotia		497.00						
John Herzberg	12/8	12/11	Bosnia/Crotia		497.00						
Krister Holladay	12/8	12/11	Bosnia/Crotia		497.00						
Miles Lackey	12/8	12/11	Bosnia/Crotia		497.00						
Chris Kojm	12/8	12/11	Bosnia/Crotia		497.00						
Commercial airfare							236,234.60				
Committee total					12,922.00		236,234.60				249,156.60

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

J. DENNIS HASTERT,
Jan. 9, 1996.

EXECUTIVE COMMUNICATIONS ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1985. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a listing of gifts by the U.S. Government to foreign individuals during fiscal year 1995, pursuant to 22 U.S.C. 2694(2); to the Committee on International Relations.

1986. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting copies of international agreements, other than treaties, entered into by the United States, pursuant to 1 U.S.C. 112b(a); to the Committee on International Relations.

1987. A letter from the Auditor, District of Columbia, transmitting a copy of a report entitled, ''Evaluation of the D.C. Lottery Board's Wagering Cancellation Methodology,'' pursuant to D.C. Code, section 47–117(d); to the Committee on Government Reform and Oversight.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BLILEY: Committee on Commerce. H.R. 2036. A bill to amend the Solid Waste Disposal Act to make certain adjustments in the land disposal program to provide needed flexibility, and for other purposes; with an amendment (Rept. 104–454). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BEREUTER:

H.R. 2905. A bill to require a study regarding risk management fund accounts for farm owners and operators; to the Committee on Agriculture.

By Mr. COX (for himself, Mr. YOUNG of Alaska, Mr. CALVERT, and Mrs. VUCANOVICH):

H.R. 2906. A bill to amend the Helium Act to authorize the Secretary to enter into agreements with private parties for the recovery and disposal of helium on Federal lands, and for other purposes; to the Committee on Resources.

By Mr. BLILEY:

H. Res. 349. Resolution providing for the consideration of S. 534; which was considered under suspension of rules.

By Mrs. MINK of Hawaii (for herself, Mr. FALEOMAVAEGA, Mr. UNDERWOOD, and Mrs. SCHROEDER):

H. Res. 350. Resolution relating to a question of the privileges of the House; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII,

Mr. PICKETT introduced a bill (H.R. 2907) to authorize the Secretary of Transportation to issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade for the vessel *Barefoot'n;* to the Committee on Transportation and Infrastructure.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 218: Mr. RIGGS and Mr. WISE.

H.R. 580: Mr. FOLEY.

H.R. 940: Mr. BROWN of Ohio.

H.R. 1050: Mr. TORRES.

H.R. 1100: Mr. GREENWOOD.

H.R. 1573: Mr. STUMP.

H.R. 1684: Mrs. MEEK of Florida, Mrs. VUCANOVICH, Mr. MCHUGH, Mr. ACKERMAN, Mrs. MEYERS of Kansas, Mr. MOAKLEY, Mrs. MORELLA, Mr. BENTSEN, Mr. BOEHLERT, and Mr. LAFALCE.

H.R. 1758: Mr. DELLUMS, Mr. FRAZER, Mr. MINGE, Mr. THOMPSON, and Mr. FARR.

H.R. 1818: Mr. SHADEGG.

H.R. 2098: Mr. DREIER and Mr. SOLOMON.

H.R. 2264: Mr. SANDERS.

H.R. 2311: Mr. WATTS of Oklahoma.

H.R. 2335: Mr. PAXON, Mr. WELDON of Florida, Mr. CANADY, Mr. ARCHER, Mr. COBURN, Mr. COLLINS of Georgia, and Mr. HUTCHINSON.

H.R. 2463: Mr. DICKS.

H.R. 2566: Mr. SCARBOROUGH.

H.R. 2648: Mr. BALLENGER and Mr. TAYLOR of North Carolina.

H.R. 2658: Mr. LUTHER and Mrs. THURMAN.

H.R. 2723: Mr. STOCKMAN, Mr. ROHRABACHER, Mr. INGLIS of South Carolina, Mr. SAM JOHNSON, Mr. HERGER, Mr. RADANOVICH, and Mr. BISHOP.

H.R. 2731: Mr. FOLEY.

H.R. 2867: Mr. BEREUTER, Mr. METCALF, Mr. STEARNS, Mr. MCKEON, Mr. LAHOOD, Mr. FUNDERBURK, and Mr. BACHUS.

H.R. 2896: Mr. COBURN, Mr. METCALF, Mr. BASS, Mr. FOLEY, Mrs. MYRICK, Mrs. CHENOWETH, Mr. SOLOMON, Mr. BARTLETT of Maryland, Mr. BAKER of California, Mr. EHLERS, and Mr. FORBES.

H. Con. Res. 127: Mr. OBERSTAR, Mr. PAXON, Mr. OBEY, Mr. NEY, Mr. BUYER, Mr. TRAFICANT, Mrs. KELLY, Mr. MCHUGH, Mr. BARRETT of Wisconsin, Mr. LAFALCE, Ms. KAPTUR, Mr. VISCLOSKY, Mr. MURTHA, Mr. STUPAK, Mr. QUINN, Mr. FROST, Mr. FLANAGAN, Mr. LATOURETTE, Mr. HOUGHTON, and Mr. KILDEE.

H. Con. Res. 134: Mr. FRANKS of Connecticut, Mr. CREMEANS, Mrs. MYRICK, Mr. FOLEY, and Mr. YOUNG of Alaska.

H. Res. 30: Mr. MOAKLEY, Mr. BORSKI, Mr. KOLBE, Mr. UPTON, Ms. WOOLSEY, Mr. CAMP, and Mr. JACOBS.