United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 104th CONGRESS, SECOND SESSION

Vol. 142 WASHINGTON, THURSDAY, MARCH 7, 1996 No. 30

House of Representatives

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

DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
March 7, 1996.

I hereby designate the Honorable PAUL E. GILLMOR to act as Speaker pro tempore on this day.

NEWT GINGRICH,
Speaker of the House of Representatives.

PRAYER

The Reverend Charles Sineath, First United Methodist Church, Marietta, GA, offered the following prayer:

O Lord, we acknowledge You as the giver of every good and perfect gift, and the source of all our blessings. We thank You for Your goodness, and especially for the privilege of living in this good and noble land. This morning, I want to thank You for these who serve You by serving our Nation as Members of the Congress and leaders in our Nation. Grant them wisdom, courage, compassion, and patience as they fulfill their awesome responsibilities and work for the achievement of a nation and world where justice and mercy roll down like a river and righteousness and truth is like a never-failing stream. This prayer we offer with eternal gratitude and praise to Your holy name. Through Jesus Christ our Lord. Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

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

Mr. COLLINS of Georgia led the Pledge of Allegiance as follows:

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

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate passed with amendment a bill of the House of the following title:

H.R. 2778. An act to provide that members of the Armed Forces performing services for the peacekeeping efforts in Bosnia and Herzegovina, Croatia, and Macedonia shall be entitled to tax benefits in the same manner as if such services were performed in a combat zone, and for other purposes.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain fifteen 1-minutes from each side.

WELCOME TO REV. CHARLES SINEATH

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

Mr. BARR of Georgia. Mr. Speaker, in an age when for many years it seems as if our courts and many of our public institutions have been engaged in a direct and deliberate effort to eradicate religion and recognition of God from whom all our powers and sense of right and wrong derive from the face of our public Earth, from the face of our public service and our institutions, it is, indeed, gratifying and something to me that is daily important to me to recognize that we in this House as Representatives of the people of the United States of America begin each and every day that we are in session doing their work and doing the Lord's work with a moment of prayer.

I am very happy today to have before us today to deliver the prayer for the opening of this session of the Congress this day the Reverend Charles Sineath, Methodist minister from First United Methodist Church where we have the privilege of serving, I and my family, with he and his wife, Ann, today.

It is, indeed, an honor to welcome him and his wife, Ann, to this House, the people's House of the United States of America, today.

JOBS IN AMERICA

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

Mr. TRAFICANT. Mr. Speaker, United Technologies eliminated 35 percent of their American jobs, created 15,000 jobs overseas. General Motors is building a new $1 billion auto plant, my colleagues, in Shanghai. Blue Cross moved 2,000 jobs that paid $10 an hour in America to Jamaica where they will pay $1 an hour. AT&T got rid of 50,000 American workers but gave their boss, Robert Allen, a record $16 million paycheck. But yesterday's event I think tells the whole story.

As Eleanor Roosevelt had done in the 1930's, Mrs. Clinton repeated history by sewing in a union label into a garment in New York. The big difference is, Members of Congress, Eleanor Roosevelt used a Singer sewing machine made in America. Mrs. Clinton used a sewing machine made in Japan.

Beam me up, Mr. Speaker. Nobody can even see what is happening to our country.

☐ This symbol represents the time of day during the House proceedings, e.g., ☐ 1407 is 2:07 p.m.

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

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CRIMES AGAINST CHILDREN AND ELDERLY INCREASED PUNISHMENT ACT

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

Mr. CHRYSLER. Mr. Speaker, day after day, we see news accounts of criminals committing violent acts throughout our communities, only to walk away with little or no punishment. We only need to watch the evening news on any given night to see the havoc criminals wreak in our neighborhoods. Recently, I authored and introduced the Crimes Against Children and Elderly Increased Punishment Act, legislation that will provide for an automatic increase in the length of sentences for such criminals. This legislation amends the Violent Crime Control Act of 1994 to increase punishment for Federal crimes committed against youth ages 12 years and under and seniors ages 65 years and older.

The bill aims to send a clear signal to those who would prey upon the vulnerable in that their criminal actions will not be tolerated and will result in certain and severe punishment. Our children are the seeds of our Nation's future. Our seniors are the roots of our heritage. Increasing the penalties on those who would hurt our children and elderly will give them the protection they need and give the criminals the punishment they deserve.

THE BUDGET AND FISCAL RESPONSIBILITY

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

Mr. VENTO. Mr. Speaker, today, I rise to speak for American families and for the failure of this Congress to come to grips with dealing with the budget and fiscal responsibility. The fact is that the answer that was brought to us by this Republican Congress is the wrong answer. Cutting Medicare, cutting Medicaid, cutting our education and health programs, and assaulting the environment is not the answer. What our families need are the tools to take care of one another.

They need the health care. They need sound education and retirement programs. They need their rights on the job so that they can receive a living wage. The fact is that families in this country are going to continue to suffer. We are going to continue to see the income disparity without some change to empower workers. This Congress has to wake up and smell the coffee in terms of where the American people are and what they want and what we need to do as a Congress, to get on and pass our necessary appropriation bills, to make the types of compromises that provide for meaningful welfare reform and provide for a sound fiscal policy for the next 7 years, not the Republican majority walking away from the task because they cannot get there way on tax breaks for those that are well off.

That is what is happening in this country and in this Congress today. These issues ought to be the subject of congressional and Presidential debates. They ought to be the subject of this Congress. We ought to get to work and get the peoples, work done right and stop the Republican pea and shell game that is being presented as a budget solution.

THE 5-YEAR ANNIVERSARY OF PERSIAN GULF WAR

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

Mr. COBURN. Mr. Speaker, 5 years ago this month, this country put the lives of thousands of young Americans at risk in the Persian Gulf war. The war with Iraq was fought to restore Kuwait's independence, but it was also fought to preserve and protect the energy security of this country.

Five years later, we are still dependent on foreign oil for our energy needs—in fact far more dependent than we were 5 years ago.

Last year, for the first time in our Nation's history, we imported more than 50 percent of the oil consumed in this country. Meanwhile, I have domestic producers in my home State of Oklahoma who are capping marginal wells every day—burying oil and gas that will never again be recovered. It is putting Americans out of work and it is threatening our national security.

What can this Congress do to revive our domestic oil and gas industry? The first step is to allow domestic producers to compete on a level playing field. In a few days, we will be voting on this floor on a bill to reform the regulatory process in this country. Excessive regulations have strangled domestic oil and gas producers, raising their cost of production and diminishing their chances to compete. A vote for regulatory reform is a vote for the health of our domestic oil and gas industry.

I urge this Congress to release the domestic oil and gas industry from the excessive taxes and regulations that threaten our domestic energy supply and our national security.

REPUBLICAN BUDGET CUTS

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

Mr. DOGGETT. Mr. Speaker, these followers of Speaker GINGRICH have threatened the health care security of millions of seniors in America with Medicare cuts. They demonstrated, as Gingrichites, such indifference to the job insecurity of American working families that now they are even being criticized within their own party.

But to top it all off, they come to this Congress today proposing to place more hurdles in the way of our youngest Americans with reference to educational opportunities. Yes, the cuts that the propose in education are very real.

In my home town of Austin, the school district is contemplating having to cut the opportunity in half for 2,200 young Austinites with reference to their prekindergarten program, just slashing it in half solely as a result of these Federal cuts.

As one AISD official, Gloria Williams, said, if the pots gets smaller and the number of kids gets larger, we will not be able to support a full day prekindergarten program. There is no doubt we have an education deficit in this country because these followers of NEWT GINGRICH just cannot seem to learn.

AWOL CLINTON ADMINISTRATION

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

Mr. RIGGS. Mr. Speaker, just allow me to point out that the liberal House Democrats just do not get it. As we have spent more and more money on public education, test scores have dropped in America, but they do not see the correlation.

Mr. Speaker, the Clinton administration is AWOL in the war on drugs. Recent surveys have shown that drug use among teenagers has skyrocketed. In fact, the age of first use of drugs has gone down to age 13 and in some cases even younger than that. That really hits home with me, because I have a 14-year-old son.

Mr. Speaker, there is a reason for this though. The Clinton administration has slashed enforcement and interdiction programs and they have appointed liberal judges. The President has appointed liberal judges who care more about criminals than basic justice.

Case in point: One judge in New York, a Clinton appointee by the name of Baer, recently released an admitted drug dealer who was caught red-handed with 75 pounds of cocaine and 4 pounds of heroin.

Mr. Speaker, the President claims he never inhaled. But our children are inhaling and it is destroying their lives. The answer to our youth drug problem is not fancy press conferences. It is a President willing to institute real drug enforcement, real drug interdiction and real punishment of drug dealers.

ON EDUCATION CUTS

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

Mr. PALLONE. Mr. Speaker, I wanted to follow up on these education cuts.

As was stated previously, today the Republican leadership is putting forth a continuing resolution that would fund education programs for the rest of this year. But the bill is the largest cut

in education in the history of this Nation, 13 percent below last year's level, $3.3 billion less in education funding.

Do my colleagues know what that means? It means higher taxes in the municipalities that we represent around the country. In my home town, the school budget, they are talking about an increase of 9 cents per 100-dollar assessment. If this level of Federal education cuts continues, the only ones that are going to suffer are the local property taxes or the children in the schools, because the local school boards will have the choice of either cutting the programs, increasing the class size, decreasing the quality of education, or increasing local taxes to pay for it.

This notion that somehow if the Federal Government cuts back that that is something that is not going to have an impact locally, it does have an impact locally. It has an impact in every one of the municipalities that we represent around this country, either taxes are going to go up or the quality of education will decrease.

PRESIDENT CLINTON AND THE WAR ON DRUGS

(Mrs. CUBIN asked and was given permission to address the House for 1 minute.)

Mrs. CUBIN. Mr. Speaker, while President Clinton claims that he is doing everything he can do to fight the war on drugs, I would like to respectfully give some examples refuting that claim.

If President Clinton was doing all he could, he would not have issued the executive order reducing military interdiction efforts including the elimination of 1,000 antidrug positions.

If President Clinton was doing all he could, he would not have cut interdiction funds for the Customs Service and the Drug Enforcement Administration. If he was doing all he could, he would not have shortened minimum mandatory sentences for drug traffickers.

If President Clinton was doing all he could, he would not have disbanded Operation Snow Cap which helps foreign countries with DEA agents in cocaine-producing countries. If he was doing all he could, he would not have dropped the drug issue from the top to the bottom of the 229 priorities of the National Security Council.

Obviously, the President is not doing all that he can do, even though it was his promise when he ran for President.

□ 1015

THE IMPORTANCE OF A HEALTHY DOMESTIC ENERGY INDUSTRY

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

Mr. POSHARD. Mr. Speaker, the question this morning is, Do we think it is smart to import over half the oil which fuels the economy of this Nation? Is it smart not only economically, but militarily, to be that dependent on foreign oil? And is it smart to continue doing that when we have domestic oil producers such as the hundreds of small companies operating in my district and across Illinois, across this Nation, who could help balance the budget with increased domestic production?

I am joining my colleagues in the bipartisan Oil and Gas Forum to ask some of these questions over the next few weeks as we try to focus on a sound energy policy for this Nation which recognize the resources we have here at home, recognizing the importance of jobs created by a healthy domestic energy industry.

We are talking about Main Street America, from Casey to Carmi in my district, from Pennsylvania to California in this country, small businesses employing a dozen or so people who want to do business in an environmentally responsible way to help our economy, not making it more dependent on forces outside our control.

HOW ABOUT UNIFORMS FOR DRUG DEALERS?

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

Mr. CHRISTENSEN. Mr. Speaker, this week, Bill Clinton will be holding a forum on youth, crime, and drugs. My hometown of Omaha, NE, saw juvenile arrests for major crimes spike by 20 percent last year. In fact, by last year alone juveniles accounted for almost half of all the major crimes. In Omaha, there were 41 killings, 8 more than in 1994. We even lost one of our police officers to this tide of crime.

Unfortunately, President Clinton is AWOL on the war on drugs. He passed a hug-a-thug crime bill with funding for dance lessons for criminals, and then he cut funding for his own drug czar by 84 percent. His top public health official once suggested that we should legalize illicit drugs.

Instead the liberals are focused on another reform: uniforms for students. Mr. Speaker, I think that is a great idea, but I fully support it at the local level, not the Federal Department of Education level.

But I support another uniform as well: orange prison jump suits for those drug dealers and violent felons terrorizing our communities; as my colleagues know, the drug dealers and violent felons that get off on technicalities because of slick criminal trial lawyers. Hopefully, we can come together with this Youth Crime Violence League and we can come up with a bipartisan answer to solve America's problems together.

THE GINGRICH SOLUTION IS WRONG

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

Mr. BROWN of Ohio. Mr. Speaker, Scott Paper lays off 11,000 workers; their top executive gets millions of dollars in stock options. AT&T lays off 40,000 employees; its top management gets huge bonuses. Revco Drugstore in Twinsburg, OH, lays off 1,100 people; 4 of their executives get $1 million each.

The Newt Gingrich response: Cut education by $3 billion, cut Medicare by tens of billions of dollars, cut student loans by $4 billion. Why? Just to give tax breaks to the wealthiest people in this country.

Mr. Speaker, the Gingrich solution is wrong.

CLINTON'S WAR ON DRUGS A FAILURE

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

Mrs. SEASTRAND. Mr. Speaker, a month after taking office, President Clinton eliminated 83 percent of the staff at the Office of National Drug Policy. Now, in an apparent campaign year move, the President announced he is doing a complete about-face and will increase staff in that office.

Even though he is 3 years late, I'm glad the President has finally recognized the importance of a strong national drug office. But let us look at what has happened in the years that the President sat on the sidelines and watched the drug world go by.

Drug use among teens has skyrocketed. According to the household survey on drug use, marijuana use by 12- to 17-year-olds has gone from 1.6 million in 1992 to 2.9 million in 1994. The survey also found a 137-percent increase in marijuana use among 12- to 13-year-olds.

Mr. Speaker, actions speak louder than words. President Clinton may be saying a lot now that he is on the campaign trail, but his actions show he has failed in the war on drugs.

STOP PLAYING BUDGET GAMES

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

Ms. DELAURO. Mr. Speaker, today the House will consider yet another temporary spending bill to fund the Government. While the Republican congressional majority is operating the Government in fits and starts, they have been consistent in the targets of their cuts. Their agenda hurts working families.

Just take a look at education. The bill on the House floor today will cut $3.1 billion from education. That is a $1.2 billion cut in training for basic reading and math skills.

How does this help our children to succeed? It does not. It hurts our kids. In my State of Connecticut it means

that over 9,000 Connecticut school kids may not get the help that they need in order to compete in the 21st century.

The bill cuts assistance for college loans. That does not help working families.

My colleague prior to me getting up here this morning talked about drugs. They are going to cut the money for safe and drug-free schools. My colleagues bet, actions speak louder than words.

Vocational education and training cut, so that young people cannot get the opportunity to work.

Let us not cheat our children out of their future. Let us try to do something that helps working families.

EXAMINING CORPORATE WELFARE

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

Mr. BASS. Mr. Speaker, in about an hour the House Committee on the Budget will begin its process of developing a new budget for fiscal year 1997. The hearings this morning will focus on the subject of so-called corporate subsidies or corporate welfare. One of our witnesses defines corporate welfare as the use of Government authority to confer special benefits to specific firms or industries where there is no corresponding societal benefit. I am pleased to say that in the balanced budget or in the budget resolution, 1995, the Committee on the Budget identified over $95 billion worth of unnecessary spending on corporations.

Mr. Speaker, I am going to be releasing today a GAO report to the Committee on the Budget which will outline over 25 different projects that we could undertake to reduce corporate spending or Government spending, unnecessary Government spending, on corporations. It is time, as we face the 1997 budget cycle, to look to individual responsibility, but also corporate responsibility, and I commend the Committee on the Budget for taking the lead in this process.

PLAYING POLITICS WITH THE NATION'S FINANCIAL STANDING

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

Mr. RICHARDSON. Mr. Speaker, the Republican majority today will make sure we have more uncertainty with a limited debt limit extension and more gridlock with a sure-to-be vetoed continuing resolution. No wonder the Congress has a negative rating of over 60 percent. We have even surpassed used car salesmen in lack of confidence.

On the debt limit, again we are playing games with the Nation's financial standing, giving a debt limit extension just 2 more weeks simply to gain leverage for the majority's agenda. The continuing resolution cuts education by $3 billion, 20 percent over the last year, and decimates veterans' programs by $200 million. In fact, this bill unfairly targets VA Secretary Jesse Brown, who is doing his job with major cuts in his office; pettiness, politics. They do not like his pointing out that VA programs are being cut dramatically. On the chopping block today, student loans, basic reading and math skills, Head Start, safe and drug free schools, vocational education.

Mr. Speaker, let us end this gridlock.

CUT CORPORATE WELFARE AND MILITARY SPENDING TO BALANCE THE BUDGET, NOT THE MIDDLE-CLASS SAFETY NET

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

Ms. MCKINNEY Mr. Speaker, in April of last year, the General Accounting office released a report showing that 73 percent of all foreign corporations operating in the United States paid no income taxes in 1991.

These multinational corporations had sales of $359 billion in that year, yet 73 percent of them paid no taxes. Imagine that.

Mr. Speaker, it is no wonder we have a $4.9 trillion debt when profitable corporations get away with paying no income taxes.

Yet, my Republican colleagues insist on slashing Medicare, Medicaid, Education, and the environment to balance the budget. Now I ask you, is that fair?

The American people work hard and pay their taxes. All they ask for in return is a little security in their old age, some fairness in the tax code, and a second chance if they fall through the cracks in our changing economy.

Let us cut corporate welfare and military spending to balance the budget, not the middle class safety net.

THIS FROM THE PEOPLE WHO ARE GOING TO CUT REDTAPE AND REDUCE BURDENSOME PAPERWORK

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

Mr. SKAGGS. Mr. Speaker, they are back. The Istook amendment, in a somewhat watered-down form, but still a red-tape-filled, bureaucratic reporting nightmare, is back, made in order as we debate the continuing resolution later today.

Is this aimed at some of the bad guys in this country? No. It is aimed at the Red Cross, the YMCA, our local college or university, even small businesses that may be going through a hard time after a disaster and getting SBA help.

And what will be required? Mr. Speaker, again, as we have seen before, annual reports to the Federal Government about any effort to influence a decision even at the city or county level.

So, the local Y trying to get the city council to help out with the child care effort will have to report that to the Federal Government. The chapter of MADD trying to get a tougher DUI bill through the State legislature is going to have to report about that to the Federal Government. And the small business that got the SBA loan and makes a contribution to a local referendum will have to report that.

Mr. Speaker, this is from the people that were going to lighten the paperwork and reporting burdens from Washington.

CUTTING EDUCATION IS NOT CUTTING THE BUDGET

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

Mr. WISE. Mr. Speaker, if my colleagues want to know why I am voting today against the temporary spending bill, look no further than Rock Branch grade school and over 500 grade schools across West Virginia. This week at Rock Branch I met with parents, teachers, and students to hear firsthand what the cutbacks in education and title I will mean. This is a program that permits 38,000 West Virginia grade school children to have help in upgrading math and reading skills. Parents took time off from work to tell me how their children were not succeeding in school. I wish every Member here could have heard Melissa's mom as she choked back tears talking about how her daughter had moved from failing to passing with honors, or hear Brooke as she showed me how to work a computer, or hear Miss Gibson and Miss Evans, their eyes shining with pride as they talked about the students' progress.

On April 1, Mr. Speaker, West Virginia boards of education though will have to lay off hundreds of teachers and aides across the State of West Virginia, possibly deny 6,500 West Virginia grade schoolers this important learning opportunity, cutting almost $11 million from West Virginia's most important education program. Cutting grade school education is not cutting the deficit. There is nothing more expensive than ignorance, both individually and to our society.

HELPING WORKING FAMILIES

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

Mr. LEWIS of Georgia. Mr. Speaker, real wages are down. Thousands of workers have lost their jobs. Families are having a hard time finding the money to send their children to college, to save for retirement, to make ends meet.

Finally, Republicans are taking note. They sound like Democrats talking about the middle class.

Mr. Speaker, actions speak louder than words. Democrats raise the minimum wage, Republicans cut taxes for rich friends. Democrats vote for education and job training, Republicans raise taxes on working families.

Republicans help the rich and hurt the rest of us. They voted against Social Security, against Medicare. Senator DOLE even brags about voting against Medicare.

Republicans have started to talk about helping the middle class. It is time to do something about it.

Raise the minimum wage. Invest in education. Protect the pensions of working families.

Republicans have started to talk the talk. It is time for them to walk the walk.

□ 1030

VOTE ''NO'' ON THE TEMPORARY FUNDING BILL

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

Mr. STUPAK. Mr. Speaker, today we will do a temporary funding billing that will cut environmental enforcement programs for the Clean Water Act, the safe drinking water program. We will cut out the COPS Program and replace it with a block grant program that does not guarantee one more police officer on the streets of America. But the biggest cuts are in education, $3.3 billion in education.

In my district of northern Michigan, some of my counties, such as Antrim County, will lose $100,000; Cheboygan, $130,000; Grand Traverse County, over $200,000. What about college student loans? Over $4 billion in cuts in college student loans.

Mr. Speaker, we need programs that will support an increasing of wages for our workers. We need a program that will assure them good benefits and a secure retirement. We should be investing in education and training and not cutting it. Therefore, I will vote no on this temporary funding bill today.

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

Mr. LINDER. Mr. Speaker, I ask unanimous consent that the following committees and their subcommittees be permitted to sit today while the House is meeting in the Committee of the Whole House under the 5-minute rule: the Committee on Banking and Financial Services; the Committee on Commerce; the Committee on Economic and Educational Opportunities; the Committee on Government Reform and Oversight; the Committee on International Relations; the Committee on the Judiciary; the Committee on National Security; the Committee on Resources; the Committee on Science; the Committee on Small Business; the Committee on Transportation and Infrastructure; the Committee on Veterans' Affairs; and the Permanent Select Committee on Intelligence.

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

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

There was no objection.

GUARANTEEING CONTINUING FULL INVESTMENT OF SOCIAL SECURITY AND OTHER FEDERAL FUNDS IN OBLIGATIONS OF THE UNITED STATES

Mr. LINDER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 371 and ask for its immediate consideration.

The Clerk read as follows:

H. RES. 371

Resolved, That upon the adoption of this resolution it shall be in order to consider in the House the bill (H.R. 3021) to guarantee the continuing full investment of Social Security and other Federal funds in obligations of the United States. The amendment printed in the report of the Committee on Rules accompanying this resolution shall be considered as adopted. The bill, as amended, shall be debatable for one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means. The previous question shall be considered as ordered on the bill, as amended, to final passage without intervening motion except one motion to recommit. The motion to recommit may include instructions only if offered by the minority leader or his designee.

The SPEAKER pro tempore. The gentleman from Georgia [Mr. LINDER] is recognized for 1 hour.

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

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

Mr. LINDER. Mr. Speaker, this is a simple rule providing for the consideration of H.R. 3021. House Resolution 371 provides for 1 hour of general debate in the House equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means.

Following the hour of general debate, this resolution provides one motion to recommit as is the right of the minority. The motion to recommit may include instructions only if offered by the minority leader or his designee.

Mr. Speaker, this bill is intended to provide the Treasury Secretary with the authority to invest trust fund receipts or other Federal funds from the date of enactment of this bill through March 29, 1996. H.R. 3021 also extends the current authority to incur debt, not subject to the public debt limit, for the purpose of guaranteeing the timely payment of Social Security payments and other Federal disbursements. We must not jeopardize the full faith and credit of the United States, and this bill assures that Social Security payments and other Federal disbursements are available to the American people who have paid into these funds.

This is a very straightforward rule. This short term legislation not only protects those who have paid into Federal trust funds but also represents a good faith effort to allow the Governors sufficient time to work with the Congress and the administration on welfare and Medicaid reform.

The Governors who are involved in efforts to reform entitlements have requested more time to finalize the details of a bipartisan welfare and Medicaid reform proposal. This bill will give us some additional time to work out an agreement that may help salvage the economic future of our Nation.

Mr. Speaker, this is not business as usual. It is about our commitment to save our country from a crisis of crushing debt. The current Federal debt is approximately $4.9 trillion and interest on the debt is $235 billion per year. Over the next 15 years—if current patterns continue—this Nation will pay as much on interest on the debt each year as we pay for national defense beginning as early as 1997. Absent some fiscally responsible action by this Congress and the President, the interest on the debt and the spending on entitlement programs will soon strangle our economy and rob our children and grandchildren of the American dream. It is immoral to leave this mountain of debt to future generations.

It is important to note that this bleak scenario only becomes reality if current spending patterns continue. This Congress has already begun to make a difference by passing reduced appropriations bills and by passing the Balanced Budget Down Payment Act, which will save a combined $30 billion this year.

We know, however, that it is the uncontrolled growth of mandatory entitlement spending that will be the greatest contributor to the increasing debt. The massive spending associated with these programs is linked to the condition and magnitude of the debt. It is for this reason that we should pass this short-term debt limit increase while we continue to negotiate entitlement reform proposals that may be completed by the end of the month.

This rule and the accompanying legislation will surely pass with overwhelming support, serving as a solid sign that the House remains optimistic about the chances for responsible reforms. Given the administration's statements criticizing the Governor's reform proposals, we remain concerned that an agreement may prove elusive. However, the Governors have requested

more time to work on a bipartisan reform agreement, and I remain hopeful a resolution is still attainable.

With additional time, it is possible that elements of the Governor's recommendations could be among the cost-saving provisions attached to long-term legislation.

This resolution was unanimously reported out of the Rules Committee yesterday. I urge my colleagues to support the rule so that we may proceed with consideration of this legislation.

Mr. Speaker, I include for the RECORD the following material regarding House rules and the amendment process.

The material referred to is as follows:

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

[As of March 6, 1996]

Rule type	103d Congress		104th Congress	
	Number of rules	Percent of total	Number of rules	Percent of total
Open/Modified-open [2]	46	44	59	63
Modified Closed [3]	49	47	22	23
Closed [4]	9	9	13	14
Total	104	100	94	100

[1] This table applies only to rules which provide for the original consideration of bills, joint resolutions or budget resolutions and which provide for an amendment process. It does not apply to special rules which only waive points of order against appropriations bills which are already privileged and are considered under an open amendment process under House rules.

[2] An open rule is one under which any Member may offer a germane amendment under the five-minute rule. A modified open rule is one under which any Member may offer a germane amendment under the five-minute rule subject only to an overall time limit on the amendment process and/or a requirement that the amendment be preprinted in the Congressional Record.

[3] A modified closed rule is one under which the Rules Committee limits the amendments that may be offered only to those amendments designated in the special rule or the Rules Committee report to accompany it, or which preclude amendments to a particular portion of a bill, even though the rest of the bill may be completely open to amendment.

[4] A closed rule is one under which no amendments may be offered (other than amendments recommended by the committee in reporting the bill).

SPECIAL RULES REPORTED BY THE RULES COMMITTEE, 104TH CONGRESS

[As of March 6, 1996]

H. Res. No. (Date rept.)	Rule type	Bill No.	Subject	Disposition of rule
H. Res. 38 (1/18/95)	O	H.R. 5	Unfunded Mandate Reform	A: 350–71 (1/19/95).
H. Res. 44 (1/24/95)	MC	H. Con. Res. 17	Social Security	A: 255–172 (1/25/95).
		H.J. Res. 1	Balanced Budget Amdt	
H. Res. 51 (1/31/95)	O	H.R. 101	Land Transfer, Taos Pueblo Indians	A: voice vote (2/1/95).
H. Res. 52 (1/31/95)	O	H.R. 400	Land Exchange, Arctic Nat'l. Park and Preserve	A: voice vote (2/1/95).
H. Res. 53 (1/31/95)	O	H.R. 440	Land Conveyance, Butte County, Calif	A: voice vote (2/1/95).
H. Res. 55 (2/1/95)	O	H.R. 2	Line Item Veto	A: voice vote (2/2/95).
H. Res. 60 (2/6/95)	O	H.R. 665	Victim Restitution	A: voice vote (2/7/95).
H. Res. 61 (2/6/95)	O	H.R. 666	Exclusionary Rule Reform	A: voice vote (2/7/95).
H. Res. 63 (2/8/95)	MO	H.R. 667	Violent Criminal Incarceration	A: voice vote (2/9/95).
H. Res. 69 (2/9/95)	O	H.R. 668	Criminal Alien Deportation	A: voice vote (2/10/95).
H. Res. 79 (2/10/95)	MO	H.R. 728	Law Enforcement Block Grants	A: voice vote (2/13/95).
H. Res. 83 (2/13/95)	MO	H.R. 7	National Security Revitalization	PQ: 229–100; A: 227–127 (2/15/95).
H. Res. 88 (2/16/95)	MC	H.R. 831	Health Insurance Deductibility	PQ: 230–191; A: 229–188 (2/21/95).
H. Res. 91 (2/21/95)	O	H.R. 830	Paperwork Reduction Act	A: voice vote (2/22/95).
H. Res. 92 (2/21/95)	MC	H.R. 889	Defense Supplemental	A: 282–144 (2/22/95).
H. Res. 93 (2/22/95)	MO	H.R. 450	Regulatory Transition Act	A: 252–175 (2/23/95).
H. Res. 96 (2/24/95)	MO	H.R. 1022	Risk Assessment	A: 253–165 (2/27/95).
H. Res. 100 (2/27/95)	O	H.R. 926	Regulatory Reform and Relief Act	A: voice vote (2/28/95).
H. Res. 101 (2/28/95)	MO	H.R. 925	Private Property Protection Act	A: 271–151 (3/2/95).
H. Res. 103 (3/3/95)	MO	H.R. 1058	Securities Litigation Reform	
H. Res. 104 (3/3/95)	MO	H.R. 988	Attorney Accountability Act	A: voice vote (3/6/95).
H. Res. 105 (3/6/95)	MO			A: 257–155 (3/7/95).
H. Res. 108 (3/7/95)	Debate	H.R. 956	Product Liability Reform	A: voice vote (3/8/95).
H. Res. 109 (3/8/95)	MC			PQ: 234–191 A: 247–181 (3/9/95).
H. Res. 115 (3/14/95)	MO	H.R. 1159	Making Emergency Supp. Approps	A: 242–190 (3/15/95).
H. Res. 116 (3/15/95)	MC	H.J. Res. 73	Term Limits Const. Amdt	A: voice vote (3/28/95).
H. Res. 117 (3/16/95)	Debate	H.R. 4	Personal Responsibility Act of 1995	A: voice vote (3/21/95).
H. Res. 119 (3/21/95)	MC			A: 217–211 (3/22/95).
H. Res. 125 (4/3/95)	O	H.R. 1271	Family Privacy Protection Act	A: 423–1 (4/4/95).
H. Res. 126 (4/3/95)	O	H.R. 660	Older Persons Housing Act	A: voice vote (4/6/95).
H. Res. 128 (4/4/95)	MC	H.R. 1215	Contract With America Tax Relief Act of 1995	A: 228–204 (4/5/95).
H. Res. 130 (4/5/95)	MC	H.R. 483	Medicare Select Expansion	A: 253–172 (4/6/95).
H. Res. 136 (5/1/95)	O	H.R. 655	Hydrogen Future Act of 1995	A: voice vote (5/2/95).
H. Res. 139 (5/3/95)	O	H.R. 1361	Coast Guard Auth. FY 1996	A: voice vote (5/9/95).
H. Res. 140 (5/9/95)	O	H.R. 961	Clean Water Amendments	A: 414–4 (5/10/95).
H. Res. 144 (5/11/95)	O	H.R. 535	Fish Hatchery—Arkansas	A: voice vote (5/15/95).
H. Res. 145 (5/11/95)	O	H.R. 584	Fish Hatchery—Iowa	A: voice vote (5/15/95).
H. Res. 146 (5/11/95)	O	H.R. 614	Fish Hatchery—Minnesota	A: voice vote (5/15/95).
H. Res. 149 (5/16/95)	MC	H. Con. Res. 67	Budget Resolution FY 1996	PQ: 252–170 A: 255–168 (5/17/95).
H. Res. 155 (5/22/95)	MO	H.R. 1561	American Overseas Interests Act	A: 233–176 (5/23/95).
H. Res. 164 (6/8/95)	MC	H.R. 1530	Nat. Defense Auth. FY 1996	PQ: 225–191 A: 233–183 (6/13/95).
H. Res. 167 (6/15/95)	O	H.R. 1817	MilCon Appropriations FY 1996	PQ: 223–180 A: 245–155 (6/16/95).
H. Res. 169 (6/19/95)	MC	H.R. 1854	Leg. Branch Approps. FY 1996	PQ: 232–196 A: 236–191 (6/20/95).
H. Res. 170 (6/20/95)	O	H.R. 1868	For. Ops. Approps. FY 1996	PQ: 221–178 A: 217–175 (6/22/95).
H. Res. 171 (6/22/95)	O	H.R. 1905	Energy & Water Approps. FY 1996	A: voice vote (7/12/95).
H. Res. 173 (6/27/95)	C	H.J. Res. 79	Flag Constitutional Amendment	PQ: 258–170 A: 271–152 (6/28/95).
H. Res. 176 (6/28/95)	MC	H.R. 1944	Emer. Supp. Approps	PQ: 236–194 A: 234–192 (6/29/95).
H. Res. 185 (7/11/95)	O	H.R. 1977	Interior Approps. FY 1996	PQ: 235–193 D: 192–238 (7/12/95).
H. Res. 187 (7/12/95)	O	H.R. 1977	Interior Approps. FY 1996 #2	PQ: 230–194 A: 229–195 (7/13/95).
H. Res. 188 (7/12/95)	O	H.R. 1976	Agriculture Approps. FY 1996	PQ: 242–185 A: voice vote (7/18/95).
H. Res. 190 (7/17/95)	O	H.R. 2020	Treasury/Postal Approps. FY 1996	PQ: 232–192 A: voice vote (7/18/95).
H. Res. 193 (7/19/95)	C	H.J. Res. 96	Disapproval of MFN to China	A: voice vote (7/20/95).
H. Res. 194 (7/19/95)	O	H.R. 2002	Transportation Approps. FY 1996	PQ: 217–202 (7/21/95).
H. Res. 197 (7/21/95)	O	H.R. 70	Exports of Alaskan Crude Oil	A: voice vote (7/24/95).
H. Res. 198 (7/21/95)	O	H.R. 2076	Commerce, State Approps. FY 1996	A: voice vote (7/25/95).
H. Res. 201 (7/25/95)	O	H.R. 2099	VA/HUD Approps. FY 1996	A: 230–189 (7/25/95).
H. Res. 204 (7/28/95)	MC	S. 21	Terminating U.S. Arms Embargo on Bosnia	A: voice vote (8/1/95).
H. Res. 205 (7/28/95)	O	H.R. 2126	Defense Approps. FY 1996	A: 409–1 (7/31/95).
H. Res. 207 (8/1/95)	MC	H.R. 1555	Communications Act of 1995	A: 255–156 (8/2/95).
H. Res. 208 (8/1/95)	O	H.R. 2127	Labor, HHS Approps. FY 1996	A: 323–104 (8/2/95).
H. Res. 215 (9/7/95)	O	H.R. 1594	Economically Targeted Investments	A: voice vote (9/12/95).
H. Res. 216 (9/7/95)	MO	H.R. 1655	Intelligence Authorization FY 1996	A: voice vote (9/12/95).
H. Res. 218 (9/12/95)	O	H.R. 1162	Deficit Reduction Lockbox	A: voice vote (9/13/95).
H. Res. 219 (9/12/95)	O	H.R. 1670	Federal Acquisition Reform Act	A: 414–0 (9/13/95).
H. Res. 222 (9/18/95)	O	H.R. 1617	CAREERS Act	A: 388–2 (9/19/95).
H. Res. 224 (9/19/95)	O	H.R. 2274	Natl. Highway System	PQ: 241–173 A: 375–39–1 (9/20/95).
H. Res. 225 (9/19/95)	MC	H.R. 927	Cuban Liberty & Dem. Solidarity	A: 304–118 (9/20/95).
H. Res. 226 (9/21/95)	O	H.R. 743	Team Act	A: 344–66–1 (9/27/95).
H. Res. 227 (9/21/95)	O	H.R. 1170	3-Judge Court	A: voice vote (9/28/95).
H. Res. 228 (9/21/95)	O	H.R. 1601	Internatl. Space Station	A: voice vote (9/27/95).
H. Res. 230 (9/27/95)	C	H.J. Res. 108	Continuing Resolution FY 1996	A: voice vote (9/28/95).
H. Res. 234 (9/29/95)	O	H.R. 2405	Omnibus Science Auth	A: voice vote (10/11/95).
H. Res. 237 (10/17/95)	MC	H.R. 2259	Disapprove Sentencing Guidelines	A: voice vote (10/18/95).
H. Res. 238 (10/18/95)	MC	H.R. 2425	Medicare Preservation Act	PQ: 231–194 A: 227–192 (10/19/95).
H. Res. 239 (10/19/95)	C	H.R. 2492	Leg. Branch Approps	PQ: 235–184 A: voice vote (10/31/95).
H. Res. 245 (10/25/95)	MC	H. Con. Res. 109	Social Security Earnings Reform	PQ: 228–191 A: 235–185 (10/26/95).
		H.R. 2491	Seven-Year Balanced Budget	

SPECIAL RULES REPORTED BY THE RULES COMMITTEE, 104TH CONGRESS—Continued

[As of March 6, 1996]

H. Res. No. (Date rept.)	Rule type	Bill No.	Subject	Disposition of rule
H. Res. 251 (10/31/95)	C	H.R. 1833	Partial Birth Abortion Ban	A: 237–190 (11/1/95).
H. Res. 252 (10/31/95)	MO	H.R. 2546	D.C. Approps.	A: 241–181 (11/1/95).
H. Res. 257 (11/7/95)	C	H.J. Res. 115	Cont. Res. FY 1996	A: 216–210 (11/8/95).
H. Res. 258 (11/8/95)	MC	H.R. 2586	Debt Limit	A: 220–200 (11/10/95).
H. Res. 259 (11/9/95)	O	H.R. 2539	ICC Termination Act	A: voice vote (11/14/95).
H. Res. 261 (11/9/95)	C	H.J. Res. 115	Cont. Resolution	A: 223–182 (11/10/95).
H. Res. 262 (11/9/95)	C	H.R. 2586	Increase Debt Limit	A: 220–185 (11/10/95).
H. Res. 269 (11/15/95)	O	H.R. 2564	Lobbying Reform	A: voice vote (11/16/95).
H. Res. 270 (11/15/95)	C	H.J. Res. 122	Further Cont. Resolution	A: 229–176 (11/15/95).
H. Res. 273 (11/16/95)	MC	H.R. 2606	Prohibition on Funds for Bosnia	A: 239–181 (11/17/95).
H. Res. 284 (11/29/95)	O	H.R. 1788	Amtrak Reform	A: voice vote (11/30/95).
H. Res. 287 (11/30/95)	O	H.R. 1350	Maritime Security Act	A: voice vote (12/6/95).
H. Res. 293 (12/7/95)	C	H.R. 2621	Protect Federal Trust Funds	PQ: 223–183 A: 228–184 (12/14/95).
H. Res. 303 (12/13/95)	O	H.R. 1745	Utah Public Lands.	
H. Res. 309 (12/18/95)	C	H.Con. Res. 122	Budget Res. W/President	PQ: 230–188 A: 229–189 (12/19/95).
H. Res. 313 (12/19/95)	O	H.R. 558	Texas Low-Level Radioactive	A: voice vote (12/20/95).
H. Res. 323 (12/21/95)	C	H.R. 2677	Natl. Parks & Wildlife Refuge	Tabled (2/28/96).
H. Res. 366 (2/27/96)	MC	H.R. 2854	Farm Bill	PQ: 228–182 A: 244–168 (2/28/96).
H. Res. 368 (2/28/96)	O	H.R. 994	Small Business Growth	
H. Res. 371 (3/6/96)	C	H.R. 3021	Debt Limit Increase	
H. Res. 372 (3/6/96)	MC	H.R. 3019	Cont. Approps. FY 1996	

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

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

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

Mr. Speaker, I am going to support passage of this rule and this bill even though it provides only a temporary remedy to our current fiscal dilemma. Mr. Speaker, I support this proposal because it is the responsible thing to do.

But, Mr. Speaker, I believe that the majority is teteering on the edge of irresponsibility by not living up to the promise made before we took a 3-week recess in February. And that promise was, of course, to pass an increase in the debt ceiling the week we returned from the break. The House has now been back in business since February 27 and all the majority leadership seems able to produce to avert financial crisis is a temporary measure that will only take us through March 29.

Mr. Speaker, I urge the majority to do its job and get on with the people's business. While we are waiting for that to happen, it is incumbent upon us to support this proposal and ensure that the United States does not default on its obligations for the first time in its history.

Mr. Speaker, I include for the RECORD the following information regarding floor procedure in the 104th Congress.

The material referred to is as follows:

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

Bill No.	Title	Resolution No.	Process used for floor consideration	Amendments in order
H.R. 1*	Compliance	H. Res. 6	Closed	None.
H. Res. 6	Opening Day Rules Package	H. Res. 5	Closed; contained a closed rule on H.R. 1 within the closed rule	None.
H.R. 5*	Unfunded Mandates	H. Res. 38	Restrictive; Motion adopted over Democratic objection in the Committee of the Whole to limit debate on section 4; Pre-printing gets preference.	N/A.
H.J. Res. 2*	Balanced Budget	H. Res. 44	Restrictive; only certain substitutes	2R; 4D.
H. Res. 43	Committee Hearings Scheduling	H. Res. 43 (OJ)	Restrictive; considered in House no amendments	N/A.
H.R. 2*	Line Item Veto	H. Res. 55	Open; Pre-printing gets preference	N/A.
H.R. 665*	Victim Restitution Act of 1995	H. Res. 61	Open; Pre-printing gets preference	N/A.
H.R. 666*	Exclusionary Rule Reform Act of 1995	H. Res. 60	Open; Pre-printing gets preference	N/A.
H.R. 667*	Violent Criminal Incarceration Act of 1995	H. Res. 63	Restrictive; 10 hr. Time Cap on amendments	N/A.
H.R. 668*	The Criminal Alien Deportation Improvement Act	H. Res. 69	Open; Pre-printing gets preference; Contains self-executing provision	N/A.
H.R. 728*	Local Government Law Enforcement Block Grants	H. Res. 79	Restrictive; 10 hr. Time Cap on amendments; Pre-printing gets preference	N/A.
H.R. 7*	National Security Revitalization Act	H. Res. 83	Restrictive; 10 hr. Time Cap on amendments; Pre-printing gets preference	N/A.
H.R. 729*	Death Penalty/Habeas	N/A	Restrictive; brought up under UC with a 6 hr. time cap on amendments	N/A.
S. 2	Senate Compliance	N/A	Closed; Put on Suspension Calendar over Democratic objection	None.
H.R. 831	To Permanently Extend the Health Insurance Deduction for the Self-Employed.	H. Res. 88	Restrictive; makes in order only the Gibbons amendment; Waives all points of order; Contains self-executing provision.	1D.
H.R. 830*	The Paperwork Reduction Act	H. Res. 91	Open	N/A.
H.R. 889	Emergency Supplemental/Rescinding Certain Budget Authority	H. Res. 92	Restrictive; makes in order only the Obey substitute	1D.
H.R. 450*	Regulatory Moratorium	H. Res. 93	Restrictive; 10 hr. Time Cap on amendments; Pre-printing gets preference	N/A.
H.R. 1022*	Risk Assessment	H. Res. 96	Restrictive; 10 hr. Time Cap on amendments	N/A.
H.R. 926*	Regulatory Flexibility	H. Res. 100	Open	N/A.
H.R. 925*	Private Property Protection Act	H. Res. 101	Restrictive; 12 hr. time cap on amendments; Requires Members to pre-print their amendments in the Record prior to the bill's consideration for amendment, waives germaneness and budget act points of order as well as points of order concerning appropriating on a legislative bill against the committee substitute used as base text.	1D.
H.R. 1058*	Securities Litigation Reform Act	H. Res. 105	Restrictive; 8 hr. time cap on amendments; Pre-printing gets preference; Makes in order the Wyden amendment and waives germaneness against it.	1D.
H.R. 988*	The Attorney Accountability Act of 1995	H. Res. 104	Restrictive; 7 hr. time cap on amendments; Pre-printing gets preference	N/A.
H.R. 956*	Product Liability and Legal Reform Act	H. Res. 109	Restrictive; makes in order only 15 germane amendments and denies 64 germane amendments from being considered.	8D; 7R.
H.R. 1158	Making Emergency Supplemental Appropriations and Rescissions	H. Res. 115	Restrictive; Combines emergency H.R. 1158 & nonemergency 1159 and strikes the abortion provision; makes in order only pre-printed amendments that include offsets within the same chapter (deeper cuts in programs already cut); waives points of order against three amendments; waives cl 2 of rule XXI against the bill, cl 2, XXI and cl 7 of rule XVI against the substitute; waives cl 2(e) od rule XXI against the amendments in the Record; 10 hr time cap on amendments. 30 minutes debate on each amendment.	N/A.
H.J. Res. 73*	Term Limits	H. Res. 116	Restrictive; Makes in order only 4 amendments considered under a ''Queen of the Hill'' procedure and denies 21 germane amendments from being considered.	1D; 3R
H.R. 4*	Welfare Reform	H. Res. 119	Restrictive; Makes in order only 31 perfecting amendments and two substitutes; Denies 130 germane amendments from being considered; The substitutes are to be considered under a ''Queen of the Hill'' procedure; All points of order are waived against the amendments.	5D; 26R.
H.R. 1271*	Family Privacy Act	H. Res. 125	Open	N/A.
H.R. 660*	Housing for Older Persons Act	H. Res. 126	Open	N/A.
H.R. 1215*	The Contract With America Tax Relief Act of 1995	H. Res. 129	Restrictive; Self Executes language that makes tax cuts contingent on the adoption of a balanced budget plan and strikes section 3006. Makes in order only one substitute. Waives all points of order against the bill, substitute made in order as original text and Gephardt substitute.	1D.
H.R. 483	Medicare Select Extension	H. Res. 130	Restrictive; waives cl 2(1)(6) of rule XI against the bill; makes H.R. 1391 in order as original text; makes in order only the Dingell substitute; allows Commerce Committee to file a report on the bill at any time.	1D.
H.R. 655	Hydrogen Future Act	H. Res. 136	Open	N/A.
H.R. 1361	Coast Guard Authorization	H. Res. 139	Open; waives sections 302(f) and 308(a) of the Congressional Budget Act against the bill's consideration and the committee substitute; waives cl 5(a) of rule XXI against the committee substitute.	N/A.
H.R. 961	Clean Water Act	H. Res. 140	Open; pre-printing gets preference; waives sections 302(f) and 602(b) of the Budget Act against the bill's consideration; waives cl 7 of rule XVI, cl 5(a) of rule XXI and section 302(f) of the Budget Act against the committee substitute. Makes in order Shuster substitute as first order of business.	N/A.
H.R. 535	Corning National Fish Hatchery Conveyance Act	H. Res. 144	Open	N/A.

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

Bill No.	Title	Resolution No.	Process used for floor consideration	Amendments in order
H.R. 584	Conveyance of the Fairport National Fish Hatchery to the State of Iowa.	H. Res. 145	Open	N/A.
H.R. 614	Conveyance of the New London National Fish Hatchery Production Facility.	H. Res. 146	Open	N/A.
H. Con. Res. 67	Budget Resolution	H. Res. 149	Restrictive; Makes in order 4 substitutes under regular order; Gephardt, Neumann/Solomon, Payne/Owens, President's Budget if printed in Record on 5/17/95; waives all points of order against substitutes and concurrent resolution; suspends application of Rule XLIX with respect to the resolution; self-executes Agriculture language.	3D; 1R.
H.R. 1561	American Overseas Interests Act of 1995	H. Res. 155	Restrictive; Requires amendments to be printed in the Record prior to their consideration; 10 hr. time cap; waives cl 2(1)(6) of rule XI against the bill's consideration; Also waives sections 302(f), 303(a), 308(a) and 402(a) against the bill's consideration and the committee amendment in order as original text; waives cl 5(a) of rule XXI against the amendment; amendment consideration is closed at 2:30 p.m. on May 25, 1995. Self-executes provision which removes section 2210 from the bill. This was done at the request of the Budget Committee.	N/A.
H.R. 1530	National Defense Authorization Act FY 1996	H. Res. 164	Restrictive; Makes in order only the amendments printed in the report; waives all points of order against the bill, substitute and amendments printed in the report. Gives the Chairman en bloc authority. Self-executes a provision which strikes section 807 of the bill; provides for an additional 30 min. of debate on Nunn-Lugar section; Allows Mr. Clinger to offer a modification of his amendment with the concurrence of Ms. Collins.	36R; 18D; 2 Bipartisan.
H.R. 1817	Military Construction Appropriations; FY 1996	H. Res. 167	Open; waives cl. 2 and cl. 6 of rule XXI against the bill; 1 hr. general debate; Uses House passed budget numbers as threshold for spending amounts pending passage of Budget.	N/A.
H.R. 1854	Legislative Branch Appropriations	H. Res. 169	Restrictive; Makes in order only 11 amendments; waives sections 302(f) and 308(a) of the Budget Act against the bill and cl. 2 and cl. 6 of rule XXI against the bill. All points of order are waived against the amendments.	5R; 4D; 2 Bipartisan.
H.R. 1868	Foreign Operations Appropriations	H. Res. 170	Open; waives cl. 2, cl. 5(b), and cl. 6 of rule XXI against the bill; makes in order the Gilman amendments as first order of business; waives all points of order against the amendments; if adopted they will be considered as original text; waives cl. 2 of rule XXI against the amendments printed in the report. Pre-printing gets priority (Hall) (Menendez) (Goss) (Smith, NJ).	N/A.
H.R. 1905	Energy & Water Appropriations	H. Res. 171	Open; waives cl. 2 and cl. 6 of rule XXI against the bill; makes in order the Shuster amendment as the first order of business; waives all points of order against the amendment; if adopted it will be considered as original text. Pre-printing gets priority.	N/A.
H.J. Res. 79	Constitutional Amendment to Permit Congress and States to Prohibit the Physical Desecration of the American Flag.	H. Res. 173	Closed; provides one hour of general debate and one motion to recommit with or without instructions; if there are instructions, the MO is debatable for 1 hr.	N/A.
H.R. 1944	Recissions Bill	H. Res. 175	Restrictive; Provides for consideration of the bill in the House; Permits the Chairman of the Appropriations Committee to offer one amendment which is unamendable; waives all points of order against the amendment.	N/A.
H.R. 1868 (2nd rule)	Foreign Operations Appropriations	H. Res. 177	Restrictive; Provides for further consideration of the bill; makes in order only the four amendments printed in the rules report (20 min. each). Waives all points of order against the amendments; Prohibits intervening motions in the Committee of the Whole; Provides for an automatic rise and report following the disposition of the amendments.	N/A.
H.R. 1977 *Rule Defeated*	Interior Appropriations	H. Res. 185	Open; waives sections 302(f) and 308(a) of the Budget Act and cl 2 and cl 6 of rule XXI; provides that the bill be read by title; waives all points of order against the Tauzin amendment; self-executes Budget Committee amendment; waives cl 2(e) of rule XXI against amendments to the bill; Pre-printing gets priority.	N/A.
H.R. 1977	Interior Appropriations	H.Res. 187	Open; waives sections 302(f), 306 and 308(a) of the Budget Act; waives clauses 2 and 6 of rule XXI against provisions in the bill; waives all points of order against the Tauzin amendment; provides that the bill be read by title; self-executes Budget Committee amendment and makes NEA funding subject to House passed authorization; waives cl 2(e) of rule XXI against the amendments to the bill; Pre-printing gets priority.	N/A.
H.R. 1976	Agriculture Appropriations	H. Res. 188	Open; waives clauses 2 and 6 of rule XXI against provisions in the bill; provides that the bill be read by title; Makes Skeen amendment first order of business, if adopted the amendment will be considered as base text (10 min.); Pre-printing gets priority.	N/A.
H.R. 1977 (3rd rule)	Interior Appropriations	H. Res. 189	Restrictive; provides for the further consideration of the bill; allows only amendments preprinted before July 14th to be considered; limits motions to rise.	N/A.
H.R. 2020	Treasury Postal Appropriations	H. Res. 190	Open; waives cl. 2 and cl. 6 of rule XXI against provisions in the bill; provides the bill be read by title; Pre-printing gets priority.	N/A.
H.J. Res. 96	Disapproving MFN for China	H. Res. 193	Restrictive; provides for consideration in the House of H.R. 2058 (90 min.) And H.J. Res. 96 (1 hr). Waives certain provisions of the Trade Act.	N/A.
H.R. 2002	Transportation Appropriations	H. Res. 194	Open; waives cl. 3 Of rule XIII and section 401 (a) of the CBA against consideration of the bill; waives cl. 6 and cl. 2 of rule XXI against provisions in the bill; Makes in order the Clinger/Solomon amendment waives all points of order against the amendment (Line Item Veto); provides the bill be read by title; Pre-printing gets priority. *RULE AMENDED*.	N/A.
H.R. 70	Exports of Alaskan North Slope Oil	H. Res. 197	Open; Makes in order the Resources Committee amendment in the nature of a substitute as original text; Pre-printing gets priority; Provides a Senate hook-up with S. 395.	N/A.
H.R. 2076	Commerce, Justice Appropriations	H. Res. 198	Open; waives cl. 2 and cl. 6 of rule XXI against provisions in the bill; Pre-printing gets priority; provides the bill be read by title..	N/A.
H.R. 2099	VA/HUD Appropriations	H. Res. 201	Open; waives cl. 2 and cl. 6 of rule XXI against provisions in the bill; Provides that the amendment in part 1 of the report is the first business, if adopted it will be considered as base text (30 min.); waives all points of order against the Klug and Davis amendments; Pre-printing gets priority; Provides that the bill be read by title.	N/A.
S. 21	Termination of U.S. Arms Embargo on Bosnia	H. Res. 204	Restrictive; 3 hours of general debate; Makes in order an amendment to be offered by the Minority Leader or a designee (1 hr); If motion to recommit has instructions it can only be offered by the Minority Leader or a designee.	ID.
H.R. 2126	Defense Appropriations	H. Res. 205	Open; waives cl. 2(l)(6) of rule XI and section 306 of the Congressional Budget Act against consideration of the bill; waives cl. 2 and cl. 6 of rule XXI against provisions in the bill; self-executes a strike of sections 8021 and 8024 of the bill as requested by the Budget Committee; Pre-printing gets priority; Provides the bill be read by title.	N/A.
H.R. 1555	Communications Act of 1995	H. Res. 207	Restrictive; waives sec. 302(f) of the Budget Act against consideration of the bill; Makes in order the Commerce Committee amendment as original text and waives sec. 302(f) of the Budget Act and cl. 5(a) of rule XXI against the amendment; Makes in order the Bliely amendment (30 min.) as the first order of business, if adopted it will be original text; makes in order only the amendments printed in the report and waives all points of order against the amendments; provides a Senate hook-up with S. 652.	2R/3D/3 Bipartisan.
H.R. 2127	Labor/HHS Appropriations Act	H. Res. 208	Open; Provides that the first order of business will be the managers amendments (10 min.), if adopted they will be considered as base text; waives cl. 2 and cl. 6 of rule XXI against provisions in the bill; waives all points of order against certain amendments printed in the report; Pre-printing gets priority; Provides the bill be read by title.	N/A.
H.R. 1594	Economically Targeted Investments	H. Res. 215	Open; 2 hr of gen. debate. makes in order the committee substitute as original text	N/A.
H.R. 1655	Intelligence Authorization	H. Res. 216	Restrictive; waives sections 302(f), 308(a) and 401(b) of the Budget Act. Makes in order the committee substitute as modified by Govt. Reform amend (striking sec. 505) and an amendment striking title VII. Cl 7 of rule XVI and cl 5(a) of rule XXI are waived against the substitute. Sections 302(f) and 401(b) of the CBA are also waived against the substitute. Amendments must also be pre-printed in the Congressional record.	N/A.
H.R. 1162	Deficit Reduction Lock Box	H. Res. 218	Open; waives cl 7 of rule XVI against the committee substitute made in order as original text; Pre-printing gets priority.	N/A.
H.R. 1670	Federal Acquisition Reform Act of 1995	H. Res. 219	Open; waives sections 302(f) and 308(a) of the Budget Act against consideration of the bill; bill will be read by title; waives cl 5(a) of rule XXI and section 302(f) of the Budget Act against the committee substitute. Pre-printing gets priority.	N/A.
H.R. 1617	To Consolidate and Reform Workforce Development and Literacy Programs Act (CAREERS).	H. Res. 222	Open; waives section 302(f) and 401(b) of the Budget Act against the substitute made in order as original text (H.R. 2332), cl. 5(a) of rule XXI is also waived against the substitute. provides for consideration of the managers amendment (10 min.) If adopted, it is considered as base text.	N/A.
H.R. 2274	National Highway System Designation Act of 1995	H. Res. 224	Open; waives section 302(f) of the Budget Act against consideration of the bill; Makes H.R. 2349 in order as original text; waives section 302(f) of the Budget Act against the substitute; provides for the consideration of a managers amendment (10 min.) If adopted, it is considered as base text; Pre-printing gets priority.	N/A.

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

Bill No.	Title	Resolution No.	Process used for floor consideration	Amendments in order
H.R. 927	Cuban Liberty and Democratic Solidarity Act of 1995	H. Res. 225	Restrictive; waives cl 2(L)(2)(B) of rule XI against consideration of the bill; makes in order H.R. 2347 as base text; waives cl 7 of rule XVI against the substitute; Makes Hamilton amendment the first amendment to be considered (1 hr). Makes in order only amendments printed in the report.	2R/2D
H.R. 743	The Teamwork for Employees and managers Act of 1995	H. Res. 226	Open; waives cl 2(I)(2)(b) of rule XI against consideration of the bill; makes in order the committee amendment as original text; Pre-printing get priority.	N/A.
H.R. 1170	3-Judge Court for Certain Injunctions	H. Res. 227	Open; makes in order a committee amendment as original text; Pre-printing gets priority	N/A.
H.R. 1601	International Space Station Authorization Act of 1995	H. Res. 228	Open; makes in order a committee amendment as original text; pre-printing gets priority	N/A.
H.J. Res. 108	Making Continuing Appropriations for FY 1996	H. Res. 230	Closed; Provides for the immediate consideration of the CR; one motion to recommit which may have instructions only if offered by the Minority Leader or a designee.	
H.R. 2405	Omnibus Civilian Science Authorization Act of 1995	H. Res. 234	Open; self-executes a provision striking section 304(b)(3) of the bill (Commerce Committee request); Pre-printing gets priority.	N/A.
H.R. 2259	To Disapprove Certain Sentencing Guideline Amendments	H. Res. 237	Restrictive; waives cl 2(I)(2)(B) of rule XI against the bill's consideration; makes in order the text of the Senate bill S. 1254 as original text; Makes in order only a Conyers substitute; provides a senate hook-up after adoption.	1D
H.R. 2425	Medicare Preservation Act	H. Res. 238	Restrictive; waives all points of order against the bill's consideration; makes in order the text of H.R. 2485 as original text; waives all points of order against H.R. 2485; makes in order only an amendment offered by the Minority Leader or a designee; waives all points of order against the amendment; waives cl 5© of rule XXI (⅗ requirement on votes raising taxes).	1D
H.R. 2492	Legislative Branch Appropriations Bill	H. Res. 239	Restrictive; provides for consideration of the bill in the House	N/A.
H.R. 2491 H. Con. Res. 109	7 Year Balanced Budget Reconciliation Social Security Earnings Test Reform.	H. Res. 245	Restrictive; makes in order H.R. 2517 as original text; waives all pints of order against the bill; Makes in order only H.R. 2530 as an amendment only if offered by the Minority Leader or a designee; waives all points of order against the amendment; waives cl 5© of rule XXI (⅗ requirement on votes raising taxes).	1D
H.R. 1833	Partial Birth Abortion Ban Act of 1995	H. Res. 251	Closed	N/A.
H.R. 2546	D.C. Appropriations FY 1996	H. Res. 252	Restrictive; waives all points of order against the bill's consideration; Makes in order the Walsh amendment as the first order of business (10 min.); if adopted it is considered as base text; waives cl 2 and 6 of rule XXI against the bill; makes in order the Bonilla, Gunderson and Hostettler amendments (30 min.); waives all points of order against the amendments; debate on any further amendments is limited to 30 min. each.	N/A
H.J. Res. 115	Further Continuing Appropriations for FY 1996	H. Res. 257	Closed; Provides for the immediate consideration of the CR; one motion to recommit which may have instructions only if offered by the Minority Leader or a designee.	N/A
H.R. 2586	Temporary Increase in the Statutory Debt Limit	H. Res. 258	Restrictive; Provides for the immediate consideration of the CR; one motion to recommit which may have instructions only if offered by the Minority Leader or a designee; self-executes 4 amendments in the rule; Solomon, Medicare Coverage of Certain Anti-Cancer Drug Treatments, Habeas Corpus Reform, Chrysler (MI); makes in order the Walker amend (40 min.) on regulatory reform.	5R
H.R. 2539	ICC Termination	H. Res. 259	Open; waives section 302(f) and section 308(a)	
H.J. Res. 115	Further Continuing Appropriations for FY 1996	H. Res. 261	Closed; provides for the immediate consideration of a motion by the Majority Leader or his designees to dispose of the Senate amendments (1hr).	N/A.
H.R. 2586	Temporary Increase in the Statutory Limit on the Public Debt	H. Res. 262	Closed; provides for the immediate consideration of a motion by the Majority Leader or his designees to dispose of the Senate amendments (1hr).	N/A.
H. Res. 250	House Gift Rule Reform	H. Res. 268	Closed; provides for consideration of the bill in the House; 30 min. of debate; makes in order the Burton amendment and the Gingrich en bloc amendment (30 min. each); waives all points of order against the amendments; Gingrich is only in order if Burton fails or is not offered.	2R
H.R. 2564	Lobbying Disclosure Act of 1995	H. Res. 269	Open; waives cl. 2(I)(6) of rule XI against the bill's consideration; waives all points of order against the Istook and McIntosh amendments.	N/A.
H.R. 2606	Prohibition on Funds for Bosnia Deployment	H. Res. 273	Restrictive; waives all points of order against the bill's consideration; provides one motion to amend if offered by the Minority Leader or designee (1 hr non-amendable); motion to recommit which may have instructions only if offered by Minority Leader or his designee; if Minority Leader motion is not offered debate time will be extended by 1 hr.	N/A.
H.R. 1788	Amtrak Reform and Privatization Act of 1995	H. Res. 289	Open; waives all points of order against the bill's consideration; makes in order the Transportation substitute modified by the amend in the report; Bill read by title; waives all points of order against the substitute; makes in order a managers amend as the first order of business, if adopted it is considered base text (10 min.); waives all points of order against the amendment; Pre-printing gets priority.	N/A.
H.R. 1350	Maritime Security Act of 1995	H. Res. 287	Open; makes in order the committee substitute as original text; makes in order a managers amendment which if adopted is considered as original text (20 min.) unamendable; pre-printing gets priority.	N/A.
H.R. 2621	To Protect Federal Trust Funds	H. Res. 293	Closed; provides for the adoption of the Ways & Means amendment printed in the report. 1 hr. of general debate.	N/A.
H.R. 1745	Utah Public Lands Management Act of 1995	H. Res. 303	Open; waives cl 2(I)(6) of rule XI and sections 302(f) and 311(a) of the Budget Act against the bill's consideration. Makes in order the Resources substitute as base text and waives cl 7 of rule XVI and sections 302(f) and 308(a) of the Budget Act; makes in order a managers' amend as the first order of business, if adopted it is considered base text (10 min)..	N/A.
H.Res. 304	Providing for Debate and Consideration of Three Measures Relating to U.S. Troop Deployments in Bosnia.	N/A	Closed; makes in order three resolutions; H.R. 2770 (Dorman), H.Res. 302 (Buyer), and H.Res. 306 (Gephardt); 1 hour of debate on each..	1D; 2R
H.Res. 309	Revised Budget Resolution	H. Res. 309	Closed; provides 2 hours of general debate in the House	N/A.
H.R. 558	Texas Low-Level Radioactive Waste Disposal Compact Consent Act	H. Res. 313	Open; pre-printing gets priority	N/A.
H.R. 2677	The National Parks and National Wildlife Refuge Systems Freedom Act of 1995.	H. Res. 323	Closed; consideration in the House; self-executes Young amendment	N/A.
		PROCEDURE IN THE 104TH CONGRESS 2D SESSION		
H.R. 1643	To authorize the extension of nondiscriminatory treatment (MFN) to the products of Bulgaria.	H. Res. 334	Closed; provides to take the bill from the Speaker's table with the Senate amendment, and consider in the House the motion printed in the Rules Committee report; 1 hr. of general debate; previous question is considered as ordered.	N/A.
H.J. Res. 134 H. Con. Res. 131	Making continuing appropriations/establishing procedures making the transmission of the continuing resolution H.J. Res. 134.	H. Res. 336	Closed; provides to take from the Speaker's table H.J. Res. 134 with the Senate amendment and concur with the Senate amendment with an amendment (H. Con. Res. 131) which is self-executed in the rule. The rule provides further that the bill shall not be sent back to the Senate until the Senate agrees to the provisions of H. Con. Res. 131.	N/A.
H.R. 1358	Conveyance of National Marine Fisheries Service Laboratory at Gloucester, Massachusetts.	H. Res. 338	Closed; provides to take the bill from the Speakers table with the Senate amendment, and consider in the house the motion printed in the Rules Committee report; 1 hr. of general debate; previous quesetion is considered as ordered.	N/A.
H.R. 2924	Social Security Guarantee Act	H. Res. 355	Closed	N/A.
H.R. 2854	The Agricultural Market Transition Program	H. Res. 366	Restrictive; waives all points of order against the bill; 2 hrs of general debate; makes in order a committee substitute as original text and waives all points of order against the substitute; makes in order only the 16 amends printed in the report and waives all points of order against the amendments; circumvents unfunded mandates law; Chairman has en bloc authority for amends in report (20 min.) on each en bloc.	5D; 9R; 2 Bipartisan.
H.R. 994	Regulatory Sunset & Review Act of 1995	H. Res. 368	Open rule; makes in order the Hyde substitute printed in the Record as original text; waives cl 7 of rule XVI against the substitute; Pre-printing gets priority; vacates the House action on S. 219 and provides to take the bill from the Speakers table and consider the Senate bill; allows Chrmn. Clinger a motion to strike all after the enacting clause of the Senate bill and insert the text of H.R. 994 as passed by the House (1 hr) debate; waives germaneness against the motion; provides if the motion is adopted that it is in order for the House to insist on its amendments and request a conference.	N/A
H.R. 3021	To Guarantee the Continuing Full Investment of Social security and Other Federal Funds in Obligations of the United States.	H. Res. 371	Closed rule; gives one motion to recommit, which if it contains instructions, may only if offered by the Minority Leader or his designee.	N/A
H.R. 3019	A Further Downpayment Toward a Balanced Budget	H. Res. 372	Restrictive; self-executes CBO language regarding contingency funds in section 2 of the rule; makes in order only the amendments printed in the report; Lowey (20 min), Istook (20 min), Crapo (20 min), Obey (1 hr); waives all points of order against the amendments; give one motion to recommit, which if contains instructions, may only if offered by the Minority Leader or his designee.	2D/2R

*Contract Bills, 67% restrictive; 33% open. **All legislation 1st Session, 53% restrictive; 47% open. ***Legislation 2d Session. 88% restrictive; 12% open. ****All legislation 104th Congress 59% restrictive; 41% open. *****Restrictive rules are those which limit the number of amendments which can be offered, and include so-called modified open and modified closed rules as well as completely closed rules and rules providing for consideration in the House as opposed to the Committee of the Whole. This definition of restrictive rule is taken from the Republican chart of resolutions reported from the Rules Committee in the 103d Congress. N/A means not available.

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

Mr. LINDER. Mr. Speaker, for purposes of debate only, I yield such time as he may consume to my friend, the gentleman from Florida [Mr. GOSS], a member of the committee.

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

Mr. GOSS. Mr. Speaker, I thank the distinguished gentleman from Georgia [Mr. LINDER] for yielding me this time.

Mr. Speaker, I rise in support of this rule and this bill—which simply ensures responsible management of the Nation's trust funds so that the United States can make good on its obligations for the next 22 days. The purpose of this clean debt ceiling measure is not to increase the limit on the Federal Government's credit card. In fact, the bill is written to ensure that all we get from those 22 days is a useful window of time during which to tie ourselves firmly to the glidepath toward a balanced budget. If we don't accomplish that, at the end of this window we will find ourselves right back where we are today, very deep in the hole. That should be a strong incentive to keep us focused on the ultimate goal: Eliminating our annual budget deficits by eradicating excessive spending and starting to pay down our crushing national debt. I have always been loathe to support increases—even temporary ones—in the debt ceiling because I believe the trend on our borrowing should be toward less, not more. Still, I will support this measure because it provides a clear opportunity to lock us in on the glidepath toward balance.

Mr. Speaker, that is something that everybody in this country wants. This is an opportunity. If we fail to take it and do the job properly, I suspect that we will be hearing a lot about it as the months go forward, and I am reminded that November is, indeed, an election month. I think that is an appropriate time for us to have this problem solved by.

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

Mr. DOGGETT. Mr. Speaker, promises made, promises broken. That is, after all, the recurrent theme of this Gingrich revolution. There is no better example than what is occurring right here today.

I have a letter here dated February 1, 1996. It is addressed to the President of the United States at the White House. It says, in part, and it is a very short letter, ''You emphasized that authority to raise the debt limit is needed by the beginning of March. Your administration has communicated to use that action must be taken by February 29 to ensure there is not default. Congressional Republicans are committed to act by this date in a manner acceptable to both you and the Congress in order to guarantee the Government does not default on its obligations,'' and it is signed by the gentleman from Georgia, NEWT GINGRICH, by the gentleman from Texas, DICK ARMEY, and by BOB DOLE.

What happened on February 29? Yes, it was leap day and leap year, and our Republican colleagues leaped right over their pledge, because February 29 came and went and there was no permanent extension with reference to this matter of the full faith and credit of the United States. This is not some trivial matter. This is the creditworthiness of our entire country that is being messed with and meddled with in 2-week spurts.

Why is that? Because our Republican colleagues cannot agree among themselves. They cannot figure out which part of their extremist agenda to tack onto the debt limit, now that they have that hostage. They are over there saying, ''Well, should we use it to restrict the health care choices of American families?'' And then they have another group that says, ''Oh, no, this is a good opportunity to have unilateral disarmament with reference to law enforcement on environmental matters, clean air and clean water.'' Then they have another group that says, ''No, we could use this as hostage to place more obstacles in the way of public education.'' They cannot agree among themselves, so they need another 2 weeks to figure out what part of their extremist agenda to tack on and hold hostage the creditworthiness of the United States.

Let us reject that kind of extremism, as the American people have done. For once, we ask our Republican colleagues to keep their word.

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

Mr. Speaker, I would point out that we are responding to the Democrat as well as Republican Governors, to give them time to try to come up with a compromise, a bipartisan solution to Medicaid and welfare. They have asked for this extension. Hopefully, their cost savings can be part of the entire debt ceiling extension.

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

Mr. FROST. Mr. Speaker, I yield 2 minutes to the gentlewoman from Connecticut, [Ms. DELAURO].

Ms. DELAURO. Mr. Speaker, I would respond to my colleague who just spoke about what we need the 2 weeks for. We all know what that 2 weeks is for. That is to see how we can in fact continue to try to hold this Government, this country, and the President of the United States hostage with regard to the debt limit. That has been the program all along in extending this debt limit in 2-week periods of time.

Let me just say that I am going to support the proposal this morning because I believe it is the right thing to do, to have a clean debt limit to be extended. But this is an irresponsible action on the part of my Republican colleagues. This is a temporary measure. Everyone should understand that. This is for a 2-week period of time. Do not take the word ''debt limit,'' use and substitute for that ''credit rating.'' What we are discussing and talking about here today is the credit rating of the United States of America.

Let me tell the Members, if the Congress or the Republican majority does not understand credit rating, working men and women in this Nation know what that is all about. When your credit rating gets muddied, you are in a bad, bad situation and you cannot get a credit in the future. That stays with you for the remainder of your life.

What we are talking about here, what we are saying to Wall Street, what we are saying to Main Street, what we say to the international community, is that the United States of America will only honor its financial obligations for a 2-week period of time. After that, we will have another charade on this issue about what they might want to try to pile on, and then try, as I say, to hold the Government hostage and the President hostage.

Let me just say this, that my colleagues on the other side of the aisle talk about trying to run Government as a business. How many businesses do we know that start for 2 weeks, close down for 2 weeks, tell their vendors they will only pay them in the next 2 weeks, and after that they are on their own? Is this a way to run a business? It is not a way to run a business. It is not the way we provide trust and faith in what the American Government is all about. This is wrong.

□ 1045

Mr. LINDER. Mr. Speaker, I include the letter from the Governors for the RECORD, as follows:

WASHINGTON, DC, *March 6, 1996.*

Hon. ROBERT DOLE,
Majority Leader, U.S. Senate, Washington, DC
Hon. NEWT GINGRICH,
Speaker, U.S. House of Representatives, Washington, DC.

DEAR BOB AND NEWT: I am writing to request that the Congress not attach Medicaid and welfare reforms to a short-term debt ceiling increase. As a governor deeply involved in efforts to reform Medicaid and welfare, I believe that a short-term extension will enable the governors to complete our work in developing the merits of our bipartisan plan in greater detail. The governors welcome the opportunity to return to Washington, roll up our sleeves and work out the details of the bipartisan plan.

I understand that no member of Congress wants to increase the debt ceiling, even for such a short period, but those of us who have worked so diligently to reform the Medicaid and welfare systems believe that we are close to a workable solution. The governors are committed to working with Congress to send the President a bipartisan bill this year. It is imperative that we make this last push.

Thank you for all of your hard work. I look forward to a productive two weeks.

Sincerely,

MICHAEL O. LEAVITT,
Governor, State of Utah.

Mr. FROST. Mr. Speaker, I urge adoption of this rule, and I yield back the balance of my time.

Mr. LINDER. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. ARCHER. Mr. Speaker, pursuant to House Resolution 371, I call up the bill (H.R. 3021) to guarantee the continuing full investment of Social Security and other Federal funds in obligations of the United States, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. GILLMOR). Pursuant to House Resolution 371, the amendment printed in House Report 104–473 is adopted.

The text of H.R. 3021, as amended pursuant to House Resolution 371, is as follows:

H.R. 3021

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. TREATMENT OF CERTAIN OBLIGATIONS OF THE UNITED STATES.

(a) IN GENERAL.—In addition to any other authority provided by law, the Secretary of the Treasury may issue to each Federal fund obligations of the United States under chapter 31 of title 31, United States Code, before March 30, 1996, in an amount not to exceed the sum of—

(1) the amounts deposited in such fund on or after the earlier of—(A) the date on which such Secretary would not otherwise be able to issue such obligation to such fund, or (B) March 15, 1996, and before March 30, 1996, and

(2) the face amount of obligations held by such fund which mature during such period.

(b) OBLIGATIONS EXEMPT FROM PUBLIC DEBT LIMIT.—

(1) IN GENERAL.—Obligations issued under subsection (a) shall not be taken into account in applying the limitation in section 3101(b) of title 31, United States Code.

(2) TERMINATION OF EXEMPTION.—Paragraph (1) shall cease to apply on the earlier of—

(A) the date of the enactment of the first increase in the limitation in section 3101(b) of title 31, United States Code, after the date of the enactment of this Act, or

(B) March 30, 1996.

(c) FEDERAL FUND.—For purposes of this section, the term ''Federal fund'' means any Federal trust fund or Government account established pursuant to Federal law to which the Secretary of the Treasury has issued or is expressly authorized by law directly to issue obligations under chapter 31 of title 31, United States Code, in respect of public money, money otherwise required to be deposited in the Treasury, or amounts appropriated.

(d) EXTENSION OF EXISTING AUTHORITY.—Subparagraph (B) of section 1(c)(2) of Public Law 104–103 is amended by striking ''March 15, 1996'' and inserting ''March 30, 1996''.

The SPEAKER pro tempore. The gentleman from Texas [Mr. ARCHER] and the gentleman from Florida [Mr. GIBBONS] will each be recognized for 30 minutes.

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

GENERAL LEAVE

Mr. ARCHER. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 3021, the bill now under consideration.

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

There was no objection.

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

Mr. Speaker, I rise in strong support of H.R. 3021, a bill to guarantee the full investment of Social Security and other Federal funds through March 29, 1996. Members may remember that on February 1 the Congress granted the Treasury the necessary borrowing authority to guarantee the full and timely payments of Social Security benefits in March.

Because that authority expires next Friday, March 15, it is necessary to provide the Treasury with additional authority until the end of March to continue to invest receipts of Federal funds in debt obligations to the United States. These obligations will not be counted toward the debt limit, just as we exempted the obligations for Social Security payments in the February legislation.

In addition, H.R. 3021 extends the authority granted for paying Social Security benefits through March 29. If this authority is not provided, Federal trust funds such as Social Security will suffer because they will not receive the proper investment income they are due as required by current law.

I do not want to see any disruption of investments, particularly to Social Security. It is simply unnecessary to let that happen. Therefore, we need to act quickly on this legislation.

This temporary measure is being taken until the end of March in order to create a 2-week window of opportunity for the White House to join with the Congress in enacting entitlement reforms for welfare and Medicaid. The Nation's governors, in a bipartisan action, have paved the way for the Congress and the White House to forge agreements on these major issues, and by using this window of opportunity to reach an agreement, we can later this month pass a permanent debt limit extension that achieves real savings and reduces the level of debt we send to our children in the future.

Since the bill was introduced, Treasury has suggested a purely technical modification concerning the effective date of the bill, and we have incorporated it in the legislation. I understand they now concur with the legislative language of this bill. I also anticipate that the Senate will pass the bill quickly and the President will sign it. I urge its adoption.

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

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

Mr. Speaker, this bill needs to be adopted. I am not opposed to it. It is equivalent of a $62 billion debt increase for a period of only 2 weeks.

Unfortunately, 28 percent of all the debt, Mr. Speaker, that we are talking about here is held by foreigners. That is not a good way to treat those the you want to encourage to buy your bonds. It is obvious that they cannot predict what is going to happen here in this Congress, and there are other places for them to invest their capital rather than the U.S. obligations. After all, we pay the lowest interest rates in the world. So any time we destabilize this market, we are going to cost ourselves money. I hope we will all remember that.

Mr. Speaker, I yield 3 minutes to the gentlewoman from Connecticut [Mrs. KENNELLY].

Mrs. KENNELLY. Mr. Speaker, the bill before us today, H.R. 3021, would move the debt ceiling snapback date from March 15 to March 29. It would also assure that trust fund receipts, including Social Security, would be properly invested, and clearly it is before us to avert default.

We certainly should make sure that Social Security receipts are properly invested. I, too, intend to vote for the bill before us today, but I do it, Mr. Speaker, with great reluctance.

We are a country that is looked upon as the world leader for a number of reasons, and one of the most important reasons is because were are economically sound. Yes, we have a budget of $1.3 billion. Yes, in the month of January this country invested in the stock market $33 billion.

We are looked upon, when we sell bonds, that these bonds are secure. You can invest in them, you can put the money in the bank. We are a country that truly has always paid its debts. There has never been any thought of default, even when we faced war, even when we have had a depression. Full faith and credit of the United States of America really has always meant something.

So the reason I rise in reluctant support of this bill is, we are treating the debt limit like another piece of legislation. What the debt limit is is money spent, money owed. It should not even be discussed. The debt ceiling should have been raised November 1. It was not. We have been looking at it, we have been talking about it. The financial markets are thinking about it at all times.

So today we come to the floor with a 2-week debt limit extension. I really am embarrassed by this. I think we as a country stand for an awful lot more than playing politics with our debt ceiling. And so I say today, yes, of course we are going to not default, of course we are going to extend the debt ceiling for 2 weeks, but I think this is an opportunity or we will have an opportunity in 2 weeks to show the American people we know how to govern.

In 2 weeks, Mr. Speaker, I certainly hope we have before us what we should have had before us in November, a debt ceiling extension for the rest of the year so people will know across this country and around the world that we are serious, that we have full faith and credit, and we know how to run a government.

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

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

Mr. Speaker, I think this is an appropriate time for we Americans to stand up, or maybe to sit back and examine ourselves. We are talking about $5 trillion worth of investment in the United States, extending just temporarily for 2 weeks that $5 trillion before it all comes down and this place goes chaotic. It is so gargantuan that most of us can think it is going to be that.

But 28 percent or almost 30 percent of all of this investment in America is made by foreigners, and they do it not out of love for the United States and not out of the interest rate we pay them, but this is a safe place to put your investment. This is the safest place in the world.

Unfortunately, as we use this debt ceiling legislation as a hostage for other goals, we are destabilizing people's interest in investing in our America. Yesterday in a fit of emotion rather than reason, we declared war on the rest of the world by saying our laws are so strong and we are so strong and we are so important, even though we are only 5 percent of the Earth's population, that we can tell other sovereign nations what they cannot do outside of our borders.

Well, you know, we are dreaming when we do that and we are dreaming when we extend this debt ceiling in this temporary fashion for just 2 weeks. Now, I am not going to throw barbs at any political party. We Democrats did it, and it was a mistake, and it is just as much a mistake if the Republicans do it.

I would urge all of our Members to profit by reason and by good example and not by bad example. We have that. We owe that to all Americans. So I would say, Mr. Speaker, that we ought to extend this debt ceiling for much longer than 2 weeks. We ought to let everyone know that this is a soundly governed as well as an economically sound country, and we ought to examine our own role in the world.

We brag about our military might, but we do not possess all of the mental might in the world and we are only 5 percent of the Earth's population. We are blessed with 35 percent of its wealth. We must act responsibly, and a responsible thing to do at this time would be to make a permanent extension, a clean permanent extension of this debt ceiling. Take away the doubt that haunts people's minds about this.

Remember, 28 percent or almost 30 percent of this $5 trillion comes from offshore, from foreign investors who are putting their money here, not because they love us, not because of the interest rate they pay us, but because we are sound and stable. In order to keep earning that kind of quality rating, we have got to act in a quality manner.

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

Mr. ARCHER. Mr. Speaker, I yield 3 minutes to the gentleman from Michigan [Mr. SMITH].

Mr. SMITH of Michigan. Mr. Speaker, I am sorry the gentleman from Florida [Mr. GIBBONS] is leaving.

Mr. Speaker, we need some good common sense on how Congress regains control over spending, and I brought this chart this morning to sort of portray what the almost crisis is as Congress, over the last 30 or 40 years, has lost control of spending. Spending for most of the Federal budget of $1.6 trillion almost is now, if you will, on automatic pilot.

The blue part of this pie chart represents the welfare entitlement programs. That means the money is automatically there. It does not go through the annual appropriation process, so as we look at the interest that is increasing, last year the gross interest was over $300 billion. If you include the interest paid on Social Security and the other trust funds, that means that we have now on automatic pilot 65 percent of the spending of the Federal Government.

The question is, how do we get a President that has found it to his advantage not to cut spending and to demagog the issue to change some of the welfare entitlement programs in the U.S. Congress?

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This legislation frankly is the last one I am going to support that does not try to move us in the direction of eventually getting onto a glide path to a balanced budget. I mean, everybody has heard the arguments of how terrible it is to pass on today's debts to our kids and grandkids. That is immoral.

The other part is the economic negative effects as government's demand for money in borrowing, and government last year borrowed 42 percent of all the money lent out in the United States. You do not have to be an expert in economics to understand that drives interest rates up.

Alan Greenspan, the Chairman of the Fed, says interest rates would come down up to 2 percent if we could end up balancing the budget. Everybody is saying it. Now we can do it. Let us pass this bill today. Let us not do it again unless we move toward the glide path toward a balanced budget.

Mr. GIBBONS. Mr. Speaker, I yield 1 minute to the gentleman from New Jersey [Mr. PALLONE].

Mr. PALLONE. Mr. Speaker, I am just amazed that we are talking again today about a short-term 2-week extension of the debt ceiling. Again, I think it is totally irresponsible on the part of the Republican leadership.

Essentially, what I understand is they do not know what to do. In other words, rather than just pass a clean debt ceiling for the rest of the year, which makes sense from the point of view of any kind of economic theory, they are waiting around to see what they might want to attach to this debt ceiling in an effort again to hold the Government hostage just as they did with the Government shutdown and just as they have done with the debt ceiling all along, to see what they can attach to it to move forward with their extreme agenda. I think it is really the height of irresponsibility to legislate in this fashion.

We know that there is always the possibility out there that the threat of default will send the economy of the country, the markets, into turmoil. I think once again it shows to me that the Republican leadership is not really concerned about what happens to the economy, what the impact is on the American people. All they want to do is sit around here for a few more weeks and see what they can load onto this debt ceiling in order to try to move their agenda.

Again, it is irresponsible. It is not fair. I hope, I hope that at the end of this 2-week period there will be some common sense that once again comes to the floor of this House of Representatives and that we see the Speaker and Republican leadership moving ahead with a clean debt ceiling for the remainder of this year. That is the only way to go. It is the only way to go if you want to act responsibly for this country.

Mr. ARCHER. Mr. Speaker, I yield 1 minute to the gentleman from Pennsylvania [Mr. ENGLISH], a respected member of the Committee on Ways and Means.

Mr. ENGLISH of Pennsylvania. Mr. Speaker, I rise in support of the legislation, which would create a debt ceiling opportunity, a 2-week window of opportunity so that we can bring real change to Washington. I believe that this is a responsible initiative. It allows us to continue to fund the Federal Government, but it also sets the stage so that we can use this window of opportunity to reach an agreement under which we can later this month pass a permanent debt limit bill that achieves real savings, reduces the debt and particularly reduces the debt, that we pass on to our children.

In my view, this is the responsible way to go. It gives us an opportunity to put together a coalition to get some things done as part of a permanent debt ceiling increase.

Mr. GIBBONS. Mr. Speaker, I yield 2 minutes to the gentleman from Texas [Mr. BENTSEN].

Mr. BENTSEN. Mr. Speaker, I thank my colleague, the ranking Democrat on the Committee on Ways and Means, for yielding to me.

Mr. Speaker and my colleagues, before the House decided to take a vacation during the month of February, before the budget talks lapsed, the leadership on the other side, the Senate majority leader, the Speaker of the House, the House majority leader sent a letter to the President. In that letter they said that,

> Your Administration has communicated to us that action must be taken by February

29 to ensure that there is no default and no delay in social security payments. Congressional Republicans are committed to act by this date in a manner acceptable to both you and the Congress in order to guarantee the government does not default on its obligations.

Of course, today is not February 29. Today is March 7, and the fact is that the Republican leadership has once again failed to stand up to the test of leadership and address what needs to be addressed.

What we are talking about here is the creditworthiness of the United States, the greatest creditworthiness of any nation in the history of the world, and yet they continue to want to play with it with a failed policy that they do not even know was what it is now. One day we hear we are going to attach some welfare reform. We do not know what that is going to be. Then we hear we are not going to attach it. Now we hear let us extend it another 2 weeks; maybe we can figure something out in the interim.

Let us remember a couple of things, let us remember the debt from 1981 to 1994 increased by $4 trillion at a time when we had 12 years of Republican Presidents who never once submitted a balanced budget to the Congress.

Give President Clinton his due that he is the first President in 17 years to submit a balanced budget to the Congress. You may not agree with everything in it, but at least we can start debating it.

Keep in mind the Republican budget that was proposed this year would have added $1 trillion to the national debt, and keep in mind, keep in mind that what this measure does is to pay for money that was already spent, including when we had a Republican-controlled Senate that added $4 trillion to the debt. Let us not ruin the Nation's creditworthiness. Let us get on with the Nation's business. Let us put this issue aside, increase the debt limit to where the President and the Republicans in their budget wanted to put it.

Mr. ARCHER. Mr. Speaker, I yield 1 minute to the gentleman from Michigan [Mr. SMITH].

(Mr. SMITH of Michigan asked and was given permission to revise and extend his remarks.)

Mr. SMITH of Michigan. Mr. Speaker, there has been a lot of talk about default. Default is not going to happen. Let me explain why.

In addition to the money already allocated to pay the interest on the national debt, and if you consider credibility, the creditworthiness of the United States to be jeopardized if we do not have timely payment of interest and principal, and principal is rolled over, we reissue principal, then the question becomes on timely payment of interest.

Look at this pie chart. Interest represents 15 percent of the money spent in our budget. In addition to the money already allocated to pay timely interest, if we were to take 1.5 percent additional from incoming revenues already coming into the Federal Government, interest would be paid. Treasury can do that.

Default is a red herring. It is not going to happen. It is ridiculous to talk about default if you are talking about default in terms of the creditworthiness of the United States, in terms of timely payment of interest and principal.

DEBT CEILING UPDATE NO. 5

On March 6, H.R. 3021 was sent to the House. This bill would temporarily allow Treasury to borrow outside the debt limit for the purposes of investing trust fund revenues into the trust funds until March 30.[1] Along with a refunding provision, this would allow for approximately $23 billion in additional debt authority. It also extends the provisions of H.R. 2924, now due to expire March 15, to March 30. H.R. 2924 effectively allowed additional borrowing of $29 billion outside the limit. The rationale for H.R. 3021 is that it will allow time for further refinement and drafting of proposals which may be attached to a longer debt increase.

RECENT EVENTS AND IMPENDING BORROWING REQUIREMENTS

On February 1, the House passed H.R. 2924, which allowed Treasury to issue approximately $29 billion in marketable debt outside the debt limit. By doing this, Congress blunted the threat by the Secretary of Treasury that failure to pass a debt ceiling increase by the end of January would result in failure to make timely Social Security payments. While there was considerable suspicion about the reality of the Secretary's threat, passage of the bill took care of a timing issue with regard to trust fund payments.

On March 15, the debt allowed under H.R. 2924 would count against the $4.9 trillion limit. The original March 15 date allowed Treasury to rollover the $27.6 billion of bills that mature March 14. On March 21, $25.5 billion of 13 week and 26 week bills come due. There is a possibility that Treasury could meet its March 21 obligations even if the debt limit exemption is not extended. On March 28, however, another $24.7 billion of bills comes due, and this could not be refunded without some form of increased borrowing authority, such as that included in H.R. 3021, or further Treasury use of options that were outlined in Debt Ceiling Update #4.

INCREASE IN THE DEBT LIMIT

Much discussion has taken place over what other types of legislation might be added to the debt limit bill, e.g., tax provisions, welfare and entitlement reform. However, there has been much less discussion of the form any increase might take.

The 160 members of the Debt Limit Coalition in the House, and 9 Senators, signed a letter to the President last June stating that they would require legislation be enacted to ensure we are on a glide path to a balanced budget by the year 2002. One way to accomplish this is to provide in the debt limit increase that increases shall not exceed the amount that would have been necessary under the vetoed Balanced Budget Act of 1995, along with no sale of marketable debt to the public, other than for refunding and cash management purposes, after the year 2002.

STAIR-STEP TO A BALANCED BUDGET

According to CBO estimates, the following would be the debt subject to limit at the end of the fiscal years leading to 2002: Fiscal year—debt subject to limit (trillions of dollars) 1996, 5.155; 1997, 5.432; 1998, 5.682; 1999, 5.908; 2000, 6.116; and 2001, 6.289.

The debt ceiling increase bill would state that debt ceiling increases in excess of these amounts are not valid. Senators Kyl and Mack have suggested that the legislation provide for actual increases in the limit according to this schedule, however, we have introduced and support legislation which would disallow increases in excess of the amount, but would not provide for actual increases. What is important is for Congress to make clear the path of debt over the next seven years, a beginning step to reasserting its constitutional power over borrowing.

NO NET MARKETABLE DEBT TO THE PUBLIC

A key provision would be to not allow Treasury to issue marketable debt to the public after the year 2002. This would ensure a balanced budget in fiscal year 2002, as Treasury could not borrow from the public in order to finance deficits.

Treasury would still be able to issue debt to trust funds. Since several of the trust funds may still be accumulating surpluses over time, it will be necessary to issue debt to keep them fully invested. This debt could be non-marketable government agency securities, such as is currently the case, or it could be marketable securities.

One may also want to provide for short term cash flow. There are at least two ways to handle cash management requirements. One is to take the position that Treasury will have several years notice of the requirement and expect Treasury to accumulate the extra $50 billion in cash it may need to smooth over any mismatch between the timing of receipts and outlays. The other is to exempt from the limit up to $50 billion of cash management notes of 120 days maturity or less, with all such notes maturing prior to the end of the each fiscal year.

PHILOSOPHY OF STAIR-STEP/NO NEW PUBLIC DEBT

As noted in several prior Debt Ceiling Updates, one of Congress' enumerated powers is to borrow money. The approach of detailing the maximum debt limit increases and no new public debt sales after the year 2002 would establish Congress' plan for borrowing and its position that the budget will be balanced in the year 2002. This is in contrast to the ad hoc debt limit increases which have been the pattern since 1940.

HOUSE TASK FORCE REPORT

On February 12, the House Task Force Debt Limit and Misuse of the Trust Funds released its report. Copies of the report are available from my office. The report covered four aspects: (1) a history of the federal debt and its effects on public choice and the economy; (2) whether the Secretary of the Treasury exceeded his authority when he disinvested the Civil Service Retirement and Disability Trust Fund (CSRDF); (3) whether the Secretary was misleading in his statements regarding the consequences of congressional failure to pass a debt ceiling increase; and (4) what congressional response is appropriate given the recent circumstances surrounding the debt limit.

The first conclusion of this report is that the choice of a debt suspension period of twelve months was outside the scope of the law. While the Secretary is given clear authority to disinvest the CSRDF, the law was intended to protect the trust fund, not provide an outlet for the Treasury to fund general fund expenditures. The language of the law would allow the Secretary to sequentially determine its ability to meet pension fund payments. It does not allow an unspecified lengthy declaration in order to generate enough cash to bypass congressional

[1] The bill also allows for maturing debt obligations.

authority over the amount of debt that the U.S. government can issue.

The second conclusion is that the Secretary clearly could have been more forthcoming in his statements regarding the likely outcome of not passing an increase in the debt limit. An enumerated power of Congress under Article I of the Constitution is to borrow money on the credit of the United States. Congress determined that the debt limit increase should be linked to legislation which put into place policy changes consistent with the debt increase. The Secretary argued for a debt limit increase not linked to any policy related to the budget. In the debate over the budget, the Secretary did not specify either to Congress or the public that failure to increase the debt limit would lead to disinvestment of certain trust funds, rather than a cataclysmic default. The Treasury, months prior to the date when the debt ceiling was reached had planned for the actions they took to ensure interest payments were made. The failure of Treasury officials to be forthcoming on this issue needlessly clouded the debate over a balanced budget and the linkage between debt and spending.

The third issue addressed by the report is congressional response to Treasury's actions of disinvestment of trust funds and sale of certain assets. While Congress has raised the debt limit 77 times since 1940, the recent experience demonstrates that clarification of the law is needed, as is specific congressional direction. The options which have been discussed during the debt limit debate, including disinvestment of trust funds, sale of assets, and delaying income tax refunds, should be directly addressed by the Congress, rather than left open to interpretation. Establishment of a bright line debt limit, through closure of options, should consider what flexibility should be given to the executive branch to manage cash during a period where the debt is at the limit established by Congress.

Mr. GIBBONS. Mr. Speaker, I yield 1 minute to the gentleman from Texas [Mr. BENTSEN].

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

Let me respond to my colleague from Michigan. If you do not pay your debt when it is due, if you do not pay the interest and principal when it is due, that is a default. And once you do that, that is when you have things like Moody's Investor Service, who say that the creditworthiness is in question. The U.S. creditworthiness would be brought into question. It already has been brought into question by the games this Congress is playing with the national debt if we do not pay our principal and interest.

Second of all, if you do what you say and you roll over the interest and, therefore, turn it into principal by not paying it, you add to the national debt. So you do two things: You lower the creditworthiness, you raise the cost of capital, and you raise the debt.

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

Mr. BENTSEN. I yield to the gentlewoman from Connecticut.

Mrs. KENNELLY. Mr. Speaker, I just looked at that chart quickly, but my understanding is the reason we raised the debt ceiling the last time is so we could pay the March 1 Social Security checks, which is billions and billions of dollars. That plan may look good on a chart, but I would say, in the name of all the Social Security recipients, it is not a good thing to even toy with. Forget the charts, raise the debt ceiling.

Mr. ARCHER. Mr. Speaker, I yield myself such time as I may consume, simply to assure this body that it is our intention not to see our Government default on its debt. There is no greater desire on the part of the administration nor minority to see that we do not default on our debt. We are not going to default on our debt, and that is one of the reasons why we have this bill before us.

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

Mr. GIBBONS. Mr. Speaker, I yield 2 minutes to the gentleman from Maryland [Mr. CARDIN].

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

Mr. Speaker, this process is outrageous. None of us wants to default on the obligations of this country. But we are now 6 months into the new year, and we still do not have a clean debt extension brought to the floor to get us through this year.

The last time we took this up a couple weeks ago we were promised by the Republican leadership that this issue would be resolved, that they would make sure that we had a debt extension passed that was acceptable to the President, and that is why they asked for the short-term extension.

Now we are back again with another short-term extension. Enough is enough. Let us pass a clean debt extension bill for the remainder of the year, and let us work together, Democrats and Republicans, in order to work out the budget issues.

But do not hold hostage the creditworthiness of this Nation. That is what you are doing by another temporary extension for another 2-week extension. How much longer are we going to go through this? We are 6 months into the year.

It is time to pass a debt extension for the remainder of this term. Then we can get together and work it out, and we should have done this earlier also, Democrats and Republicans, working together.

Has there been any effort made in the last couple of weeks to bring us together? There has not been.

But why are we holding the debtworthiness of this Nation hostage? Obviously, we have to support this legislation. It is the only thing before us, closed rule, cannot offer any alternatives.

Is this the open process we were promised by the Republicans? I do not think so. I know my constituents do not think so. This is not the way that we should be doing business, Mr. Speaker.

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

I was under the impression that what we are doing today is a responsible thing to do. I was under the impression it was noncontroversial. The rule passed without a record vote.

But now there seems to be a degree of controversy that is being inserted into this debate, and I cannot let pass without response the fact that there is nothing clean about sending more debt to our children and to their children. That to me is one of the most soiled activities that this Congress can enter into.

We are talking about trying to do something in conjunction ultimately with the debt ceiling that will reduce that burden in the years to come. I believe that is very responsible, and we intend to do that.

There are those who would try to take political advantage of the fact that we are now assuring that we will not default on the debt. I regret that.

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

Mr. GIBBONS. Mr. Speaker, I yield 2 minutes to the gentleman from Massachusetts [Mr. NEAL].

Mr. NEAL of Massachusetts. Mr. Speaker, I have stood at this same place for the last few minutes and essentially talked about the same thing.

There is a question of responsibility in this institution and the manner in which we should have acted some time ago by sending a clean debt extension to the President.

In a legislative institution, there must be an element of goodwill. There has to be some give and take. There really has not been a lot of give and take over this issue during the last many months.

I think that this opportunity, while it is not enough, is a signal that we ought to stop playing games with this issue of the debt ceiling.

I have had a chance to discuss the debate in front of the Committee on Banking and Financial Services this issue with Members of the other side. But the truth is we are still here again 6 months late acting upon an issue that we should have acted upon months ago, and now what are we doing? We are extending the debt ceiling from March 15 to March 29.

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So we are doing something even less than putting a Band-Aid on this problem. One of the most essential elements in a democratic society is confidence. With this issue, we are not providing any degree of certainty. We are not offering a clean debt extension in the manner that we should. We are playing a game with a serious issue.

Mr. Speaker, in just a few weeks, we are going to consider a long-term debt increase. I would ask today that that be offered in the manner in which we have requested, and it be a clean piece of legislation. I would hope with some accommodation the President would be able to sign it.

But the point today is we are not sending a clean debt ceiling issue to the President that will establish long-term confidence. Everybody in this institution knows it. We have discussed

this issue for a long time. It is time to act, and not on simply a 2-week basis.

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

It is fascinating to me to hear the arguments from the other side of the aisle, particularly in light of the fact that on March 25, 1993, Leon Panetta said, ''It is important to tie the debt limit to other disciplines that people would like to put in place.''

Clearly this type of action has been sanctioned by the White House.

I might also say to my friend on the other side of the aisle that we have passed a long-term increase in the debt ceiling as a part of the Balanced Budget Act. It was sent to the President, and he vetoed it. That is the reason why we are here today.

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

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

Mr. Speaker, let me assure my friend, the gentleman from Texas [Mr. ARCHER], who I honor for his integrity, his intellect and his honesty, as well as his position, that this is not controversial, this is educational.

I think all of us on this side will support this. We know it is the responsible thing to do.

Mr. Speaker, I yield 2½ minutes to the gentleman from New York [Mr. SCHUMER].

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

I think this is one of the saddest hours that I have been here in this body, certainly one of the saddest economic hours from the point of fiscal responsibility. It is utterly amazing, with all the sturm and drang, that the other side cannot find the will, the ability, the votes, the coherence, to bring a permanent debt ceiling extension to the floor after all these months. They know it is wrong not to extend the debt ceiling without all these riders attached. They know it roils the markets. They know it hurts them politically.

What is utterly amazing to me is that a small group toward the right end of the Republican Party is able to hold up everything, that my guess is the good gentleman from Texas knows, who is, as the gentleman from Florida [Mr. GIBBONS] said, a man of integrity, and the Speaker knows, it is not only wrong, but idiotic. Yet the politics govern.

As a Democrat, this is good. The people on Wall Street, who tend to be Republican, are scratching their heads and saying, ''What is going on over there?'' But as an American, it is awful, and I care more about that. Not to be able to pay our bills? The lesson the other side believes it has been teaching America is that we must pay our bills. We cannot be irresponsible, and then when it comes to bringing a debt ceiling bill to the floor, they act irresponsibly.

Yes, it is true, as the gentleman from Texas [Mr. ARCHER] has stated, that there have been times when the debt ceiling had other things added to it. But never has a group of Members threatened default unless they get their way, and never, and even worse, has the leadership of that party gone along with them and let them play with it.

Where is the leadership? Where is doing what we know is right? Where is the strength to say to people who have no idea what the financial markets are about, enough already?

We should be fighting on the budget, no question. But to use the creditworthiness of this Nation as a hammer, as a club, as a tool, as a hostage, is one of the most ridiculous and God-awful ideas I have seen. We should be passing a long-term, clean debt ceiling, get this issue out of the way, and go back to debating the budget issues, which indeed we have legitimate disagreements over.

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

Mr. Speaker, I would simply say there are so many things that could be said in this so-called educational process, as my friend from Florida described it. One must wonder listening to this debate whether it is intended to be educational or an effort to get some type of political rhetoric into the RECORD or political advantage. But I will restrain myself.

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

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

Mr. Speaker, I think the most interesting thing that we ought to be discussing here is how do you measure this debt and what impact does it have upon our society and our economy?

I think the best measure of this debt is the ratio of the debt to the gross domestic product of this country. If you look at this debt on a historical basis, in 1940 it was about at the same place it is today as far as its ratio to gross domestic product. During World War II it rose to about 125 percent of gross domestic product. Truly a remarkable feat, considering the size of the war effort, to keep it at that low a growth.

From 1945 until 1981, under Republican or Democratic Presidents, the debt to gross domestic product came down in almost a straight line fashion until it hit its low point in 1981, when it was at about 31 percent of gross domestic product. Since that time, and I throw no stones because I have been here in that time and participated in all of this, the debt has risen from 31 percent to around 70 percent of our gross domestic product. That measures our ability to repay it.

Obviously, from 1981 until today, we have not been paying off our debts as we had so soundly agreed to after World War II. I hope we will return to that and our gross domestic product will continue to increase, as will our dedication to paying off this debt. But we should not be making political hay out of it.

Mr. Speaker, I intend to vote for this resolution.

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

Mr. ARCHER. Mr. Speaker, I yield myself such time as I may consume in order to close on the bill, and I will be brief.

Mr. Speaker, this is a responsible thing for us to do. It not only prevents the possibility of default on the national debt, but it also assures that all of the funds that rightly belong in the trust funds, including the Social Security trust fund, will be invested in a timely fashion, so that those trust funds may benefit by the income generated by the investment.

I would also say that we must stop the process in this Congress of simply rubber-stamping increases in debt by saying, ''Oh, let's simply have a clean debt ceiling.''

Let us recognize that Leon Panetta was right in March 1993 when he said, ''It is appropriate to put a discipline on any increase in the debt ceiling so that we reduce the need for a further increase in the future.''

That is what we should be about, and that is what we will ultimately do, to assure that at the time we increase the debt ceiling, we at least are assuring our children and their children that there will be less debt and less interest on that debt to pay in the future.

Mr. Speaker, I urge the adoption of the resolution.

Mr. STOKES. Mr. Speaker, I rise in support of H.R. 3021, the short-term debt limit extension legislation. The current measure allows the Government to pay its bills through March 15, while H.R. 3021 makes it possible for the Government to meet its financial obligations through March 29. I am pleased that H.R. 3021 is a clean bill—and it not burdened down with nongermane provisions.

The bill authorizes the Secretary of the Treasury to make the necessary investments of receipts received from trust funds and other Federal funds as well. As such, the Government would be able to pay Social Security checks, Medicare payments, veteran's benefit checks, and Federal workers, businesses, and individuals who provide goods and services to the Government through March 29.

While I appreciate that this measure postpones the Governments' potential default on the Nation's credit, I am outraged at this continuing and escalating piecemeal approach to operating the Government.

The American people have been patient—while there lives have been needlessly disrupted—with two extensive politically contrived Government shutdowns—which cost the Nation $1.5 billion. This did not reduce the deficit, it increased it. Such waste must not be tolerated.

Mr. Speaker, we are more than 5 months into the 1996 fiscal year, yet action is still pending on a regular debt ceiling measure, and five fiscal year 1996 major appropriations bills are yet to be enacted. As such, a number of major Federal Government agencies are in a holding pattern—awaiting passage of their respective appropriations bill.

These funds are desperately needed to keep them operating for the rest of the current fiscal year. Among the agencies adversely impacted are the Departments of Labor, Health

and Human Services, Education, Veterans Affairs, and Housing and Urban Development.

However, rather than completing action on the remaining appropriations bills, the Republican majority is seeking passage of a 10th continuing resolution.

The American people must not continue to be held hostage by stopgap continuing resolutions, and short-term debt limit extensions. Let's put an end to this irresponsible and piecemeal approach to managing the Nation's Government.

Mr. Speaker, the American people deserve a fully operating Government. While I urge my colleagues to vote ''yes'' to the short-term debt limit extension bill, H.R. 3021, I also strongly urge them to go back and draft a clean regular-term debt ceiling bill, and to complete action on the remaining appropriations bills.

Ms. ESHOO. Mr. Speaker, today the House will consider legislation to extend the debt ceiling, allowing the U.S. Government to avoid default on its financial obligations. Unfortunately, the bill before us extends borrowing authority only through March 29. Further, I understand attempts may be made to attach controversial proposals to subsequent debt ceiling extensions. I urge my colleagues to exercise restraint and pass a clean, long-term debt ceiling extension bill.

Mr. Speaker, it's time to quit playing games with the full faith and credit of the United States. We are playing with the funds of every citizen who invests in U.S. securities markets.

In fact, one out of every three Americans invests in the U.S. securities markets, either directly or through mutual funds. In 1995, investors bought nearly $120 billion worth of funds that invest primarily in U.S. stock. Funds that invest primarily in American stocks had over $1.07 trillion in assets at year-end 1995.

This is not an arcane technical issue affecting only a few major investors—it affects every citizen of the United States.

The word of the U.S. Government is respected around the world and by every market—now, our credit-worthiness is at stake. I urge my colleagues to support an extension of the debt ceiling without controversial provisions that could endanger its enactment.

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

The SPEAKER pro tempore (Mr. GILLMOR). Pursuant to House Resolution 371, the previous question is ordered on the amendment and on the bill.

Pursuant to House Resolution 371, the amendment is adopted.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

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

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

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

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 362, nays 51, not voting 18, as follows:

[Roll No. 48]

YEAS—362

Abercrombie
Ackerman
Andrews
Archer
Armey
Bachus
Baesler
Baker (LA)
Baldacci
Ballenger
Barrett (NE)
Barrett (WI)
Bass
Bateman
Becerra
Beilenson
Bentsen
Bereuter
Berman
Bevill
Bilbray
Bilirakis
Bishop
Bliley
Blute
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boucher
Brewster
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Brownback
Bryant (TN)
Bunning
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cardin
Castle
Chambliss
Chrysler
Clayton
Clement
Clinger
Clyburn
Coble
Collins (GA)
Collins (IL)
Combest
Condit
Conyers
Costello
Coyne
Cramer
Crane
Cremeans
Cubin
Cunningham
Danner
Davis
de la Garza
Deal
DeFazio
DeLauro
DeLay
Dellums
Deutsch
Dingell
Dixon
Doggett
Dooley
Doyle
Dreier
Duncan
Dunn
Durbin
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Evans
Everett
Ewing
Farr
Fattah
Fawell
Fazio
Fields (LA)
Fields (TX)
Filner
Flake
Flanagan
Foglietta
Foley
Ford
Fowler
Fox
Frank (MA)
Franks (CT)
Franks (NJ)
Frelinghuysen
Frisa
Frost
Funderburk
Furse
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Geren
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goodlatte
Goodling
Gordon
Goss
Graham
Greenwood
Gunderson
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Harman
Hastings (FL)
Hastings (WA)
Hayes
Hefner
Heineman
Herger
Hilleary
Hilliard
Hinchey
Hobson
Hoekstra
Hoke
Holden
Horn
Hostettler
Hunter
Hutchinson
Hyde
Inglis
Jackson (IL)
Jackson-Lee (TX)
Jacobs
Jefferson
Johnson (CT)
Johnson (SD)
Johnson, E. B.
Johnson, Sam
Johnston
Kanjorski
Kaptur
Kasich
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kim
King
Kingston
Kleczka
Klink
Klug
Knollenberg
Kolbe
LaFalce
LaHood
Lantos
Latham
LaTourette
Laughlin
Lazio
Leach
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Lightfoot
Lincoln
Linder
Lipinski
Livingston
LoBiondo
Lofgren
Longley
Lowey
Lucas
Luther
Maloney
Manton
Manzullo
Markey
Martinez
Martini
Mascara
Matsui
McCarthy
McCollum
McCrery
McDade
McDermott
McHale
McHugh
McKeon
McKinney
McNulty
Meehan
Meek
Menendez
Meyers
Miller (CA)
Miller (FL)
Minge
Mink
Moakley
Molinari
Mollohan
Montgomery
Moorhead
Moran
Morella
Murtha
Myrick
Nadler
Neal
Nethercutt
Neumann
Ney
Oberstar
Obey
Olver
Ortiz
Orton
Owens
Oxley
Packard
Pallone
Parker
Pastor
Paxon
Payne (NJ)
Payne (VA)
Peterson (FL)
Peterson (MN)
Petri
Pickett
Pomeroy
Porter
Poshard
Pryce
Quillen
Quinn
Rahall
Ramstad
Rangel
Reed
Regula
Richardson
Riggs
Rivers
Roberts
Roemer
Rogers
Rohrabacher
Rose
Roth
Roukema
Roybal-Allard
Rush
Sabo
Sanders
Sanford
Sawyer
Saxton
Schiff
Schumer
Scott
Seastrand
Sensenbrenner
Serrano
Shaw
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Spence
Spratt
Stark
Stearns
Stenholm
Studds
Stump
Stupak
Talent
Tanner
Tate
Tauzin
Taylor (NC)
Tejeda
Thompson
Thornton
Thurman
Torkildsen
Torres
Torricelli
Towns
Upton
Velazquez
Vento
Volkmer
Vucanovich
Waldholtz
Walker
Walsh
Wamp
Ward
Watt (NC)
Waxman
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Williams
Wilson
Wise
Wolf
Woolsey
Yates
Young (AK)
Young (FL)
Zeliff
Zimmer

NAYS—51

Allard
Baker (CA)
Barr
Bartlett
Barton
Bunn
Burr
Chabot
Chenoweth
Christensen
Coburn
Coleman
Cooley
Cox
Crapo
Dickey
Doolittle
Dornan
Ensign
Forbes
Hancock
Hansen
Hayworth
Hefley
Istook
Largent
McInnis
McIntosh
Metcalf
Mica
Norwood
Nussle
Pelosi
Pombo
Radanovich
Royce
Salmon
Scarborough
Schaefer
Schroeder
Shadegg
Shays
Souder
Stockman
Taylor (MS)
Thomas
Thornberry
Tiahrt
Traficant
Visclosky
Watts (OK)

NOT VOTING—18

Barcia
Bryant (TX)
Chapman
Clay
Collins (MI)
Diaz-Balart
Dicks
Green
Hastert
Houghton
Hoyer
Jones
Myers
Portman
Ros-Lehtinen
Stokes
Waters
Wynn

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Messrs. HEFLEY, ALLARD, and ENSIGN changed their vote from ''yea'' to ''nay.''

Mr. DEFAZIO and Mrs. VUCANOVICH changed their vote from ''nay'' to ''yea.''

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. HASTERT. Mr. Speaker, on rollcall No. 48, I was unavoidably detained in committee. Had I been present, I would have voted ''yea.''

PERSONAL EXPLANATION

Mr. HOYER. Mr. Speaker, I rise to ask that immediately following rollcall vote No. 48 a statement be included therein indicating that because the President of the United States was in my district this morning, and I was with him, I was unable to vote on rollcall No. 48, which extended the debt limit. Had I been here I would have voted ''aye.''

PERSONAL EXPLANATION

Ms. WATERS. Mr. Speaker, earlier today, I was unavoidably detained during rollcall vote

No. 48, to temporarily extend the debt ceiling. Had I been present, I would have voted ''aye.''

PERSONAL EXPLANATION

Ms. SLAUGHTER. Mr. Speaker, I was unable to be present for rollcall vote No. 47 taken on March 6, 1996. Had I been present, I would have voted ''no.''

PROVIDING FOR CONSIDERATION OF H.R. 3019, BALANCED BUDGET DOWNPAYMENT ACT, II

Mr. DREIER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 372 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 372

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the State of the Union for consideration of the bill (H.R. 3019) making appropriations for fiscal year 1996 to make a further downpayment toward a balanced budget, and for other purposes. The first reading of the bill shall be dispensed with. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. After general debate the bill shall be considered for amendment under the five-minute rule. The amendment printed in section 2 of this resolution shall be considered as adopted in the House and in the Committee of the Whole. The bill, as amended, shall be considered as the original bill for the purpose of further amendment. This bill, as amended, shall be considered as read. No further amendment shall be in order except those specified in the report of the Committee on Rules accompanying this resolution. Each further amendment may be considered only in the order specified in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment except as specified in the report, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against the amendments specified in the report are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit. The motion to recommit may include instructions only if offered by the minority leader or his designee.

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

Page 539, line 16, strike ''specifically addresses the availability of'' and insert in lieu thereof ''expressly makes available for obligation''.

The SPEAKER pro tempore. The gentleman from California [Mr. DREIER] is recognized for 1 hour.

Mr. DREIER. Mr. Speaker, for purposes of debate only, I yield the customary 30 minutes to the gentleman from South Boston, Massachusetts [Mr. MOAKLEY], and pending that I yield myself such time as I may consume. All time yielded is for the purpose of debate only.

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

Mr. DREIER. Mr. Speaker, this rule provides for consideration of H.R. 3019, the second Balanced Budget Down Payment Act, under a modified closed rule, providing 1 hour of general debate divided equally between the chairman and ranking minority member of the Committee on Appropriations.

The rule further provides for adoption in the House and in the Committee of the Whole for a technical amendment printed in section 2 of the resolution.

Only amendments specified in the Committee on Rules report are in order.

The rule makes in order four amendments: An amendment by the gentlewoman from New York [Mrs. LOWEY] to strike language in the bill giving States authority to determine if Medicaid shall fund abortions other than to save the life of a mother within that State; an amendment by the gentleman from Oklahoma [Mr. ISTOOK] to require organizations that receive Federal grants to disclose their lobbying activities; an amendment by the gentleman from Idaho, [Mr. CRAPO] to establish a deficit reduction lockbox; and a substitute that may be offered by the gentleman from Wisconsin, [Mr. OBEY].

Mr. Speaker, the substitute amendment shall be debatable for 60 minutes. The other amendments shall be debatable for 20 minutes each. Time for each amendment shall be equally divided and controlled by an opponent and a proponent. All points of order against the amendments are waived. Each amendment shall be considered as read and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole.

Finally, the rule provides that the previous question shall be considered as ordered on the bill to final passage without intervening motion except one motion to recommit which, if containing instructions, may only be offered by the minority leader or his designee.

Mr. Speaker, less than 6 weeks ago, the President stood right here in this Chamber and declared to the Congress and the American people that the era of big government is over. He also closed that State of the Union Message with a plea, a plea to all of us. He said, ''I challenge all of you in this Chamber. Let us never, ever, shut the Federal Government down again.''

Now, Mr. Speaker, this bill will prevent a partial Government shutdown on March 15. The bill essentially completes the fiscal year 1996 appropriations process so that this House can get down to the business of dealing with the fiscal year 1997. Most importantly, this bill continues the process of trimming Federal spending so that we can proceed to a balanced budget by 2002. It is critical that America's children wake up on January 1, 2000, and can see that we are on the verge of ending the annual deficits that are mortgaging their chance for a bright future.

Regrettably, it appears that the era of big government has returned down at 1600 Pennsylvania Avenue. In order to increase Federal spending in his favored programs, the President is now threatening to, and listen to this carefully, Mr. Speaker, he is threatening to close down the Federal Government. He will again shut down the Government with his veto pen if we do not add another $8 billion in deficit spending to this bill.

The crocodile tears are flooding out onto Pennsylvania Avenue, and the rhetoric is right from their pollsters and focus groups. The President will shut down the Federal Government again rather than sign a bill that does not spend more on Federal education, environment, and worker training programs.

Mr. Speaker, there is no substance behind the White House charges. Just look at the issue of education, for example. Local communities and States carry the load on education, not the Federal Government. The President claims that we propose to cut spending by $3.3 billion. Now to put that into perspective, the United States spends over one-half trillion dollars a year, over $500 billion a year, on education.

This Congress, the new majority, is strongly committed to improving education. The President, on the other hand, would not raise a finger to stand in the way of the powerful teachers unions that are strangling real education reforms in cities and towns all across this country, but he will shut down the Federal Government over a .6 of 1 percent cut in Federal spending.

If he insists on threatening to shut down the Federal Government again, I wish he would at least threaten to shut down the Government if we did not pass a tax cut on families and a reduction in the capital gains tax to get wages moving up. That would finally address the Clinton crunch that is squeezing working families.

Mr. Speaker, we have a moral obligation to our children to end the decades of deficits and debt. We must put families ahead of Government bureaucracies. This is a very tough job because the majority in Congress supports a smaller Government while the President wants the Government to solve more and more problems.

□ 1200

Nevertheless, this Congress remains committed to proceeding down the road to a balanced budget, and this bill closes out the fiscal year 1996 appropriations process, consistent with that goal.

The challenge that I would offer, Mr. Speaker, to our President is that he

should never, never, ever shut the Federal Government down again. I also challenge my colleagues on both sides of the aisle to support this rule and support the bill so we can work with the Senate and the White House to reduce the deficit and avoid a Federal Government shutdown.

Mr. Speaker, I include the following information on the amendment process:

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

[As of March 7, 1996]

Rule type	103d Congress		104th Congress	
	Number of rules	Percent of total	Number of rules	Percent of total
Open/Modified-open[2]	46	44	59	63
Modified Closed[3]	49	47	22	23
Closed[4]	9	9	13	14
Total	104	100	94	100

[1] This table applies only to rules which provide for the original consideration of bills, joint resolutions or budget resolutions and which provide for an amendment process. It does not apply to special rules which only waive points of order against appropriations bills which are already privileged and are considered under an open amendment process under House rules.

[2] An open rule is one under which any Member may offer a germane amendment under the five-minute rule. A modified open rule is one under which any Member may offer a germane amendment under the five-minute rule subject only to an overall time limit on the amendment process and/or a requirement that the amendment be preprinted in the Congressional Record.

[3] A modified closed rule is one under which the Rules Committee limits the amendments that may be offered only to those amendments designated in the special rule or the Rules Committee report to accompany it, or which preclude amendments to a particular portion of a bill, even though the rest of the bill may be completely open to amendment.

[4] A closed rule is one under which no amendments may be offered (other than amendments recommended by the committee in reporting the bill).

SPECIAL RULES REPORTED BY THE RULES COMMITTEE, 104TH CONGRESS

[As of March 7, 1996]

H. Res. No. (Date rept.)	Rule type	Bill No.	Subject	Disposition of rule
H. Res. 38 (1/18/95)	O	H.R. 5	Unfunded Mandate Reform	A: 350–71 (1/19/95).
H. Res. 44 (1/24/95)	MC	H. Con. Res. 17	Social Security	A: 255–172 (1/25/95).
		H.J. Res. 1	Balanced Budget Amdt	
H. Res. 51 (1/31/95)	O	H.R. 101	Land Transfer, Taos Pueblo Indians	A: voice vote (2/1/95).
H. Res. 52 (1/31/95)	O	H.R. 400	Land Exchange, Arctic Nat'l. Park and Preserve	A: voice vote (2/1/95).
H. Res. 53 (1/31/95)	O	H.R. 440	Land Conveyance, Butte County, Calif	A: voice vote (2/1/95).
H. Res. 55 (2/1/95)	O	H.R. 2	Line Item Veto	A: voice vote (2/2/95).
H. Res. 60 (2/6/95)	O	H.R. 665	Victim Restitution	A: voice vote (2/7/95).
H. Res. 61 (2/6/95)	O	H.R. 666	Exclusionary Rule Reform	A: voice vote (2/7/95).
H. Res. 63 (2/8/95)	MO	H.R. 667	Violent Criminal Incarceration	A: voice vote (2/9/95).
H. Res. 69 (2/9/95)	O	H.R. 668	Criminal Alien Deportation	A: voice vote (2/10/95).
H. Res. 79 (2/10/95)	MO	H.R. 728	Law Enforcement Block Grants	A: voice vote (2/13/95).
H. Res. 83 (2/13/95)	MO	H.R. 7	National Security Revitalization	PQ: 229–100; A: 227–127 (2/15/95).
H. Res. 88 (2/16/95)	MC	H.R. 831	Health Insurance Deductibility	PQ: 230–191; A: 229–188 (2/21/95).
H. Res. 91 (2/21/95)	O	H.R. 830	Paperwork Reduction Act	A: voice vote (2/22/95).
H. Res. 92 (2/21/95)	MC	H.R. 889	Defense Supplemental	A: 282–144 (2/22/95).
H. Res. 93 (2/22/95)	MO	H.R. 450	Regulatory Transition Act	A: 252–175 (2/23/95).
H. Res. 96 (2/24/95)	MO	H.R. 1022	Risk Assessment	A: 253–165 (2/27/95).
H. Res. 100 (2/27/95)	O	H.R. 926	Regulatory Reform and Relief Act	A: voice vote (2/28/95).
H. Res. 101 (2/28/95)	MO	H.R. 925	Private Property Protection Act	A: 271–151 (3/2/95).
H. Res. 103 (3/3/95)	MO	H.R. 1058	Securities Litigation Reform	
H. Res. 104 (3/3/95)	MO	H.R. 988	Attorney Accountability Act	A: voice vote (3/6/95).
H. Res. 105 (3/6/95)	MO			A: 257–155 (3/7/95).
H. Res. 108 (3/7/95)	Debate	H.R. 956	Product Liability Reform	A: voice vote (3/8/95).
H. Res. 109 (3/8/95)	MC			PQ: 234–191 A: 247–181 (3/9/95).
H. Res. 115 (3/14/95)	MO	H.R. 1159	Making Emergency Supp. Approps	A: 242–190 (3/15/95).
H. Res. 116 (3/15/95)	MC	H.J. Res. 73	Term Limits Const. Amdt	A: voice vote (3/28/95).
H. Res. 117 (3/16/95)	Debate	H.R. 4	Personal Responsibility Act of 1995	A: voice vote (3/21/95).
H. Res. 119 (3/21/95)	MC			A: 217–211 (3/22/95).
H. Res. 125 (4/3/95)	O	H.R. 1271	Family Privacy Protection Act	A: 423–1 (4/4/95).
H. Res. 126 (4/3/95)	O	H.R. 660	Older Persons Housing Act	A: voice vote (4/6/95).
H. Res. 128 (4/4/95)	MC	H.R. 1215	Contract With America Tax Relief Act of 1995	A: 228–204 (4/5/95).
H. Res. 130 (4/5/95)	MC	H.R. 483	Medicare Select Expansion	A: 253–172 (4/6/95).
H. Res. 136 (5/1/95)	O	H.R. 655	Hydrogen Future Act of 1995	A: voice vote (5/2/95).
H. Res. 139 (5/3/95)	O	H.R. 1361	Coast Guard Auth. FY 1996	A: voice vote (5/9/95).
H. Res. 140 (5/9/95)	O	H.R. 961	Clean Water Amendments	A: 414–4 (5/10/95).
H. Res. 144 (5/11/95)	O	H.R. 535	Fish Hatchery—Arkansas	A: voice vote (5/15/95).
H. Res. 145 (5/11/95)	O	H.R. 584	Fish Hatchery—Iowa	A: voice vote (5/15/95).
H. Res. 146 (5/11/95)	O	H.R. 614	Fish Hatchery—Minnesota	A: voice vote (5/15/95).
H. Res. 149 (5/16/95)	MC	H. Con. Res. 67	Budget Resolution FY 1996	PQ: 252–170 A: 255–168 (5/17/95).
H. Res. 155 (5/22/95)	MO	H.R. 1561	American Overseas Interests Act	A: 233–176 (5/23/95).
H. Res. 164 (6/8/95)	MC	H.R. 1530	Nat. Defense Auth. FY 1996	PQ: 225–191 A: 233–183 (6/13/95).
H. Res. 167 (6/15/95)	O	H.R. 1817	MilCon Appropriations FY 1996	PQ: 223–180 A: 245–155 (6/16/95).
H. Res. 169 (6/19/95)	MC	H.R. 1854	Leg. Branch Approps. FY 1996	PQ: 232–196 A: 236–191 (6/20/95).
H. Res. 170 (6/20/95)	O	H.R. 1868	For. Ops. Approps. FY 1996	PQ: 221–178 A: 217–175 (6/22/95).
H. Res. 171 (6/22/95)	O	H.R. 1905	Energy & Water Approps. FY 1996	A: voice vote (7/12/95).
H. Res. 173 (6/27/95)	C	H.J. Res. 79	Flag Constitutional Amendment	PQ: 258–170 A: 271–152 (6/28/95).
H. Res. 176 (6/28/95)	MC	H.R. 1944	Emer. Supp. Approps	PQ: 236–194 A: 234–192 (6/29/95).
H. Res. 185 (7/11/95)	O	H.R. 1977	Interior Approps. FY 1996	PQ: 235–193 D: 192–238 (7/12/95).
H. Res. 187 (7/12/95)	O	H.R. 1977	Interior Approps. FY 1996 #2	PQ: 230–194 A: 229–195 (7/13/95).
H. Res. 188 (7/12/95)	O	H.R. 1976	Agriculture Approps. FY 1996	PQ: 242–185 A: voice vote (7/18/95).
H. Res. 190 (7/17/95)	O	H.R. 2020	Treasury/Postal Approps. FY 1996	PQ: 232–192 A: voice vote (7/18/95).
H. Res. 193 (7/19/95)	C	H.J. Res. 96	Disapproval of MFN to China	A: voice vote (7/20/95).
H. Res. 194 (7/19/95)	O	H.R. 2002	Transportation Approps. FY 1996	PQ: 217–202 (7/21/95).
H. Res. 197 (7/21/95)	O	H.R. 70	Exports of Alaskan Crude Oil	A: voice vote (7/24/95).
H. Res. 198 (7/21/95)	O	H.R. 2076	Commerce, State Approps. FY 1996	A: voice vote (7/25/95).
H. Res. 201 (7/25/95)	O	H.R. 2099	VA/HUD Approps. FY 1996	A: 230–189 (7/25/95).
H. Res. 204 (7/28/95)	MC	S. 21	Terminating U.S. Arms Embargo on Bosnia	A: voice vote (8/1/95).
H. Res. 205 (7/28/95)	O	H.R. 2126	Defense Approps. FY 1996	A: 409–1 (7/31/95).
H. Res. 207 (8/1/95)	MC	H.R. 1555	Communications Act of 1995	A: 255–156 (8/2/95).
H. Res. 208 (8/1/95)	O	H.R. 2127	Labor, HHS Approps. FY 1996	A: 323–104 (8/2/95).
H. Res. 215 (9/7/95)	O	H.R. 1594	Economically Targeted Investments	A: voice vote (9/12/95).
H. Res. 216 (9/7/95)	MO	H.R. 1655	Intelligence Authorization FY 1996	A: voice vote (9/12/95).
H. Res. 218 (9/12/95)	O	H.R. 1162	Deficit Reduction Lockbox	A: voice vote (9/13/95).
H. Res. 219 (9/12/95)	O	H.R. 1670	Federal Acquisition Reform Act	A: 414–0 (9/13/95).
H. Res. 222 (9/18/95)	O	H.R. 1617	CAREERS Act	A: 388–2 (9/19/95).
H. Res. 224 (9/19/95)	O	H.R. 2274	Natl. Highway System	PQ: 241–173 A: 375–39–1 (9/20/95).
H. Res. 225 (9/19/95)	MC	H.R. 927	Cuban Liberty & Dem. Solidarity	A: 304–118 (9/20/95).
H. Res. 226 (9/21/95)	O	H.R. 743	Team Act	A: 344–66–1 (9/27/95).
H. Res. 227 (9/21/95)	O	H.R. 1170	3-Judge Court	A: voice vote (9/28/95).
H. Res. 228 (9/21/95)	O	H.R. 1601	Internatl. Space Station	A: voice vote (9/27/95).
H. Res. 230 (9/27/95)	C	H.J. Res. 108	Continuing Resolution FY 1996	A: voice vote (9/28/95).
H. Res. 234 (9/29/95)	O	H.R. 2405	Omnibus Science Auth	A: voice vote (10/11/95).
H. Res. 237 (10/17/95)	MC	H.R. 2259	Disapprove Sentencing Guidelines	A: voice vote (10/18/95).
H. Res. 238 (10/18/95)	MC	H.R. 2425	Medicare Preservation Act	PQ: 231–194 A: 227–192 (10/19/95).
H. Res. 239 (10/19/95)	C	H.R. 2492	Leg. Branch Approps	PQ: 235–184 A: voice vote (10/31/95).
H. Res. 245 (10/25/95)	MC	H. Con. Res. 109	Social Security Earnings Reform	PQ: 228–191 A: 235–185 (10/26/95).
		H.R. 2491	Seven-Year Balanced Budget	
H. Res. 251 (10/31/95)	C	H.R. 1833	Partial Birth Abortion Ban	A: 237–190 (11/1/95).
H. Res. 252 (10/31/95)	MO	H.R. 2546	D.C. Approps.	A: 241–181 (11/1/95).
H. Res. 257 (11/7/95)	C	H.J. Res. 115	Cont. Res. FY 1996	A: 216–210 (11/8/95).

SPECIAL RULES REPORTED BY THE RULES COMMITTEE, 104TH CONGRESS—Continued

[As of March 7, 1996]

H. Res. No. (Date rept.)	Rule type	Bill No.	Subject	Disposition of rule
H. Res. 258 (11/8/95)	MC	H.R. 2586	Debt Limit	A: 220–200 (11/10/95).
H. Res. 259 (11/9/95)	O	H.R. 2539	ICC Termination Act	A: voice vote (11/14/95).
H. Res. 261 (11/9/95)	C	H.J. Res. 115	Cont. Resolution	A: 223–182 (11/10/95).
H. Res. 262 (11/9/95)	C	H.R. 2586	Increase Debt Limit	A: 220–185 (11/10/95).
H. Res. 269 (11/15/95)	O	H.R. 2564	Lobbying Reform	A: voice vote (11/16/95).
H. Res. 270 (11/15/95)	C	H.J. Res. 122	Further Cont. Resolution	A: 229–176 (11/15/95).
H. Res. 273 (11/16/95)	MC	H.R. 2606	Prohibition on Funds for Bosnia	A: 239–181 (11/17/95).
H. Res. 284 (11/29/95)	O	H.R. 1788	Amtrak Reform	A: voice vote (11/30/95).
H. Res. 287 (11/30/95)	O	H.R. 1350	Maritime Security Act	A: voice vote (12/6/95).
H. Res. 293 (12/7/95)	C	H.R. 2621	Protect Federal Trust Funds	PQ: 223–183 A: 228–184 (12/14/95).
H. Res. 303 (12/13/95)	O	H.R. 1745	Utah Public Lands.	
H. Res. 309 (12/18/95)	C	H.Con. Res. 122	Budget Res. W/President	PQ: 230–188 A: 229–189 (12/19/95).
H. Res. 313 (12/19/95)	O	H.R. 558	Texas Low-Level Radioactive	A: voice vote (12/20/95).
H. Res. 323 (12/21/95)	C	H.R. 2677	Natl. Parks & Wildlife Refuge	Tabled (2/28/96).
H. Res. 366 (2/27/96)	MC	H.R. 2854	Farm Bill	PQ: 228–182 A: 244–168 (2/28/96).
H. Res. 368 (2/28/96)	O	H.R. 994	Small Business Growth	
H. Res. 371 (3/6/96)	C	H.R. 3021	Debt Limit Increase	A: voice vote (3/7/96).
H. Res. 372 (3/6/96)	MC	H.R. 3019	Cont. Approps. FY 1996	

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

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

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

Mr. Speaker, the bill we are considering today is the 11th continuing resolution this fiscal year. That means that we have had to vote on temporary spending measures 10 times in order to keep the Government going while my Republican colleagues fiddle with the appropriations bills.

Those bills, Mr. Speaker, were supposed to be finished October 1—6 months ago. Since they were not the U.S. Government has closed twice and is now operating thanks only to these continuing resolutions. I will insert in the RECORD a list of the first 10 continuing resolutions at this point.

CONTINUING RESOLUTIONS—104TH CONGRESS

Bill	Rule	Disposition
H.J. Res. 108.	(H. Res. 230, 9/28/95)	Bill passed House 9/29/95; signed 9/30/95.
H.J. Res. 115.	(H. Res. 257, 11/8/95, 216–210). (H. Res. 261, 11/10/95, 223–182).	Bill passed House 11/8/95 (230–197). House amendment to Senate amendment passed House 11/10/95 (224–172) (CR to continue 11 appropriation bills through 12/1/95); vetoed 11/13/95.
H.J. Res. 121.	(H. Res. 270, 11/15/95, 249–176).	Bill passed House 11/16/95 (277–151) (CR through Dec. 5); signed 11/20/95.
H.J. Res. 123.	(Suspension 11/18/95)	Bill passed House 11/18/95 (416–0) (CR for Medicare, SS employees and veterans benefits through end of year); signed 11/19/95.
H.J. Res. 136.	(UC 12/22/95)	Bill passed House 12/22/95 (targeted benefits to AFDC, foster care, adoption asst. through 1/3/96); signed 12/22/95.
H.J. Res. 153.	(UC 1/3/96)	Bill passed House 1/3/96 (CR for D.C.), signed 1/4/96.
H.J. Res. 134.	(H. Res. 317, 12/20/95; H. Res. 336, 1/5/96).	Bill passed House 12/20/95 (411–1) House amendment to Senate amendment passed House 1/5/96 (CR contingent on 7-year budget), signed 1/6/96.
H.J. Res. 1643.	(H. Res. 334, 1/5/96)	Bill passed House 1/5/96 (401–17) (CR for targeted programs); signed 1/6/96.
H.J. Res. 1358.	(H. Res. 338, 1/5/96)	House amendment to Senate amendment passed House 1/5/96 (CR for additional targeted programs); signed 1/6/96.
H.J. Res. 2880.	(UC 1/25)	Passed House 1/25/96 (371–42) (CR—''Balanced Budget Downpayment Act'' for targeted appropriations through 3/15/96); signed 1/26/96.

If my Republican colleagues had done their job and passed the appropriations bills instead of wasting time cutting Medicare and school lunches to pay for tax breaks for the rich—the Government would not be relying on these continuing resolutions to keep operating.

And, to make matters worse, this continuing resolution makes such horrible cuts in education and the environment that the President will veto it. So, once again, Mr. Speaker, the Republicans will put our Government at risk of shutting down.

Mr. Speaker, and my Republican colleagues, the American people are sick and tired of these political games. They expect their Government to remain open and they deserve it. They are having a hard enough time with college loans thanks to the last shutdown for heaven's sake—don't do it to them again.

Furthermore, do not attach these enormous education and environmental cuts to the continuing resolution. They have no place on a bill designed to keep the Government open, in fact they belong in the trash can.

The sole reason for a continuing resolution should be to keep the Government going, while Congress works to pass the appropriations bills. It should not be used to further a political agenda, particularly one that hurts the American people as much as this one does.

Mr. Speaker, this bill takes over 3 billion dollars from the education of American children. It is the single largest education cut in history, and Mr. Speaker, that is wrong.

In the Commonwealth of Massachusetts, and around the entire country, education is probably more important than just about anything else. American children deserve the best education we can give them, and under no circumstances whatsoever should this Congress be trifling with their future.

Anyone who votes for this bill is voting to limit access to Head Start, a good elementary school education, and college.

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

Mr. DREIER. Mr. Speaker, I yield such time as he may consume to the distinguished gentleman from Glens Falls, NY [Mr. SOLOMON], chairman of the Committee on Rules to counter those arguments that we want to jeopardize people from getting college degrees and some of the other crazy things we have just heard.

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

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

Mr. Speaker, I have a prepared statement here, but I think I will just throw it away and say I have just heard the greatest speech on this floor about continuing the status quo, the failed status quo on welfare and all of these other programs, that I have ever heard on this floor. I commend my counterpart, the ranking member of the Committee on Rules.

(Mr. SOLOMON asked and was given permission to speak out of order.)

ANNOUNCEMENT REGARDING SCHEDULE AND SUBMISSION OF AMENDMENTS

Mr. SOLOMON. Mr. Speaker, let me interrupt that just for a minute to make an announcement, if I might, because it concerns the membership and tomorrow's schedule.

Mr. Speaker, the majority leader, the gentleman from Texas [Mr. ARMEY], because of the bad weather reports that are coming in, has agreed to cancel the session for tomorrow as far as floor action is concerned. The Committee on Rules was scheduled to meet tomorrow on two very important bills, the conference report on the State Department operations, and the death penalty and terrorism bill.

What we are going to do today, with the cooperation of the minority, the gentleman from Massachusetts [Mr. MOAKLEY], is that the Committee on Rules is going to meet today at 2 o'clock. We will consider the conference report rule to be brought to the floor next Tuesday. We will also consider, for general debate only, the death penalty and terrorism bill. We will not be taking testimony from those Members that want to ask for amendments to be made in order. We will only take testimony from the chairman and the ranking member. Then on Tuesday at 2 o'clock, the Committee on Rules will meet and we will take testimony from any Member that has timely filed his amendments at that time.

If Members are concerned about this, if they call the Committee on Rules we will enlighten them, but I would alert

Members that we will have a Committee on Rules meeting at 2 o'clock this afternoon.

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

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

Mr. MOAKLEY. Mr. Speaker, does the chairman of the committee agree that Tuesday noontime is still the cutoff for amendments?

Mr. SOLOMON. Yes. That time has passed now, so no further amendments can be received.

Mr. MOAKLEY. I thank the gentleman.

Mr. SOLOMON. However, any that were prefiled about a month ago and as recently as this week would be considered by the Committee on Rules.

Mr. Speaker, I rise in strong support of this rule on the Balanced Budget Down Payment Act, II. This rule provides for expeditious consideration of the bill, while at the same time allowing the House to vote on some of the most significant issues raised in this legislation.

There are a total of four amendments made in order by this rule—two of them are offered by Democrats and two of them are offered by Republicans.

Mr. Speaker, this rule provides a fair process, and a balanced process for the consideration of the bill to fund the Federal Governments for the rest of this fiscal year.

Because there are time limits set on each amendment, the House can complete this job in a predictable amount of time.

Mr. Speaker, I would also like to take this opportunity to commend the chairman of the Appropriations Committee, Mr. LIVINGSTON, for the way he has handled the difficult job of putting this bill together.

He has wrapped all four unfinished appropriations into one package and has funded them at levels under the fiscal year 1996 budget resolution for the remainder of the fiscal year.

Chairman LIVINGSTON has also managed to pay for important emergency funding for disaster relief, Bosnia and Jordan.

In past Congresses funds for such purposes were taken off budget, which added to the deficit. This time the emergency funding is being paid for right up front. This is a large step in the right direction.

Mr. Speaker, I would also like to note that the budget resolution called for a $21 billion cut in discretionary spending from last year's levels. And to this date, the Appropriations Committee has cut $22 billion.

While larger budget negotiations remain on hold, the Appropriations Committee has been doing its job the right way.

Mr. Speaker, I would also like to note that President Clinton, who in his recent state of the Union speech bragged about downsizing the Federal Government, has now requested $8 billion in additional social spending.

This bill contains a contingency title, which will give the President $3.3 billion of that extra spending, but only if he comes up with cuts somewhere else to pay for it. And those cuts will have to be acceptable to this Congress.

In summary, this bill provides a fiscally responsible way to fund the Government for the rest of the fiscal year, and this rule provides a fair and balanced way to consider the bill.

Vote ''yes'' on the previous question and ''yes'' on the rule.

Mr. MOAKLEY. Mr. Speaker, I yield 2 minutes to the gentleman from Texas [Mr. EDWARDS].

Mr. EDWARDS. Mr. Speaker, this rule is unfair to America's veterans. Let me repeat, this rule is unfair to America's veterans. Do not take my word for it, listen to what national veterans leaders have to say about language in this bill that the Committee on Rules did not let us even vote on to take out in regard to restricting the Department of Veterans Affairs.

The National Commander of the Disabled American Veterans, Thomas McMasters, said ''* * * if enacted, would have a devastating impact on the office of the VA secretary * * *'' and he referred to the language as ''* * * unreasonable and seemingly punitive limitations * * * if not deleted, these spending restrictions will send a chilling message to disabled veterans.''

Do not listen to me, listen to the words of Steve Robertson, Director of the National Legislative Commission of the American Legion: ''This language would adversely impact the personal lives of 172 career employees and programs specifically designed for women and minority veterans. This is not a request for increased funding, but rather for fairness to those destined to bear the brunt of the hardship.''

Listen to the words of Richard Grant, with the Paralyzed Veterans of America: ''These cuts are an attempt to restrict the activities of the Secretary of Veterans Affairs and reduce the effectiveness of the other affected Offices * * * in reality, the cuts will solely prove to be detrimental to veterans,'' detrimental.

Listen to AmVets, their National Commander, Kenneth Wolford: ''As a result of this resolution we may expect that services to our Nation's veterans will suffer.''

Mr. Speaker, I never thought I would see this House vote to gag a combat-wounded veteran, Secretary Jesse Brown, who has had the courage to stand up and fight for our Nation's veterans. I am disappointed the Committee on Rules turned its back on every national veterans organization in America that wanted us to simply be able to have a right to vote to take that language out.

Mr. Speaker, our veterans fought and gave their lives to give us the right to vote. The Committee on Rules said no to that very essential right. Oppose this rule.

Mr. Speaker, I include for the RECORD letters from the officials of the veterans' organizations to which I referred:

The material referred to is as follows:

PARALYZED VETERANS OF AMERICA,
March 5, 1996.

Hon. MARK O. HATFIELD,
U.S. Senate,
Washington, DC.

DEAR SENATOR HATFIELD: On behalf of the members of Paralyzed Veterans of America (PVA), I request your opposition to efforts which target spending cuts in the proposed Continuing Resolution for the Office of the Secretary, Department of Veterans Affairs and for the VA's Offices of Public and Intergovernmental Affairs, Congressional Affairs, and Policy and Planning. These cuts save the government no money at all and are restrictive artifices contained within the funding for VA General Operating Expenses (GOE).

These cuts are an attempt to restrict the activities of the Secretary of Veterans Affairs and reduce the effectiveness of the other affected Offices, but, in reality the cuts will solely prove to be detrimental to veterans. By restricting funding, as proposed in the Continuing Resolution, VA will be less able to communicate with veterans and the public. These cuts will minimize or preclude VA's ability to effectively participate in programs such as the National Veterans Wheelchair Games, which has been, historically, co-presented by VA and PVA.

Of additional concern is the fact that the cuts will directly affect career federal employees, many of whom are veterans, not political appointees, who have demonstrated their dedication to serving veterans. The prospects of furloughs, loss of compensation and the uncertainties for future employment will all compound the already fragile morale within the VA.

Again, on behalf of the members of PVA and all veterans, I request that you oppose the restrictive cuts contained within the VA GOE account of the proposed Continuing Resolution and afford the Secretary of Veterans Affairs and his staff the ability to adequately address the needs of veterans.

Sincerely,

RICHARD GRANT.

AMVETS,
March 5, 1996.

Hon. MARK O. HATFIELD,
U.S. Senate,
Washington, DC.

DEAR SENATOR HATFIELD: AMVETS is greatly concerned about the FY96 Continuing Resolutions as it pertains to the Department of Veterans Affairs.

The constraints proposed will not only strongly affect the Secretary's personnel and travel, but will have a negative impact on three other supporting offices. Additionally, there is a real human resources impact which will affect the jobs of 172 hard-working long-term career employees. Severely challenged by two needless furloughs, their loyalty and enthusiasm may not survive this targeted budget action.

As a result of this resolution we may expect that services to our nations' veterans will suffer. Information that is vital to veterans service organizations, whether obtained in written form or from face-to-face sharing at conferences and conventions, will be severely hampered. Progress gained in reaching minority and women veterans will be sacrificed.

Let reason prevail. Do not target areas of the VA for the purpose of punishing the actions of the Secretary, which some may view as engaging in partisan politics, and others as the championing of veterans' interests.

Sincerely,

KENNETH E. WOLFORD,
National Commander.

DISABLED AMERICAN VETERANS,
Washington, DC, March 6, 1996.

To: All Members of Senate Appropriations Committee

One behalf of the more than one million members of the Disabled American Veterans (DAV), I take this opportunity to contact you about an issue of utmost importance to the DAV—the Fiscal Year 1996 Department of Veterans Affairs (VA) Appropriation. In particular, I wish to express our grave concern about a provision of VA's Appropriation

bill which, if enacted, would have a devastating impact on the office of the VA Secretary.

As we understand it, the overall funding level for VA's General Administration account, which is contained in the Fiscal Year 1996 VA continuing resolution bill now being considered by Congress, is not in dispute. Rather, the objectionable provisions of this measure are the unreasonable, and seemingly punitive limitations being placed on the personnel and travel budgets for the office of the VA Secretary as well as three other of its supporting offices.

It appears that the proposed cuts contained in this measure would require furloughing a significant number of very dedicated career VA employees, costing these individuals and their families an average of $10,360 in lost salary over the next six months. In addition, because of these cuts, activities of the Center for Minority Affairs and the Center for Women Veterans will be significantly curtailed. Obviously, should this happen, these offices will not be able to fulfill their Congressionally-mandated missions of assisting deserving minority and women veterans who faithfully served this nation.

Further, should these proposed spending restrictions be implemented, not only will the Secretary of Veterans Affairs be unable to execute his duties to oversee VA operations, the Secretary will be forced to curtail other activities which directly support our nation's sick and disabled veterans. Specifically, these spending restrictions will have an adverse effect upon the ability of the Office of Public Affairs to assist with and participate in direct patient care activities such as the Disabled Veterans Winter Sports Clinic, National Veterans Wheelchair Games, Golden Age Games, and Creative Arts Festival. These events, individually and collectively, represent a true therapeutic and rehabilitative milieu unmatched in the traditional medical setting.

If not deleted, these spending restrictions will send a chilling message to disabled veterans and others whose foremost concern is the welfare of America's veterans. The message, quite simply, will be: the department charged with the responsibility of advocating for the interests of disabled veterans and their families will be unable to do so because of partisan disagreements between Congress and the Secretary of Veterans Affairs.

Senator, we urge you to sponsor and support an amendment to VA's Fiscal Year 1996 Appropriation bill that would remove these unwarranted spending restrictions. By setting aside partisan political disagreements with the Secretary of the VA, Congress can send a positive message to America's veterans and their families that their sacrifices in defense of this nation are indeed truly appreciated by a grateful nation.

We thank you for your courteous attention to this correspondence and look forward to your early reply.

Sincerely,

THOMAS A. MCMASTERS, III,
National Commander.

THE AMERICAN LEGION,
Washington, DC, March 5, 1996.

Hon. MARK O. HATFIELD,
Chairman,
Committee on Appropriations, U.S. Senate, S–128 The Capitol, Washington, DC.

DEAR MR. CHAIRMAN: As you and your colleagues take up the FY 1996 Continuing Resolution, The American Legion directs your attention to language that sets specific limitations on personnel and travel costs for the Secretary of Veterans Affairs and three of his supporting offices. This language would adversely impact the personal lives of 172 career employees and programs specially designed for women and minority veterans.

The American Legion believes the overall funding level for the General Operating Expenses and its subaccount, General Administration, will force the Secretary to significantly alter his managerial and leadership styles. Lifting the specific limitations would not penalize the career employees. This is not a request for increased funding, but rather for fairness to those destined to bear the brunt of the hardship. These innocent victims do their jobs, day-in and day-out, without regard to partisan politics and most of them have served under several administrations. Their common goal is service to America's veterans and their families.

Thank you for taking the views of The American Legion under serious consideration as you lead the Appropriations Committee in finalizing the FY 1996 Continuing Resolution.

Sincerely,

STEVE ROBERTSON,
Director,
National Legislative Commission.

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

I would simply respond, Mr. Speaker, to my friend, the gentleman from Texas, and say that it is absolutely preposterous to make that claim. Jesse Brown has moved throughout this country attacking this new majority, which is strongly committed to our Nation's veterans. We, to this day, are committed to ensuring that our veterans are in no way jeopardized. I hope that that message will get through.

Mr. Speaker, I yield 5 minutes to my friend, the gentleman from Sanibel, FL [Mr. GOSS], chairman of the Subcommittee on Legislative and Budget Process of the Committee on Rules.

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

Mr. GOSS. Mr. Speaker, I thank the distinguished gentleman from greater downtown San Dimas, CA [Mr. DREIER], vice chairman of the Committee on Rules, for yielding me this time. Mr. Speaker, I agree with his the gentleman's comments about veterans. We have many in south Florida, and we have tried very hard to look out for them and make sure they were properly attended to, but I do not think that trying to take out the administrative expenses that are being used or misused for propaganda is exactly the same area of expenditure that the gentleman from Texas was speaking to.

Mr. Speaker, the battle over the fiscal year 1996 budget is coming to an end. It is time. After two partial Government shutdowns, three continuing resolutions, and a lot of stonewalling by the White House, we are prepared to close the books on this fiscal year and move on.

I am pleased that the rule before us is a fair rule in that it makes two Democratic amendments and two Republican amendments in order, including the lockbox amendment, which I care about, and many of us have worked on for a long time. This is going to allow the House to consider a fiscally responsible bill that will keep the Government running through the end of the fiscal year.

I make that statement, Mr. Speaker, in the full anticipation that this bill is a fiscally responsible bill, we believe it is, and that it will in fact keep the Government running through the end of the year, the end of the fiscal year. But I have to point out that that only happens with the cooperation of the President of the United States.

So we are prepared to go forward, get the country on track, and get into the next year and look at the next step. If the President does not want to do that and does not want to cooperate, he has that option as the President of the United States, but of course, that would end up in a Government shutdown, which we all want to avoid.

Looking on the bright side of the budget debate, Congress has been able to trim several billions of dollars from the deficit by our efforts so far, an amount that is not going to be added to the $5 trillion debt, or in fact not going to be passed on to our children and grandchildren.

Despite our earnest efforts, the President and his administration have resisted all attempts to make desperately needed reforms to Medicare, Medicaid, welfare, and a whole bunch of other programs that we are going to talk about. Particularly upsetting is the fact, revealed in recent news reports, in fact, that the administration may well have been holding back on the true depth of the crisis facing the Medicare part A account. Of course, this matters a great deal in my district, where I have many senior citizens relying on part A.

For over a year we have been operating under the assumption that this program would go broke in the year 2002 if we did not do something to reform it. In fact, the Republicans and fiscal conservatives and others interested have been trying to come up with a program that will in fact make those repairs. We knew about this in the Carey Commission report, so we have proceeded.

Regrettably, the President has vetoed that offering as well. Now we are learning that we may be in trouble before 2002, and apparently the Clinton White House has known this but has not seen fit to share that information with us. The problem is worse than we knew. So this is a problem that is not going to go away simply because the administration wants to ignore it.

We are going to continue to work to enact a responsible plan to save the Medicare Program and to bring greater choice in health care to seniors, and we are going to do it, and we are going to add to the benefits and the expenditures in health care, but we are going to do it responsibly. There will not be any cuts in Medicare.

Mr. Speaker, as we begin to work for the spending bills for fiscal year 1997, it makes sense for Congress, of course, to wrap up what we were supposed to have been doing in 1996, and we have done that in these appropriations measures before us, in this continuing resolution.

I think that the damage done by the President's shutdown of our national

parks, service centers, and other areas of Government is well known. We certainly do not want that to happen now and we do not want another budget crisis. In fact, I have to say on a personal note, and I thank the gentleman from California for yielding me the time to say it, that the damage to small businesses which operate in the Everglades National Park, down in my part of the world, was of such significance that today I am introducing a bill to make those businesses eligible for emergency loans through the Small Business Administration.

Had President Clinton not vetoed the fiscally responsible legislation we gave him to keep the Government running, that would not have been necessary, and those people would not have the pain and suffering they are going through.

If the era of big Government is truly over, as the gentleman from California says, then this bill we have before us paves the way for the newer era of smaller Government that spends less and is less intrusive. I certainly think that is a good proposition to pursue.

Mr. DREIER. Mr. Speaker, I yield myself such time as I may consume. I would like to continue with what my friend opened with, and that is responding to this preposterous claim that came from the well by my friend, the gentleman from Texas [Mr. EDWARDS], on this issue of medical funding for veterans.

I have just been given by the staff of the Committee on Appropriations the following statement:

> Funding in this bill, H.R. 3019, at the conference report level of the regular bill, H.R. 2099, is $16,654,000,000. This amount is approximately $400 million above the fiscal year 1995 post-rescission level, and is the only increase of any significance in the fiscal year 1996 VA–HUD appropriation, and in fact, this level is $400 million below the fiscal year 1996 request.

□ 1215

The claim that somehow Jesse Brown is being victimized by this, their administration requested $400 million less, so they should not claim that we are not doing anything other than trying to improve the challenges that our veterans face.

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

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

Mr. Speaker, I was just handed a note. Under this bill, the Commonwealth of Massachusetts will lose $33 million of Federal education funding, so the statement I made about losing educational college grants and other things is a factual matter.

Mr. Speaker, I yield 3 minutes to the gentlewoman from Texas [Ms. JACKSON-LEE].

Ms. JACKSON-LEE of Texas. Mr. Speaker. I could not help listening to my colleagues on the other side of the aisle talk with sugar-coated platitudes about what realisms they think are in this continuing resolution.

I simply listen to the real people in my district, and clearly we are facing a shutdown of many programs in our veterans' hospitals in the Houston area. As I look at this litany of injustice that we are calling a continuing resolution, and I might add, maybe the yellow paper is appropriate, because this is a cowardice act.

This is to take to us the end of the year, and what you find in this list of injustices is no money for the police on the beat program that the Harris County Sheriff's Department has used, that the Houston Police Department has used. We see little money for legal services for the indigent through cuts in funds to the Legal Services Corp. We see no money dealing with crime prevention, the DARE Program, the safe and drug free programs.

Then we come, as we move into the 21st century, this is suppose to be a visionary Congress, what do we say about education? We cut over $3.3 billion. We begin to tell those individuals in Harris County who have the Goals 2000 Program that, first of all, they will lose $29 million out of the State of Texas, $13.8 million out of Harris County. We will then begin to tell our school boards, having met with many of our school leaders while I was home in the district, that out of the 40,000 teachers that will lose their jobs across the Nation, that we will begin to be giving pink slips in the month of March in the State of Texas to some of our own teachers.

Then I hear my Republican colleagues talking about the veterans' program. We are gutting programs under this continuing resolution and undermining the leadership of Secretary Brown. We meet with disabled veterans in the district this coming Saturday. My heart pains for what I will have to tell them, that this continuing resolution cuts funds and guts some veterans' programs. But their message is getting after Secretary Brown because he has simply used his first amendment right, I did not know that was an appropriate role for an appropriations' committee.

Let me also add that I rise to support the Lowey amendment, even though this rule is one that I oppose because it shuts down the opportunity for other Members to provide reasoned response to this continuing resolution. The Lowey amendment, of course, will provide the opportunity to treat indigent women as fair as we treat other women with Medicaid funding for medical procedures with regard to abortion.

The Istook amendment, how tragic that we come again to tell the Boy Scouts, the United Way, MECA in my community, an Hispanic organization, the Houston Symphony and the Houston Grand Opera that you cannot come and constitutionally press your point before the U.S. Congress.

Mr. Speaker, this appropriation's bill, as I indicated to you, is a tragedy and a litany of injustice. It is a cowardice act. Until we face the fact that none of us disagree with a balanced budget, I am here today standing on a record of voting for a balanced budget. But what my Democratic colleagues do stand for in this appropriations bill is educating our children for the 21st century. Those of us who oppose this bill recognize that economic security is important to Americans. This bill does nothing but create injustices in this country for all America, particularly working America.

Mr. Speaker, I rise opposed to this rule and opposed to this continuing resolution.

Mr. Speaker, I rise in opposition to the rule on H.R. 3019. The Members of the House have not had sufficient time to review this bill. It is too important and affects too many Americans for us to give it only a cursory review.

My concerns with this bill include the following:

While the bill does provide additional funding—$681 million—for veterans compensation benefits and pensions, this additional funding may be released only upon enactment of separate legislation providing offsetting budgetary savings. This is unconscionable.

The bill provides only $1.2 billion in funding for Superfund cleanup, which is 19 percent less than fiscal year 1995 funding.

The bill appropriates only $23.6 billion for the Department of Education, which is 12 percent less than the fiscal year 1995 level.

Title 1 educational programs are cut 17 percent over the 1995 level, educational reform programs are cut by 81 percent over the 1995 level, safe and drug-free schools programs are cut by 57 percent, or $266 million, bilingual and immigrant education programs are cut by 28 percent, or $57 million, vocational and adult education programs are cut by 9 percent, or $125 million, and student financial assistance programs are cut by 13 percent, or $974 million.

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

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

Mr. PALLONE. Mr. Speaker, I rise in strong opposition to this rule. The Republican leadership again is keeping up its attack on the environment.

Mr. Speaker, this bill, H.R. 3019, is the same old antienvironmental legislation that the President has vetoed twice before. It contains the same environmental riders, anemic funding levels and special interest give-aways, just like the previous conference report.

Last night I asked the Rules Committee for permission to offer an amendment that would restore a sensible level of funding for the EPA, and of course I was denied. Therefore, there will be no opportunity today to provide adequate funding for the environment.

My amendment would have increased the level of funding to the EPA for the remainder of this fiscal year to a level

that is commensurate with the last fiscal year, funding levels identical to those recently recommended by the President.

Mr. Speaker, my amendment also would have provided the funding levels that EPA needs to be able to set environmental and public health standards for air pollution, pesticides, and clean and safe water, and to make the Superfund Program faster and more efficient. It would also restore the funds needed to keep the environmental cop on the beat, to ensure that once these safety standards are set, that they are properly adhered to. My amendment would also strip out all the antienvironmental riders which once again are in this bill.

Mr. Speaker, this bill, like the previous interior conference report, includes riders that stop the Secretary from listing endangered species and increase logging in national forests. It contains a 40 percent cut in the endangered species funding.

The bill, like the previous VA conference report, includes riders that prohibit the EPA from protecting wetlands, limit enforcement of the Clean Air Act, prohibit new drinking water standards for radon, and stop the agency from moving ahead to clean up toxic waste. It contains funding levels that are 22 percent below the President's fiscal 1996 request.

Mr. Speaker, make no mistake about it, this bill is a bad bill for the environment. The rhetoric that we received from the Republican leadership that they were no longer going to try to hurt the environment, that they were not going to try to turn back the clock any more, that 1996 was going to be different from 1995 with regard to environmental measures, it is simply not true. They are back at the same old game. We have to vote down this rule.

Mr. DREIER. Mr. Speaker, I yield such time as he may consume to the distinguished gentleman from Metairie, LA [Mr. LIVINGSTON], the chairman of the Committee on Appropriations.

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

Mr. LIVINGSTON. Mr. Speaker, I applaud what the Rules Committee has done on this rule, and I urge the adoption of the rule.

Mr. Speaker, a few weeks ago I paraphrased the great saying of the wonderful humorist, Will Rogers, in referring to the Democrats. Let me reparaphrase it. Basically, they never say a program they did not want to enact, and they never saw a U.S. taxpayer's dollar that they did not want to tax and spend, and here we go again.

I just heard a few minutes ago this bill is an act of cowardice, the bill is riddled with sugar-coated platitudes, the bill is a litany of injustice. My goodness.

Mr. Speaker, we have been working on fiscal year 1996 bills for a very long time. There will be some attacks against us because it has taken so long. This bill wraps up what has been left undone in fiscal year 1996 because the President vetoed three bills and because the liberals in the other body filibustered the fourth bill. We have taken those bills, and we put them together, and we have addressed the spending needs encompassed in those bills.

We have given the President the funding that he has requested for Bosnia and other foreign adventures where he had deployed our troops. We have given the President what he wants in disaster relief for the people who are devastated in the far Northwest and other parts of the country and in the Virgin Islands.

We have attempted to provide extra funding for the President. He said 2 months ago he wanted $6 billion in additional spending. Now he says he needs $8 billion in additional spending, and just yesterday he sent a letter to Chairman HATFIELD, through Alice Rivlin, his director of OMB, saying they would veto even the Senate bill which provided $4.7 billion in extra spending, saying they still needed an additional $7 billion.

Then by my math it is close to $12 billion that they are now asking for in additional spending. Basically the President, who said that the era of big Government is now over, the President, who signed on to the balanced budget by the year 2002 agreement, is now saying, ''Well, we like your bills, but you got to spend another $6 to $8 to $12 billion.''

Because we are not spending that money, or we are approaching it in some fashion because we are doing it contingently, many Members on the Democratic side of the aisle get up and rail against sugar-coated platitudes, litanies of injustice and acts of cowardice.

Mr. Speaker, they simple will never be satisfied with enough programs or enough of Government's reaching into the pockets of the taxpaying citizens of this country, taking it out and spreading it all over the place.

In this bill, there is $14.6 billion to fight crime, for law enforcement, which is a 20-percent increase over last year, including a 25-percent increase for immigration initiatives, 57-percent increase for State and local law enforcement, 285-percent increase for State criminal alien assistance, 573-percent increase for violence against women programs. That is in this bill.

Second, we heard we don't have enough for education, not enough for Head Start Program. The Head Start Program has been growing. In 1989, $1.2 billion; 1991, $1.5; 1991, $1.9; all the way up, and in 1995 it hit $3.57 billion. We trimmed off $100 million, so it is now $3.4 billion, and with this we are destroying the children of America, to hear the statements that have been made on this floor.

No, we are not. In fact we are spending $23.6 billion for education for youngsters all around America including Head Start, $23.6 billion taxpayers dollars, and by the recent count of the chairman of the Committee on Economic and Educational Opportunities, in something like 736 separate programs.

I really believe that this Government could operate with fewer than 100 education programs. Probably we could operate with about 50 education programs. We have got 730 some odd education programs and they say that that is an act of cowardice. I am just overwhelmed by the arguments against this bill.

For veterans, they say we are cutting veterans. The American taxpayer is paying $38.4 billion on veterans' programs, which includes $16.9 billion on veterans' health care. That is not hurting the veteran. That is helping the veteran.

We are spending $19.3 billion on housing. We are spending $5.7 billion on the environmental through EPA alone, the Environmental Protection Agency, $5.7 billion just on that agency, and it is not enough, they say. ''It is not enough, we want to spent more,'' they say. We are spending $5.1 billion on parks and refuges and forests for the environment, in addition to the $5.7 billion spent on EPA.

The point is, Mr. Speaker, when ever is enough enough for these people? They will never be satisfied. You have got to spend more or else you are guilty of an act of cowardice, you are guilty of sugar-coated platitudes, and you are guilty of a litany of injustices. I beg to differ, and I think that the vast majority of the American people agree with me.

Mr. MOAKLEY. Mr. Speaker, I yield 3 minutes to the gentleman from New York [Mr. SCHUMER].

Mr. SCHUMER. Mr. Speaker, I rise in opposition to this bill, and I would be happy to have that blue chart just stay there for 1 minute, if I might, the real crime bill. I was talking to the gentleman from Michigan. It is true that it is blue, but that is about it.

□ 1230

It does not have a badge, it does not have a gun, it does not have a nightstick, it does not have handcuffs, it does not have any of that. You know, what is missing in that crime bill, cops, police officers. It is just what the good gentleman from Louisiana rails against: program after program that does nothing.

On our side, we are pointing out programs that have worked, whether it be Head Start or clean water or cops, and saying, ''Why are you cutting those?'' We would love to join with the other side in finding programs that are too well funded. But this is a meat ax approach, and in the area I know best, ask the average citizens, ask the experts, the best way to fight crime is get cops on the street. There is not one cop in that $14.6 billion. That is what the crime is.

So, to call it a real crime bill, I would say to the gentleman from Louisiana, to call it a real crime bill because it has more money is wrong. It is just what he says is wrong about so many other programs.

We do not just want more money. We want money aimed at crime fighting. We want cops.

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

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

Mr. LIVINGSTON. So the gentleman wants cops. It is the President's favorite program. The point is we put $1.9 billion in the block grant. If the communities want to use it for the Cops on the Street, they can do it. They also have flexibility to use it for other things.

Mr. SCHUMER. We did that under LEAA. The gentleman was here. LEAA gave the local communities, local politicians, money to spend. LEAA gave the local politicians money to spend as they wished, and they wasted it. We have learned from LEAA.

We have learned, put the money into cops, or we will never see more cops. And so I say to my colleagues that is no real crime bill. That bill is a real crime in terms of crime fighting because it does not have money going to fighting the crime. It has the money going to the local politicians and the Governors, who will use it for their own purposes, and the people of America will be no more safe, and, in fact, a great deal less safe, if the cops bill is repealed, as they attempt to do.

Mr. MOAKLEY. Mr. Speaker, I yield 3 minutes to the gentleman from Michigan [Mr. STUPAK].

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

We are talking about the COPS Program. The last speaker from the other side, the gentleman from Louisiana [Mr. LIVINGSTON], mentioned the COPS Program, and it is the President's program.

Let me just say what they are saying in New Orleans about the COPS Program, that since they have implemented the COPS Program there has been a 15-percent decline in homicides. When the police department, through the COPS Program, opened 24-hour substations in some of the toughest housing projects, murders dropped 74 percent, or maybe even one of the constituents of the gentleman from Louisiana [Mr. LIVINGSTON] said, Deborah Davis, a mother of four, who has lived in these places, projects, all of her life she said that this is what community should be like. Instead of a killing place, it is now a place where we can see the light of hope.

So why would the new majority want to kill the COPS Program? Understand, this program has not one police officer there. Eighty-seven percent of the American public will be served by over 33,000 police officers authorized underneath the COPS Program to date. COPS will fund small towns in rural areas, where I live, like northern Michigan. Half of all funding goes to areas serving jurisdictions under 150,000.

The block grant program would go to population centers at the expense of our smaller rural areas. COPS per State minimum is twice what is even fashioned or thought of underneath the block grant program, because it not only funds the hiring of police officers but also is used to purchase equipment and technology, the hiring of civilian officers, civilian dispatchers, and the payment of overtime. The program, the bureaucratic program that they rail against, is a 1-page form, a 1-page application form.

So what the COPS Program does is it responds directly to the flexibility of the local needs. Block grants would only allocate money on a very strict, complex mathematical program. The block grant proposal provides far less funding for fighting crime and prevention than the COPS Program.

Mr. Speaker, I would hope that my colleagues throughout this Nation will look at the COPS Program, the success we have had, and vote ''no'' on this bill and not to gut the COPS Program. It is a good program. It is a successful program. And I am pleased to be an advocate for the program on behalf of the President.

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

Mr. KENNEDY of Massachusetts. Mr. Speaker, first of all, I want to thank my friend, the gentleman from Massachusetts [Mr. MOAKLEY], for the efforts that he has made in this bill to try and make certain that the interests of the working families of our country are looked out after. I know that, as a veteran, he is particularly concerned about the treatment that the Veterans' Affairs Department receives in the CR.

Mr. Speaker, I rise in opposition to the rule on H.R. 3019. This bill will unfairly target cuts in funding for the Office of the Secretary of Veterans Affairs. It imposes these deep cuts in an attempt to punish the Secretary, Jesse Brown.

But I have to ask—what is Secretary Brown being punished for? For his strong advocacy for adequate funding for VA programs? For his hard work in ensuring that the veterans of this country get what was promised to them? For his efforts to ensure a quality health care system for all veterans?

Congress created the Department of Veterans Affairs as a Cabinet Department to insure that the Secretary would be an effective advocate for veterans. Now Secretary Brown is being punished for fulfilling his duties.

Congressional rhetoric citing support for veterans is meaningless if the country's leading veterans' advocate is to be muzzled. The national commander of the Veterans of Foreign Wars testified recently, ''We all fought for freedom. It is intolerable that Congress would consider denying Jesse Brown the freedom to be an advocate for veterans.''

This closed rule for H.R. 3019 does not permit an amendment to bring veterans' funding to an acceptable level. This continuing resolution provides $900 million less for veterans' programs than the President requested. Funding for VA health care is $400 million below the President's request, and $200 million below the House-passed number.

Mr. Speaker, we must not jeopardize Federal programs which benefit the veterans of this country. These men and women have made great sacrifices for us and for our country. They deserve our unending support.

Mr. MOAKLEY. Mr. Speaker, I yield 2 minutes to the gentlewoman from Connecticut [Ms. DELAURO].

Ms. DELAURO. Mr. Speaker, this continuing resolution is another chapter in the sad story that began when NEWT GINGRICH and his Republican colleagues took over the people's House. Their agenda hurts working families, and this bill that we are voting on today is no exception. It continues to assault on working families by cutting education by over $3 billion, the largest education cuts in the history of this country. It cuts funds to improve kids' basic reading and math skills by over a billion dollars. It slashes more than half of the funds from the Safe and Drug Free Schools Program 57 percent. That program includes the DARE Program, which is, in combination, a program with the COPS and with kids to Say No to Drugs.

It also cuts college loans by almost a billion dollars. The school-to-work program that says to kids who want to go on to work and not to a 4-year liberal arts college, we recognize your aspirations and your dreams, and we want to give you a hand. This program is cut by 23 percent.

Mr. Speaker, at a time when Americans are rightly anxious about their job security, at a time when we all know a good education is a key to a good job, the congressional Republicans are launching an assault on American education.

In my State, these cuts are a disaster. I met with parents and educators at a school in my district. They are concerned about what these cuts will mean. Under this proposal, funding for basic skills training will be cut $8.6 million in Connecticut; $1.5 million under the Safe and Drug Free Schools will be cut as well.

Let me quote a parent that I met with at the beginning of the week, Carolyn Jackson. ''The proposed cuts would eliminate students' chances of being competitive they won't make it. They won't be trained. They won't be able to go on to a trade school or to college,'' she said. These after-school programs that would be cut keep the kids off the streets. It keeps them occupied. It gives them something positive to do.

If they cut that off, the only place that they will have left to go is the street.

Mr. Speaker, these cuts are wrongheaded. The American dream is about education. Do not cut it off for our children.

Mr. DREIER. Mr. Speaker, I yield 4 minutes to my friend, the gentleman from Oregon [Mr. BUNN].

(Mr. BUNN of Oregon asked and was given permission to revise and extend his remarks.)

Mr. BUNN of Oregon. Mr. Speaker, I thank the gentleman for yielding me this time.

I rise in strong support of this appropriations package and would like to thank the distinguished chairman of the committee, the gentleman from Louisiana, for all the hard work that he has put into these appropriations bills over the past year.

Included in this omnibus appropriations bill is a natural disaster title, which is extremely important to the constituents of my district in Oregon, which was recently overrun by the worst flooding in three decades. Of the many programs funded by this title, one I am appreciative the chairman has included at my request, to fund the emergency livestock feed program at a level of $10 million, $6 million of which is intended to go to the Tillamook County area of Oregon.

I know the chairman is aware of the desperate situation that most of the dairy farmers in my district find themselves. In many areas of my district, which I visited, the silt is more than a foot thick, smothering any chance that the dairy cows will have feed through this summer, let alone next winter. The $6 million for the emergency livestock feed program in this bill that is intended for Tillamook County will literally help keep dozens of small farms from going under.

Mr. Speaker, I would like also to thank the gentleman for increasing the funding for the strengthening institutions program, section A. The $55 million for this program will ensure that no school will lose their grant this year.

SECTION 2001(K) OF THE 1995 RESCISSIONS ACT AMENDMENT

Mr. Speaker, I would also like to thank the chairman of the committee and the chairman of the Interior Subcommittee for including two provisions relating to section 2001(k) of the 1995 Rescissions Act in this bill.

The first provision will give the administration the additional flexibility that it has requested to offer alternative timber volume for either all, or part of, timber sales that they deem to be in an environmentally sensitive area.

After signing the 1995 Rescissions Act, the President, in a letter to the Speaker of the House, promised that his administration would ''carry out [the timber provisions of the bill] with its full resources and a strong commitment to achieving the goals of the program.'' Unfortunately the President, contradictory to his promise, spent all of last year in court trying to alter the agreement which he said he was strongly committed to. This has created a problem in that, instead of having 2 years to harvest the timber released in section 2001(k), the time available for harvest has been reduced to only 1 year.

To address this issue, the committee has also included a provision which will extend the authority contained in section 2001(k) for the life of the timber sale contract instead of the end of calendar year 1996. This provision will likely keep the total harvest allowed under section 2001(k) to less than 250 million board feet per year. The option 9 timber volume has yet to exceed 500 million board feet in any year, so even with the addition of section 2001(k) timber it is unlikely that timber harvests in the option 9 region will meet the President's goal of 1.1 billion board feet per year in any given year. Make no mistake, if we do not extend the length of the authority for these sales, the companies holding these contracts will rush to harvest all of the 650 million board feet of timber in one summer. So, the right thing to do for public safety, environmental responsibility, and to assist the President in reaching his option 9 goals is to extend the authority for the life of the timber sale contracts. We have done that in this bill.

Mr. Chairman, the other body's companion omnibus appropriations bill contains provisions introduced by the senior Senators from Oregon and Washington which are similar to the two which I have just outlined. The Senators' language also contains a provision relating to buy-out authority which we have not included in our bill. I am very concerned about this buy-out provision and somewhat disturbed that the President would request something which would cost the taxpayers of the Nation millions of dollars and would only serve to put money in the pockets of the timber-sale owners. It will do nothing to get timber workers back in the forests. It never ceases to amaze me the lengths to which this administration goes in their attempts to keep the family wage earners of Oregon and the Pacific Northwest idle. In the end, if this provision must move forward in order to keep the remainder of the program intact I may be willing to accept it, but I remain extremely concerned about the provision. I would like to one again thank the chairman of the committee for his hard work on this bill and I look forward to working with him on fiscal year 1997 funding.

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

Mr. BUNN of Oregon. I yield to the gentleman from Louisiana.

Mr. LIVINGSTON. I appreciate the gentleman yielding the time to me. I am glad we were able to help him out with some of his requests. We want to make sure people who are devastated by natural disasters who can be helped by the Federal Government are helped by the Federal Government. That has been implicit throughout this process.

I have to point out it had just come to my attention, since funding for Head Start has been an issue here, from somebody in Fort Wayne, IN, funding for Head Start in Fort Wayne, IN, has increased 183 percent while enrollment has increased 56 percent. There are 80 administrators and 26 teachers in their Head Start Program.

Mr. BUNN of Oregon. I would like to voice my concern regarding the funding of several higher education programs in our bill, however, in particular the State student incentive grant program, which helps support the Oregon State need grant program for low-income students in my State. The capital contributions to the Perkins loan program, which also helps low-income students to go forward to college through the loan program, and also the minimum grants under the Pell grant.

While I thank the Chair for increasing the Pell grant maximum, which will allow low-income students to keep up with inflation and the rising cost of tuition, eliminating the minimum Pell grants will be felt mostly by the community college students who depend upon those minimum grants. While this bill is a good starting point for higher education, I hope that we might be able to move toward the Senate funding levels for these specific programs during conference.

I thank the chairman and look forward to working with him for the funding of these programs.

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Mr. MOAKLEY. Mr. Speaker, I yield 5 minutes to the gentleman from Wisconsin [Mr. OBEY], the ranking member of the Committee on Appropriations.

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

Mr. Speaker, let me try to put this proposal in context. Bills which have gone through the Congress this year have cut $33 billion in the nondefense area. They have also added $7 billion above the President's request for the defense budget.

All the President has wanted to do is to add back $7 billion of the $33 billion in domestic cuts, about 20 percent of the cuts that Congress has made this year, because the President feels, and I agree with him, that we ought not to cut back on education efforts, that we ought not to cut back on environmental enforcement efforts, especially given all the problems we have in both of those areas.

Now, this bill comes to the floor and adds $1 billion back out of the $33 billion which had been cut in nondefense spending. It adds $1 billion back, principally for the LIHEAP program. Other than that, there is no real change in dollar terms from the bills as they were constituted when the President vetoed them originally.

Mr. Speaker, in fact this bill in some ways goes further away from a compromise than the continuing resolution

under which we are now operating. For example, with the COPS Program, under the continuing resolution, the White House was allowed to continue to spend out at a 75-percent rate for the COPS Program, to help local communities add police on the beat. This wipes out that program. What this does is, I think, self-evident.

In addition to that, what this bill does is add $3.3 billion in ''funny money.'' It says, in essence: ''We would like to add some money back for education, we would like to add some money back for some other items, but, by the way, that really cannot happen until we pass another piece of legislation.'' And that piece of legislation is not in existence.

So it is a way for politicians to pretend that they are embracing programs which in fact they are providing no real money for. As a result, this bill is still $3.3 billion, or 13 percent, below last year's funding for education, it is still $1.5 billion below last year's funding for EPA enforcement, it is $213 million below the amount that was in the original House bill for veterans medical care, even though that bill had $1.5 billion more to play with in conference than the original House bill.

So for all of those reasons, I, for one, intend to vote against the bill. This is not a real bill. This is not a real operation. What this is, is simply an effort to demonstrate movement, when in fact there is none.

I think what we need, rather than having a meaningless bill on the floor, I think what we need is to have serious negotiations between the White House and the top leadership of this Congress, so that we can get these issues resolved. We are simply spinning our wheels on this, and I think it serves no one's interest.

I would take note of one additional item. I would at the proper time be asking unanimous consent to amend the rule to allow the language to be added that the White House requested on the C–17. That is a fine plane, the White House wants to buy more of them, the Pentagon agrees. The White House would like to enter into a multiyear contract on the C–17. If they do that, they can save about $900 million off what it would otherwise cost the Government to build those planes. I think we ought to do that.

So I will be offering a unanimous-consent request at the proper time. I would like to think it would be accepted, but that is really up to the majority party to determine whether it will be or not.

Mr. Speaker, very simply, I am going to vote against this rule and this bill simply because I think this is a meaningless exercise, which tries to give the appearance of movement, when in fact there is no real movement, and in some cases there is actually movement in the wrong direction. I think this bill does not take us any closer to a compromise. Sooner or later we have to finish action on the fiscal 1996 bills. This bill is not going to contribute to that process.

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

Mr. Speaker, I would like to ask the gentleman from California [Mr. DREIER] if he would kindly explain the amendment that is going to be forthcoming from their side. I would like to know if the kind gentleman from California would explain the amendment I understand that is going to be offered by his side of the aisle.

Mr. DREIER. Mr. Speaker, I yield such time as he may consume to the gentleman from Pennsylvania [Mr. WALKER] the distinguished chairman of the Committee on Science and the vice chairman of the Committee on the Budget, for an explanation of that.

Mr. WALKER. Mr. Speaker, I thank the gentleman for yielding me time. I am doing this talking primarily as vice chairman of the Committee on the Budget.

Mr. Speaker, the idea was our understanding of the reason for the language in title IV was that this was a contingent spending based upon the potential for a broad budget deal that would in fact include entitlement savings. The concern was that the language, as written, was not specific, that this was to be part of a broader deal. In fact, by adding the term ''reconciliation'' to it, it does assure that is what we are doing in the legislation that would come pursuant to this rule.

I would say that there have been questions raised about what if we have something that happens as part of the debt limit. The feeling is this bill will be in conference at that point, and the deal can be made then to make certain everything matches up at that point. At least as the bill leaves the House, we are certain we are not going to break budget caps, which is part of the language of title IV, which is you can exceed some of the caps, depending on what comes down the line in terms of the offsets.

All we are trying to do is say if you are going to do that, it has to be a part of a broad budget negotiation that includes broad-based entitlement savings. We think this language, it is a fairly modest change, accomplishes that objective. That is the purpose behind it.

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

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

Mr. MOAKLEY. Mr. Speaker, the gentleman is not using the word ''reconciliation'' as it is used in the Budget Act?

Mr. WALKER. Mr. Speaker, reclaiming my time, it seems to me by doing that, it would probably have to follow at least the reconciliation rules, yes.

Mr. MOAKLEY. Mr. Speaker, the gentleman is using the word ''reconciliation'' in this amendment as it is used in the Budget Act?

Mr. WALKER. Yes, because what part of the effort here is, I would say to the gentleman, is to allow entitlement money to offset discretionary money. The only way you can do that is as part of a broader package. We are trying to assure all the rules are followed as you do those kinds of trade-offs by putting that language in. That is what we are trying to accomplish.

Mr. MOAKLEY. Mr. Speaker, I yield 2 minutes to the gentleman from Illinois [Mr. DURBIN].

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

Mr. DURBIN. Mr. Speaker, the architects of this appropriation bill have been sipping Potomac water entirely too long. They are out of touch with what the real problems are in America and the real challenges facing working families.

One can judge the priorities of the Republican leadership by their choices in spending. Let me tell you what they think are lower priorities, things that we should cut in today's America: They want to cut the School to Work Program, a program to give high school graduates adequate skills and training so that they can get good paying jobs; they want to cut programs like the Safe and Drug Free Schools Act. Did I miss the headline that said America is now in control of the drug problem, that we no longer have to worry about violence in our schools? I think to the contrary, American families know this is still a serious challenge. Our government and our people need to make a commitment to solving this problem. The Republican appropriation bill runs away from it.

They freeze the Head Start Program, a program which takes kids 3, 4, and 5 years old, and gives them a chance, and they turn around and make deep cuts in environmental protection, programs that we count on to make sure that the water we drink is safe and the air we breathe is clean.

These are the priorities of the Republican leadership, cutting work training, cutting education, cutting the environment, cutting back on programs that really help America's working families.

The unkindest cut of all is cuts in college student loans. How many young men and women from working families will be denied a chance for higher education because of these Republican cuts in college student loans?

This is not what America bargained for in the 1994 election. The Republican spending priorities reflect their values, but not the values of the working families in this country.

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

Mr. Speaker, this is the 59th restrictive rule, and I know this really shocks my dear friend from California, but this is the 59th restrictive rule reported out of the Committee on Rules this Congress so far this session; 88 percent of the rules reported have been restricted.

Mr. Speaker, at this point, I include for the RECORD the following extraneous material.

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

Bill No.	Title	Resolution No.	Process used for floor consideration	Amendments in order
H.R. 1*	Compliance	H. Res. 6	Closed	None.
H. Res. 6	Opening Day Rules Package	H. Res. 5	Closed; contained a closed rule on H.R. 1 within the closed rule	None.
H.R. 5*	Unfunded Mandates	H. Res. 38	Restrictive; Motion adopted over Democratic objection in the Committee of the Whole to limit debate on section 4; Pre-printing gets preference.	N/A.
H.J. Res. 2*	Balanced Budget	H. Res. 44	Restrictive; only certain substitutes	2R; 4D.
H. Res. 43	Committee Hearings Scheduling	H. Res. 43 (OJ)	Restrictive; considered in House no amendments	N/A.
H.R. 2*	Line Item Veto	H. Res. 55	Open; Pre-printing gets preference	N/A.
H.R. 665*	Victim Restitution Act of 1995	H. Res. 61	Open; Pre-printing gets preference	N/A.
H.R. 666*	Exclusionary Rule Reform Act of 1995	H. Res. 60	Open; Pre-printing gets preference	N/A.
H.R. 667*	Violent Criminal Incarceration Act of 1995	H. Res. 63	Restrictive; 10 hr. Time Cap on amendments	N/A.
H.R. 668*	The Criminal Alien Deportation Improvement Act	H. Res. 69	Open; Pre-printing gets preference; Contains self-executing provision	N/A.
H.R. 728*	Local Government Law Enforcement Block Grants	H. Res. 79	Restrictive; 10 hr. Time Cap on amendments; Pre-printing gets preference	N/A.
H.R. 7*	National Security Revitalization Act	H. Res. 83	Restrictive; 10 hr. Time Cap on amendments; Pre-printing gets preference	N/A.
H.R. 729*	Death Penalty/Habeas	N/A	Restrictive; brought up under UC with a 6 hr. time cap on amendments	N/A.
S. 2	Senate Compliance	N/A	Closed; Put on Suspension Calendar over Democratic objection	None.
H.R. 831	To Permanently Extend the Health Insurance Deduction for the Self-Employed.	H. Res. 88	Restrictive; makes in order only the Gibbons amendment; Waives all points of order; Contains self-executing provision.	1D.
H.R. 830*	The Paperwork Reduction Act	H. Res. 91	Open	N/A.
H.R. 889	Emergency Supplemental/Rescinding Certain Budget Authority	H. Res. 92	Restrictive; makes in order only the Obey substitute	1D.
H.R. 450*	Regulatory Moratorium	H. Res. 93	Restrictive; 10 hr. Time Cap on amendments; Pre-printing gets preference	N/A.
H.R. 1022*	Risk Assessment	H. Res. 96	Restrictive; 10 hr. Time Cap on amendments	N/A.
H.R. 926*	Regulatory Flexibility	H. Res. 100	Open	N/A.
H.R. 925*	Private Property Protection Act	H. Res. 101	Restrictive; 12 hr. time cap on amendments; Requires Members to pre-print their amendments in the Record prior to the bill's consideration for amendment, waives germaneness and budget act points of order as well as points of order concerning appropriating on a legislative bill against the committee substitute used as base text.	1D.
H.R. 1058*	Securities Litigation Reform Act	H. Res. 105	Restrictive; 8 hr. time cap on amendments; Pre-printing gets preference; Makes in order the Wyden amendment and waives germaneness against it.	1D.
H.R. 988*	The Attorney Accountability Act of 1995	H. Res. 104	Restrictive; 7 hr. time cap on amendments; Pre-printing gets preference	N/A.
H.R. 956*	Product Liability and Legal Reform Act	H. Res. 109	Restrictive; makes in order only 15 germane amendments and denies 64 germane amendments from being considered.	8D; 7R.
H.R. 1158	Making Emergency Supplemental Appropriations and Rescissions	H. Res. 115	Restrictive; Combines emergency H.R. 1158 & nonemergency 1159 and strikes the abortion provision; makes in order only pre-printed amendments that include offsets within the same chapter (deeper cuts in programs already cut); waives points of order against three amendments; waives cl 2 of rule XXI against the bill, cl 2, XXI and cl 7 of rule XVI against the substitute; waives cl 2(e) od rule XXI against the amendments in the Record; 10 hr time cap on amendments. 30 minutes debate on each amendment.	N/A.
H.J. Res. 73*	Term Limits	H. Res. 116	Restrictive; Makes in order only 4 amendments considered under a ''Queen of the Hill'' procedure and denies 21 germane amendments from being considered.	1D; 3R
H.R. 4*	Welfare Reform	H. Res. 119	Restrictive; Makes in order only 31 perfecting amendments and two substitutes; Denies 130 germane amendments from being considered; The substitutes are to be considered under a ''Queen of the Hill'' procedure; All points of order are waived against the amendments.	5D; 26R.
H.R. 1271*	Family Privacy Act	H. Res. 125	Open	N/A.
H.R. 660*	Housing for Older Persons Act	H. Res. 126	Open	N/A.
H.R. 1215*	The Contract With America Tax Relief Act of 1995	H. Res. 129	Restrictive; Self Executes language that makes tax cuts contingent on the adoption of a balanced budget plan and strikes section 3006. Makes in order only one substitute. Waives all points of order against the bill, substitute made in order as original text and Gephardt substitute.	1D.
H.R. 483	Medicare Select Extension	H. Res. 130	Restrictive; waives cl 2(1)(6) of rule XI against the bill; makes H.R. 1391 in order as original text; makes in order only the Dingell substitute; allows Commerce Committee to file a report on the bill at any time.	1D.
H.R. 655	Hydrogen Future Act	H. Res. 136	Open	N/A.
H.R. 1361	Coast Guard Authorization	H. Res. 139	Open; waives sections 302(f) and 308(a) of the Congressional Budget Act against the bill's consideration and the committee substitute; waives cl 5(a) of rule XXI against the committee substitute.	N/A.
H.R. 961	Clean Water Act	H. Res. 140	Open; pre-printing gets preference; waives sections 302(f) and 602(b) of the Budget Act against the bill's consideration; waives cl 7 of rule XVI, cl 5(a) of rule XXI and section 302(f) of the Budget Act against the committee substitute. Makes in order Shuster substitute as first order of business.	N/A.
H.R. 535	Corning National Fish Hatchery Conveyance Act	H. Res. 144	Open	N/A.
H.R. 584	Conveyance of the Fairport National Fish Hatchery to the State of Iowa.	H. Res. 145	Open	N/A.
H.R. 614	Conveyance of the New London National Fish Hatchery Production Facility.	H. Res. 146	Open	N/A.
H. Con. Res. 67	Budget Resolution	H. Res. 149	Restrictive; Makes in order 4 substitutes under regular order; Gephardt, Neumann/Solomon, Payne/Owens, President's Budget if printed in Record on 5/17/95; waives all points of order against substitutes and concurrent resolution; suspends application of Rule XLIX with respect to the resolution; self-executes Agriculture language.	3D; 1R.
H.R. 1561	American Overseas Interests Act of 1995	H. Res. 155	Restrictive; Requires amendments to be printed in the Record prior to their consideration; 10 hr. time cap; waives cl 2(1)(6) of rule XI against the bill's consideration; Also waives sections 302(f), 303(a), 308(a) and 402(a) against the bill's consideration and the committee amendment in order as original text; waives cl 5(a) of rule XXI against the amendment; amendment consideration is closed at 2:30 p.m. on May 25, 1995. Self-executes provision which removes section 2210 from the bill. This was done at the request of the Budget Committee.	N/A.
H.R. 1530	National Defense Authorization Act FY 1996	H. Res. 164	Restrictive; Makes in order only the amendments printed in the report; waives all points of order against the bill, substitute and amendments printed in the report. Gives the Chairman en bloc authority. Self-executes a provision which strikes section 807 of the bill; provides for an additional 30 min. of debate on Nunn-Lugar section; Allows Mr. Clinger to offer a modification of his amendment with the concurrence of Ms. Collins.	36R; 18D; 2 Bipartisan.
H.R. 1817	Military Construction Appropriations; FY 1996	H. Res. 167	Open; waives cl. 2 and cl. 6 of rule XXI against the bill; 1 hr. general debate; Uses House passed budget numbers as threshold for spending amounts pending passage of Budget.	N/A.
H.R. 1854	Legislative Branch Appropriations	H. Res. 169	Restrictive; Makes in order only 11 amendments; waives sections 302(f) and 308(a) of the Budget Act against the bill and cl. 2 and cl. 6 of rule XXI against the bill. All points of order are waived against the amendments.	5R; 4D; 2 Bipartisan.
H.R. 1868	Foreign Operations Appropriations	H. Res. 170	Open; waives cl. 2, cl. 5(b), and cl. 6 of rule XXI against the bill; makes in order the Gilman amendments as first order of business; waives all points of order against the amendments; if adopted they will be considered as original text; waives cl. 2 of rule XXI against the amendments printed in the report. Pre-printing gets priority (Hall) (Menendez) (Goss) (Smith, NJ).	N/A.
H.R. 1905	Energy & Water Appropriations	H. Res. 171	Open; waives cl. 2 and cl. 6 of rule XXI against the bill; makes in order the Shuster amendment as the first order of business; waives all points of order against the amendment; if adopted it will be considered as original text. Pre-printing gets priority.	N/A.
H.J. Res. 79	Constitutional Amendment to Permit Congress and States to Prohibit the Physical Desecration of the American Flag.	H. Res. 173	Closed; provides one hour of general debate and one motion to recommit with or without instructions; if there are instructions, the MO is debatable for 1 hr.	N/A.
H.R. 1944	Recissions Bill	H. Res. 175	Restrictive; Provides for consideration of the bill in the House; Permits the Chairman of the Appropriations Committee to offer one amendment which is unamendable; waives all points of order against the amendment.	N/A.
H.R. 1868 (2nd rule)	Foreign Operations Appropriations	H. Res. 177	Restrictive; Provides for further consideration of the bill; makes in order only the four amendments printed in the rules report (20 min. each). Waives all points of order against the amendments; Prohibits intervening motions in the Committee of the Whole; Provides for an automatic rise and report following the disposition of the amendments.	N/A.
H.R. 1977 *Rule Defeated*	Interior Appropriations	H. Res. 185	Open; waives sections 302(f) and 308(a) of the Budget Act and cl 2 and cl 6 of rule XXI; provides that the bill be read by title; waives all points of order against the Tauzin amendment; self-executes Budget Committee amendment; waives cl 2(e) of rule XXI against amendments to the bill; Pre-printing gets priority.	N/A.
H.R. 1977	Interior Appropriations	H.Res. 187	Open; waives sections 302(f), 306 and 308(a) of the Budget Act; waives clauses 2 and 6 of rule XXI against provisions in the bill; waives all points of order against the Tauzin amendment; provides that the bill be read by title; self-executes Budget Committee amendment and makes NEA funding subject to House passed authorization; waives cl 2(e) of rule XXI against the amendments to the bill; Pre-printing gets priority.	N/A.

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

Bill No.	Title	Resolution No.	Process used for floor consideration	Amendments in order
H.R. 1976	Agriculture Appropriations	H. Res. 188	Open; waives clauses 2 and 6 of rule XXI against provisions in the bill; provides that the bill be read by title; Makes Skeen amendment first order of business, if adopted the amendment will be considered as base text (10 min.); Pre-printing gets priority.	N/A.
H.R. 1977 (3rd rule)	Interior Appropriations	H. Res. 189	Restrictive; provides for the further consideration of the bill; allows only amendments pre-printed before July 14th to be considered; limits motions to rise.	N/A.
H.R. 2020	Treasury Postal Appropriations	H. Res. 190	Open; waives cl. 2 and cl. 6 of rule XXI against provisions in the bill; provides the bill be read by title; Pre-printing gets priority.	N/A.
H.J. Res. 96	Disapproving MFN for China	H. Res. 193	Restrictive; provides for consideration in the House of H.R. 2058 (90 min.) And H.J. Res. 96 (1 hr). Waives certain provisions of the Trade Act.	N/A.
H.R. 2002	Transportation Appropriations	H. Res. 194	Open; waives cl. 3 Of rule XIII and section 401 (a) of the CBA against consideration of the bill; waives cl. 6 and cl. 2 of rule XXI against provisions in the bill; Makes in order the Clinger/Solomon amendment waives all points of order against the amendment (Line Item Veto); provides the bill be read by title; Pre-printing gets priority. *RULE AMENDED*.	N/A.
H.R. 70	Exports of Alaskan North Slope Oil	H. Res. 197	Open; Makes in order the Resources Committee amendment in the nature of a substitute as original text; Pre-printing gets priority; Provides a Senate hook-up with S. 395.	N/A.
H.R. 2076	Commerce, Justice Appropriations	H. Res. 198	Open; waives cl. 2 and cl. 6 of rule XXI against provisions in the bill; Pre-printing gets priority; provides the bill be read by title.	N/A.
H.R. 2099	VA/HUD Appropriations	H. Res. 201	Open; waives cl. 2 and cl. 6 of rule XXI against provisions in the bill; Provides that the amendment in part 1 of the report is the first business, if adopted it will be considered as base text (30 min.); waives all points of order against the Klug and Davis amendments; Pre-printing gets priority; Provides that the bill be read by title.	N/A.
S. 21	Termination of U.S. Arms Embargo on Bosnia	H. Res. 204	Restrictive; 3 hours of general debate; Makes in order an amendment to be offered by the Minority Leader or a designee (1 hr); If motion to recommit has instructions it can only be offered by the Minority Leader or a designee.	ID.
H.R. 2126	Defense Appropriations	H. Res. 205	Open; waives cl. 2(l)(6) of rule XI and section 306 of the Congressional Budget Act against consideration of the bill; waives cl. 2 and cl. 6 of rule XXI against provisions in the bill; self-executes a strike of sections 8021 and 8024 of the bill as requested by the Budget Committee; Pre-printing gets priority; Provides the bill be read by title.	N/A.
H.R. 1555	Communications Act of 1995	H. Res. 207	Restrictive; waives sec. 302(f) of the Budget Act against consideration of the bill; Makes in order the Commerce Committee amendment as original text and waives sec. 302(f) of the Budget Act and cl. 5(a) of rule XXI against the amendment; Makes in order the Bliely amendment (30 min.) as the first order of business, if adopted it will be original text; makes in order only the amendments printed in the report and waives all points of order against the amendments; provides a Senate hook-up with S. 652.	2R/3D/3 Bipartisan.
H.R. 2127	Labor/HHS Appropriations Act	H. Res. 208	Open; Provides that the first order of business will be the managers amendments (10 min.), if adopted they will be considered as base text; waives cl. 2 and cl. 6 of rule XXI against provisions in the bill; waives all points of order against certain amendments printed in the report; Pre-printing gets priority; Provides the bill be read by title.	N/A.
H.R. 1594	Economically Targeted Investments	H. Res. 215	Open; 2 hr of gen. debate. makes in order the committee substitute as original text	N/A.
H.R. 1655	Intelligence Authorization	H. Res. 216	Restrictive; waives sections 302(f), 308(a) and 401(b) of the Budget Act. Makes in order the committee substitute as modified by Govt. Reform amend (striking sec. 505) and an amendment striking title VII. Cl 7 of rule XVI and cl 5(a) of rule XXI are waived against the substitute. Sections 302(f) and 401(b) of the CBA are also waived against the substitute. Amendments must also be pre-printed in the Congressional record.	N/A.
H.R. 1162	Deficit Reduction Lock Box	H. Res. 218	Open; waives cl 7 of rule XVI against the committee substitute made in order as original text; Pre-printing gets priority.	N/A.
H.R. 1670	Federal Acquisition Reform Act of 1995	H. Res. 219	Open; waives sections 302(f) and 308(a) of the Budget Act against consideration of the bill; bill will be read by title; waives cl 5(a) of rule XXI and section 302(f) of the Budget Act against the committee substitute. Pre-printing gets priority.	N/A.
H.R. 1617	To Consolidate and Reform Workforce Development and Literacy Programs Act (CAREERS).	H. Res. 222	Open; waives section 302(f) and 401(b) of the Budget Act against the substitute made in order as original text (H.R. 2332), cl. 5(a) of rule XXI is also waived against the substitute. provides for consideration of the managers amendment (10 min.) If adopted, it is considered as base text.	N/A.
H.R. 2274	National Highway System Designation Act of 1995	H. Res. 224	Open; waives section 302(f) of the Budget Act against consideration of the bill; Makes H.R. 2349 in order as original text; waives section 302(f) of the Budget Act against the substitute; provides for the consideration of a managers amendment (10 min.) If adopted, it is considered as base text; Pre-printing gets priority.	N/A.
H.R. 927	Cuban Liberty and Democratic Solidarity Act of 1995	H. Res. 225	Restrictive; waives cl 2(L)(2)(B) of rule XI against consideration of the bill; makes in order H.R. 2347 as base text; waives cl 7 of rule XVI against the substitute; Makes Hamilton amendment the first amendment to be considered (1 hr). Makes in order only amendments printed in the report.	2R/2D
H.R. 743	The Teamwork for Employees and managers Act of 1995	H. Res. 226	Open; waives cl 2(l)(2)(b) of rule XI against consideration of the bill; makes in order the committee amendment as original text; Pre-printing get priority.	N/A.
H.R. 1170	3-Judge Court for Certain Injunctions	H. Res. 227	Open; makes in order a committee amendment as original text; Pre-printing gets priority	N/A.
H.R. 1601	International Space Station Authorization Act of 1995	H. Res. 228	Open; makes in order a committee amendment as original text; pre-printing gets priority	N/A.
H.J. Res. 108	Making Continuing Appropriations for FY 1996	H. Res. 230	Closed; Provides for the immediate consideration of the CR; one motion to recommit which may have instructions only if offered by the Minority Leader or a designee.	
H.R. 2405	Omnibus Civilian Science Authorization Act of 1995	H. Res. 234	Open; self-executes a provision striking section 304(b)(3) of the bill (Commerce Committee request); Pre-printing gets priority.	N/A.
H.R. 2259	To Disapprove Certain Sentencing Guideline Amendments	H. Res. 237	Restrictive; waives cl 2(l)(2)(B) of rule XI against the bill's consideration; makes in order the text of the Senate bill S. 1254 as original text; Makes in order only a Conyers substitute; provides a senate hook-up after adoption.	1D
H.R. 2425	Medicare Preservation Act	H. Res. 238	Restrictive; waives all points of order against the bill's consideration; makes in order the text of H.R. 2485 as original text; waives all points of order against H.R. 2485; makes in order only an amendment offered by the Minority Leader or a designee; waives all points of order against the amendment; waives cl 5© of rule XXI (3/5 requirement on votes raising taxes).	1D
H.R. 2492	Legislative Branch Appropriations Bill	H. Res. 239	Restrictive; provides for consideration of the bill in the House	N/A.
H.R. 2491 H. Con. Res. 109	7 Year Balanced Budget Reconciliation Social Security Earnings Test Reform.	H. Res. 245	Restrictive; makes in order H.R. 2517 as original text; waives all pints of order against the bill; Makes in order only H.R. 2530 as an amendment only if offered by the Minority Leader or a designee; waives all points of order against the amendment; waives cl 5© of rule XXI (3/5 requirement on votes raising taxes).	1D
H.R. 1833	Partial Birth Abortion Ban Act of 1995	H. Res. 251	Closed	N/A.
H.R. 2546	D.C. Appropriations FY 1996	H. Res. 252	Restrictive; waives all points of order against the bill's consideration; Makes in order the Walsh amendment as the first order of business (10 min.); if adopted it is considered as base text; waives cl 2 and 6 of rule XXI against the bill; makes in order the Bonilla, Gunderson and Hostettler amendments (30 min.); waives all points of order against the amendments; debate on any further amendments is limited to 30 min. each.	N/A
H.J. Res. 115	Further Continuing Appropriations for FY 1996	H. Res. 257	Closed; Provides for the immediate consideration of the CR; one motion to recommit which may have instructions only if offered by the Minority Leader or a designee.	N/A
H.R. 2586	Temporary Increase in the Statutory Debt Limit	H. Res. 258	Restrictive; Provides for the immediate consideration of the CR; one motion to recommit which may have instructions only if offered by the Minority Leader or a designee; self-executes 4 amendments in the rule; Solomon, Medicare Coverage of Certain Anti-Cancer Drug Treatments, Habeas Corpus Reform, Chrysler (MI); makes in order the Walker amend (40 min.) on regulatory reform.	5R
H.R. 2539	ICC Termination	H. Res. 259	Open; waives section 302(f) and section 308(a)	
H.J. Res. 115	Further Continuing Appropriations for FY 1996	H. Res. 261	Closed; provides for the immediate consideration of a motion by the Majority Leader or his designees to dispose of the Senate amendments (1hr).	N/A.
H.R. 2586	Temporary Increase in the Statutory Limit on the Public Debt	H. Res. 262	Closed; provides for the immediate consideration of a motion by the Majority Leader or his designees to dispose of the Senate amendments (1hr).	N/A.
H. Res. 250	House Gift Rule Reform	H. Res. 268	Closed; provides for consideration of the bill in the House; 30 min. of debate; makes in order the Burton amendment and the Gingrich en bloc amendment (30 min. each); waives all points of order against the amendments; Gingrich is only in order if Burton fails or is not offered.	2R
H.R. 2564	Lobbying Disclosure Act of 1995	H. Res. 269	Open; waives cl. 2(l)(6) of rule XI against the bill's consideration; waives all points of order against the Istook and McIntosh amendments.	N/A.
H.R. 2606	Prohibition on Funds for Bosnia Deployment	H. Res. 273	Restrictive; waives all points of order against the bill's consideration; provides one motion to amend if offered by the Minority Leader or designee (1 hr non-amendable); motion to recommit which may have instructions only if offered by Minority Leader or his designee; if Minority Leader motion is not offered debate time will be extended by 1 hr.	N/A.

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

Bill No.	Title	Resolution No.	Process used for floor consideration	Amendments in order
H.R. 1788	Amtrak Reform and Privatization Act of 1995	H. Res. 289	Open; waives all points of order against the bill's consideration; makes in order the Transportation substitute modified by the amend in the report; Bill read by title; waives all points of order against the substitute; makes in order a managers amend as the first order of business, if adopted it is considered base text (10 min.); waives all points of order against the amendment; Pre-printing gets priority.	N/A.
H.R. 1350	Maritime Security Act of 1995	H. Res. 287	Open; makes in order the committee substitute as original text; makes in order a managers amendment which if adopted is considered as original text (20 min.) unamendable; pre-printing gets priority.	N/A.
H.R. 2621	To Protect Federal Trust Funds	H. Res.	Closed; provides for the adoption of the Ways & Means amendment printed in the report. 1 hr. of general debate.	N/A.
H.R. 1745	Utah Public Lands Management Act of 1995	H.Res. 303	Open; waives cl 2(l)(6) of rule XI and sections 302(f) and 311(a) of the Budget Act against the bill's consideration. Makes in order the Resources substitute as base text and waives cl 7 of rule XVI and sections 302(f) and 308(a) of the Budget Act; makes in order a managers' amend as the first order of business, if adopted it is considered base text (10 min).	N/A.
H.Res. 304	Providing for Debate and Consideration of Three Measures Relating to U.S. Troop Deployments in Bosnia.	N/A	Closed; makes in order three resolutions; H.R. 2770 (Dorman), H.Res. 302 (Buyer), and H.Res. 306 (Gephardt); 1 hour of debate on each..	1D; 2R
H.Res. 309	Revised Budget Resolution	H.Res. 309	Closed; provides 2 hours of general debate in the House.	N/A.
H.R. 558	Texas Low-Level Radioactive Waste Disposal Compact Consent Act	H.Res. 313	Open; pre-printing gets priority	N/A.
H.R. 2677	The National Parks and National Wildlife Refuge Systems Freedom Act of 1995.	H. Res. 323	Closed; consideration in the House; self-executes Young amendment	N/A.
		PROCEDURE IN THE 104TH CONGRESS 2D SESSION		
H.R. 1643	To authorize the extension of nondiscriminatory treatment (MFN) to the products of Bulgaria.	H. Res. 334	Closed; provides to take the bill from the Speaker's table with the Senate amendment, and consider in the House the motion printed in the Rules Committee report; 1 hr. of general debate; previous question is considered as ordered.	N/A.
H.J. Res. 134 H. Con. Res. 131	Making continuing appropriations/establishing procedures making the transmission of the continuing resolution H.J. Res. 134.	H. Res. 336	Closed; provides to take from the Speaker's table H.J. Res. 134 with the Senate amendment and concur with the Senate amendment with an amendment (H. Con. Res. 131) which is self-executed in the rule. The rule provides further that the bill shall not be sent back to the Senate until the Senate agrees to the provisions of H. Con. Res. 131.	N/A.
H. R. 1358	Conveyance of National Marine Fisheries Service Laboratory at Gloucester, Massachusetts.	H. Res. 338	Closed; provides to take the bill from the Speakers table with the Senate amendment, and consider in the house the motion printed in the Rules Committee report; 1 hr. of general debate; previous quesetion is considered as ordered.	N/A.
H.R. 2924	Social Security Guarantee Act	H. Res. 355	Closed	N/A.
H.R. 2854	The Agricultural Market Transition Program	H. Res. 366	Restrictive; waives all points of order against the bill; 2 hrs of general debate; makes in order a committee substitute as original text and waives all points of order against the substitute; makes in order only the 16 amends printed in the report and waives all points of order against the amendments; circumvents unfunded mandates law; Chairman has en bloc authority for amends in report (20 min.) on each en bloc.	5D; 9R; 2 Bipartisan.
H.R. 994	Regulatory Sunset & Review Act of 1995	H. Res. 368	Open rule; makes in order the Hyde substitute printed in the Record as original text; waives cl 7 of rule XVI against the substitute; Pre-printing gets priority; vacates the House action on S. 219 and provides to take the bill from the Speakers table and consider the Senate bill; allows Chrmn. Clinger a motion to strike all after the enacting clause of the Senate bill and insert the text of H.R. 994 as passed by the House (1 hr) debate; waives germaneness against the motion; provides if the motion is adopted that it is in order for the House to insist on its amendments and request a conference.	N/A
H.R. 3021	To Guarantee the Continuing Full Investment of Social Security and Other Federal Funds in Obligations of the United States.	H. Res. 371	Closed rule; gives one motion to recommit, which if it contains instructions, may only if offered by the Minority Leader or his designee.	N/A
H.R. 3019	A Further Downpayment Toward a Balanced Budget	H.Res. 372	Restrictive; self-executes CBO language regarding contingency funds in section 2 of the rule; makes in order only the amendments printed in the report; Lowey (20 min), Istook (20 min), Crapo (20 min), Obey (1 hr); waives all points of order against the amendments; give one motion to recommit, which if contains instructions, may only if offered by the Minority Leader or his designee.	2D/2R

*Contract Bills, 67% restrictive; 33% open. **All legislation 1st Session, 53% restrictive; 47% open. ***Legislation 2d Session. 88% restrictive; 12% open. ****All legislation 104th Congress 59% restrictive; 41% open. *****Restrictive rules are those which limit the number of amendments which can be offered, and include so-called modified open and modified closed rules as well as completely closed rules and rules providing for consideration in the House as opposed to the Committee of the Whole. This definition of restrictive rule is taken from the Republican chart of resolutions reported from the Rules Committee in the 103d Congress. N/A means not available.

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

Mr. Speaker, the rule is in the eye of the beholder, and we have a slightly different perspective on the structure of these rules. At this point I include in the RECORD the following chart that will go along with that from the gentleman from Massachusetts [Mr. MOAKLEY].

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

[As of March 7, 1996]

Rule type	103d Congress		104th Congress	
	Number of rules	Percent of total	Number of rules	Percent of total
Open/Modified-open[2]	46	44	59	63
Modified Closed[3]	49	47	22	23
Closed[4]	9	9	13	14
Total	104	100	94	100

[1] This table applies only to rules which provide for the original consideration of bills, joint resolutions or budget resolutions and which provide for an amendment process. It does not apply to special rules which only waive points of order against appropriations bills which are already privileged and are considered under an open amendment process under House rules.

[2] An open rule is one under which any Member may offer a germane amendment under the five-minute rule. A modified open rule is one under which any Member may offer a germane amendment under the five-minute rule subject only to an overall time limit on the amendment process and/or a requirement that the amendment be preprinted in the Congressional Record.

[3] A modified closed rule is one under which the Rules Committee limits the amendments that may be offered only to those amendments designated in the special rule or the Rules Committee report to accompany it, or which preclude amendments to a particular portion of a bill, even though the rest of the bill may be completely open to amendment.

[4] A closed rule is one under which no amendments may be offered (other than amendments recommended by the committee in reporting the bill).

SPECIAL RULES REPORTED BY THE RULES COMMITTEE, 104TH CONGRESS

[As of March 7, 1996]

H. Res. No. (Date rept.)	Rule type	Bill No.	Subject	Disposition of rule
H. Res. 38 (1/18/95)	O	H.R. 5	Unfunded Mandate Reform	A: 350–71 (1/19/95).
H. Res. 44 (1/24/95)	MC	H. Con. Res. 17	Social Security	A: 255–172 (1/25/95).
		H.J. Res. 1	Balanced Budget Amdt	
H. Res. 51 (1/31/95)	O	H.R. 101	Land Transfer, Taos Pueblo Indians	A: voice vote (2/1/95).
H. Res. 52 (1/31/95)	O	H.R. 400	Land Exchange, Arctic Nat'l. Park and Preserve	A: voice vote (2/1/95).
H. Res. 53 (1/31/95)	O	H.R. 440	Land Conveyance, Butte County, Calif	A: voice vote (2/1/95).
H. Res. 55 (2/1/95)	O	H.R. 2	Line Item Veto	A: voice vote (2/2/95).
H. Res. 60 (2/6/95)	O	H.R. 665	Victim Restitution	A: voice vote (2/7/95).
H. Res. 61 (2/6/95)	O	H.R. 666	Exclusionary Rule Reform	A: voice vote (2/7/95).
H. Res. 63 (2/8/95)	MO	H.R. 667	Violent Criminal Incarceration	A: voice vote (2/9/95).
H. Res. 69 (2/9/95)	O	H.R. 668	Criminal Alien Deportation	A: voice vote (2/10/95).
H. Res. 79 (2/10/95)	MO	H.R. 728	Law Enforcement Block Grants	A: voice vote (2/13/95).
H. Res. 83 (2/13/95)	MO	H.R. 7	National Security Revitalization	PQ: 229–100; A: 227–127 (2/15/95).
H. Res. 88 (2/16/95)	MC	H.R. 831	Health Insurance Deductibility	PQ: 230–191; A: 229–188 (2/21/95).
H. Res. 91 (2/21/95)	O	H.R. 830	Paperwork Reduction Act	A: voice vote (2/22/95).
H. Res. 92 (2/21/95)	MC	H.R. 889	Defense Supplemental	A: 282–144 (2/22/95).
H. Res. 93 (2/22/95)	MO	H.R. 450	Regulatory Transition Act	A: 252–175 (2/23/95).
H. Res. 96 (2/24/95)	MO	H.R. 1022	Risk Assessment	A: 253–165 (2/27/95).

SPECIAL RULES REPORTED BY THE RULES COMMITTEE, 104TH CONGRESS—Continued

[As of March 7, 1996]

H. Res. No. (Date rept.)	Rule type	Bill No.	Subject	Disposition of rule
H. Res. 100 (2/27/95)	O	H.R. 926	Regulatory Reform and Relief Act	A: voice vote (2/28/95).
H. Res. 101 (2/28/95)	MO	H.R. 925	Private Property Protection Act	A: 271–151 (3/2/95).
H. Res. 103 (3/3/95)	MO	H.R. 1058	Securities Litigation Reform	
H. Res. 104 (3/3/95)	MO	H.R. 988	Attorney Accountability Act	A: voice vote (3/6/95).
H. Res. 105 (3/6/95)	MO			A: 257–155 (3/7/95).
H. Res. 108 (3/7/95)	Debate	H.R. 956	Product Liability Reform	A: voice vote (3/8/95).
H. Res. 109 (3/8/95)	MC			PQ: 234–191 A: 247–181 (3/9/95).
H. Res. 115 (3/14/95)	MO	H.R. 1159	Making Emergency Supp. Approps	A: 242–190 (3/15/95).
H. Res. 116 (3/15/95)	MC	H.J. Res. 73	Term Limits Const. Amdt	A: voice vote (3/28/95).
H. Res. 117 (3/16/95)	Debate	H.R. 4	Personal Responsibility Act of 1995	A: voice vote (3/21/95).
H. Res. 119 (3/21/95)	MC			A: 217–211 (3/22/95).
H. Res. 125 (4/3/95)	O	H.R. 1271	Family Privacy Protection Act	A: 423–1 (4/4/95).
H. Res. 126 (4/3/95)	O	H.R. 660	Older Persons Housing Act	A: voice vote (4/6/95).
H. Res. 128 (4/4/95)	MC	H.R. 1215	Contract With America Tax Relief Act of 1995	A: 228–204 (4/5/95).
H. Res. 130 (4/5/95)	MC	H.R. 483	Medicare Select Expansion	A: 253–172 (4/6/95).
H. Res. 136 (5/1/95)	O	H.R. 655	Hydrogen Future Act of 1995	A: voice vote (5/2/95).
H. Res. 139 (5/3/95)	O	H.R. 1361	Coast Guard Auth. FY 1996	A: voice vote (5/9/95).
H. Res. 140 (5/9/95)	O	H.R. 961	Clean Water Amendments	A: 414–4 (5/10/95).
H. Res. 144 (5/11/95)	O	H.R. 535	Fish Hatchery—Arkansas	A: voice vote (5/15/95).
H. Res. 145 (5/11/95)	O	H.R. 584	Fish Hatchery—Iowa	A: voice vote (5/15/95).
H. Res. 146 (5/11/95)	O	H.R. 614	Fish Hatchery—Minnesota	A: voice vote (5/15/95).
H. Res. 149 (5/16/95)	MC	H. Con. Res. 67	Budget Resolution FY 1996	PQ: 252–170 A: 255–168 (5/17/95).
H. Res. 155 (5/22/95)	MO	H.R. 1561	American Overseas Interests Act	A: 233–176 (5/23/95).
H. Res. 164 (6/8/95)	MC	H.R. 1530	Nat. Defense Auth. FY 1996	PQ: 225–191 A: 233–183 (6/13/95).
H. Res. 167 (6/15/95)	O	H.R. 1817	MilCon Appropriations FY 1996	PQ: 223–180 A: 245–155 (6/16/95).
H. Res. 169 (6/19/95)	MC	H.R. 1854	Leg. Branch Approps. FY 1996	PQ: 232–196 A: 236–191 (6/20/95).
H. Res. 170 (6/20/95)	O	H.R. 1868	For. Ops. Approps. FY 1996	PQ: 221–178 A: 217–175 (6/22/95).
H. Res. 171 (6/22/95)	O	H.R. 1905	Energy & Water Approps. FY 1996	A: voice vote (7/12/95).
H. Res. 173 (6/27/95)	C	H.J. Res. 79	Flag Constitutional Amendment	PQ: 258–170 A: 271–152 (6/28/95).
H. Res. 176 (6/28/95)	MC	H.R. 1944	Emer. Supp. Approps	PQ: 236–194 A: 234–192 (6/29/95).
H. Res. 185 (7/11/95)	O	H.R. 1977	Interior Approps. FY 1996	PQ: 235–193 D: 192–238 (7/12/95).
H. Res. 187 (7/12/95)	O	H.R. 1977	Interior Approps. FY 1996 #2	PQ: 230–194 A: 229–195 (7/13/95).
H. Res. 188 (7/12/95)	O	H.R. 1976	Agriculture Approps. FY 1996	PQ: 242–185 A: voice vote (7/18/95).
H. Res. 190 (7/17/95)	O	H.R. 2020	Treasury/Postal Approps. FY 1996	PQ: 232–192 A: voice vote (7/18/95).
H. Res. 193 (7/19/95)	C	H.J. Res. 96	Disapproval of MFN to China	A: voice vote (7/20/95).
H. Res. 194 (7/19/95)	O	H.R. 2002	Transportation Approps. FY 1996	PQ: 217–202 (7/21/95).
H. Res. 197 (7/21/95)	O	H.R. 70	Exports of Alaskan Crude Oil	A: voice vote (7/24/95).
H. Res. 198 (7/21/95)	O	H.R. 2076	Commerce, State Approps. FY 1996	A: voice vote (7/25/95).
H. Res. 201 (7/25/95)	O	H.R. 2099	VA/HUD Approps. FY 1996	A: 230–189 (7/25/95).
H. Res. 204 (7/28/95)	MC	S. 21	Terminating U.S. Arms Embargo on Bosnia	A: voice vote (8/1/95).
H. Res. 205 (7/28/95)	O	H.R. 2126	Defense Approps. FY 1996	A: 409–1 (7/31/95).
H. Res. 207 (8/1/95)	MC	H.R. 1555	Communications Act of 1995	A: 255–156 (8/2/95).
H. Res. 208 (8/1/95)	O	H.R. 2127	Labor, HHS Approps. FY 1996	A: 323–104 (8/2/95).
H. Res. 215 (9/7/95)	O	H.R. 1594	Economically Targeted Investments	A: voice vote (9/12/95).
H. Res. 216 (9/7/95)	MO	H.R. 1655	Intelligence Authorization FY 1996	A: voice vote (9/12/95).
H. Res. 218 (9/12/95)	O	H.R. 1162	Deficit Reduction Lockbox	A: voice vote (9/13/95).
H. Res. 219 (9/12/95)	O	H.R. 1670	Federal Acquisition Reform Act	A: 414–0 (9/13/95).
H. Res. 222 (9/18/95)	O	H.R. 1617	CAREERS Act	A: 388–2 (9/19/95).
H. Res. 224 (9/19/95)	O	H.R. 2274	Natl. Highway System	PQ: 241–173 A: 375–39–1 (9/20/95).
H. Res. 225 (9/19/95)	MC	H.R. 927	Cuban Liberty & Dem. Solidarity	A: 304–118 (9/20/95).
H. Res. 226 (9/21/95)	O	H.R. 743	Team Act	A: 344–66–1 (9/27/95).
H. Res. 227 (9/21/95)	O	H.R. 1170	3-Judge Court	A: voice vote (9/28/95).
H. Res. 228 (9/21/95)	O	H.R. 1601	Internatl. Space Station	A: voice vote (9/27/95).
H. Res. 230 (9/27/95)	C	H.J. Res. 108	Continuing Resolution FY 1996	A: voice vote (9/28/95).
H. Res. 234 (9/29/95)	O	H.R. 2405	Omnibus Science Auth	A: voice vote (10/11/95).
H. Res. 237 (10/17/95)	MC	H.R. 2259	Disapprove Sentencing Guidelines	A: voice vote (10/18/95).
H. Res. 238 (10/18/95)	MC	H.R. 2425	Medicare Preservation Act	PQ: 231–194 A: 227–192 (10/19/95).
H. Res. 239 (10/19/95)	C	H.R. 2492	Leg. Branch Approps	PQ: 235–184 A: voice vote (10/31/95).
H. Res. 245 (10/25/95)	MC	H. Con. Res. 109	Social Security Earnings Reform	PQ: 228–191 A: 235–185 (10/26/95).
		H.R. 2491	Seven-Year Balanced Budget	
H. Res. 251 (10/31/95)	C	H.R. 1833	Partial Birth Abortion Ban	A: 237–190 (11/1/95).
H. Res. 252 (10/31/95)	MO	H.R. 2546	D.C. Approps.	A: 241–181 (11/1/95).
H. Res. 257 (11/7/95)	C	H.J. Res. 115	Cont. Res. FY 1996	A: 216–210 (11/8/95).
H. Res. 258 (11/8/95)	MC	H.R. 2586	Debt Limit	A: 220–200 (11/10/95).
H. Res. 259 (11/9/95)	O	H.R. 2539	ICC Termination Act	A: voice vote (11/14/95).
H. Res. 261 (11/9/95)	C	H.J. Res. 115	Cont. Resolution	A: 223–182 (11/10/95).
H. Res. 262 (11/9/95)	C	H.R. 2586	Increase Debt Limit	A: 220–185 (11/10/95).
H. Res. 269 (11/15/95)	O	H.R. 2564	Lobbying Reform	A: voice vote (11/16/95).
H. Res. 270 (11/15/95)	C	H.J. Res. 122	Further Cont. Resolution	A: 229–176 (11/15/95).
H. Res. 273 (11/16/95)	MC	H.R. 2606	Prohibition on Funds for Bosnia	A: 239–181 (11/17/95).
H. Res. 284 (11/29/95)	O	H.R. 1788	Amtrak Reform	A: voice vote (11/30/95).
H. Res. 287 (11/30/95)	O	H.R. 1350	Maritime Security Act	A: voice vote (12/6/95).
H. Res. 293 (12/7/95)	C	H.R. 2621	Protect Federal Trust Funds	PQ: 223–183 A: 228–184 (12/14/95).
H. Res. 303 (12/13/95)	O	H.R. 1745	Utah Public Lands.	
H. Res. 309 (12/18/95)	C	H.Con. Res. 122	Budget Res. W/President	PQ: 230–188 A: 229–189 (12/19/95).
H. Res. 313 (12/19/95)	O	H.R. 558	Texas Low-Level Radioactive	A: voice vote (12/20/95).
H. Res. 323 (12/21/95)	C	H.R. 2677	Natl. Parks & Wildlife Refuge	Tabled (2/28/96).
H. Res. 366 (2/27/96)	MC	H.R. 2854	Farm Bill	PQ: 228–182 A: 244–168 (2/28/96).
H. Res. 368 (2/28/96)	O	H.R. 994	Small Business Growth	
H. Res. 371 (3/6/96)	C	H.R. 3021	Debt Limit Increase	A: voice vote (3/7/96).
H. Res. 372 (3/6/96)	MC	H.R. 3019	Cont. Approps. FY 1996	

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

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

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

Mr. MOAKLEY. Mr. Speaker, I am using the same perspective we used last Congress.

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

Mr. OBEY. Mr. Speaker, let me simply ask with respect to the recent comments of the gentleman from Pennsylvania [Mr. WALKER] with respect to section 4002, does that mean in essence that what the gentleman is saying is that none of the funds in this bill will be provided unless we in fact go through an entire new budget process, an entire new reconciliation process?

I think the gentleman from Pennsylvania indicated the answer was yes. If that is the case, I would like to know how this legislation is supposed to speed us to a compromise on these issues that are already almost 6 months overdue.

Mr. DREIER. Mr. Speaker, we are looking for the gentleman from Pennsylvania [Mr. WALKER] to respond. I am sorry, I do not have a response for my friend.

Mr. OBEY. I thank the chairman anyway. I think the gentleman from Pennsylvania [Mr. WALKER] has made clear that what they evidently intend is an entirely new budget resolution and reconciliation process. This is no way to speed things up.

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

AMENDMENT OFFERED BY MR. DREIER

Mr. DREIER. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. DREIER: Page 3, after 12, add the following:

''Page 539, line 15, strike 'legislation' and insert in lieu thereof 'reconciliation legislation'.''.

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

The SPEAKER pro tempore. The question is on the amendment offered by the gentleman from California [Mr. DREIER].

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

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

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

The Sergeant at Arms will notify absent Members.

Without objection, the Chair will reduce to 5 minutes the vote on the resolution, if ordered.

There was no objection.

The vote was taken by electronic device, and there were—yeas 228, nays 183, not voting 20, as follows:

[Roll No. 49]

YEAS—228

Allard
Archer
Armey
Bachus
Baker (CA)
Baker (LA)
Ballenger
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Bilbray
Bilirakis
Bliley
Blute
Boehlert
Boehner
Bonilla
Bono
Brownback
Bryant (TN)
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Castle
Chabot
Chambliss
Chenoweth
Christensen
Chrysler
Clinger
Coble
Coburn
Collins (GA)
Combest
Condit
Cooley
Crane
Crapo
Cremeans
Cubin
Cunningham
Davis
Deal
DeLay
Dickey
Doolittle
Dornan
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Ensign
Everett
Ewing
Fawell
Fields (TX)
Flanagan
Foley
Forbes
Fowler
Fox
Franks (CT)
Franks (NJ)
Frelinghuysen
Frisa
Funderburk
Gallegly
Ganske
Gekas
Geren
Gilchrest
Gillmor
Goodlatte
Goodling
Goss
Graham
Greenwood
Gunderson
Gutknecht
Hall (TX)
Hancock
Hansen
Hastert
Hastings (WA)
Hayworth
Hefley
Heineman
Hilleary
Hobson
Hoekstra
Hoke
Horn
Hostettler
Houghton
Hunter
Hutchinson
Hyde
Inglis
Istook
Johnson (CT)
Johnson, Sam
Jones
Kasich
Kelly
Kim
King
Kingston
Klug
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Laughlin
Lazio
Leach
Lewis (CA)
Lewis (KY)
Lightfoot
Linder
Livingston
LoBiondo
Longley
Lucas
Manzullo
Martini
McCollum
McCrery
McDade
McHugh
McInnis
McIntosh
McKeon
Metcalf
Meyers
Mica
Miller (FL)
Molinari
Moorhead
Morella
Myrick
Nethercutt
Neumann
Ney
Norwood
Nussle
Oxley
Packard
Parker
Paxon
Petri
Pombo
Porter
Portman
Pryce
Quillen
Quinn
Radanovich
Ramstad
Regula
Riggs
Roberts
Rogers
Rohrabacher
Roth
Roukema
Royce
Salmon
Sanford
Saxton
Schaefer
Schiff
Seastrand
Sensenbrenner
Shadegg
Shaw
Shays
Shuster
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Stearns
Stockman
Stump
Talent
Tate
Tauzin
Taylor (NC)
Thomas
Thornberry
Tiahrt
Torkildsen
Upton
Vucanovich
Waldholtz
Walker
Walsh
Wamp
Watts (OK)
Weldon (FL)
Weller
White
Whitfield
Wicker
Wolf
Young (AK)
Young (FL)
Zeliff
Zimmer

NAYS—183

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

NOT VOTING—20

Barr
Becerra
Bryant (TX)
Chapman
Clay
Collins (MI)
Cox
Diaz-Balart
Gilman
Green
Hayes
Herger
Myers
Peterson (MN)
Pomeroy
Ros-Lehtinen
Scarborough
Stokes
Weldon (PA)
Wilson

□ 1318

The Clerk announced the following pair:

On this vote:

Ms. Ros-Lehtinen for, with Mr. Stokes against.

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

So the amendment was agreed to.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. GILMAN. Mr. Speaker, on rollcall No. 49, I was inadvertently delay. Had I been present, I would have voted ''yea.''

PERSONAL EXPLANATION

Mr. POMEROY. Mr. Speaker, I was unavoidably detained and missed rollcall vote No. 49. I would like the RECORD to reflect that I would have voted ''nay'' on that rollcall vote.

The SPEAKER pro tempore (Mr. LAHOOD). The question is on the resolution, as amended.

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

RECORDED VOTE

Mr. MOAKLEY. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 235, noes 175, not voting 21, as follows:

[Roll No. 50]

AYES—235

Allard
Archer
Armey
Bachus
Baesler
Baker (CA)
Baker (LA)
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Bilbray
Bilirakis
Bliley
Blute
Boehlert
Boehner
Bonilla
Bono
Borski
Brownback
Bryant (TN)
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Castle
Chabot
Chambliss
Christensen
Chrysler
Clinger
Coble
Collins (GA)
Combest
Cooley
Crane
Crapo
Cremeans
Cubin
Cunningham
Deal
DeLay
Dickey
Doolittle
Dornan
Doyle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Ensign
Everett
Ewing
Fawell
Fields (TX)
Foley
Forbes
Fowler
Fox
Franks (CT)
Franks (NJ)
Frelinghuysen
Frisa
Funderburk
Furse
Gallegly
Ganske
Gekas
Gilchrest
Gillmor
Gilman
Goodlatte
Gordon
Goss
Graham
Greenwood
Gunderson
Gutknecht
Hall (TX)
Hancock
Hansen
Hastert
Hastings (WA)
Hayworth
Hefley
Heineman
Herger
Hilleary
Hobson
Hoekstra
Hoke
Holden
Horn
Hostettler
Houghton
Hunter
Hutchinson
Hyde
Inglis
Istook
Johnson (CT)
Johnson, Sam
Jones
Kanjorski
Kasich
Kelly
Kim
King
Kingston
Klug
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Laughlin
Lazio
Leach
Lewis (CA)
Lewis (KY)
Lightfoot
Linder
LoBiondo
Longley
Lucas
Manzullo
Martini
Mascara
McCollum
McCrery
McDade
McHugh
McInnis
McIntosh
McKeon
Metcalf
Meyers
Mica
Miller (FL)
Molinari
Mollohan
Moorhead
Morella
Murtha
Myrick
Nethercutt
Neumann
Ney
Norwood
Nussle
Oxley
Packard
Parker
Paxon
Petri
Pombo
Porter
Portman
Poshard
Pryce
Quillen
Quinn
Radanovich
Rahall
Ramstad
Regula
Riggs
Roberts
Rogers
Rohrabacher
Roukema
Royce
Salmon
Sanford

Saxton
Schaefer
Schiff
Seastrand
Sensenbrenner
Shadegg
Shaw
Shays
Shuster
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Stearns
Stockman
Stump
Talent
Tate
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thornberry
Tiahrt
Torkildsen
Upton
Volkmer
Vucanovich
Waldholtz
Walker
Walsh
Wamp
Watts (OK)
Weldon (FL)
Weller
White
Whitfield
Wicker
Wolf
Young (AK)
Young (FL)
Zeliff

NOES—175

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

NOT VOTING—21

Becerra
Bryant (TX)
Chapman
Chenoweth
Clay
Collins (MI)
Cox
Davis
Diaz-Balart
Flanagan
Goodling
Green
Hayes
Livingston
Myers
Ros-Lehtinen
Roth
Scarborough
Stokes
Weldon (PA)
Wilson

☐ 1326

The Clerk announced the following pair:

On this vote:

Ms. Ros-Lehtinen for, with Mr. Stokes against.

So the resolution, as amended, was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. GOODLING. Mr. Speaker, on Rollcall No. 50, I was unavoidably detained. Had I been present, I would have voted "aye."

PERSONAL EXPLANATION

Mr. FLANAGAN. Mr. Speaker, on Rollcall No. 50, I was unavoidably detained. Had I been present, I would have voted "no."

REQUEST FOR CONSIDERATION OF AMENDMENT IN LIEU OF AMENDMENT TO H.R. 3019, BALANCED BUDGET DOWN PAYMENT ACT, II

Mr. OBEY. Mr. Speaker, I had indicated earlier that I would be making this request in order to try to save $900 million by providing for multiyear funding for the C–17.

Mr. Speaker, I ask unanimous consent that during consideration of H.R. 3019, pursuant to House Resolution 372, it may be in order to consider the amendment relating to the C–17 aircraft that I have placed at the desk as though it were the amendment specified as No. 4 in House Report 104–474, except that the time for debate be limited to 20 minutes.

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

The Clerk read as follows:

Amendment offered by Mr. OBEY: Add the following title to the end of the bill:

"TITLE V—C–17 MULTI-YEAR CONTRACT

Funds appropriated under the heading, "Aircraft Procurement, Air Force," in Public Laws 104–61, 103–335, and 103–139 that are or remain available for C–17 airframes, C–17 aircraft engines, and complementary widebody aircraft/NDAA may be used for multiyear procurement contracts for C–17 aircrafts: *Provided,* That the duration of multiyear contracts awarded under the authority of this section may be for a period not to exceed seven program years, notwithstanding section 2306b(1) of title 10, United States Code."

☐ 1330

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

Mr. YOUNG of Florida. Mr. Speaker, reserving the right to object, I would point out to the gentleman who offered the request that the Appropriations Subcommittee on National Security strongly supports the C–17 aircraft and also strongly supports multiyear contracting as a way to save, get more for the dollar.

In this case the President's request is somewhat unique. Normally multiyear contracting is for a 5-year period. In this case it is for 7, and normally we are guaranteed at least a 10-percent savings because of going to multiyear. In this case we are only guaranteed 5 percent.

We will be addressing this issue, and it will be addressed in conference since the other body will include it in their bill.

Mr. Speaker, I will object.

Mr. OBEY. Mr. Speaker, will the gentleman yield under his reservation before he does object?

Mr. YOUNG of Florida. Further reserving the right to object, I yield to the gentleman from Wisconsin.

Mr. OBEY. Mr. Speaker, I would simply point out that nothing in my language in any way prevents us from getting any deal that we want to get out of the contractor. But the fact is that, as the gentleman knows, items are often lost in conference because of trades. This is an opportunity for us to nail down at least $900 million in savings right now.

Mr. YOUNG of Florida. Mr. Speaker, I would respond simply by saying we think we might be able to do better than the $900 million. That is certainly what we intend to do.

As far as this amendment getting lost in conference, I do not think that is a serious problem at all. If we agree to it here today, then there is no conference on this item and there is no further opportunity for us to try to get more for the dollar.

Mr. Speaker, I must restate my objection.

The SPEAKER pro tempore. Objection is heard.

BALANCED BUDGET DOWN PAYMENT ACT, II

The SPEAKER pro tempore. Pursuant to House Resolution 372 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 3019.

☐ 1332

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 3019) making appropriations for fiscal year 1996 to make a further downpayment toward a balanced budget, and for other purposes, with Mr. DREIER in the chair.

The Clerk read the title of the bill.

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

Under the rule, the gentleman from Louisiana [Mr. LIVINGSTON] and the gentleman from Wisconsin [Mr. OBEY], each will be recognized for 30 minutes.

The Chair recognizes the gentleman from Louisiana [Mr. LIVINGSTON].

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

Mr. Chairman, as we are aware, the 1996 appropriations cycle has extended longer than normal, primarily because the President vetoed three bills, the Commerce, Justice, State and Judiciary bill, the Interior bill, and the VA–HUD bill, and because the other body was engaged in a filibuster on the Labor, Health and Human Services and Education bill.

Those bills are encompassed in this wrap-up bill. We have various names

for it. Some people call it a continuing resolution. People call it other things. But I will call it the wrap-up bill, for the purposes of our discussion at this time, because indeed it intends to wrap up what is left on the table for fiscal year 1996.

There is a fifth bill not covered by this effort which is facing another filibuster in the Senate. That is the District of Columbia bill, which hinges on the resolution of a small $3 million pilot program involving sending poor kids to private schools, and for some reason the liberals are against that. We will let them deal with that one. The House has worked its will, and that bill should go to the President, I hope within the next few days.

The bill before us deals with the remaining four bills that I have already named. It is a fiscally responsible bill. It maintains a commitment to the balanced budget, and in fact with respect to the nondefense discretionary portion, saves the American taxpayer ongoing money which throughout 1996 will accumulate to some $23 billion. Added to the $20 billion in discretionary savings from 1995, this means that since we took over in the 104th Congress we have saved the taxpayer approximately $43 billion.

Everything in this bill is either within our 602 available allocations or is paid for by some current or future offsets within our discretionary accounts. Excuse me, it is paid for within our offsets of the discretionary accounts. In a subsequent title of the bill we talk about contingent spending that may be paid for in some other fashion in title IV of the bill, which addresses issues beyond the current funding allocations for fiscal year 1996 for Commerce, Justice, State, Interior, VA–HUD and Labor-Health.

We have a title encompassing the peacekeeping initiatives by the President and his request for supplemental spending by the Congress on issues such as Bosnia and other foreign operations accounts. This bill will provide $820 million for Bosnia in defense, paid for from money previously allocated and appropriated to the defense of the Nation. It would take it out of various accounts in the Defense budget and apply it to the Bosnian effort.

Likewise the bill would apply another $200 million for infrastructure in Bosnia paid out of the foreign operations account. This money is said by Admiral Smith, the head of the United States NATO effort in Bosnia, to be essential to make sure that our troops are taken care of, that their mission which ends at the end of the year will not be for naught, and that people scattered throughout the region of Bosnia will have jobs and opportunity to do things other than fight each other and kill one another.

This title, the second title of this bill also provides $70 million rather than $140 million requested by the President for Jordan for the purchase of F–16 aircraft.

The third title of the bill is for natural disaster assistance. It is, again, requested by the President. We do not dispute his assertions that the people in the Northwest were tragically devastated by the flooding there, and certain other parts of the country have been afflicted with tremendous adversity because of other natural disasters. Likewise, a couple of hurricanes ran over the Virgin Islands. There is some money in here to assist in the recovery from that.

Altogether there is about $989 million in funding, again all paid for, for natural disaster assistance.

Finally, the fourth title of the bill includes contingent appropriations. Mr. Chairman, the President a couple of months ago stood before a joint session of Congress and said to the Members of Congress and to the American people, in his State of the Union speech, that the era of big Government is now over. That followed his agreement a month or two before that in which he asserted that he was in favor of a balanced budget by the year 2002, acknowledging that we have been spending $100 billion a year, $200 billion a year and even as high as $300 billion a year in excess of what we have raised in revenues, and that the aggregate debt laid on the shoulders of the American people comes down to $5 trillion or $20,000 for every man, woman, and child in this country, and that the interest on that debt is compounding at such a rate that this year it will exceed what we spend on the defense of the Nation.

It is such a grave problem that we must start working our way toward a balanced budget. The President acknowledged that, and then said the era of big Government is over, and immediately said he needs $4 or $6 billion more in additional spending for the programs covered by the bills that are in this wrap-up package.

That is what he said about a month ago. Then over the last few weeks he said, ''No, I need $8 billion more than you are providing in these bills.'' In fact, just yesterday Alice Rivlin, the Director of the Office of Management and Budget, wrote Chairman HATFIELD, my counterpart, the chairman of the Senate Appropriations Committee, and told Chairman HATFIELD,

> Look, it's nice that you in the Senate have comprised a bill that is much like the one we're doing here in the House. It is nice that you are doing that. It is nice that you have actually provided a contingent appropriation of $4.7 billion in the Senate. Our package is about $3.4 billion but we still need $7 billion on top of that.

By my account, what they are saying now they need instead of $6 billion or $8 billion, now they are saying they need $12 billion. I am still scratching my head about it because they said if they do not get it, they are going to veto the bill.

That concerns me because we have tried to accommodate the President on disaster relief. We have accommodated the President on national assistance on the mission in Bosnia, to make sure that our troops are doing a great job and are adequately supported. We have accommodated the President on billions and billions of dollars in spending, including $14.6 billion in law enforcement, $23.6 billion in education, $38.4 billion on veterans benefits, inclusive of $16.9 billion in health benefits for veterans, $19.3 billion in housing, $5.7 billion for EPA, the Environmental Protection Agency, $5.1 billion in parks, refuges, and forests, and the list goes on and on and on. Yet he tells us, ''I have got to have $6 or $8 or $12 billion more.''

What we have done is scrub the President's list. We have taken what the President says he would spend more money on and we have identified those issues that we acknowledge maybe you could spend some more money, but we are said, ''Mr. President, we are bumping up against our budget caps. With our bills, we have gone as far as we can go and still keep on the approach to a balanced budget by the year 2002.''

Our Budget Committee has worked in conjunction with the Budget Committee in the Senate, and even though the President has not signed, in fact he has vetoed the congressional effort to balance the budget, he has vetoed welfare reform, he has vetoed Medicaid reform, he has vetoed Medicare reform, he has vetoed an attempt by the Congress to get spending in line with our outflow, even though he has done that, well, the fact is that he says he still needs more money, needs more, $8 or $12 billion more.

We are saying, ''OK, Mr. President, we will even meet you halfway there. We will give you $3.5 billion in this bill, but it has to be paid for.'' He can pay for it somehow—in my own opinion, this is me speaking, the chairman of the Appropriations Committee—by designating programs he wants to cut on the discretionary side, if he can designate mandatory spending cuts, fine. I do not know where he gets it, but he has to pay for it, and we have got to still be on that glide path toward a balanced budget by the year 2002.

If we do that, we will give him another $3.5 billion. The Senate wants to give him another $4.7 billion. Somewhere down the line in the conference next week, if this passes today, we will meet and we will reach an agreement, I hope with the President represented at the table.

I do not know if that will happen but, Mr. Chairman, I am here to state that the Appropriations Committee and the Members of this House are prepared to meet the President halfway. We do not want to shut the Government down. We want to give him a package that meets him halfway. If he wants to meet us halfway, we will have an agreement, but if he insists on language such as appears in that letter to Chairman HATFIELD last night signed by Alice Rivlin, it looks like he wants to shut the Government down, he wants to

foist a crisis on the American people, and he wants to blame Congress for his indolence or inactivity.

I hope that does not come to pass. I am going to do everything I can toward forming an agreement with the Senate, forming an agreement with the White House, and keep operations going and end the action on fiscal year 1996 funding so that we can go on to work on fiscal year 1997 funding.

□ 1345

But the President needs to meet us halfway.

Mr. Speaker, at this point in the RECORD, I would like to insert several tables reflecting the amounts in this bill.

FY 1996 DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS BILL (H.R. 3019)

	FY 1995 Enacted	FY 1996 Estimate	Conference (H.R. 2076)	H.R. 3019	H.R. 3019 compared with Enacted
TITLE I - DEPARTMENT OF JUSTICE					
General Administration					
Salaries and expenses: 1/					
Direct appropriation	119,643,000	73,229,000	74,282,000	74,282,000	-45,361,000
(By transfer)	.....	.....	.....	.....	.....
Crime trust fund	17,400,000	15,500,000	.....	.....	-17,400,000
Total, Salaries and expenses	137,043,000	88,729,000	74,282,000	74,282,000	-62,761,000
Working capital fund (rescission)	-5,500,000	.....	.....	.....	+5,500,000
Police Corps (Crime trust fund)	.....	.....	.....	.....	.....
Counterterrorism fund	34,220,000	28,398,000	16,898,000	16,898,000	-17,322,000
Administrative review and appeals: 1/					
Direct appropriation	.....	54,336,000	38,886,000	38,886,000	+38,886,000
Crime trust fund	.....	33,180,000	47,780,000	47,780,000	+47,780,000
Total, Administrative review and appeals	.....	87,516,000	86,666,000	86,666,000	+86,666,000
Office of Inspector General	30,484,000	36,744,000	28,960,000	28,960,000	-1,524,000
Total, General administration	196,247,000	239,387,000	206,806,000	206,806,000	+10,559,000
Appropriations	(184,347,000)	(190,707,000)	(159,026,000)	(159,026,000)	(-25,321,000)
Crime trust fund	(17,400,000)	(48,680,000)	(47,780,000)	(47,780,000)	(+30,380,000)
United States Parole Commission					
Salaries and expenses	7,450,000	6,781,000	5,446,000	5,446,000	-2,004,000
Legal Activities					
General legal activities:					
Direct appropriation	416,834,000	437,060,000	401,929,000	401,929,000	-14,905,000
(By transfer)	.....	.....	(12,000,000)	(12,000,000)	(+12,000,000)
Crime trust fund	4,600,000	7,591,000	7,591,000	7,591,000	+2,991,000
Total, General legal activities	(421,434,000)	(444,651,000)	(421,520,000)	(421,520,000)	(+86,000)
Vaccine injury compensation trust fund	2,500,000	4,028,000	4,028,000	4,028,000	+1,528,000
Independent counsel (permanent, indefinite)	4,000,000	2,884,000	2,884,000	2,884,000	-1,116,000
Civil liberties public education fund	5,000,000	5,000,000	.....	.....	-5,000,000
Antitrust Division	85,143,000	91,752,000	85,143,000	85,143,000	.....
Offsetting fee collections - carryover	-4,500,000	.....	-19,360,000	-19,360,000	-14,860,000
Offsetting fee collections - current year	-39,640,000	-48,262,000	-48,262,000	-48,262,000	-8,622,000
Direct appropriation	41,003,000	43,490,000	17,521,000	17,521,000	-23,482,000
United States Attorneys:					
Direct appropriation	829,024,000	909,463,000	895,509,000	895,509,000	+66,485,000
Emergency appropriations (P.L. 104-19)	2,000,000	.....	.....	.....	-2,000,000
Violent crime task force	15,000,000	15,000,000	.....	.....	-15,000,000
Crime trust fund	6,800,000	14,731,000	30,000,000	30,000,000	+23,200,000
Total, United States Attorneys	852,824,000	939,194,000	925,509,000	925,509,000	+72,685,000
United States Trustee System Fund	103,183,000	109,245,000	102,390,000	102,390,000	-793,000
Offsetting fee collections	-40,597,000	-44,191,000	-44,191,000	-44,191,000	-3,594,000
Direct appropriation	62,586,000	65,054,000	58,199,000	58,199,000	-4,387,000
Foreign Claims Settlement Commission	830,000	905,000	830,000	830,000	.....
United States Marshals Service:					
Direct appropriation	396,782,000	446,887,000	423,248,000	423,248,000	+26,466,000
Crime trust fund	.....	16,500,000	25,000,000	25,000,000	+25,000,000
Total, United States Marshals Service	396,782,000	463,387,000	448,248,000	448,248,000	+51,466,000
Federal Prisoner Detention	296,753,000	295,331,000	252,820,000	252,820,000	-43,933,000
(Prior year carryover)	.....	.....	(33,511,000)	(33,511,000)	(+33,511,000)
(By transfer)	.....	.....	(9,000,000)	(9,000,000)	(+9,000,000)
Total, Federal prisoner detention	(296,753,000)	(295,331,000)	(295,331,000)	(295,331,000)	(-1,422,000)
Fees and expenses of witnesses	77,982,000	85,000,000	85,000,000	85,000,000	+7,018,000
Community Relations Service 2/	20,379,000	20,695,000	5,319,000	5,319,000	-15,060,000
Assets forfeiture fund	50,000,000	55,000,000	30,000,000	30,000,000	-20,000,000
Total, Legal activities	2,232,073,000	2,424,619,000	2,239,878,000	2,239,878,000	+7,805,000
Appropriations	(2,220,673,000)	(2,385,797,000)	(2,177,287,000)	(2,177,287,000)	(-43,386,000)
Crime trust fund	(11,400,000)	(38,822,000)	(62,591,000)	(62,591,000)	(+51,191,000)

FY 1996 DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS BILL (H.R. 3019) — Continued

	FY 1995 Enacted	FY 1996 Estimate	Conference (H.R. 2076)	H.R. 3019	H.R. 3019 compared with Enacted
Radiation Exposure Compensation					
Administrative expenses	2,655,000	2,655,000	2,655,000	2,655,000	.....
Advance appropriation	.....	2,655,000	.....	.....	.....
Payment to radiation exposure compensation trust fund	.....	16,264,000	.....	.....	.....
Advance appropriation	.....	30,000,000	16,264,000	16,264,000	+16,264,000
Total, Radiation Exposure Compensation	2,655,000	51,574,000	18,919,000	18,919,000	+16,264,000
Interagency Law Enforcement					
Interagency crime and drug enforcement	374,943,000	378,473,000	359,843,000	359,843,000	-15,100,000
Federal Bureau of Investigation					
Salaries and expenses	2,038,774,000	2,305,367,000	2,002,438,000	2,002,438,000	-36,336,000
(By transfer)	.....	.....	(22,000,000)	(22,000,000)	(+22,000,000)
Emergency appropriations (P.L. 104-19)	77,140,000	.....	.....	.....	-77,140,000
Counterintelligence and national security	80,421,000	82,224,000	102,345,000	102,345,000	+21,924,000
FBI Fingerprint identification	84,400,000	84,400,000	84,400,000	84,400,000	.....
Digital telephony (crime trust fund)	.....	33,400,000	33,400,000	33,400,000	+33,400,000
Other initiatives (crime trust fund)	.....	13,100,000	184,900,000	184,900,000	+184,900,000
Construction	.....	99,259,000	97,589,000	97,589,000	+97,589,000
Total, Federal Bureau of Investigation	2,280,735,000	2,617,770,000	2,505,072,000	2,505,072,000	+224,337,000
Appropriations	(2,280,735,000)	(2,571,270,000)	(2,286,772,000)	(2,286,772,000)	(+6,037,000)
Crime trust fund	.....	(46,500,000)	(218,300,000)	(218,300,000)	(+218,300,000)
Drug Enforcement Administration					
Salaries and expenses	799,944,000	845,409,000	792,909,000	792,909,000	-7,035,000
Diversion control fund	-43,431,000	-47,241,000	-47,241,000	-47,241,000	-3,810,000
Direct appropriation	756,513,000	798,168,000	745,668,000	745,668,000	-10,845,000
Crime trust fund	.....	12,000,000	60,000,000	60,000,000	+60,000,000
Total, Drug Enforcement Administration	756,513,000	810,168,000	805,668,000	805,668,000	+49,155,000
Immigration and Naturalization Service					
Salaries and expenses:					
Direct appropriation	1,101,475,000	1,453,471,000	1,394,825,000	1,394,825,000	+293,350,000
Border Patrol:					
Direct appropriation	.....	.....	(506,800,000)	(506,800,000)	.....
Crime trust fund	.....	.....	(78,000,000)	(75,765,000)	.....
New offsetting fees	.....	.....	.....	.....	.....
Subtotal, Border patrol	.....	.....	.....	.....	.....
Immigration initiative (crime trust fund)	100,600,000	335,498,000	162,628,000	162,628,000	+62,028,000
Border control system modernization (crime trust fund)	154,600,000	.....	153,570,000	153,570,000	-1,030,000
Subtotal, Direct and crime trust fund	(1,356,675,000)	(1,788,969,000)	(1,711,023,000)	(1,711,023,000)	(+354,348,000)
Fee accounts:					
Immigration legalization fund	(3,482,000)	(1,623,000)	(1,623,000)	(1,623,000)	(-1,859,000)
Immigration user fee	(330,952,000)	(357,084,000)	(357,084,000)	(357,084,000)	(+26,132,000)
Land border inspection fund	(1,584,000)	(5,965,000)	(5,965,000)	(5,965,000)	(+4,381,000)
Immigration examinations fund	(291,097,000)	(304,572,000)	(440,160,000)	(440,160,000)	(+149,063,000)
Cuban/Haitian resettlement (examinations fund)	.....	.....	(10,057,000)	(10,057,000)	(+10,057,000)
Breached bond fund	(6,200,000)	(6,358,000)	(6,358,000)	(6,358,000)	(+158,000)
Subtotal, Fee accounts	(633,315,000)	(675,602,000)	(821,447,000)	(821,447,000)	(+188,132,000)
Construction	50,000,000	.....	25,000,000	25,000,000	-25,000,000
Immigration Emergency Fund	30,000,000	.....	.....	.....	-30,000,000
Total, Immigration and Naturalization Service	(2,069,990,000)	(2,464,771,000)	(2,557,470,000)	(2,557,470,000)	(+487,480,000)
Appropriations	(1,181,475,000)	(1,453,471,000)	(1,419,825,000)	(1,419,825,000)	(+238,350,000)
Crime trust fund	(255,200,000)	(335,498,000)	(316,198,000)	(316,198,000)	(+60,998,000)
(Fee accounts)	(633,315,000)	(675,802,000)	(821,447,000)	(821,447,000)	(+188,132,000)
Federal Prison System					
Salaries and expenses	2,353,597,000	2,630,259,000	2,614,578,000	2,614,578,000	+260,981,000
Prior year carryover	-30,000,000	.....	-47,000,000	-47,000,000	-17,000,000
Direct appropriation	2,323,597,000	2,630,259,000	2,567,578,000	2,567,578,000	+243,981,000
Crime trust fund	.....	13,500,000	13,500,000	13,500,000	+13,500,000
Total, Salaries and expenses	2,323,597,000	2,643,759,000	2,581,078,000	2,581,078,000	+257,481,000
National Institute of Corrections	10,302,000	10,158,000	.....	.....	-10,302,000
Buildings and facilities	276,301,000	323,728,000	334,728,000	334,728,000	+58,427,000

FY 1996 DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS BILL (H.R. 3019) — Continued

	FY 1995 Enacted	FY 1996 Estimate	Conference (H.R. 2076)	H.R. 3019	H.R. 3019 compared with Enacted
Federal Prison Industries, Incorporated (limitation on administrative expenses)	(3,463,000)	(3,559,000)	(3,559,000)	(3,559,000)	(+96,000)
Total, Federal Prison System	2,610,200,000	2,977,645,000	2,915,808,000	2,915,808,000	+305,608,000
Office of Justice Programs					
Justice Assistance:					
Direct appropriation	97,977,000	102,345,000	99,977,000	99,977,000	+2,000,000
Crime trust fund:					
Violence Against Women Grants	26,000,000	174,900,000	174,500,000	174,500,000	+148,500,000
Rural law enforcement		10,252,000			
Crime prevention		30,000,000			
Model intensive prevention		48,216,000			
State prison drug treatment		27,000,000	27,000,000	27,000,000	+27,000,000
Other crime control programs		4,426,000	900,000	900,000	+900,000
Subtotal, Crime trust fund	26,000,000	294,794,000	202,400,000	202,400,000	+176,400,000
Total, Justice Assistance	123,977,000	397,139,000	302,377,000	302,377,000	+178,400,000
State and local law enforcement assistance:					
Direct appropriations:					
Byrne grants (discretionary)	62,000,000	50,000,000	60,000,000	60,000,000	-2,000,000
Byrne grants (formula)		190,000,000	328,000,000	328,000,000	+328,000,000
State identification grants					
Weed and seed fund	13,456,000	5,000,000	(28,500,000)	(28,500,000)	-13,456,000
Subtotal, Direct appropriations	75,456,000	245,000,000	388,000,000	388,000,000	+312,544,000
Crime trust fund:					
State and local block grants:					
Byrne grants (discretionary)					
Byrne grants (formula)	450,000,000	260,000,000	147,000,000	147,000,000	-303,000,000
Community policing	1,300,000,000	1,902,964,000			-1,300,000,000
Local law enforcement block grant			1,903,000,000	1,903,000,000	+1,903,000,000
Subtotal, State and local block grants	1,750,000,000	2,162,964,000	2,050,000,000	2,050,000,000	+300,000,000
Upgrade criminal history records	100,000,000	25,000,000	25,000,000	25,000,000	-75,000,000
State prison grants	24,500,000	500,000,000	817,500,000	817,500,000	+793,000,000
State criminal alien assistance program	130,000,000	300,000,000	300,000,000	300,000,000	+170,000,000
Youthful offender incarceration		9,643,000			
Drug Courts	11,900,000	150,000,000			-11,900,000
Ounce of Prevention Council	1,500,000				-1,500,000
Other crime control programs		26,799,000	12,700,000	12,700,000	+12,700,000
Subtotal, Crime trust fund	2,017,900,000	3,174,406,000	3,005,200,000	3,005,200,000	+987,300,000
Total, State and local law enforcement	2,093,356,000	3,419,406,000	3,393,200,000	3,393,200,000	+1,299,844,000
Juvenile justice programs	155,250,000	148,500,000	148,500,000	148,500,000	-6,750,000
Crime trust fund					
Total, Juvenile justice programs	(155,250,000)	(148,500,000)	(148,500,000)	(148,500,000)	(-6,750,000)
Public safety officers benefits program:					
Death benefits	27,645,000	28,474,000	28,474,000	28,474,000	+829,000
Disability benefits	2,072,000	2,134,000	2,134,000	2,134,000	+62,000
Total, Office of Justice Programs	2,402,300,000	3,995,653,000	3,874,885,000	3,874,885,000	+1,472,385,000
Appropriations	(358,400,000)	(526,453,000)	(667,085,000)	(667,085,000)	(+308,685,000)
Crime trust fund	(2,043,900,000)	(3,469,200,000)	(3,207,800,000)	(3,207,800,000)	(+1,163,700,000)
Total, title I, Department of Justice	12,299,791,000	15,291,039,000	14,666,146,000	14,666,146,000	+2,366,355,000
Appropriations	(9,977,391,000)	(11,326,839,000)	(10,742,177,000)	(10,742,177,000)	(+764,786,000)
Crime trust fund	(2,327,900,000)	(3,964,200,000)	(3,925,969,000)	(3,925,969,000)	(+1,598,069,000)
(Limitation on administrative expenses)	(3,463,000)	(3,559,000)	(3,559,000)	(3,559,000)	(+96,000)
TITLE II - DEPARTMENT OF COMMERCE AND RELATED AGENCIES					
TRADE AND INFRASTRUCTURE DEVELOPMENT					
Office of the United States Trade Representative					
Salaries and expenses	20,949,000	20,949,000	20,889,000	20,889,000	-60,000
International Trade Commission					
Salaries and expenses	42,500,000	47,177,000	40,000,000	40,000,000	-2,500,000
Total, Related agencies	63,449,000	68,126,000	60,889,000	60,889,000	-2,560,000

FY 1996 DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS BILL (H.R. 3019) — Continued

	FY 1995 Enacted	FY 1996 Estimate	Conference (H.R. 2076)	H.R. 3019	H.R. 3019 compared with Enacted
International Trade Administration					
Operations and administration	266,093,000	279,558,000	264,885,000	264,885,000	-1,208,000
Export Administration					
Operations and administration	38,644,000	48,441,000	38,604,000	38,604,000	-40,000
Economic Development Administration					
Economic development assistance programs	382,783,000	407,783,000	328,500,000	328,500,000	-54,283,000
Emergency rescission (P.L. 104-19)	-5,250,000	.....	.....	.....	+5,250,000
Salaries and expenses	32,144,000	31,183,000	20,000,000	20,000,000	-12,144,000
Total, Economic Development Administration	409,677,000	438,966,000	348,500,000	348,500,000	-61,177,000
Minority Business Development Agency					
Minority business development	43,789,000	47,921,000	32,000,000	32,000,000	-11,789,000
United States Travel and Tourism Administration					
Salaries and expenses (P.L. 104-99)	16,328,000	16,303,000	2,000,000	2,000,000	-14,328,000
Total, Trade and Infrastructure Development	837,960,000	899,315,000	746,878,000	746,878,000	-91,102,000
ECONOMIC AND INFORMATION INFRASTRUCTURE					
Economic and Statistical Analysis					
Salaries and expenses	46,896,000	57,220,000	45,900,000	45,900,000	-996,000
Economics and statistics administration revolving fund	1,677,000	.....	.....	.....	-1,677,000
Bureau of the Census					
Salaries and expenses	136,000,000	144,812,000	133,812,000	133,812,000	-2,188,000
Periodic censuses and programs	142,063,000	193,450,000	150,300,000	150,300,000	+8,217,000
Total, Bureau of the Census	278,063,000	338,262,000	284,112,000	284,112,000	+6,029,000
National Telecommunications and Information Administration					
Salaries and expenses	20,961,000	22,932,000	17,000,000	17,000,000	-3,961,000
(By transfer)	.....	.....	.....	.....	.....
Public broadcasting facilities, planning and construction	28,963,000	7,959,000	15,500,000	15,500,000	-13,463,000
Endowment for Children's Educational Television	2,499,000	2,502,000	.....	.....	-2,499,000
Information infrastructure grants	44,962,000	99,912,000	21,500,000	21,500,000	-23,462,000
Total, National Telecommunications and Information Administration	97,405,000	133,305,000	54,000,000	54,000,000	-43,405,000
Patent and Trademark Office					
Salaries and expenses	82,324,000	110,868,000	82,324,000	82,324,000	.....
Total, Economic and Information Infrastructure	506,385,000	639,855,000	466,336,000	466,336,000	-40,049,000
SCIENCE AND TECHNOLOGY					
National Institute of Standards and Technology					
Scientific and technical research and services	247,486,000	310,679,000	259,000,000	259,000,000	+11,514,000
Industrial technology services	418,373,000	642,458,000	80,000,000	80,000,000	-338,373,000
Construction of research facilities	34,639,000	69,913,000	60,000,000	60,000,000	+25,361,000
Total, National Institute of Standards and Technology	700,498,000	1,023,050,000	399,000,000	399,000,000	-301,498,000
National Oceanic and Atmospheric Administration					
Operations, research and facilities 3/	1,805,092,000	2,021,135,000	1,795,677,000	1,795,677,000	-9,415,000
Offsetting collections - fees	-6,000,000	-3,000,000	-3,000,000	-3,000,000	+3,000,000
Direct appropriation	1,799,092,000	2,018,135,000	1,792,677,000	1,792,677,000	-6,415,000
(By transfer from Promote and Develop Fund)	(55,500,000)	(55,500,000)	(63,000,000)	(63,000,000)	(+7,500,000)
(By transfer from Damage assessment and restoration revolving fund, permanent)	8,500,000	3,900,000	3,900,000	3,900,000	-4,600,000
(Damage assessment and restoration revolving fund)	-1,500,000	-3,900,000	-3,900,000	-3,900,000	-2,400,000
Total, Operations, research and facilities	1,806,092,000	2,018,135,000	1,792,677,000	1,792,677,000	-13,415,000
Coastal zone management fund	(7,800,000)	(7,800,000)	(7,800,000)	(7,800,000)	.....
Mandatory offset	(-7,800,000)	(-7,800,000)	(-7,800,000)	(-7,800,000)	.....
Construction	82,254,000	52,299,000	50,000,000	50,000,000	-32,254,000
Fleet modernization, shipbuilding and conversion	22,936,000	23,347,000	8,000,000	8,000,000	-14,936,000
GOES satellite contingency fund (rescission)	-2,500,000	.....	.....	.....	+2,500,000
Fishing vessel and gear damage fund	1,273,000	1,282,000	1,032,000	1,032,000	-241,000
Fishermen's contingency fund	999,000	1,000,000	999,000	999,000	.....

FY 1996 DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS BILL (H.R. 3019) — Continued

	FY 1995 Enacted	FY 1996 Estimate	Conference (H.R. 2076)	H.R. 3019	H.R. 3019 compared with Enacted
Foreign fishing observer fund	400,000	396,000	196,000	196,000	-204,000
Fishing vessel obligations guarantees	250,000	250,000	250,000	250,000	.....
Total, National Oceanic and Atmospheric Administration	1,911,704,000	2,096,709,000	1,853,154,000	1,853,154,000	-58,550,000
Technology Administration					
Salaries and expenses	8,242,000	13,906,000	5,000,000	5,000,000	-3,242,000
National Technical Information Service					
NTIS revolving fund	7,000,000	.....	.....	.....	-7,000,000
Total, Science and Technology	2,627,444,000	3,133,665,000	2,257,154,000	2,257,154,000	-370,290,000
General Administration					
Salaries and expenses	36,471,000	35,826,000	29,100,000	29,100,000	-7,371,000
Office of Inspector General	16,887,000	22,249,000	19,849,000	19,849,000	+2,962,000
Total, General administration	53,358,000	58,075,000	48,949,000	48,949,000	-4,409,000
Transition fund	.....	.....	.....	.....	.....
National Institute of Standards and Technology					
Construction of research facilities (rescission)	.....	.....	-75,000,000	-75,000,000	-75,000,000
Total, Department of Commerce	3,961,718,000	4,662,584,000	3,383,428,000	3,383,428,000	-578,290,000
Total, title II, Department of Commerce and related agencies	4,025,167,000	4,730,710,000	3,444,317,000	3,444,317,000	-580,850,000
(By transfer)	(55,500,000)	(55,500,000)	(63,000,000)	(63,000,000)	(+7,500,000)
TITLE III - THE JUDICIARY					
Supreme Court of the United States					
Salaries and expenses:					
Salaries of justices	1,657,000	1,662,000	1,662,000	1,662,000	+5,000
Other salaries and expenses	22,583,000	24,172,000	24,172,000	24,172,000	+1,589,000
Total, Salaries and expenses	24,240,000	25,834,000	25,834,000	25,834,000	+1,594,000
Care of the building and grounds	3,000,000	4,003,000	3,313,000	3,313,000	+313,000
Total, Supreme Court of the United States	27,240,000	29,837,000	29,147,000	29,147,000	+1,907,000
United States Court of Appeals for the Federal Circuit					
Salaries and expenses:					
Salaries of judges	1,758,000	1,892,000	1,892,000	1,892,000	+134,000
Other salaries and expenses	11,680,000	13,603,000	12,396,000	12,396,000	+716,000
Total, Salaries and expenses	13,438,000	15,495,000	14,288,000	14,288,000	+850,000
United States Court of International Trade					
Salaries and expenses:					
Salaries of judges	1,385,000	1,413,000	1,413,000	1,413,000	+28,000
Other salaries and expenses	9,300,000	9,446,000	9,446,000	9,446,000	+146,000
Total, Salaries and expenses	10,685,000	10,859,000	10,859,000	10,859,000	+174,000
Courts of Appeals, District Courts, and Other Judicial Services					
Salaries and expenses:					
Salaries of judges and bankruptcy judges	220,428,000	226,024,000	226,024,000	226,024,000	+5,596,000
Other salaries and expenses	2,119,699,000	2,419,941,000	2,207,117,000	2,207,117,000	+87,418,000
Direct appropriation	2,340,127,000	2,645,965,000	2,433,141,000	2,433,141,000	+93,014,000
Crime trust fund	.....	30,700,000	30,000,000	30,000,000	+30,000,000
Total, Salaries and expenses	2,340,127,000	2,676,665,000	2,463,141,000	2,463,141,000	+123,014,000
Vaccine Injury Compensation Trust Fund	2,250,000	2,320,000	2,318,000	2,318,000	+68,000
Defender services	240,500,000	295,761,000	267,217,000	267,217,000	+26,717,000
Fees of jurors and commissioners	54,346,000	72,008,000	59,028,000	59,028,000	+4,682,000
Court security	97,000,000	116,433,000	102,000,000	102,000,000	+5,000,000
Emergency appropriations (P.L. 104-19)	16,640,000	.....	.....	.....	-16,640,000
Total, Courts of Appeals, District Courts, and Other Judicial Services	2,750,863,000	3,163,187,000	2,893,704,000	2,893,704,000	+142,841,000

FY 1996 DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS BILL (H.R. 3019) — Continued

	FY 1995 Enacted	FY 1996 Estimate	Conference (H.R. 2076)	H.R. 3019	H.R. 3019 compared with Enacted
Administrative Office of the United States Courts					
Salaries and expenses	47,500,000	53,445,000	47,500,000	47,500,000	.....
Federal Judicial Center					
Salaries and expenses	18,828,000	20,771,000	17,914,000	17,914,000	-914,000
Judicial Retirement Funds					
Payment to Judiciary Trust Funds	28,475,000	32,900,000	32,900,000	32,900,000	+4,425,000
United States Sentencing Commission					
Salaries and expenses	8,800,000	9,500,000	8,500,000	8,500,000	-300,000
Total, title III, the Judiciary	2,905,829,000	3,335,994,000	3,054,812,000	3,054,812,000	+148,983,000
Appropriations	(2,905,829,000)	(3,305,294,000)	(3,024,812,000)	(3,024,812,000)	(+118,983,000)
Crime trust fund	.....	(30,700,000)	(30,000,000)	(30,000,000)	(+30,000,000)
TITLE IV - DEPARTMENT OF STATE					
Administration of Foreign Affairs					
Diplomatic and consular programs	1,724,628,000	1,746,438,000	1,708,800,000	1,708,800,000	-15,828,000
Security enhancements	.....	9,720,000	9,720,000	9,720,000	+9,720,000
Registration fees	700,000	700,000	700,000	700,000	.....
Total, Diplomatic and consular programs	1,725,328,000	1,756,858,000	1,719,220,000	1,719,220,000	-6,108,000
Salaries and expenses	363,972,000	372,480,000	363,276,000	363,276,000	-20,696,000
Security enhancements	.....	1,870,000	1,870,000	1,870,000	+1,870,000
Total, Salaries and expenses	363,972,000	374,350,000	365,146,000	365,146,000	-18,826,000
Transition fund	.....	.....	.....	.....	.....
Capital investment fund	.....	32,800,000	16,400,000	16,400,000	+16,400,000
Office of Inspector General	23,850,000	24,250,000	27,369,000	27,369,000	+3,519,000
Representation allowances	4,780,000	4,800,000	4,500,000	4,500,000	-280,000
Protection of foreign missions and officials	9,579,000	8,579,000	8,579,000	8,579,000	-1,000,000
Security and maintenance of United States missions	391,760,000	421,760,000	385,760,000	385,760,000	-6,000,000
Emergencies in the diplomatic and consular service	6,500,000	6,000,000	6,000,000	6,000,000	-500,000
Repatriation Loans Program Account:					
Direct loans subsidy	593,000	593,000	593,000	593,000	.....
(Limitation on direct loans)	(741,000)	(741,000)	(741,000)	(741,000)	.....
Administrative expenses	183,000	183,000	183,000	183,000	.....
Total, Repatriation loans program account	776,000	776,000	776,000	776,000	.....
Payment to the American Institute in Taiwan	15,465,000	15,465,000	15,165,000	15,165,000	-300,000
Payment to the Foreign Service Retirement and Disability Fund	129,321,000	125,402,000	125,402,000	125,402,000	-3,919,000
Total, Administration of Foreign Affairs	2,691,331,000	2,773,040,000	2,674,317,000	2,674,317,000	-17,014,000
International Organizations and Conferences					
Contributions to international organizations, current year assessment	872,661,000	923,057,000	700,000,000	700,000,000	-172,661,000
Contributions for international peacekeeping activities, current year assessment	518,687,000	445,000,000	225,000,000	225,000,000	-293,687,000
International conferences and contingencies	6,000,000	6,000,000	3,000,000	3,000,000	-3,000,000
Total, International Organizations and Conferences	1,397,348,000	1,374,057,000	928,000,000	928,000,000	-469,348,000
International Commissions					
International Boundary and Water Commission, United States and Mexico:					
Salaries and expenses	12,858,000	13,858,000	12,058,000	12,058,000	-800,000
Construction	6,644,000	10,396,000	6,644,000	6,644,000	.....
American sections, international commissions	5,800,000	6,290,000	5,800,000	5,800,000	.....
International fisheries commissions	14,669,000	14,669,000	14,669,000	14,669,000	.....
Total, International commissions	39,971,000	45,215,000	39,171,000	39,171,000	-800,000
Other					
Payment to the Asia Foundation	10,000,000	10,000,000	5,000,000	5,000,000	-5,000,000
Appropriation (FY 1995 Defense Bill, P.L. 103-335)	5,000,000	.....	.....	.....	-5,000,000
Total, Department of State	4,143,650,000	4,202,312,000	3,646,488,000	3,646,488,000	-497,162,000
RELATED AGENCIES					
Arms Control and Disarmament Agency					
Arms control and disarmament activities	50,378,000	76,300,000	35,700,000	32,700,000	-17,678,000

FY 1996 DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS BILL (H.R. 3019) — Continued

	FY 1995 Enacted	FY 1996 Estimate	Conference (H.R. 2076)	H.R. 3019	H.R. 3019 compared with Enacted
Board for International Broadcasting					
Israel Relay Station (rescission)	-2,000,000				+2,000,000
United States Information Agency					
Salaries and expenses	475,645,000	496,002,000	445,645,000	445,645,000	-30,000,000
Technology fund		10,100,000	5,050,000	5,050,000	+5,050,000
Office of Inspector General	4,300,000	4,593,000			-4,300,000
Educational and cultural exchange programs	233,279,000	252,676,000	200,000,000	200,000,000	-33,279,000
Transfer (FY 1995 Foreign Ops Bill, P.L. 103-336)	42,000,000				-42,000,000
Subtotal	275,279,000	252,676,000	200,000,000	200,000,000	-75,279,000
Eisenhower Exchange Fellowship Program, trust fund	2,800,000	300,000	300,000	509,000	-2,291,000
Israeli Arab scholarship program	397,000	397,000	397,000	397,000	
International Broadcasting Operations	475,363,000	395,340,000	325,191,000	325,191,000	-150,172,000
Radio Free Asia: Operations	5,000,000	(10,000,000)	(5,000,000)	(5,000,000)	-5,000,000
Broadcasting to Cuba	24,809,000	(26,083,000)	24,809,000	24,809,000	
Radio construction	69,314,000	65,919,000	40,000,000	40,000,000	-29,314,000
East-West Center	24,500,000	20,000,000	11,750,000	11,750,000	-12,750,000
North/South Center	4,000,000	1,000,000	2,000,000	2,000,000	-2,000,000
Tenth Paralympiad					
National Endowment for Democracy	34,000,000	34,000,000	30,000,000	30,000,000	-4,000,000
Total, United States Information Agency	1,395,407,000	1,300,327,000	1,085,142,000	1,085,351,000	-310,056,000
Total, related agencies	1,443,785,000	1,376,627,000	1,120,842,000	1,118,051,000	-325,734,000
Total, title IV, Department of State	5,587,435,000	5,578,939,000	4,767,330,000	4,764,539,000	-822,896,000
TITLE V - RELATED AGENCIES					
DEPARTMENT OF TRANSPORTATION					
Maritime Administration					
Operating-differential subsidies (liquidation of contract authority)	(214,356,000)	(162,610,000)	(162,610,000)	(162,610,000)	(-51,746,000)
Maritime National Security Program		175,000,000	46,000,000	46,000,000	+46,000,000
Operations and training	76,087,000	81,650,000	66,600,000	66,600,000	-9,487,000
Ready reserve force:					
Maintenance, operations and facilities	149,653,000				-149,653,000
Rescission	-158,000,000				+158,000,000
Total, Ready reserve force	-8,347,000				+8,347,000
Maritime Guaranteed Loan Program Account:					
Guaranteed loans subsidy	25,000,000	48,000,000	40,000,000	40,000,000	+15,000,000
(Limitation on guaranteed loans)	(250,000,000)	(1,000,000,000)	(1,000,000,000)	(1,000,000,000)	(+750,000,000)
Administrative expenses	2,000,000	4,000,000	3,500,000	3,500,000	+1,500,000
Total, Maritime guaranteed loan program account	27,000,000	52,000,000	43,500,000	43,500,000	+16,500,000
Total, Maritime Administration	94,740,000	308,650,000	156,100,000	156,100,000	+61,360,000
Commission for the Preservation of America's Heritage Abroad					
Salaries and expenses	206,000	212,000	206,000	206,000	
Commission on Civil Rights					
Salaries and expenses	9,000,000	11,400,000	8,750,000	8,750,000	-250,000
Commission on Immigration Reform					
Salaries and expenses	1,894,000	2,877,000	1,894,000	1,894,000	
Commission on Security and Cooperation in Europe					
Salaries and expenses	1,090,000	1,122,000	1,090,000	1,090,000	
Competitiveness Policy Council					
Salaries and expenses	1,000,000	503,000			-1,000,000
Equal Employment Opportunity Commission					
Salaries and expenses	233,000,000	268,000,000	233,000,000	233,000,000	
Federal Communications Commission					
Salaries and expenses	185,232,000	223,600,000	175,709,000	175,709,000	-9,523,000
Offsetting fee collections - current year	-116,400,000	-116,400,000	-116,400,000	-116,400,000	
Direct appropriation	68,832,000	107,200,000	59,309,000	59,309,000	-9,523,000

FY 1996 DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS BILL (H.R. 3019) — Continued

	FY 1995 Enacted	FY 1996 Estimate	Conference (H.R. 2076)	H.R. 3019	H.R. 3019 compared with Enacted
Federal Maritime Commission					
Salaries and expenses	18,569,000	18,947,000	14,855,000	14,855,000	-3,714,000
Offsetting fee collections		-2,228,000			
Direct appropriation	18,569,000	16,719,000	14,855,000	14,855,000	-3,714,000
Federal Trade Commission					
Salaries and expenses	98,928,000	107,873,000	98,928,000	98,928,000	
Offsetting fee collections - carryover	-4,500,000		-19,360,000	-19,360,000	-14,860,000
Offsetting fee collections - current year	-39,640,000	-48,262,000	-48,262,000	-48,262,000	-8,622,000
Direct appropriation	54,788,000	59,611,000	31,306,000	31,306,000	-23,482,000
Japan - United States Friendship Commission					
Japan - United States Friendship Trust Fund	1,247,000	1,250,000	1,247,000	1,247,000	
(Foreign currency appropriation)	(1,420,000)	(1,420,000)	(1,420,000)	(1,420,000)	
Legal Services Corporation					
Payment to the Legal Services Corporation	400,000,000	440,000,000	278,000,000	278,000,000	-122,000,000
Marine Mammal Commission					
Salaries and expenses	1,384,000	1,425,000	1,190,000	1,190,000	-194,000
Martin Luther King, Jr. Federal Holiday Commission					
Salaries and expenses	300,000	350,000	350,000	350,000	+50,000
National Bankruptcy Review Commission					
Salaries and expenses (by transfer)	(1,000,000)				(-1,000,000)
Ounce of Prevention Council					
Crime trust fund 4/		14,700,000			
Securities and Exchange Commission					
Salaries and expenses	297,405,000	342,922,000	297,405,000	297,405,000	
Offsetting fee collections	-192,000,000		-184,293,000	-184,293,000	+7,707,000
Offsetting fee collections - carryover	-30,549,000		-9,667,000	-9,667,000	+20,882,000
Investment adviser fee - offsetting collection	(-8,595,000)				(+8,595,000)
Direct appropriation	74,856,000	342,922,000	103,445,000	103,445,000	+28,589,000
Small Business Administration					
Salaries and expenses	251,504,000	242,831,000	222,490,000	222,490,000	-29,014,000
Offsetting fee collections	-9,350,000	-3,300,000	-3,300,000	-3,300,000	+6,050,000
Direct appropriation	242,154,000	239,531,000	219,190,000	219,190,000	-22,964,000
Office of Inspector General	8,500,000	9,200,000	8,500,000	8,500,000	
Business Loans Program Account:					
Direct loans subsidy	3,596,000	12,428,000	4,500,000	4,500,000	+904,000
Guaranteed loans subsidy 5/	274,439,000	50,835,000	155,010,000	155,010,000	-119,429,000
Micro loan guarantees	1,216,000	1,700,000	1,216,000	1,216,000	
Section 503. prepayment	30,000,000				-30,000,000
Administrative expenses	97,000,000	99,910,000	92,622,000	92,622,000	-4,378,000
Total, Business loans program account	406,251,000	164,873,000	253,348,000	253,348,000	-152,903,000
Disaster Loans Program Account:					
Direct loans subsidy 5/	52,153,000	34,432,000	34,432,000	34,432,000	-17,721,000
Administrative expenses	78,000,000	80,340,000	71,578,000	71,578,000	-6,422,000
Contingency fund (emergency)	125,000,000	100,000,000			-125,000,000
Total, Disaster loans program account	255,153,000	214,772,000	106,010,000	106,010,000	-149,143,000
Surety bond guarantees revolving fund	5,369,000	2,530,000	2,530,000	2,530,000	-2,839,000
Total, Small Business Administration	917,427,000	630,906,000	589,578,000	589,578,000	-327,849,000
State Justice Institute					
Salaries and expenses 6/	13,550,000	13,550,000	5,000,000	5,000,000	-8,550,000
Crime trust fund		600,000			
Total, State Justice Institute	13,550,000	14,150,000	5,000,000	5,000,000	-8,550,000
Total, title V, Related agencies	1,891,883,000	2,221,997,000	1,485,320,000	1,485,320,000	-406,563,000
Appropriations	(2,049,883,000)	(2,206,697,000)	(1,485,320,000)	(1,485,320,000)	(-564,563,000)
Rescission	(-158,000,000)				(+158,000,000)
Crime trust fund		(15,300,000)			
(Liquidation of contract authority)	(214,356,000)	(162,610,000)	(162,610,000)	(162,610,000)	(-51,746,000)

FY 1996 DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS BILL (H.R. 3019) — Continued

	FY 1995 Enacted	FY 1996 Estimate	Conference (H.R. 2076)	H.R. 3019	H.R. 3019 compared with Enacted
TITLE VI - GENERAL PROVISIONS					
Procurement: General provisions 7/	-11,769,000				+11,769,000
Total, title VI, general provisions	-11,769,000				+11,769,000
TITLE VII - RESCISSIONS					
DEPARTMENT OF JUSTICE					
General Administration					
Working capital fund (rescission)			-65,000,000	-65,000,000	-65,000,000
DEPARTMENT OF COMMERCE					
National Telecommunications and Information Administration					
Information infrastructure grants (rescission)					
DEPARTMENT OF STATE					
Administration of Foreign Affairs					
Acquisition and maintenance of buildings abroad (rescission)			-60,000,000	-60,000,000	-60,000,000
RELATED AGENCIES					
United States Information Agency					
Radio construction (rescission)			-7,400,000	-7,400,000	-7,400,000
Total, title VII, Rescissions			-132,400,000	-132,400,000	-132,400,000
Scorekeeping adjustments	-387,694,000	-132,655,000	-16,264,000	-16,264,000	+371,430,000
Grand total:					
New budget (obligational) authority	28,310,642,000	31,028,024,000	27,271,261,000	27,266,470,000	+957,828,000
Appropriations	(24,153,992,000)	(27,015,824,000)	(23,522,892,000)	(23,519,901,000)	(-634,091,000)
Rescissions	(-171,250,000)		(-207,400,000)	(-207,400,000)	(-36,150,000)
Crime trust fund	(2,327,900,000)	(4,010,200,000)	(3,955,969,000)	(3,955,969,000)	(+1,628,069,000)
(By transfer)	(56,500,000)	(55,500,000)	(106,000,000)	(106,000,000)	(+49,500,000)
(Limitation on administrative expenses)	(3,463,000)	(3,559,000)	(3,559,000)	(3,559,000)	(+96,000)
(Limitation on direct loans)	(741,000)	(741,000)	(741,000)	(741,000)	
(Liquidation of contract authority)	(214,356,000)	(162,610,000)	(162,610,000)	(162,610,000)	(-51,746,000)
(Foreign currency appropriation)	(1,420,000)	(1,420,000)	(1,420,000)	(1,420,000)	

1/ 1995 "Salaries and expenses" funds were used for "Administrative review and appeals".
2/ Doesn't reflect transfers to INS and GLA.
3/ Includes budget amendment of -$3,285,000 related to privatization of portions of the National Weather Service. Legislation will be proposed to offset this account from the Marine Navigation Trust Fund.
4/ Funding of $1,500,000 was provided under Office of Justice Programs in FY 1995.
5/ Assumes legislation to lower the subsidy for these accounts through new fees and increases in interest rates.
6/ The State Justice Institute is authorized to submit its budget directly to Congress. The President's request includes $7,000,000 for the Institute.
7/ The FY 1995 budget authority amount reflects the unspread balance.

FY 1996 DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS BILL (H.R. 3019)

	FY 1995 Enacted	FY 1996 Estimate	Conference (H.R. 1977)	H.R. 3019	H.R. 3019 compared with Enacted
TITLE I - DEPARTMENT OF THE INTERIOR					
Bureau of Land Management					
Management of lands and resources	597,236,000	616,547,000	568,082,000	567,152,000	-30,084,000
Fire protection	114,748,000	114,763,000			-114,748,000
Emergency Department of the Interior firefighting fund	121,176,000	131,482,000			-121,176,000
Wildland fire management			235,924,000	235,924,000	+235,924,000
Central hazmat account	13,409,000	14,024,000	10,000,000	10,000,000	-3,409,000
Construction and access	12,068,000	3,019,000	3,115,000	3,115,000	-8,953,000
Payments in lieu of taxes	101,409,000	113,911,000	101,500,000	101,500,000	+91,000
Land acquisition	14,757,000	24,473,000	12,800,000	12,800,000	-1,957,000
Oregon and California grant lands	97,384,000	112,762,000	93,379,000	93,379,000	-3,995,000
Range improvements (indefinite)	10,350,000	9,113,000	9,113,000	9,113,000	-1,237,000
Service charges, deposits, and forfeitures (indefinite)	8,883,000	8,993,000	8,993,000	8,993,000	+110,000
Miscellaneous trust funds (indefinite)	7,605,000	7,605,000	7,605,000	7,605,000	
Total, Bureau of Land Management	1,099,005,000	1,156,662,000	1,050,491,000	1,049,581,000	-49,424,000
United States Fish and Wildlife Service					
Resource management	511,334,000	535,016,000	497,943,000	497,670,000	-13,664,000
Construction	53,768,000	34,095,000	37,655,000	37,655,000	-16,113,000
Natural resource damage assessment and restoration fund	6,687,000	6,700,000	4,000,000	4,000,000	-2,687,000
Land acquisition	67,141,000	62,912,000	36,900,000	45,400,000	-21,741,000
Cooperative endangered species conservation fund	8,983,000	38,000,000	8,085,000	8,085,000	-898,000
National wildlife refuge fund	11,977,000	11,371,000	10,779,000	10,779,000	-1,198,000
Rewards and operations	1,167,000	1,169,000	600,000	600,000	-567,000
North American wetlands conservation fund	8,983,000	12,000,000	6,750,000	6,750,000	-2,233,000
Lahontan Valley and Pyramid Lake fish and wildlife fund		152,000	152,000	152,000	+152,000
Rhinoceros and tiger conservation fund		400,000	200,000	200,000	+200,000
Wildlife conservation and appreciation fund	998,000	1,000,000	800,000	800,000	-198,000
Total, United States Fish and Wildlife Service	671,038,000	702,817,000	603,864,000	612,091,000	-58,947,000
Natural Resources Science Agency					
Research, inventories, and surveys	182,041,000	172,698,000			-182,041,000
National Park Service					
Operation of the national park system	1,077,900,000	1,157,738,000	1,083,151,000	1,086,014,000	+8,114,000
National recreation and preservation	42,941,000	39,305,000	37,649,000	37,649,000	-5,292,000
Historic preservation fund	41,421,000	43,000,000	36,212,000	36,212,000	-5,209,000
Construction	167,688,000	179,883,000	143,225,000	143,225,000	-24,463,000
C&O Canal (P.L. 104-99)				2,000,000	+2,000,000
Urban park and recreation fund	6,000	2,300,000			-6,000
Land and water conservation fund (rescission of contract authority)	-30,000,000	-30,000,000	-30,000,000	-30,000,000	
Land acquisition and state assistance	87,373,000	82,698,000	49,100,000	57,600,000	-29,773,000
Crime Trust Fund		15,200,000			
Total, National Park Service (net)	1,387,329,000	1,490,122,000	1,319,337,000	1,332,700,000	-54,629,000
United States Geological Survey					
Surveys, investigations, and research	571,462,000	588,369,000	730,503,000	729,995,000	+158,533,000
Minerals Management Service					
Royalty and offshore minerals management	188,181,000	193,348,000	182,994,000	182,339,000	-5,842,000
Oil spill research	6,440,000	7,892,000	6,440,000	6,440,000	
Total, Minerals Management Service	194,621,000	201,240,000	189,434,000	188,779,000	-5,842,000
Bureau of Mines					
Mines and minerals	152,427,000	132,507,000	64,000,000	64,000,000	-88,427,000
Office of Surface Mining Reclamation and Enforcement					
Regulation and technology	109,795,000	107,152,000	95,470,000	95,470,000	-14,325,000
Receipts from performance bond forfeitures (indefinite)	1,189,000	501,000	500,000	500,000	-689,000
Subtotal	110,984,000	107,653,000	95,970,000	95,970,000	-15,014,000
Abandoned mine reclamation fund (definite, trust fund)	182,423,000	185,120,000	173,887,000	173,887,000	-8,536,000
Total, Office of Surface Mining Reclamation and Enforcement	293,407,000	292,773,000	269,857,000	269,857,000	-23,550,000

FY 1996 DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS BILL (H.R. 3019) — Continued

	FY 1995 Enacted	FY 1996 Estimate	Conference (H.R. 1977)	H.R. 3019	H.R. 3019 compared with Enacted
Bureau of Indian Affairs					
Operation of Indian programs	1,519,012,000	1,609,842,000	1,384,434,000	1,384,434,000	-134,578,000
Construction	120,450,000	125,424,000	100,833,000	100,833,000	-19,617,000
Indian land and water claim settlements and miscellaneous payments to Indians	77,096,000	151,025,000	80,645,000	80,645,000	+3,549,000
Navajo rehabilitation trust fund	1,996,000				-1,996,000
Technical assistance of Indian enterprises	1,966,000	1,966,000	500,000	500,000	-1,466,000
Indian direct loan program account	779,000				-779,000
(Limitation on direct loans)	(10,890,000)				(-10,890,000)
Indian guaranteed loan program account	9,671,000	9,864,000	5,000,000	5,000,000	-4,671,000
(Limitation on guaranteed loans)	(46,900,000)	(70,100,000)	(35,914,000)	(35,914,000)	(-10,986,000)
Total, Bureau of Indian Affairs	1,730,970,000	1,897,941,000	1,571,412,000	1,571,412,000	-159,558,000
Territorial and International Affairs					
Assistance to territories	50,481,000	41,512,000	37,468,000	37,468,000	-13,013,000
Northern Mariana Islands Covenant	27,720,000	27,720,000	27,720,000	27,720,000	
Subtotal	78,201,000	69,232,000	65,188,000	65,188,000	-13,013,000
Trust Territory of the Pacific Islands	19,800,000				-19,800,000
Compact of Free Association	13,574,000	10,038,000	10,038,000	10,038,000	-3,536,000
Mandatory payments	10,000,000	14,900,000	14,900,000	14,900,000	+4,900,000
Subtotal	23,574,000	24,938,000	24,938,000	24,938,000	+1,364,000
Total, Territorial and International Affairs	121,575,000	94,170,000	90,126,000	90,126,000	-31,449,000
Departmental Offices					
Departmental management	62,479,000	64,772,000	57,796,000	56,456,000	-6,023,000
Office of the Solicitor	34,608,000	35,361,000	34,608,000	34,337,000	-271,000
Office of Inspector General	23,939,000	25,485,000	23,939,000	23,939,000	
Construction Management	1,996,000	2,000,000	500,000	500,000	-1,496,000
National Indian Gaming Commission	1,000,000	1,000,000	1,000,000	1,000,000	
Office of Special Trustee for American Indians			16,338,000	16,338,000	+16,338,000
Total, Departmental Offices	124,022,000	128,618,000	134,181,000	132,570,000	+8,548,000
Total, title I, Department of the Interior:					
New budget (obligational) authority (net)	6,507,897,000	6,855,935,000	6,023,205,000	6,041,111,000	-466,786,000
Appropriations	(6,537,897,000)	(6,870,735,000)	(6,053,205,000)	(6,071,111,000)	(-466,786,000)
Rescission	(-30,000,000)	(-30,000,000)	(-30,000,000)	(-30,000,000)	
Crime trust fund		(15,200,000)			
(Limitation on direct loans)	(10,890,000)				(-10,890,000)
(Limitation on guaranteed loans)	(46,900,000)	(70,100,000)	(35,914,000)	(35,914,000)	(-10,986,000)
TITLE II - RELATED AGENCIES					
DEPARTMENT OF AGRICULTURE					
Forest Service					
Forest research	193,748,000	203,798,000	178,000,000	178,000,000	-15,748,000
State and private forestry	154,268,000	167,459,000	136,794,000	136,794,000	-17,474,000
Emergency pest suppression fund	17,000,000				-17,000,000
International forestry	4,967,000	10,000,000			-4,967,000
National forest system	1,328,693,000	1,346,755,000	1,256,253,000	1,256,253,000	-72,440,000
Forest Service fire protection	159,285,000	164,285,000			-159,285,000
Emergency Forest Service firefighting fund	226,200,000	239,000,000			-226,200,000
Emergency appropriations	450,000,000				-450,000,000
Wildland Fire Management			385,485,000	385,485,000	+385,485,000
Construction	199,215,000	192,338,000	163,500,000	163,500,000	-35,715,000
Timber receipts transfer to general fund (indefinite)	(-44,769,000)	(-44,548,000)	(-44,548,000)	(-44,548,000)	(+221,000)
Timber purchaser credits	(50,000,000)	(50,000,000)	(50,000,000)	(50,000,000)	
Land acquisition	63,882,000	65,311,000	41,200,000	24,200,000	-39,682,000
Acquisition of lands for national forests, special acts	1,250,000	1,317,000	1,069,000	1,069,000	-181,000
Acquisition of lands to complete land exchanges (indefinite)	210,000	210,000	210,000	210,000	
Range betterment fund (indefinite)	4,575,000	3,976,000	3,976,000	3,976,000	-599,000
Gifts, donations and bequests for forest and rangeland research	89,000	92,000	92,000	92,000	+3,000
Total, Forest Service	2,803,602,000	2,416,539,000	2,166,579,000	2,149,579,000	-654,023,000
DEPARTMENT OF ENERGY					
Clean coal technology	-337,879,000	-155,019,000			+337,879,000
Fossil energy research and development	423,701,000	436,506,000	417,169,000	416,943,000	-6,758,000
(By transfer)	(17,000,000)				(-17,000,000)
Alternative fuels production (indefinite)	-3,900,000	-2,400,000	-2,400,000	-2,400,000	+1,500,000
Naval petroleum and oil shale reserves	187,048,000	101,028,000	148,786,000	148,786,000	-38,262,000
Energy conservation	755,751,000	923,561,000	553,293,000	553,137,000	-202,614,000
Biomass Energy Development (transfer)		-16,000,000	-16,000,000	-16,000,000	-16,000,000

FY 1996 DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS BILL (H.R. 3019) — Continued

	FY 1995 Enacted	FY 1996 Estimate	Conference (H.R. 1977)	H.R. 3019	H.R. 3019 compared with Enacted
Economic regulation	12,413,000	10,500,000	6,297,000	6,297,000	-6,116,000
Emergency preparedness	8,233,000	8,219,000			-8,233,000
Strategic Petroleum Reserve	135,954,000	25,889,000			-135,954,000
(By transfer)	(90,764,000)	(187,000,000)	(187,000,000)	(187,000,000)	(+96,236,000)
Energy Information Administration	84,566,000	84,889,000	72,266,000	72,266,000	-12,300,000
Total, Department of Energy	1,266,887,000	1,416,775,000	1,179,411,000	1,179,029,000	-86,858,000
DEPARTMENT OF HEALTH AND HUMAN SERVICES					
Indian Health Service					
Indian health services	1,709,780,000	1,816,350,000	1,747,842,000	1,747,842,000	+38,062,000
Indian health facilities	253,282,000	242,672,000	238,958,000	238,958,000	-14,324,000
Total, Indian Health Service	1,963,062,000	2,059,022,000	1,986,800,000	1,986,800,000	+23,738,000
DEPARTMENT OF EDUCATION					
Office of Elementary and Secondary Education					
Indian education	81,341,000	84,785,000	52,500,000	52,500,000	-28,841,000
OTHER RELATED AGENCIES					
Office of Navajo and Hopi Indian Relocation					
Salaries and expenses	24,888,000	26,345,000	20,345,000	20,345,000	-4,543,000
Institute of American Indian and Alaska Native Culture and Arts Development					
Payment to the Institute	11,213,000	19,846,000	5,500,000	5,500,000	-5,713,000
Smithsonian Institution					
Salaries and expenses	313,853,000	329,800,000	306,188,000	306,188,000	-5,665,000
Construction and improvements, National Zoological Park	3,042,000	4,950,000	3,250,000	3,250,000	+208,000
Repair and restoration of buildings	23,954,000	34,000,000	33,954,000	33,954,000	+10,000,000
Construction	21,857,000	38,700,000	27,700,000	27,700,000	+5,843,000
Total, Smithsonian Institution	362,706,000	407,450,000	373,092,000	373,092,000	+10,386,000
National Gallery of Art					
Salaries and expenses	52,902,000	54,566,000	51,844,000	51,844,000	-1,058,000
Repair, restoration and renovation of buildings	4,016,000	9,885,000	6,442,000	6,442,000	+2,426,000
Total, National Gallery of Art	56,918,000	64,451,000	58,286,000	58,286,000	+1,368,000
John F. Kennedy Center for the Performing Arts					
Operations and maintenance	10,323,000	10,373,000	10,323,000	10,323,000	
Construction	8,983,000	9,000,000	8,983,000	8,983,000	
Total, John F. Kennedy Center for the Performing Arts	19,306,000	19,373,000	19,306,000	19,306,000	
Woodrow Wilson International Center for Scholars					
Salaries and expenses	8,878,000	10,070,000	5,840,000	5,840,000	-3,038,000
National Foundation on the Arts and the Humanities					
National Endowment for the Arts					
Grants and administration	133,846,000	143,675,000	82,259,000	82,259,000	-51,587,000
Matching grants	28,512,000	28,725,000	17,235,000	17,235,000	-11,277,000
Total, National Endowment for the Arts	162,358,000	172,400,000	99,494,000	99,494,000	-62,864,000
National Endowment for the Humanities					
Grants and administration	146,131,000	156,087,000	94,000,000	94,000,000	-52,131,000
Matching grants	25,913,000	25,913,000	16,000,000	16,000,000	-9,913,000
Total, National Endowment for the Humanities	172,044,000	182,000,000	110,000,000	110,000,000	-62,044,000
Institute of Museum Services					
Grants and administration	28,715,000	29,800,000	21,000,000	21,000,000	-7,715,000
Total, National Foundation on the Arts and the Humanities	363,117,000	384,200,000	230,494,000	230,494,000	-132,623,000
Commission of Fine Arts					
Salaries and expenses	834,000	879,000	834,000	834,000	
National Capital Arts and Cultural Affairs					
Grants	7,500,000	6,941,000	6,000,000	6,000,000	-1,500,000
Advisory Council on Historic Preservation					
Salaries and expenses	2,947,000	3,063,000	2,500,000	2,500,000	-447,000

FY 1996 DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS BILL (H.R. 3019) — Continued

	FY 1995 Enacted	FY 1996 Estimate	Conference (H.R. 1977)	H.R. 3019	H.R. 3019 compared with Enacted
National Capital Planning Commission					
Salaries and expenses	5,655,000	6,000,000	5,090,000	5,090,000	-565,000
Franklin Delano Roosevelt Memorial Commission					
Salaries and expenses	48,000	147,000	147,000	147,000	+99,000
Pennsylvania Avenue Development Corporation					
Salaries and expenses	2,738,000	3,043,000			-2,738,000
Public development	4,084,000	2,445,000			-4,084,000
Land acquisition and development fund		1,388,000			
Total, Pennsylvania Avenue Development Corporation	6,822,000	6,876,000			-6,822,000
United States Holocaust Memorial Council					
Holocaust Memorial Council	26,609,000	28,707,000	28,707,000	28,707,000	+2,098,000
Total, title II, Related Agencies	7,011,333,000	6,961,469,000	6,141,431,000	6,124,049,000	-887,284,000
(Timber receipts transfer to general fund, indefinite)	(-44,769,000)	(-44,548,000)	(-44,548,000)	(-44,548,000)	(+221,000)
(Timber purchaser credits)	(50,000,000)	(50,000,000)	(50,000,000)	(50,000,000)	
Grand total:					
New budget (obligational) authority (net)	13,519,230,000	13,817,404,000	12,164,636,000	12,165,160,000	-1,354,070,000
Appropriations	(13,549,230,000)	(13,832,204,000)	(12,194,636,000)	(12,195,160,000)	(-1,354,070,000)
Rescission	(-30,000,000)	(-30,000,000)	(-30,000,000)	(-30,000,000)	
Crime trust fund		(15,200,000)			
(Timber receipts transfer to general fund, indefinite)	(-44,769,000)	(-44,548,000)	(-44,548,000)	(-44,548,000)	(+221,000)
(Timber purchaser credits)	(50,000,000)	(50,000,000)	(50,000,000)	(50,000,000)	
(By transfer)	(107,764,000)	(167,000,000)	(167,000,000)	(167,000,000)	(+79,236,000)
TITLE I - DEPARTMENT OF THE INTERIOR					
Bureau of Land Management	1,099,005,000	1,156,882,000	1,050,491,000	1,049,581,000	-49,424,000
United States Fish and Wildlife Service	671,038,000	702,817,000	603,864,000	612,091,000	-58,947,000
National Biological Service	162,041,000	172,696,000			-162,041,000
National Park Service	1,387,329,000	1,490,122,000	1,319,337,000	1,332,700,000	-54,629,000
United States Geological Survey	571,462,000	588,369,000	730,503,000	729,995,000	+158,533,000
Minerals Management Service	194,621,000	201,240,000	189,434,000	188,779,000	-5,842,000
Bureau of Mines	152,427,000	132,507,000	64,000,000	64,000,000	-88,427,000
Office of Surface Mining Reclamation and Enforcement	293,407,000	292,773,000	269,857,000	269,857,000	-23,550,000
Bureau of Indian Affairs	1,730,970,000	1,897,941,000	1,571,412,000	1,571,412,000	-159,558,000
Territorial and International Affairs	121,575,000	94,170,000	90,126,000	90,126,000	-31,449,000
Departmental Offices	124,022,000	128,818,000	134,181,000	132,570,000	+8,548,000
Total, Title I - Department of the Interior	6,507,897,000	6,855,935,000	6,023,205,000	6,041,111,000	-466,786,000
TITLE II - RELATED AGENCIES					
Forest Service	2,803,602,000	2,416,539,000	2,166,579,000	2,149,579,000	-654,023,000
Department of Energy	1,265,887,000	1,416,775,000	1,179,411,000	1,179,029,000	-86,858,000
Indian Health Service	1,983,062,000	2,059,022,000	1,986,800,000	1,986,800,000	+23,738,000
Indian Education	81,341,000	84,785,000	52,500,000	52,500,000	-28,841,000
Office of Navajo and Hopi Indian Relocation	24,888,000	28,345,000	20,345,000	20,345,000	-4,543,000
Institute of American Indian and Alaska Native Culture and Arts Development	11,213,000	19,846,000	5,500,000	5,500,000	-5,713,000
Smithsonian Institution	362,706,000	407,450,000	373,092,000	373,092,000	+10,386,000
National Gallery of Art	56,918,000	64,451,000	58,286,000	58,286,000	+1,368,000
John F. Kennedy Center for the Performing Arts	19,306,000	19,373,000	19,306,000	19,306,000	
Woodrow Wilson International Center for Scholars	8,876,000	10,070,000	5,840,000	5,840,000	-3,036,000
National Endowment for the Arts	162,356,000	172,400,000	99,494,000	99,494,000	-62,864,000
National Endowment for the Humanities	172,044,000	182,000,000	110,000,000	110,000,000	-62,044,000
Institute of Museum Services	28,715,000	29,800,000	21,000,000	21,000,000	-7,715,000
Commission of Fine Arts	834,000	879,000	834,000	834,000	
National Capital Arts and Cultural Affairs	7,500,000	6,941,000	6,000,000	6,000,000	-1,500,000
Advisory Council on Historic Preservation	2,947,000	3,063,000	2,500,000	2,500,000	-447,000
National Capital Planning Commission	5,655,000	6,000,000	5,090,000	5,090,000	-565,000
Franklin Delano Roosevelt Memorial Commission	48,000	147,000	147,000	147,000	+99,000
Pennsylvania Avenue Development Corporation	6,822,000	6,876,000			-6,822,000
Holocaust Memorial Council	26,609,000	28,707,000	28,707,000	28,707,000	+2,098,000
Total, Title II - Related Agencies	7,011,333,000	6,961,469,000	6,141,431,000	6,124,049,000	-887,284,000
Grand total	13,519,230,000	13,817,404,000	12,164,636,000	12,165,160,000	-1,354,070,000

FY 1996 DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS BILL (H.R. 3019)

	FY 1995 Enacted	FY 1996 Estimate	House (H.R. 2127)	H.R. 3019	H.R. 3019 compared with Enacted
TITLE I - DEPARTMENT OF LABOR					
Employment and Training Administration					
Training and employment services	3,956,532,000	5,464,464,000	3,180,441,000	3,108,978,000	-847,554,000
Community service employment for older Americans	396,060,000	410,500,000	350,000,000	350,000,000	-46,060,000
Federal unemployment benefits and allowances	274,400,000	346,100,000	346,100,000	346,100,000	+71,700,000
State unemployment insurance and employment service operations	127,188,000	226,111,000	125,326,000	117,328,000	-9,860,000
(Limitation on trust fund transfer)	(3,201,362,000)	(3,315,872,000)	(3,107,404,000)	(3,104,194,000)	(-97,168,000)
(Limitation on trust fund transfer - contingency)	(812,000)	.....	.....	.....	(-812,000)
Subtotal, trust funds	(3,202,174,000)	(3,315,872,000)	(3,107,404,000)	(3,104,194,000)	(-97,980,000)
Advances to the Unemployment Trust Fund and other funds	1,004,486,000	369,000,000	369,000,000	369,000,000	-635,486,000
Advances to the ESA account of the Unemployment trust fund	.....	.....	.....	-56,300,000	-56,300,000
Payments to UI trust fund and other funds	.....	.....	.....	-250,000,000	-250,000,000
Program administration	89,919,000	95,513,000	83,805,000	83,054,000	-6,865,000
(Limitation on trust fund transfer)	(44,152,000)	(51,902,000)	(40,974,000)	(40,793,000)	(-3,359,000)
Total	5,848,584,000	6,911,708,000	4,464,374,000	4,088,160,000	-1,760,424,000
Office of the American Workplace					
Salaries and expenses	7,082,000	10,770,000	.....	.....	-7,082,000
Pension and Welfare Benefits Administration					
Salaries and expenses	68,931,000	81,182,000	64,113,000	65,198,000	-3,733,000
Pension Benefit Guaranty Corporation					
Pension Benefit Guaranty Corporation fund:					
(Limitation of trust funds)	(11,463,000)	(12,043,000)	(10,603,000)	(10,603,000)	(-860,000)
Employment Standards Administration					
Salaries and expenses	271,340,000	308,476,000	246,987,000	254,756,000	-16,584,000
(Limitation on trust fund transfer)	(1,057,000)	(1,669,000)	(978,000)	(978,000)	(-79,000)
Special benefits: Direct appropriation	256,000,000	216,000,000	216,000,000	216,000,000	-40,000,000
Black Lung Disability Trust Fund:					
Definite	974,301,000	995,080,000	995,447,000	995,447,000	+21,146,000
Indefinite	756,000	756,000	756,000	756,000	.....
Total	975,057,000	995,836,000	996,203,000	996,203,000	+21,146,000
Total, Employment Standards Administration	1,504,397,000	1,523,312,000	1,461,170,000	1,466,959,000	-35,436,000
Occupational Safety and Health Administration					
Salaries and expenses	311,680,000	346,503,000	283,995,000	280,000,000	-31,680,000
Mine Safety and Health Administration					
Salaries and expenses	200,135,000	212,106,000	186,154,000	196,673,000	-3,462,000
Bureau of Labor Statistics					
Salaries and expenses	296,436,000	320,331,000	298,993,000	292,462,000	-3,974,000
(Limitation on trust fund transfer)	(53,206,000)	(56,350,000)	(50,220,000)	(49,997,000)	(-3,209,000)
Departmental Management					
Salaries and expenses	154,175,000	172,747,000	134,220,000	135,997,000	-18,178,000
(Limitation on trust fund transfer)	(328,000)	(342,000)	(303,000)	(303,000)	(-25,000)
Assistant Secretary for Veterans Employment & Training (limitation on trust fund transfer)	(185,123,000)	(187,114,000)	(175,863,000)	(170,390,000)	(-14,733,000)
Reinvention Investment fund	.....	3,800,000	.....	.....	.....
Office of Inspector General	47,873,000	49,252,000	44,428,000	44,428,000	-3,447,000
(Limitation on trust fund transfer)	(3,895,000)	(4,055,000)	(3,615,000)	(3,615,000)	(-280,000)
Total	202,048,000	225,899,000	178,646,000	180,423,000	-21,625,000
Total, title I, Department of Labor	8,438,273,000	9,631,811,000	6,904,435,000	6,551,875,000	-1,887,398,000
(Limitation on trust funds)	(3,501,398,000)	(3,629,347,000)	(3,369,980,000)	(3,380,873,000)	(-120,525,000)

FY 1996 DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS BILL (H.R. 3019)—Continued

	FY 1995 Enacted	FY 1996 Estimate	House (H.R. 2127)	H.R. 3019	H.R. 3019 compared with Enacted
TITLE II - DEPARTMENT OF HEALTH AND HUMAN SERVICES					
Health Resources and Services Administration					
Health resources and services	3,028,179,000	3,154,395,000	2,927,122,000	3,052,752,000	+24,573,000
Medical facilities guarantee and loan fund: Interest subsidies for medical facilities	9,000,000	8,000,000	8,000,000	8,000,000	-1,000,000
Health professions graduate student loan fund (HEAL)	22,050,000	16,044,000	13,500,000	13,500,000	-8,550,000
Program management, discretionary	2,922,000	2,922,000	2,703,000	2,688,000	-234,000
Total	24,972,000	20,966,000	16,203,000	16,188,000	-8,784,000
Vaccine injury compensation	167,476,000	169,721,000	169,721,000	169,721,000	+2,245,000
Total, Health Resources and Services Administration	3,228,627,000	3,353,082,000	3,121,046,000	3,246,661,000	+17,034,000
Centers for Disease Control					
Disease control, research, and training	2,063,342,000	2,183,580,000	2,085,831,000	2,063,051,000	-291,000
Crime reduction program		39,100,000	39,100,000	31,642,000	+31,642,000
Rescission (outlay only)				(-53,000,000)	(-53,000,000)
Total, CDC	2,063,342,000	2,222,680,000	2,124,931,000	2,114,693,000	+31,351,000
National Institutes of Health					
National Cancer Institute	1,913,167,000	1,994,007,000	2,251,084,000	2,251,084,000	+337,917,000
National Heart, Lung, and Blood Institute	1,242,574,000	1,279,096,000	1,355,866,000	1,355,866,000	+113,292,000
National Institute of Dental Research	163,112,000	168,341,000	183,198,000	183,198,000	+20,084,000
National Institute of Diabetes and Digestive and Kidney Diseases	724,974,000	748,796,000	771,252,000	771,252,000	+46,278,000
National Institute of Neurological Disorders and Stroke	628,247,000	648,256,000	681,534,000	681,534,000	+53,287,000
National Institute of Allergy and Infectious Diseases	538,840,000	557,364,000	1,169,628,000	1,169,628,000	+632,788,000
National Institute of General Medical Sciences	880,233,000	907,674,000	948,971,000	948,971,000	+68,738,000
National Institute of Child Health and Human Development	508,031,000	526,177,000	595,162,000	595,162,000	+86,131,000
National Eye Institute	291,464,000	300,693,000	314,185,000	314,185,000	+22,721,000
National Institute of Environmental Health Sciences	266,337,000	278,832,000	288,898,000	288,898,000	+22,561,000
National Institute on Aging	432,164,000	445,823,000	453,917,000	453,917,000	+21,753,000
National Institute of Arthritis and Musculoskeletal and Skin Diseases	228,122,000	236,428,000	241,828,000	241,828,000	+13,706,000
National Institute on Deafness and Other Communication Disorders	167,118,000	172,388,000	176,502,000	176,502,000	+9,384,000
National Center for Nursing Research	48,123,000	50,189,000	55,831,000	55,831,000	+7,708,000
National Institute on Alcoholism and Alcohol Abuse	180,064,000	185,712,000	198,607,000	198,607,000	+18,543,000
National Institute on Drug Abuse	288,561,000	298,738,000	456,441,000	456,441,000	+167,880,000
National Institute of Mental Health	541,376,000	558,580,000	661,328,000	661,328,000	+119,952,000
National Center for Research Resources	287,341,000	307,544,000	390,339,000	390,339,000	+102,998,000
National Center for Human Genome Research	152,906,000	166,578,000	170,041,000	170,041,000	+17,135,000
John E. Fogarty International Center	14,633,000	15,267,000	25,313,000	25,313,000	+10,680,000
National Library of Medicine	125,195,000	136,311,000	141,439,000	141,439,000	+16,244,000
Office of the Director	214,234,000	230,286,000	261,488,000	261,488,000	+47,254,000
Buildings and facilities	114,120,000	144,120,000	146,151,000	146,151,000	+32,031,000
Office of AIDS Research	1,333,086,000	1,407,824,000			-1,333,086,000
Total	11,284,162,000	11,764,086,000	11,939,001,000	11,939,001,000	+654,839,000
Substance Abuse and Mental Health Services Administration					
Substance abuse and mental health services	2,180,668,000	2,247,392,000	1,788,948,000	1,883,715,000	-296,953,000
Assistant Secretary for Health					
Office of the Assistant Secretary for Health	65,752,000	68,206,000			-65,752,000
Retirement pay and medical benefits for commissioned officers (indefinite)	159,321,000	166,925,000	166,925,000	166,925,000	+7,604,000
Total	225,073,000	233,131,000	166,925,000	166,925,000	-58,148,000
Agency for Health Care Policy and Research					
Health care policy and research	135,290,000	142,424,000	31,219,000	94,186,000	-41,104,000
(Limitation on trust fund transfer)	(5,796,000)	(5,796,000)			(-5,796,000)
Total, Public Health Service	19,136,162,000	19,962,756,000	19,172,068,000	19,445,161,000	+307,019,000
(Limitation on trust funds)	(5,796,000)	(5,796,000)			(-5,796,000)
Health Care Financing Administration					
Grants to States for Medicaid	96,390,849,000	95,977,200,000	95,977,200,000	95,977,200,000	-413,649,000
Carryover balance	-7,150,074,000	-13,835,128,000	-13,835,128,000	-13,835,128,000	-6,685,054,000
Appropriation available from prior year advance	-28,600,000,000	-27,047,717,000	-27,047,717,000	-27,047,717,000	-447,717,000
Total, adjusted appropriation	62,640,775,000	55,094,355,000	55,094,355,000	55,094,355,000	-7,546,420,000
New advance, 1st quarter, FY 1997	27,047,717,000	26,155,350,000	26,155,350,000	26,155,350,000	-892,367,000
Total, grants to States for Medicaid	89,688,492,000	81,249,705,000	81,249,705,000	81,249,705,000	-8,438,787,000

FY 1996 DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS BILL (H.R. 3019)—Continued

	FY 1995 Enacted	FY 1996 Estimate	House (H.R. 2127)	H.R. 3019	H.R. 3019 compared with Enacted
Payments to health care trust funds	37,846,756,000	63,313,000,000	63,313,000,000	63,313,000,000	+25,766,242,000
Program management (limitation on trust fund transfer)	(2,178,094,000)	(2,253,794,000)	(2,134,533,000)	(2,130,810,000)	(-47,214,000)
Health Maintenance Organization loan and loan guarantee fund	15,000,000				-15,000,000
Total, Health Care Financing Administration	127,250,350,000	144,582,705,000	144,582,705,000	144,582,705,000	+17,312,455,000
Appropriations, fiscal year 1996	(100,202,583,000)	(118,407,395,000)	(118,407,395,000)	(118,407,395,000)	(+18,204,822,000)
Advance appropriations, FY 1997	(27,047,717,000)	(28,155,350,000)	(28,155,350,000)	(28,155,350,000)	(-892,367,000)
(Limitation on trust funds)	(2,178,094,000)	(2,253,794,000)	(2,134,533,000)	(2,130,810,000)	(-47,214,000)
Administration for Children and Families					
Family support payments to States:					
Direct appropriation	17,360,697,000	18,014,307,000	18,014,307,000	18,014,307,000	+653,610,000
Appropriation available from prior year advance	-4,200,000,000	-4,400,000,000	-4,400,000,000	-4,400,000,000	-200,000,000
Total, fiscal year 1996 appropriation	13,160,697,000	13,614,307,000	13,614,307,000	13,614,307,000	+453,610,000
New advance, 1st quarter, FY 1997	4,400,000,000	4,800,000,000	4,800,000,000	4,800,000,000	+400,000,000
Total, family support payments	17,560,697,000	18,414,307,000	18,414,307,000	18,414,307,000	+853,610,000
Job opportunities and basic skills (JOBS)	970,000,000	1,000,000,000	1,000,000,000	1,000,000,000	+30,000,000
Low income home energy assistance (rescission)	-474,998,000		-1,000,000,000	-100,000,000	+374,998,000
Advance appropriation, FY 1997	1,000,000,000	1,319,204,000			-1,000,000,000
Total (net)	525,002,000	1,319,204,000	-1,000,000,000	-100,000,000	-625,002,000
Refugee and entrant assistance	399,772,000	414,199,000	411,781,000	397,872,000	-1,900,000
State legalization impact assistance grants:					
Rescission	-75,000,000				+75,000,000
Appropriation, current year	4,000,000				-4,000,000
Child care and development block grant	934,842,000	1,048,825,000	934,842,000	934,842,000	
Social Services Block Grant	2,800,000,000	2,800,000,000	2,800,000,000	2,520,000,000	-280,000,000
Children and families service programs	4,874,333,000	5,234,258,000	4,544,843,000	4,694,222,000	-180,111,000
Crime reduction program	11,000,000	105,300,000	600,000	21,358,000	+10,358,000
Total	4,885,333,000	5,339,558,000	4,545,443,000	4,715,580,000	-169,753,000
Family support and preservation	150,000,000	225,000,000	225,000,000	225,000,000	+75,000,000
Payments to States for foster care and adoption assistance	3,597,371,000	4,307,842,000	4,307,842,000	4,322,238,000	+724,867,000
Total, Administration for Children and Families (net)	31,751,817,000	34,866,933,000	31,639,015,000	32,429,639,000	+677,822,000
Administration on aging	876,007,000	897,148,000	778,248,000	801,232,000	-74,775,000
Office of the Secretary					
General departmental management	88,150,000	86,162,000	116,828,000	136,499,000	+48,349,000
(Limitation on trust fund transfer)	(18,977,000)	(7,204,000)	(6,813,000)	(6,626,000)	(-12,349,000)
Office of the Inspector General	60,748,000	58,889,000	56,333,000	56,333,000	-4,415,000
(Limitation on trust fund transfer)	(28,708,000)	(21,048,000)	(17,623,000)	(17,623,000)	(-11,085,000)
Office for Civil Rights	18,195,000	17,558,000	10,249,000	16,153,000	-2,042,000
(Limitation on trust fund transfer)	(3,780,000)	(3,602,000)	(3,251,000)	(3,314,000)	(-466,000)
Policy research	9,403,000	12,278,000	9,000,000	9,000,000	-403,000
Total, Office of the Secretary	176,496,000	174,887,000	192,408,000	217,985,000	+41,489,000
(Limitation on trust funds)	(51,465,000)	(31,854,000)	(27,687,000)	(27,565,000)	(-23,900,000)
Public Health and Social Emergency Fund	35,000,000	9,000,000			-35,000,000
Total, title II, Department of Health and Human Services (net)	179,227,732,000	200,475,428,000	196,344,442,000	197,456,742,000	+18,229,010,000
Appropriations, fiscal year 1996	(147,330,013,000)	(168,200,874,000)	(168,369,092,000)	(168,801,392,000)	(+19,271,379,000)
Rescission	(-549,998,000)		(-1,000,000,000)	(-100,000,000)	(+449,998,000)
Advance appropriations, fiscal year 1997	(32,447,717,000)	(32,274,554,000)	(30,955,350,000)	(30,955,350,000)	(-1,492,367,000)
(Limitation on trust funds)	(2,235,295,000)	(2,291,444,000)	(2,162,220,000)	(2,158,375,000)	(-76,910,000)
TITLE III - DEPARTMENT OF EDUCATION					
Education reform	494,370,000	950,000,000	95,000,000	95,000,000	-399,370,000
Compensatory education for the disadvantaged	7,226,116,000	7,441,292,000	6,014,499,000	6,049,113,000	-1,179,003,000
Impact aid	728,000,000	619,000,000	645,000,000	693,000,000	-35,000,000
School improvement programs	1,328,037,000	1,554,331,000	892,000,000	946,227,000	-381,810,000
Crime reduction program		31,000,000			
Bilingual and immigrant education	208,700,000	300,000,000	103,000,000	150,000,000	-58,700,000
Special education	3,252,846,000	3,342,128,000	3,092,491,000	3,245,447,000	-7,399,000
Rehabilitation services and disability research	2,354,103,000	2,416,511,000	2,416,511,000	2,416,511,000	+62,408,000
Discretionary, technology assistance	39,249,000	40,428,000	36,249,000	36,109,000	-3,140,000
Special Institutions for Persons With Disabilities:					
American Printing House for the Blind	6,660,000	6,660,000	4,000,000	6,660,000	
National Technical Institute for the Deaf	43,191,000	43,041,000	39,737,000	42,180,000	-1,011,000
Gallaudet University	80,030,000	80,030,000	72,028,000	77,629,000	-2,401,000
Total	129,901,000	129,751,000	115,765,000	126,489,000	-3,412,000

FY 1996 DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS BILL (H.R. 3019)—Continued

	FY 1995 Enacted	FY 1996 Estimate	House (H.R. 2127)	H.R. 3019	H.R. 3019 compared with Enacted
Vocational and adult education	1,382,561,000	1,686,575,000	1,162,786,000	1,257,134,000	-125,427,000
Student financial assistance	7,617,970,000	7,651,415,000	6,916,915,000	6,643,246,000	-974,724,000
Federal family education loans program: Federal administration	62,066,000	30,066,000	30,066,000	30,066,000	-32,030,000
Federal direct student loan program (direct loan administration permanent authority) (rescission)	-61,000,000				+61,000,000
Higher education	919,370,000	820,772,000	757,700,000	836,964,000	-82,406,000
Howard University	204,863,000	166,863,000	170,368,000	174,871,000	-29,992,000
College housing and academic facilities program: Federal admin.	757,000	1,027,000	700,000	700,000	-57,000
HBCU capital financing	346,000	166,000	166,000	166,000	-180,000
Education research, statistics, and improvement	323,992,000	433,094,000	260,238,000	328,298,000	+4,306,000
Libraries	144,161,000	108,927,000	101,227,000	131,905,000	-12,656,000
Departmental Management:					
Program administration	355,476,000	370,844,000	327,319,000	327,319,000	-28,157,000
Headquarters renovation		20,000,000		7,000,000	+7,000,000
Office for Civil Rights	58,236,000	62,784,000	53,951,000	55,451,000	-2,785,000
Office of the Inspector General	30,390,000	34,066,000	28,154,000	28,654,000	-1,736,000
Total	444,102,000	487,694,000	409,424,000	418,424,000	-25,678,000
Total, title III, Department of Education	26,800,310,000	26,220,106,000	23,213,105,000	23,579,040,000	-3,221,270,000
TITLE IV - RELATED AGENCIES					
Armed Forces Retirement Home:					
Operation and maintenance (trust fund limitation):					
Soldiers' and Airmen's Home	45,248,000	45,090,000	45,090,000		-45,248,000
United States Naval Home	11,015,000	11,979,000	11,046,000		-11,015,000
Consolidated account				54,017,000	+54,107,000
Subtotal, O & M	56,263,000	57,069,000	56,136,000	54,017,000	-2,246,000
Capital program (trust fund limitation):					
Soldiers' and Airmen's Home	2,500,000	1,483,000	1,483,000		-2,500,000
United States Naval Home	408,000	568,000	568,000		-408,000
Consolidated account				1,954,000	+1,954,000
Subtotal, capital	2,908,000	2,051,000	2,051,000	1,954,000	-952,000
Total, AFSH	59,169,000	59,120,000	58,188,000	55,971,000	-3,198,000
Domestic Volunteer Service Programs (formerly Action)	214,624,000	262,900,000	182,767,000	196,270,000	-18,354,000
Corporation for Public Broadcasting:					
Advance appropriation, fiscal year 1999	260,000,000	296,400,000	240,000,000	250,000,000	-10,000,000
Rescission, fiscal year 1995	-7,000,000				+7,000,000
Rescission, fiscal year 1996 funding (non-add)	(-37,000,000)				(+37,000,000)
Rescission, fiscal year 1997 funding (non-add)	(-55,000,000)				(+55,000,000)
Federal Mediation and Conciliation Service	31,344,000	33,290,000	31,896,000	32,896,000	+1,552,000
Federal Mine Safety and Health Review Commission	6,200,000	6,467,000	6,467,000	6,200,000	
National Commission on Libraries and Information Science	901,000	992,000	450,000	829,000	-72,000
National Council on Disability	1,793,000	1,830,000	1,397,000	1,793,000	
National Education Goals Panel		2,785,000		1,000,000	+1,000,000
National Education Standards and Improvement Council		3,000,000			
National Labor Relations Board	176,047,000	181,134,000	123,233,000	167,245,000	-8,802,000
National Mediation Board	8,519,000	8,933,000	8,000,000	7,837,000	-682,000
Occupational Safety and Health Review Commission	7,595,000	8,127,000	8,200,000	8,100,000	+505,000
Physician Payment Review Commission (trust funds)	(4,176,000)	(4,100,000)	(2,923,000)	(2,923,000)	(-1,253,000)
Prospective Payment Assessment Commission (trust funds)	(4,867,000)	(4,856,000)	(3,267,000)	(3,267,000)	(-1,400,000)
Social Security Administration					
Payments to social security trust funds	25,094,000	32,641,000	32,641,000	32,641,000	+7,547,000
Special benefits for disabled coal miners:					
Direct appropriation	717,874,000	665,396,000	665,396,000	665,396,000	-52,478,000
Appropriation available from prior year advance	-190,000,000	-180,000,000	-180,000,000	-180,000,000	+10,000,000
Total, fiscal year 1996 appropriation	527,874,000	485,396,000	485,396,000	485,396,000	-42,478,000
New advance, 1st quarter, fiscal year 1997	180,000,000	170,000,000	170,000,000	170,000,000	-10,000,000
Total, special benefits for disabled coal miners	707,874,000	655,396,000	655,396,000	655,396,000	-52,478,000
Supplemental security income program:					
Mandatory	25,606,836,000	23,731,736,000	23,731,736,000	23,731,736,000	-1,875,103,000
Discretionary	2,042,781,000	1,727,096,000	1,727,096,000	1,727,096,000	-315,663,000
Investment proposals	347,000,000	405,159,000	355,000,000	355,000,000	+8,000,000
Subtotal	27,996,620,000	25,863,993,000	25,813,834,000	25,813,834,000	-2,182,786,000
Appropriation available from prior year advance	-6,770,000,000	-7,060,000,000	-7,060,000,000	-7,060,000,000	-290,000,000
Total, fiscal year 1996 appropriation	21,226,620,000	18,803,993,000	18,753,834,000	18,753,834,000	-2,472,786,000
New advance, 1st quarter, fiscal year 1997	7,060,000,000	9,260,000,000	9,260,000,000	9,260,000,000	+2,200,000,000
Total, supplemental security income program	28,286,620,000	28,063,993,000	28,013,834,000	28,013,834,000	-272,786,000

FY 1996 DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS BILL (H.R. 3019)—Continued

	FY 1995 Enacted	FY 1996 Estimate	House (H.R. 2127)	H.R. 3019	H.R. 3019 compared with Enacted
Limitation on administrative expenses: Trust funds	(5,544,103,000)	(6,209,402,000)	(5,910,288,000)	(5,910,288,000)	(+366,185,000)
Office of the Inspector General	2,406,000	6,664,000	4,616,000	4,616,000	+2,406,000
(Limitation on trust fund transfer)	(8,038,000)	(20,253,000)	(21,078,000)	(21,078,000)	(+13,038,000)
Total, Social Security Administration	29,021,996,000	28,758,994,000	28,708,667,000	28,708,667,000	-315,309,000
Appropriations, fiscal year 1996	(21,781,996,000)	(19,328,994,000)	(19,278,667,000)	(19,278,667,000)	(-2,505,309,000)
Advance appropriations, fiscal year 1997	7,240,000,000	9,430,000,000	9,430,000,000	9,430,000,000	+2,190,000,000
(Limitation on trust funds)	(5,552,141,000)	(6,229,655,000)	(5,931,344,000)	(5,931,344,000)	(+379,203,000)
Railroad Retirement Board:					
Dual benefits payments account	235,000,000	222,000,000	222,000,000	222,000,000	-13,000,000
Federal payments to Railroad Retirement Account	300,000	300,000	300,000	300,000	
Limitation on administrative expenses, trust funds:					
Consolidated account		(92,700,000)	(90,912,000)	(90,816,000)	(+90,816,000)
Retirement	(73,803,000)				(-73,803,000)
Administration	(17,013,000)				(-17,013,000)
Special Management Improvement Fund	(1,838,000)	(859,000)	(859,000)	(859,000)	(-979,000)
Review activity	(6,675,000)	(6,700,000)	(5,100,000)	(5,673,000)	(-1,002,000)
Total	235,300,000	222,300,000	222,300,000	222,300,000	-13,000,000
United States Institute of Peace: Operating expenses	11,500,000	11,500,000	6,500,000	11,500,000	
Total, title IV, related agencies	30,027,996,000	29,867,742,000	29,586,063,000	29,666,826,000	-359,360,000
Appropriations, fiscal year 1996	(22,827,996,000)	(20,131,342,000)	(19,926,063,000)	(19,986,826,000)	(-2,539,360,000)
Advance appropriations, fiscal year 1997	(7,240,000,000)	(9,430,000,000)	(9,430,000,000)	(9,430,000,000)	(+2,190,000,000)
Advance appropriations, fiscal year 1998	(260,000,000)	(296,400,000)	(240,000,000)	(250,000,000)	(-10,000,000)
(Limitation on trust funds)	(5,660,113,000)	(6,336,470,000)	(6,034,205,000)	(6,034,862,000)	(+374,569,000)
Grand total (net)	244,495,303,000	266,185,067,000	256,056,065,000	257,256,265,000	+12,760,962,000
Appropriations, fiscal year 1996	(205,165,584,000)	(226,184,133,000)	(216,432,715,000)	(216,720,935,000)	(+11,555,351,000)
Rescission	(-617,996,000)		(-1,000,000,000)	(-100,000,000)	(+517,996,000)
Advance appropriations, fiscal year 1997	(39,667,717,000)	(41,704,554,000)	(40,365,350,000)	(40,365,350,000)	(+697,633,000)
Advance appropriations, fiscal year 1998	(260,000,000)	(296,400,000)	(240,000,000)	(250,000,000)	(-10,000,000)
(Limitation on trust funds)	(11,396,766,000)	(12,259,261,000)	(11,586,405,000)	(11,573,930,000)	(+177,164,000)
CONGRESSIONAL BUDGET RECAP					
Total appropriations in bill	244,495,303,000	266,185,067,000	256,056,065,000	257,256,265,000	+12,760,962,000
Mandatory, total in bill	184,182,317,000	202,641,064,000	202,633,887,000	202,366,283,000	+18,185,966,000
Less advances for subsequent years	-38,667,717,000	-40,365,350,000	-40,365,350,000	-40,365,350,000	-1,697,633,000
Plus advances provided in prior years	37,760,000,000	38,667,717,000	38,667,717,000	38,667,717,000	+907,717,000
Adjustment for leg cap Title XX SSBGs				260,000,000	+260,000,000
TOTAL MANDATORY	183,254,600,000	200,943,431,000	200,936,254,600	200,950,650,000	+17,696,050,000
Discretionary, total in bill	60,312,986,000	65,544,023,000	53,424,178,000	54,888,002,000	-5,424,984,000
Less advances for subsequent years	-1,260,000,000	-1,615,604,000	-240,000,000	-250,000,000	+1,010,000,000
Plus advances provided in prior years	1,767,636,000	1,275,000,000	1,275,000,000	1,275,000,000	-492,636,000
Scorekeeping adjustments:					
Trust funds considered budget authority	6,552,420,000	6,928,676,000	6,518,556,000	6,506,081,000	-46,339,000
Black lung benefits	12,900,000				-12,900,000
Adjustment to balance with FY95 bill	-52,590,000				+52,590,000
Pell grants resc of FY94 funds (PL 104-6)	-35,000,000				+35,000,000
Youth training rescission (FY 1994)	-50,000,000				+50,000,000
NIH buildings & facilities resc (FY 1994)	-60,000,000				+60,000,000
Emergency funding	-35,000,000				+35,000,000
Retirement fraud	-410,000				+410,000
HEAL loan limitation			-6,963,000	-6,963,000	-6,963,000
Federal student direct loans				-118,000,000	-118,000,000
Direct loan 40% cap				-55,000,000	-55,000,000
Dept of Labor working capital fund			3,900,000	3,900,000	+3,900,000
Adjustment for leg cap Title XX SSBGs				-260,000,000	-260,000,000
TOTAL DISCRETIONARY	67,152,944,000	72,132,095,000	60,974,651,000	61,963,000,000	-5,189,944,000
CRIME TRUST FUND	11,000,000	175,400,000	39,900,000	53,000,000	+42,000,000
GENERAL PURPOSES	67,141,944,000	71,956,695,000	60,934,751,000	61,910,000,000	-5,231,944,000

NOTE: Appropriations for the Centers for Disease Control and the National Institutes of Health were enacted in P.L. 104-91 and are not included in H.R. 3019. Appropriations for these accounts are displayed in this table for descriptive purposes only.

FY 1996 DEPARTMENTS OF VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT, AND INDEPENDENT AGENCIES APPROPRIATIONS BILL (H.R. 3019)

	FY 1995 Enacted	FY 1996 Estimate	Conference (H.R. 2099)	H.R. 3019	H.R. 3019 compared with Enacted
TITLE I					
DEPARTMENT OF VETERANS AFFAIRS					
Veterans Benefits Administration					
Compensation and pensions	17,626,892,000	18,331,561,000	17,649,972,000	18,331,561,000	+704,669,000
Readjustment benefits	1,288,600,000	1,346,300,000	1,346,300,000	1,346,300,000	+58,700,000
Veterans insurance and indemnities	24,760,000	24,890,000	24,890,000	24,890,000	+130,000
Guaranty and indemnity program account (indefinite)	507,095,000	504,122,000	504,122,000	504,122,000	-2,973,000
Negative subsidy for guaranteed loans	.....	-186,500,000	-186,500,000	-186,500,000	-186,500,000
Administrative expenses	85,228,000	78,095,000	85,228,000	85,228,000	.....
Loan guaranty program account (indefinite)	43,939,000	22,950,000	22,950,000	22,950,000	-20,989,000
Administrative expenses	59,371,000	52,138,000	52,138,000	52,138,000	-7,233,000
(By transfer)	.....	.....	(8,000,000)	(8,000,000)	(+8,000,000)
Direct loan program account (indefinite)	26,000	29,000	29,000	29,000	+3,000
(Limitation on direct loans)	(1,000,000)	(300,000)	(300,000)	(300,000)	(-700,000)
Administrative expenses	1,020,000	459,000	459,000	459,000	-561,000
(Loan level)	(97,000)	(99,000)	(99,000)	(99,000)	(+2,000)
Education loan fund program account	1,061	1,093	1,000	1,000	-61
(Limitation on direct loans)	(4,034)	(4,120)	(4,000)	(4,000)	(-34)
Administrative expenses	195,000	203,000	195,000	195,000	.....
Vocational rehabilitation loans program account	54,000	56,000	54,000	54,000	.....
(Limitation on direct loans)	(1,984,000)	(2,022,000)	(1,984,000)	(1,984,000)	.....
Administrative expenses	767,000	377,000	377,000	377,000	-390,000
Native American Veteran Housing Loan Program Account	218,000	455,000	205,000	205,000	-13,000
Total, Veterans Benefits Administration	19,616,163,061	20,175,125,093	19,460,417,000	20,162,006,000	+545,842,939
Veterans Health Administration					
Medical care	16,214,684,000	16,961,487,000	16,564,000,000	16,564,000,000	+349,316,000
(Transfer out)	.....	.....	(-4,500,000)	(-4,500,000)	(-4,500,000)
Medical and prosthetic research	251,743,000	257,000,000	257,000,000	257,000,000	+5,257,000
Health professional scholarship program	10,366,000	10,366,000	.....	.....	-10,366,000
Medical administration and miscellaneous operating expenses	69,789,000	72,262,000	63,602,000	63,602,000	-6,187,000
(By transfer)	.....	.....	(4,500,000)	(4,500,000)	(+4,500,000)
Grants to the Republic of the Philippines	500,000	.....	.....	.....	-500,000
Transitional housing loan program:					
Loan program account (by transfer)	(7,000)	(7,000)	(7,000)	(7,000)	.....
Administrative expenses (by transfer)	(54,000)	(56,000)	(54,000)	(54,000)	.....
(Limitation on direct loans)	(70,000)	(70,000)	(70,000)	(70,000)	.....
General post fund (transfer out)	(-61,000)	(-63,000)	(-61,000)	(-61,000)	.....
Total, Veterans Health Administration	16,547,102,000	17,301,135,000	16,884,602,000	16,884,602,000	+337,500,000
Departmental Administration					
General operating expenses	890,193,000	915,643,000	848,143,000	848,143,000	-42,050,000
Offsetting receipts	.....	.....	(32,000,000)	(32,000,000)	(+32,000,000)
(Transfer out)	.....	.....	(-6,000,000)	(-6,000,000)	(-6,000,000)
Total, Program Level	(890,193,000)	(915,643,000)	(874,143,000)	(874,143,000)	(-16,050,000)
National Cemetery System	72,604,000	75,306,000	72,604,000	72,604,000	.....
Office of Inspector General	31,815,000	33,500,000	30,900,000	30,900,000	-915,000
Construction, major projects	354,294,000	513,755,000	136,155,000	136,155,000	-218,139,000
(Transfer out)	.....	.....	(-7,000,000)	(-7,000,000)	(-7,000,000)
Construction, minor projects	152,934,000	229,145,000	190,000,000	190,000,000	+37,066,000
Parking revolving fund	16,300,000	.....	.....	.....	-16,300,000
(By transfer)	.....	.....	(7,000,000)	(7,000,000)	(+7,000,000)
Grants for construction of state extended care facilities	47,397,000	43,740,000	47,397,000	47,397,000	.....
Grants for the construction of state veterans cemeteries	5,378,000	1,000,000	1,000,000	1,000,000	-4,378,000
Total, Departmental Administration	1,570,915,000	1,812,091,000	1,326,199,000	1,326,199,000	-244,716,000
Total, title I, Department of Veterans Affairs	37,734,180,061	39,288,351,093	37,691,218,000	38,372,807,000	+638,626,939
(By transfer)	(91,000)	(93,000)	(17,561,000)	(17,561,000)	(+17,500,000)
(Limitation on direct loans)	(3,135,034)	(2,496,120)	(2,437,000)	(2,437,000)	(-698,034)
Consisting of:					
Mandatory	(19,489,311,000)	(20,043,351,000)	(19,361,782,000)	(20,043,351,000)	(+554,040,000)
Discretionary	(18,244,869,061)	(19,245,000,093)	(18,329,456,000)	(18,329,456,000)	(+84,586,939)

FY 1996 DEPARTMENTS OF VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT, AND INDEPENDENT AGENCIES APPROPRIATIONS BILL (H.R. 3019)—Continued

	FY 1995 Enacted	FY 1996 Estimate	Conference (H.R. 2099)	H.R. 3019	H.R. 3019 compared with Enacted
TITLE II					
DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT					
Selected Housing Programs					
Housing certificates for families and individuals performance funds	.....	6,509,995,000	.....	.....	.....
Public and Indian housing capital performance funds	.....	4,884,000,000	.....	.....	.....
Annual contributions for assisted housing	11,083,000,000	.....	10,155,795,000	10,155,795,000	-927,205,000
Prepayment authority	.....	.....	4,000,000	4,000,000	+4,000,000
Transfer from UDAG	(100,000,000)	.....	.....	.....	(-100,000,000)
Severely distressed public housing	500,000,000	.....	280,000,000	280,000,000	-220,000,000
Assistance for the renewal of expiring section 8 subsidy contracts	2,836,000,000	.....	.....	.....	-2,836,000,000
Flexible subsidy fund	50,000,000	.....	.....	.....	-50,000,000
Housing opportunities for persons with AIDS	.....	156,000,000	.....	.....	.....
Congregate services	25,000,000	.....	.....	.....	-25,000,000
Rental housing assistance:					
Rescission of budget authority, indefinite	-38,000,000	-35,119,000	-35,119,000	-35,119,000	+2,881,000
(Limitation on annual contract authority, indefinite)	(-2,000,000)	(-2,000,000)	(-2,000,000)	(-2,000,000)	.....
Rescission of prepayment recaptures	-66,000,000	-163,000,000	-163,000,000	-163,000,000	-97,000,000
Homeownership assistance	6,875,000	.....	.....	.....	-6,875,000
Rescission of budget authority, indefinite	-184,000,000	.....	.....	.....	+184,000,000
Public and Indian housing operation performance funds	.....	3,220,000,000	.....	.....	.....
Payments for operation of low-income housing projects	2,900,000,000	.....	2,800,000,000	2,800,000,000	-100,000,000
Drug elimination grants for low-income housing	290,000,000	.....	290,000,000	290,000,000	.....
Affordable housing performance funds	.....	3,339,000,000	.....	.....	.....
HOME investment partnerships program	1,400,000,000	.....	1,400,000,000	1,400,000,000	.....
Homeownership and opportunity for people everywhere grants (HOPE grants)	50,000,000	.....	.....	.....	-50,000,000
National homeownership trust demonstration program	50,000,000	.....	.....	.....	-50,000,000
Youthbuild program	50,000,000	.....	.....	.....	-50,000,000
Housing counseling assistance	50,000,000	.....	.....	.....	-50,000,000
Indian housing loan guarantee fund program account	3,000,000	3,000,000	3,000,000	3,000,000	.....
(Limitation on guarantee loans)	(22,388,000)	(36,900,000)	(36,900,000)	(36,900,000)	(+14,512,000)
Violent crime reduction program	.....	3,000,000	.....	.....	.....
Total, Selected housing programs (net)	18,705,875,000	17,946,839,000	14,734,878,000	14,734,878,000	-3,971,199,000
Homeless Assistance					
Homeless assistance fund	.....	1,120,000,000	.....	.....	.....
Homeless assistance grants	1,120,000,000	.....	823,000,000	823,000,000	-297,000,000
Community Planning and Development					
Community opportunity fund	.....	4,850,000,000	.....	.....	.....
Community opportunity performance program account	.....	21,000,000	.....	.....	.....
Administrative expenses	.....	900,000	.....	.....	.....
Community development grants	4,600,000,000	.....	4,600,000,000	4,600,000,000	.....
Section 108 loan guarantees:					
(Limitation on guaranteed loans)	(2,054,000,000)	.....	(1,500,000,000)	(1,500,000,000)	(-554,000,000)
Credit subsidy	.....	.....	31,750,000	31,750,000	+31,750,000
Administrative expenses	.....	.....	675,000	675,000	+675,000
Policy Development and Research					
Research and technology	42,000,000	42,000,000	34,000,000	34,000,000	-8,000,000
Fair Housing and Equal Opportunity					
Fair housing activities	33,375,000	45,000,000	30,000,000	30,000,000	-3,375,000
Management and Administration					
Salaries and expenses	451,219,000	479,479,000	420,000,000	420,000,000	-31,219,000
(By transfer, limitation on FHA corporate funds)	(495,355,000)	(527,782,000)	(532,782,000)	(532,782,000)	(+37,427,000)
(By transfer, GNMA)	(8,824,000)	(9,101,000)	(9,101,000)	(9,101,000)	(+277,000)
(By transfer, Community Planning & Development)	.....	(900,000)	(675,000)	(675,000)	(+675,000)
Total, Salaries and expenses	(955,398,000)	(1,017,292,000)	(962,558,000)	(962,558,000)	(+7,160,000)
Office of Inspector General	38,427,000	36,988,000	38,567,000	38,567,000	+140,000
(By transfer, limitation on FHA corporate funds)	(10,961,000)	(11,263,000)	(11,283,000)	(11,283,000)	(+322,000)
Total, Office of Inspector General	(47,388,000)	(48,251,000)	(47,850,000)	(47,850,000)	(+462,000)
Office of federal housing enterprise oversight	15,451,000	14,895,000	14,895,000	14,895,000	-556,000
Offsetting receipts	-15,451,000	-14,895,000	-14,895,000	-14,895,000	+556,000
Federal Housing Administration					
FHA - Mutual mortgage insurance program account:					
(Limitation on guaranteed loans)	(100,000,000,000)	(110,000,000,000)	(110,000,000,000)	(110,000,000,000)	(+10,000,000,000)
(Limitation on direct loans)	(180,000,000)	(200,000,000)	(200,000,000)	(200,000,000)	(+20,000,000)
Administrative expenses	308,846,000	341,595,000	341,595,000	341,595,000	+32,749,000
Offsetting receipts	-308,846,000	-341,595,000	-341,595,000	-341,595,000	-32,749,000

FY 1996 DEPARTMENTS OF VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT, AND INDEPENDENT AGENCIES APPROPRIATIONS BILL (H.R. 3019)—Continued

	FY 1995 Enacted	FY 1996 Estimate	Conference (H.R. 2099)	H.R. 3019	H.R. 3019 compared with Enacted
FHA - General and special risk program account:					
(Limitation on guaranteed loans)	(20,885,072,000)	(17,400,000,000)	(17,400,000,000)	(17,400,000,000)	(-3,485,072,000)
(Limitation on direct loans)	(220,000,000)	(120,000,000)	(120,000,000)	(120,000,000)	(-100,000,000)
Administrative expenses	197,470,000	197,470,000	202,470,000	202,470,000	+5,000,000
Program costs	188,388,000	188,388,000	85,000,000	85,000,000	-103,388,000
Subsidy - multifamily	-134,098,000	-37,998,000	-37,998,000	-37,998,000	+96,100,000
Subsidy - single family	-81,673,000	-27,044,000	-27,044,000	-27,044,000	+54,629,000
Subsidy - Title I	-24,460,000	-23,777,000	-23,777,000	-23,777,000	+683,000
Total, Federal Housing Administration	145,636,000	297,046,000	198,653,000	198,653,000	+53,017,000
Government National Mortgage Association					
Guarantees of mortgage-backed securities loan guarantee program account:					
(Limitation on guaranteed loans)	(142,000,000,000)	(110,000,000,000)	(110,000,000,000)	(110,000,000,000)	(-32,000,000,000)
Administrative expenses	8,824,000	9,101,000	9,101,000	9,101,000	+277,000
Offsetting receipts	-262,700,000	-508,300,000	-508,300,000	-508,300,000	-245,600,000
Administrative Provisions					
Procurement savings	-3,538,000				+3,538,000
Debt forgiveness				10,000,000	+10,000,000
FHA mortgage insurance limits	-3,000,000				+3,000,000
GNMA REMICs	-180,000,000				+180,000,000
GNMA REMICs II	-30,600,000				+30,600,000
1-year extension of HECM's demonstration			-6,000,000	-7,000,000	-7,000,000
FHA Assignment Reform			-1,078,000,000	-1,066,000,000	-1,066,000,000
Non-judicial foreclosure	-10,000,000				+10,000,000
Multi-family property disposition - FHA fund			-40,000,000	-40,000,000	-40,000,000
Sec. 213 - demonstration			30,000,000	30,000,000	+30,000,000
Sec. 224 - FHA fund			34,000,000	33,000,000	+33,000,000
Total, title II, Department of Housing & Urban Development (net)	24,653,518,000	24,340,032,000	19,348,122,000	19,370,122,000	-5,283,396,000
Appropriations	(24,941,518,000)	(24,538,151,000)	(19,548,241,000)	(19,568,241,000)	(-5,373,277,000)
Rescissions	(-288,000,000)	(-198,119,000)	(-198,119,000)	(-198,119,000)	(+89,881,000)
(Limitation on annual contract authority, indefinite)	(-2,000,000)	(-2,000,000)	(-2,000,000)	(-2,000,000)	
(Limitation on guaranteed loans)	(264,939,072,000)	(237,400,000,000)	(238,900,000,000)	(238,900,000,000)	(-26,039,072,000)
(Limitation on corporate funds)	(515,140,000)	(549,068,000)	(553,841,000)	(553,841,000)	(+38,701,000)
Consisting of:					
Advance appropriation available	800,000,000				-800,000,000
Appropriations available from this bill	24,653,518,000	24,340,032,000	19,348,122,000	19,370,122,000	-5,283,396,000
Total, title II	25,453,518,000	24,340,032,000	19,348,122,000	19,370,122,000	-6,083,396,000
TITLE III					
INDEPENDENT AGENCIES					
American Battle Monuments Commission					
Salaries and expenses	20,265,000	20,265,000	20,265,000	20,265,000	
Chemical Safety and Hazard Investigation Board					
Salaries and expenses	500,000				-500,000
Community Development Financial Institutions					
Community development financial institutions fund program account	125,000,000	123,650,000			-125,000,000
Loan subsidy		20,000,000			
Office of Inspector General		350,000			
Consumer Product Safety Commission					
Salaries and expenses	42,509,000	44,000,000	40,000,000	40,000,000	-2,509,000
Corporation for National and Community Service					
National and community service programs operating expenses	575,000,000	817,476,000	15,000,000	15,000,000	-560,000,000
Office of Inspector General	2,000,000	2,000,000			-2,000,000
Total	577,000,000	819,476,000	15,000,000	15,000,000	-562,000,000
Court of Veterans Appeals					
Salaries and expenses	9,429,000	9,820,000	9,000,000	9,000,000	-429,000
Department of Defense - Civil					
Cemeterial Expenses, Army					
Salaries and expenses	12,017,000	14,134,000	11,946,000	11,946,000	-71,000

FY 1996 DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS BILL (H.R. 3019) — Continued

	FY 1995 Enacted	FY 1996 Estimate	Conference (H.R. 2076)	H.R. 3019	H.R. 3019 compared with Enacted
Federal Prison Industries, Incorporated (limitation on administrative expenses)	(3,463,000)	(3,559,000)	(3,559,000)	(3,559,000)	(+96,000)
Total, Federal Prison System	2,610,200,000	2,977,645,000	2,915,808,000	2,915,808,000	+305,608,000
Office of Justice Programs					
Justice Assistance:					
Direct appropriation	97,977,000	102,345,000	99,977,000	99,977,000	+2,000,000
Crime trust fund:					
Violence Against Women Grants	26,000,000	174,900,000	174,500,000	174,500,000	+148,500,000
Rural law enforcement		10,252,000			
Crime prevention		30,000,000			
Model intensive prevention		46,216,000			
State prison drug treatment		27,000,000	27,000,000	27,000,000	+27,000,000
Other crime control programs		4,426,000	900,000	900,000	+900,000
Subtotal, Crime trust fund	26,000,000	294,794,000	202,400,000	202,400,000	+176,400,000
Total, Justice Assistance	123,977,000	397,139,000	302,377,000	302,377,000	+178,400,000
State and local law enforcement assistance:					
Direct appropriations:					
Byrne grants (discretionary)	62,000,000	50,000,000	60,000,000	60,000,000	-2,000,000
Byrne grants (formula)		190,000,000	328,000,000	328,000,000	+328,000,000
State identification grants					
Weed and seed fund	13,456,000	5,000,000	(28,500,000)	(28,500,000)	-13,456,000
Subtotal, Direct appropriations	75,456,000	245,000,000	388,000,000	388,000,000	+312,544,000
Crime trust fund:					
State and local block grants:					
Byrne grants (discretionary)					
Byrne grants (formula)	450,000,000	260,000,000	147,000,000	147,000,000	-303,000,000
Community policing	1,300,000,000	1,902,964,000			-1,300,000,000
Local law enforcement block grant			1,903,000,000	1,903,000,000	+1,903,000,000
Subtotal, State and local block grants	1,750,000,000	2,162,964,000	2,050,000,000	2,050,000,000	+300,000,000
Upgrade criminal history records	100,000,000	25,000,000	25,000,000	25,000,000	-75,000,000
State prison grants	24,500,000	500,000,000	617,500,000	617,500,000	+593,000,000
State criminal alien assistance program	130,000,000	300,000,000	300,000,000	300,000,000	+170,000,000
Youthful offender incarceration		9,643,000			
Drug Courts	11,900,000	150,000,000			-11,900,000
Ounce of Prevention Council	1,500,000				-1,500,000
Other crime control programs		26,799,000	12,700,000	12,700,000	+12,700,000
Subtotal, Crime trust fund	2,017,900,000	3,174,406,000	3,005,200,000	3,005,200,000	+987,300,000
Total, State and local law enforcement	2,093,356,000	3,419,406,000	3,393,200,000	3,393,200,000	+1,299,844,000
Juvenile justice programs	155,250,000	148,500,000	148,500,000	148,500,000	-6,750,000
Crime trust fund					
Total, Juvenile justice programs	(155,250,000)	(148,500,000)	(148,500,000)	(148,500,000)	(-6,750,000)
Public safety officers benefits program:					
Death benefits	27,645,000	28,474,000	28,474,000	28,474,000	+829,000
Disability benefits	2,072,000	2,134,000	2,134,000	2,134,000	+62,000
Total, Office of Justice Programs	2,402,300,000	3,995,653,000	3,874,685,000	3,874,685,000	+1,472,385,000
Appropriations	(358,400,000)	(526,453,000)	(667,085,000)	(667,085,000)	(+308,685,000)
Crime trust fund	(2,043,900,000)	(3,469,200,000)	(3,207,600,000)	(3,207,600,000)	(+1,163,700,000)
Total, title I, Department of Justice	12,299,791,000	15,291,039,000	14,868,146,000	14,868,146,000	+2,568,355,000
Appropriations	(9,977,391,000)	(11,326,839,000)	(10,742,177,000)	(10,742,177,000)	(+764,786,000)
Crime trust fund	(2,327,900,000)	(3,964,200,000)	(3,925,969,000)	(3,925,969,000)	(+1,598,069,000)
(Limitation on administrative expenses)	(3,463,000)	(3,559,000)	(3,559,000)	(3,559,000)	(+96,000)
TITLE II - DEPARTMENT OF COMMERCE AND RELATED AGENCIES					
TRADE AND INFRASTRUCTURE DEVELOPMENT					
Office of the United States Trade Representative					
Salaries and expenses	20,949,000	20,949,000	20,889,000	20,889,000	-60,000
International Trade Commission					
Salaries and expenses	42,500,000	47,177,000	40,000,000	40,000,000	-2,500,000
Total, Related agencies	63,449,000	68,126,000	60,889,000	60,889,000	-2,560,000

FY 1996 DEPARTMENTS OF VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT, AND INDEPENDENT AGENCIES APPROPRIATIONS BILL (H.R. 3019)—Continued

	FY 1995 Enacted	FY 1996 Estimate	Conference (H.R. 3019)	H.R. 3019	H.R. 3019 compared with Enacted
National Credit Union Administration					
Central liquidity facility:					
(Limitation on direct loans)	(600,000,000)	(600,000,000)	(600,000,000)	(600,000,000)	.....
(Limitation on administrative expenses, corporate funds)	(901,000)	(880,000)	(880,000)	(880,000)	(-341,000)
National Science Foundation					
Research and related activities	2,280,000,000	2,464,000,000	2,274,000,000	2,274,000,000	-6,000,000
Rescission	-35,000,000	.....	.....	.....	+35,000,000
Major research equipment	128,000,000	70,000,000	70,000,000	70,000,000	-58,000,000
Academic research infrastructure	250,000,000	100,000,000	100,000,000	100,000,000	-150,000,000
Education and human resources	605,974,000	599,000,000	599,000,000	599,000,000	-6,974,000
Salaries and expenses	123,966,000	127,310,000	127,310,000	127,310,000	+3,344,000
Office of Inspector General	4,380,000	4,490,000	4,490,000	4,490,000	+110,000
National Science Foundation headquarters relocation	5,200,000	5,200,000	5,200,000	5,200,000	.....
Total, NSF (net)	3,380,520,000	3,380,000,000	3,180,000,000	3,180,000,000	-180,520,000
Neighborhood Reinvestment Corporation					
Payment to the Neighborhood Reinvestment Corporation	38,667,000	55,000,000	38,667,000	38,667,000	.....
Selective Service System					
Salaries and expenses	22,930,000	23,304,000	22,930,000	22,930,000	.....
Total, title III, independent agencies (net)	26,658,463,000	26,896,588,000	23,556,187,000	23,556,687,000	-3,101,776,000
Appropriations	(26,710,888,000)	(26,896,588,000)	(23,556,187,000)	(23,556,687,000)	(-3,154,301,000)
Rescissions	(-45,000,000)	.....	.....	.....	(+45,000,000)
(Limitation on administrative expenses)	(623,746,500)	(2,502,000)	(17,602,000)	(17,602,000)	(-606,144,500)
(Limitation on direct loans)	(775,000,000)	(716,026,000)	(716,026,000)	(716,026,000)	(-58,974,000)
(Limitation on corporate funds)	(901,000)	(880,000)	(880,000)	(880,000)	(-341,000)
TITLE IV					
CORPORATIONS					
Federal Deposit Insurance Corporation:					
FSLIC Resolution Fund	827,000,000	.....	.....	.....	-827,000,000
FDIC affordable housing program	15,000,000	15,000,000	.....	.....	-15,000,000
Total	842,000,000	15,000,000	.....	.....	-842,000,000
Resolution Trust Corporation: Office of Inspector General	32,000,000	11,400,000	11,400,000	11,400,000	-20,600,000
Total, title IV, Corporations	874,000,000	26,400,000	11,400,000	11,400,000	-862,600,000
Grand total (net)	89,920,161,061	90,551,351,093	80,808,927,000	81,311,016,000	-8,609,145,061
Appropriations	(90,260,666,061)	(90,749,470,093)	(80,805,046,000)	(81,509,135,000)	(-8,751,531,061)
Rescissions	(-333,000,000)	(-198,119,000)	(-196,119,000)	(-196,119,000)	(+134,881,000)
(By transfer)	(100,081,000)	(83,000)	(17,561,000)	(17,561,000)	(-82,500,000)
(Limitation on administrative expenses)	(623,746,500)	(2,502,000)	(17,602,000)	(17,602,000)	(-606,144,500)
(Limitation on annual contract authority, indefinite)	(-2,000,000)	(-2,000,000)	(-2,000,000)	(-2,000,000)	.....
(Limitation on direct loans)	(1,200,523,094)	(1,075,421,120)	(1,075,363,000)	(1,075,363,000)	(-125,160,034)
(Limitation on guaranteed loans)	(264,938,072,000)	(237,400,000,000)	(238,900,000,000)	(238,900,000,000)	(-26,039,072,000)
(Limitation on corporate funds)	(516,041,000)	(549,626,000)	(554,401,000)	(554,401,000)	(+38,360,000)
CONGRESSIONAL BUDGET RECAP					
Grand total	89,920,161,061	90,551,351,093	80,808,927,000	81,311,016,000	-8,609,145,061
Scorekeeping adjustments	-7,987,944,000	.....	21,000,000	22,000,000	+8,009,944,000
Total mandatory and discretionary	81,932,217,061	90,551,351,093	80,827,927,000	81,333,016,000	-599,201,061
Mandatory	20,316,311,000	20,043,351,000	19,361,762,000	20,043,351,000	-272,960,000
Discretionary:					
Crime trust fund	.....	3,000,000	.....	.....	.....
General purposes:					
Defense	222,488,000	153,935,000	153,429,000	153,429,000	-69,059,000
Nondefense	61,393,418,061	70,351,065,093	61,112,736,000	61,136,236,000	-257,182,061
Total, General purposes	61,615,906,061	70,505,000,093	61,266,165,000	61,289,665,000	-326,241,061
Total, Discretionary	61,615,906,061	70,508,000,093	61,266,165,000	61,289,665,000	-326,241,061

TITLES II, III, AND IV (H.R. 3019)

Doc No.		Supplemental Request	Recommendation	Recommendation compared with request
	TITLE II - EMERGENCY PEACEKEEPING APPROPRIATIONS			
	CHAPTER I			
	DEPARTMENT OF STATE			
	Administration of Foreign Affairs			
.....	Diplomatic and consular programs	.....	2,000,000	+2,000,000
104-179	(By transfer)	(2,000,000)	.....	(-2,000,000)
	RELATED AGENCY			
	United States Information Agency			
.....	Salaries and expenses	.....	1,000,000	+1,000,000
104-179	(By transfer)	(1,000,000)	.....	(-1,000,000)
	Total, Chapter I:			
	New budget (obligational) authority	.....	3,000,000	+3,000,000
	(By transfer)	(3,000,000)	.....	(-3,000,000)
	CHAPTER II			
	EXPORT-IMPORT BANK OF THE UNITED STATES			
.....	Limitation of program activity (rescission)	.....	-41,000,000	-41,000,000
	BILATERAL ECONOMIC ASSISTANCE			
	FUNDS APPROPRIATED TO THE PRESIDENT			
	Agency for International Development			
104-179	Debt restructuring (by transfer)	(5,000,000)	(5,000,000)	.....
104-179	Operating expenses of the Agency for International Development (by transfer)	(2,000,000)	(2,000,000)	.....
104-179	Assistance for Eastern Europe and the Baltic States	200,000,000	197,000,000	-3,000,000
	Total, Bilateral Economic Assistance	200,000,000	197,000,000	-3,000,000
	MILITARY ASSISTANCE			
	FUNDS APPROPRIATED TO THE PRESIDENT			
104-178	Foreign Military Assistance Program: Grants	140,000,000	70,000,000	-70,000,000
.....	(By transfer)	.....	(5,000,000)	(+5,000,000)
	Total, Chapter II:			
	New budget (obligational) authority	340,000,000	226,000,000	-114,000,000
	(By transfer)	(7,000,000)	(12,000,000)	(+5,000,000)
	CHAPTER III			
	DEPARTMENT OF DEFENSE			
104-179	North Atlantic Treaty Organization Infrastructure	37,500,000	37,500,000	.....
	CHAPTER IV			
	DEPARTMENT OF DEFENSE			
	Military Personnel			
104-179	Military Personnel, Army	244,400,000	262,200,000	+17,800,000
104-179	Military Personnel, Navy	11,700,000	11,800,000	+100,000
104-179	Military Personnel, Marine Corps	2,600,000	2,700,000	+100,000
104-179	Military Personnel, Air Force	27,300,000	33,700,000	+6,400,000
	Total, Military Personnel	286,000,000	310,400,000	+24,400,000
	Operation and Maintenance			
104-179	Operation and Maintenance, Army	48,200,000	235,200,000	+187,000,000
104-179	Operation and Maintenance, Marine Corps	900,000	900,000	.....
104-179	Operation and Maintenance, Air Force	141,600,000	130,200,000	-11,400,000
104-179	Operation and Maintenance, Defense-Wide	79,800,000	79,800,000	.....
	Total, Operation and Maintenance	270,500,000	446,100,000	+175,600,000
	Procurement			
104-179	Missile Procurement, Air Force (rescission)	-310,000,000	-310,000,000	.....
104-179	Other Procurement, Air Force	26,000,000	26,000,000	.....
104-179	Other Procurement, Air Force (rescission)	-265,000,000	-265,000,000	.....
	Total, Procurement	-549,000,000	-549,000,000	.....

TITLES II, III, AND IV (H.R. 3019) — Continued

Doc No.		Supplemental Request	Recommendation	Recommendation compared with request
	Research, Development, Test and Evaluation			
104-178	Research, Development, Test and Evaluation, Army (rescission)	-19,500,000	-9,750,000	+9,750,000
104-178	Research, Development, Test and Evaluation, Navy (rescission)	-35,000,000	-17,500,000	+17,500,000
104-178				
104-179	Research, Development, Test and Evaluation, Air Force (rescission)	-289,900,000	-267,450,000	+22,450,000
104-178	Research, Development, Test and Evaluation, Defense-Wide (rescission)	-40,800,000	-20,300,000	+20,300,000
	Total, Research, Development, Test and Evaluation	-385,000,000	-315,000,000	+70,000,000
	General Provisions			
104-179	Additional transfer authority (sec. 8005)	(1,000,000,000)	(1,000,000,000)	
	Total, Chapter IV:			
	New budget (obligational) authority	-377,500,000	-107,500,000	+270,000,000
	Appropriations	(582,500,000)	(782,500,000)	(+200,000,000)
	Rescissions	(-960,000,000)	(-890,000,000)	(+70,000,000)
	Total, title II:			
	New budget (obligational) authority		159,000,000	+159,000,000
	Appropriations	(960,000,000)	(1,090,000,000)	(+130,000,000)
	Rescissions	(-960,000,000)	(-931,000,000)	(+29,000,000)
	(By transfer)	(10,000,000)	(12,000,000)	(+2,000,000)
	TITLE III - EMERGENCY SUPPLEMENTAL APPROPRIATIONS			
	CHAPTER I			
	DEPARTMENT OF AGRICULTURE			
	Natural Resources Conservation Service			
104-183	Watershed and flood prevention operations	60,000,000	73,200,000	+13,200,000
104-183	Contingency appropriations	40,000,000		-40,000,000
	Consolidated Farm Service Agency			
104-183	Emergency conservation program	30,000,000	24,800,000	-5,200,000
	Commodity Credit Corporation			
	Emergency livestock feed assistance program		7,500,000	+7,500,000
	(1997 carryover)		(2,500,000)	(+2,500,000)
	Rural Housing and Community Development Service			
	Rural Housing Insurance Fund Program Account:			
	Low-income housing (sec. 502):			
104-183	Loan subsidy	5,000,000	5,000,000	
104-183	Loan authorization	(34,965,000)	(34,965,000)	
	Housing repair (sec. 504):			
104-183	Loan subsidy	1,500,000	1,500,000	
104-183	Loan authorization	(3,995,000)	(3,995,000)	
	Total, Rural Housing Insurance Fund	6,500,000	6,500,000	
104-183	Very low-income housing repair grants	1,100,000	1,100,000	
	Total, Rural Housing and Community Development Service	7,600,000	7,600,000	
	Rural Utilities Service			
104-183	Emergency community water assistance program	5,000,000	5,000,000	
104-183	Rural utilities assistance program	6,000,000	6,000,000	
	Total, Rural Utilities Service	11,000,000	11,000,000	
	Total, Chapter I:			
	New budget (obligational) authority	148,600,000	126,600,000	-22,000,000
	CHAPTER II			
	DEPARTMENT OF COMMERCE			
	National Oceanic and Atmospheric Administration			
104-183	Construction	10,000,000		-10,000,000

TITLES II, III, AND IV (H.R. 3019) — Continued

Doc No.		Supplemental Request	Recommendation	Recommendation compared with request
	RELATED AGENCY			
	Small Business Administration			
	Disaster Loans Program Account:			
104-183	Direct loans subsidy	69,700,000	72,300,000	+2,600,000
104-183	Administrative expenses	30,300,000	27,700,000	-2,600,000
	Total, Small Business Administration	100,000,000	100,000,000	
	Total, Chapter II:			
	New budget (obligational) authority	110,000,000	100,000,000	-10,000,000
	CHAPTER III			
	DEPARTMENT OF DEFENSE - CIVIL			
	Corps of Engineers - Civil			
104-183	Operation and maintenance, general	30,000,000	30,000,000	
104-183	Flood control and coastal emergencies	135,000,000	135,000,000	
	Total, Department of Defense - Civil	165,000,000	165,000,000	
	DEPARTMENT OF THE INTERIOR			
	Bureau of Reclamation			
104-183	Construction program	9,000,000	9,000,000	
104-183	Contingency appropriations	9,000,000		-9,000,000
	DEPARTMENT OF ENERGY			
	Power Marketing Administrations			
104-183	Operation and maintenance, Alaska Power Administration (by transfer)	(5,500,000)	(5,500,000)	
	Total, Chapter III:			
	New budget (obligational) authority	183,000,000	174,000,000	-9,000,000
	(By transfer)	(5,500,000)	(5,500,000)	
	CHAPTER IV			
	DEPARTMENT OF THE INTERIOR			
	Bureau of Land Management			
104-183	Construction and access	4,242,000	4,242,000	
104-183	Oregon and California grant lands	19,548,000	19,548,000	
	Total, Bureau of Land Management	23,790,000	23,790,000	
	United States Fish and Wildlife Service			
104-183	Construction	20,505,000	20,505,000	
	National Park Service			
104-183	Construction	33,601,000	33,601,000	
	United States Geological Survey			
104-183	Surveys, investigations, and research	1,176,000	1,176,000	
	Bureau of Indian Affairs			
104-183	Operation of Indian programs	500,000	500,000	
104-183	Construction	9,428,000	9,428,000	
	Total, Bureau of Indian Affairs	9,928,000	9,928,000	
	Territorial and International Affairs			
104-183	Assistance to territories	2,000,000	2,000,000	
	Total, Department of the Interior	91,000,000	91,000,000	
	DEPARTMENT OF AGRICULTURE			
	Forest Service			
104-183	National forest system	20,000,000	20,000,000	
104-183	Construction	40,000,000	40,000,000	
104-183	Contingency appropriations	20,000,000	20,000,000	
	Total, Forest Service	80,000,000	80,000,000	
	Total, Chapter IV:			
	New budget (obligational) authority	171,000,000	171,000,000	

TITLES II, III, AND IV (H.R. 3019) — Continued

Doc No.		Supplemental Request	Recommendation	Recommendation compared with request
	CHAPTER V			
	DEPARTMENT OF TRANSPORTATION			
	Federal Highway Administration			
104-183	Federal-aid highways (Highway Trust Fund)	267,000,000	267,000,000	.....
	Federal Transit Administration			
104-183	Mass transit capital fund (Highway Trust Fund) (liquidation of contract authorization)	(375,000,000)	(375,000,000)	.....
	RELATED AGENCY			
	Panama Canal Commission			
104-183	Panama Canal revolving fund (administrative expenses)	(2,000,000)	(2,000,000)	.....
	CHAPTER VI			
	OTHER INDEPENDENT AGENCIES			
	Federal Emergency Management Agency			
.....	Disaster relief	.....	150,000,000	+150,000,000
	Disaster Assistance Direct Loan Program Account:			
104-183	Loan subsidy	103,729,000	.....	-103,729,000
.....	(By transfer)	.....	(103,729,000)	(+103,729,000)
104-183	(Loan authorization)	(118,874,000)	.....	(-118,874,000)
	Total, title III:			
	New budget (obligational) authority	963,329,000	968,600,000	+5,271,000
	Appropriations	(914,329,000)	(968,600,000)	(+54,271,000)
	Contingency appropriations	(69,000,000)	(20,000,000)	(-49,000,000)
	(By transfer)	(5,500,000)	(109,229,000)	(+103,729,000)
	TITLE IV - CONTINGENT SUPPLEMENTAL			
	CHAPTER I			
	DEPARTMENT OF COMMERCE			
	National Institute of Standards and Technology			
.....	Industrial technology services	.....	100,000,000	+100,000,000
	DEPARTMENT OF STATE			
	International Organizations and Conferences			
.....	Contributions to international organizations, current year assessment	.....	158,000,000	+158,000,000
.....	Contributions for international peacekeeping activities, current year assessment	.....	200,000,000	+200,000,000
	Total, Department of State	.....	358,000,000	+358,000,000
	Total, Chapter I:			
	New budget (obligational) authority	.....	458,000,000	+458,000,000
	CHAPTER II			
	DEPARTMENT OF LABOR			
	Employment and Training Administration			
.....	Training and employment services	.....	111,800,000	+111,800,000
.....	State unemployment insurance and employment service operations	.....	33,000,000	+33,000,000
	Total, Department of Labor	.....	144,800,000	+144,800,000
	DEPARTMENT OF HEALTH AND HUMAN SERVICES			
	Substance Abuse and Mental Health Services Administration			
.....	Substance abuse and mental health services	.....	100,000,000	+100,000,000
	DEPARTMENT OF EDUCATION			
.....	Education reform	.....	389,500,000	+389,500,000
.....	Compensation education for the disadvantaged	.....	961,000,000	+961,000,000
.....	School improvement programs	.....	12,000,000	+12,000,000
.....	Education research, statistics, and improvement	.....	23,000,000	+23,000,000
	Total, Department of Education	.....	1,385,500,000	+1,385,500,000
	Total, Chapter II:			
	New budget (obligational) authority	.....	1,630,300,000	+1,630,300,000

TITLES II, III, AND IV (H.R. 3019) — Continued

Doc No.		Supplemental Request	Recommendation	Recommendation compared with request
	CHAPTER III			
	DEPARTMENT OF VETERANS AFFAIRS			
	Departmental Administration			
	Construction, major projects		70,100,000	+70,100,000
	DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT			
	Selected Housing Programs			
	Annual contributions for assisted housing		150,000,000	+150,000,000
	Severely distressed public housing		220,000,000	+220,000,000
	Payments for operation of low-income housing		50,000,000	+50,000,000
	Total, Department of Housing and Urban Development		420,000,000	+420,000,000
	INDEPENDENT AGENCIES			
	Community Development Financial Institutions			
	Community development financial institutions fund program account		25,000,000	+25,000,000
	Corporation for National and Community Service			
	National and community service programs operating expenses		383,500,000	+383,500,000
	Office of Inspector General		2,000,000	+2,000,000
	Total, Corporation for National and Community Service		385,500,000	+385,500,000
	Environmental Protection Agency			
	Environmental programs and management		150,000,000	+150,000,000
	Buildings and facilities		50,000,000	+50,000,000
	Hazardous substance superfund		100,000,000	+100,000,000
	State and tribal assistance grants		3,500,000	+3,500,000
	Total, Environmental Protection Agency		303,500,000	+303,500,000
	Executive Office of the President			
	Council on Environmental Quality and Office of Environmental Quality		500,000	+500,000
	National Science Foundation			
	Research and related activities		40,000,000	+40,000,000
	Total, Chapter III:			
	New budget (obligational) authority		1,244,600,000	+1,244,600,000
	Total, title IV:			
	New budget (obligational) authority		3,332,900,000	+3,332,900,000
	Grand total, all titles:			
	New budget (obligational) authority	963,329,000	4,460,500,000	+3,497,171,000
	Appropriations	(1,874,329,000)	(2,058,600,000)	(+184,271,000)
	Contingency appropriations	(89,000,000)	(3,352,900,000)	(+3,263,900,000)
	Rescissions	(-960,000,000)	(-931,000,000)	(+29,000,000)
	(By transfer)	(15,500,000)	(121,229,000)	(+105,729,000)

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

Mr. OBEY. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, we have long passed 1984, but we have just heard another example of 1984 doublespeak. We hear this talk about how the Republican side of the aisle does not want to shut the Government down, and then they proceed to go on and say, ''But if the President insists on the language that he has in his letter, then he will be shutting the Government down.''

What you are telling us and what I really believe as I watch you march through this useless bill is that you are once again taking actions which are making it much more likely that the Government will shut down, and that is the last thing we ought to allow to happen.

Let me put this in perspective: We have seen this Congress add $7 billion in spending to the defense appropriation bill above the amount requested by the President. We have also seen you then make cuts on the domestic side of the ledger totaling $33 billion. The President has asked that $7 billion of those domestic reductions be restored in the education, environment, and crime areas, principally.

The committee's response is to provide $1 billion in additional funding in real money for LIHEAP, the low-income heating assistance program, very largely. I am happy about that. I am the original House sponsor of the program.

But then they go on and say that we will provide $3.3 billion in funny money. Now, the funny money never gets down to the local communities because under the conditions of this bill, none of that funding ever becomes real until we pass another piece of legislation. And then because of the brilliance of the amendment just adopted to the rule just a few minutes ago, you are also saying that it is not just enough to find funding sources and pass them in another piece of legislation, we now also have to go through another reconciliation process. That means our local school districts are going to get the money they need about the year 2001.

This bill is as much science fiction as that movie was.

Now, the problem with this bill is that it still leaves us with $3.3 billion in cuts below last year for education. It still leaves us some $200 million for veterans' medical care below the original House bill. It still leaves us $1.5 billion below last year for environmental cleanup efforts at EPA. That is 21 percent.

I think we ought to face reality. We can talk all the inside-the-Beltway language we want. The fact is, in the real world you have school districts who are about to have to send letters out to their teachers letting them know they are not going to be rehired for next year because the education funding is clunking along at about almost a one-third cut from last year's level. This Congress should not be doing that.

We are going to be moving into the 21st century. We ought to be providing more support for education, not less. We ought to be making it easier for kids to go to college, not harder. We ought to be making it easier for people to get job training, not harder. And we certainly should not be making it harder for this society to clean up its Superfund sites and to provide the other actions that we need to protect the environment.

This legislation should not be here at all. It is going nowhere. The President has already indicated that in its current form he will veto it. And so all this bill is, is an effort to create the impression that there is movement when, in fact, there is none.

The rhetoric is sweet, but the actions are useless. That is what we are seeing here today.

It seems to me if you want real progress, what has to happen is that the very top leadership of this Congress, and I do not mean the leadership of this committee, because this is frankly above our pay grade, the very top leadership of this Congress is going to have to sit down and in good faith and earnestness negotiate with the White House and agree to an arrangement which will allow us to restore this funding for education and for environmental protection and for veterans and the like. Merely acting as though we are passing real legislation today does nothing to contribute to that end.

This is another dead end, and especially with the amendment just adopted at the insistence of the gentleman from Pennsylvania [Mr. WALKER], we guarantee that under the process as laid out under this bill it will be a long, long time before anybody sees any money in this bill.

So I would suggest this is a very sad waste of time, and I would urge Members to oppose the bill. It is not a real legislative action today. It, in fact, will add to the likelihood of a Government shutdown, and that is the last thing we should be doing.

Mr. LIVINGSTON. Mr. Chairman, I yield 2 minutes to the gentleman from California [Mr. CUNNINGHAM], a distinguished gentleman and educator, to shed a little light on the truth about education.

Mr. CUNNINGHAM. Mr. Chairman, I heard smoke and mirrors. Let me tell you what smoke and mirrors, or a difference of opinion, at least, is in this impact aid that the President cut all of part B out of. We have restored. As a matter of fact, the bipartisan impact, and there is support on both sides of the aisle for impact aid, we have increased it $2 million more than even requested in the bipartisan. Ninety percent of the impact aid funding, it is in there.

Let me tell you where, yes, we did cut in education. We cut your Federal bureaucracy once again. Ask the head of your own budget agreement, and party, about the President's direct lending program. We capped it at 10 percent. That saves $1 billion just in administrative fees, $1 billion, and GAO says we do not even know what it is going to cost to collect it, about $3 to $5 billion, we capped it at 10 percent, took those savings, we increased student loans by 50 percent. We increased Pell grants the highest level ever. Stafford loans, idea, which is for special education, is level funded. When you say we are cutting education, yes, we are cutting your bureaucracy.

I go back to the fact when you take a look at title I, look at the studies that the Department of Education has made on title I. We reduced the spending there. Why? Because it has not been effective, and we are spending $1 billion.

The same study by the Department of Education, not Republicans, said that Head Start is mismanaged.

There are 760 programs in education. We only pay for 6 percent. Ninety-four percent of education is paid for out of State and local, and in that 6 percent we are trying to spread that over 760 programs. It is inefficient. It is not working.

We are reducing the areas that do not work, like the President's direct lending program, which he wants to make the Government responsible for all student loans. That would make the Department of Education the largest lending institution in the United States. Inefficient.

No, we are not cutting education. We are getting more dollars back down to the students and to the schools.

Mr. OBEY. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, the fact is, this bill allows the continuation of a $10 billion squeeze on student loans, people who have to pay $10 billion more to get their student loans under this bill.

Under chapter 1, you are going to have 1 million kids who are going to be squeezed out. You have almost 40,000 chapter 1 teachers who may lose their jobs under Head Start. You are going to have 30,000 kids who will not be allowed into the program.

Now, you can call that an increase if you want. But that really is twisting the king's English.

Mr. Chairman, I yield 2 minutes to the gentleman from Maryland [Mr. HOYER].

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

Mr. Chairman, I want to get up and say, as my chairman did, that it is unfortunate that this bill is on the floor.

I am a strong supporter of three strikes and you are out. Very frankly, this is about the third strike.

We say to those who break our laws, do it once, we are going to penalize you; do it twice, we are going to give you a long prison sentence; do it the third time, we are going to throw away the key because you are not learning.

You are on the brink of shutting down the Government for the third

time, putting people out on the street who want to work, who are doing good service for America, out on the street.

Why? Because this bill is not real, and you know it. Some of my reasonable friends on that side of the aisle unfortunately, in my opinion, are not in control, because what we ought to do is sit down with the President, say you are a coequal branch of Government, we are a co-equal branch of government, let us make it work. That is what the American people want.

Have you not heard their anger? Some of your Presidential candidates have heard their anger. They are not talking about your contract. They are not talking about your shutdown of Government. They are not talking about risking the credit of the United States of America.

My friend from California, who talks about a $1 billion cut in chapter 1 as if, ''Oh, well, it is just administrative,'' that is not true at all, categorically, unequivocally incorrect. That billion dollars is from kids, has nothing to do with administration, and it is from the neediest kids in America who are educationally, culturally, and economically deprived.

We need them big time to compete in the global economy. We need to invest in those kids.

My chairman knows that this bill is not for real. Perhaps to his credit, he argues strenuously that this is real. Maybe that is what he has to do. Maybe the Speaker has given him that assignment.

Members of the House, we ought to reject this continuing resolution. We ought to say to the American public we know this is not real. We know that to make democracy work we have got to work with the President and we have got to invest in America's future.

Reject this bill.

Mr. LIVINGSTON. Mr. Chairman, I yield 1½ minutes to the gentleman from Ohio [Mr. REGULA], the distinguished chairman of the Subcommittee on Interior Appropriations for an opportunity to discuss his section of this real bill.

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

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

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

Mr. MORAN. Mr. Chairman, I thank the chairman very much. I'm going to try to make this as quick as possible because it is a distraction from the major issues we have been discussing. But back in 1988, in the Interior Appropriations Committee report, we required that an environmental impact statement be done of an interchange just on the George Washington Memorial Parkway just south of National Airport. This EIS was done, and the report also said it would be shielded from subsequent judicial review.

The fact is they did not build the interchange. Now they want to do a small thing, a right in, right out access to the land undeveloped by the parkway. The only question we want to clarify, Mr. Chairman, is: Is it your understanding that the language that was in the original 1988 Interior Appropriations Committee would likewise protect any subsequent judicial review if they do a supplemental EIS, or an environmental assessment?

Mr. REGULA. Reclaiming my time, yes, I believe the language is clear. It states that, ''Notwithstanding any other provision of law, no court shall have jurisdiction to consider questions regarding the factual and legal sufficiency of the environmental impact statement.''

This language shielding the EIS from judicial review continues to be in effect and would similarly shield any supplemental EIS, or environmental assessment.

Mr. MORAN. I thank the gentleman very much. It is a gateway to the city. I appreciate the clarification. I thank the chairman.

Mr. OBEY. Mr. Chairman, I yield 4 minutes to the gentleman from Michigan [Mr. BONIOR], the distinguished minority whip.

Mr. BONIOR. Mr. Chairman, today's vote comes down to one very simple and very basic question: Do we want our kids' education to be a top priority, or do we cut it? Do we want to invest in our kids' future, or do we make the biggest cut, the biggest cut in education in the history of America? That is what this is about. That is what this vote is about today.

Mr. Chairman, the value of education has always been embedded in America's national soul. There used to be a time in this country when mothers would pour honey on the books of their children so that the children would understand that education is sweet. There used to be a time when brave parents who had their kids out in the field in the West, when they saw a teacher come along, would yank their kids out of the field because they understood the importance of that teacher and the importance of education. That is our heritage.

But this resolution today asks us to turn our back on that.

Mr. Chairman, we are living in a time when 70 percent of our kids will never finish college, a time when what you earn depends upon what you learn, and we are competing in a world today where 93 percent of the Japanese students have studied calculus, where 100 percent of German students have technical training by the time they are 16 years of age.

Yet this bill responds by making the biggest cuts in education in American history. It cuts, among other things, Safe and Drug Free Schools by 57 percent. Can you imagine cutting drug-free schools and safe schools by that much, 23 percent in cuts to the school to work program?

□ 1400

It cuts title I funding, as my friend from Wisconsin said, by $1 billion a year, which will force 40,000 teachers to be laid off and will kick 1 million kids off math and reading programs. At a time when few working families can afford to pay $15,000 a year to send their son or daughter to college, this bill completely eliminates the Perkins loan program, leaving 200,000 kids out in the cold.

So do not tell us you are making these cuts to give our kids a better life, because this bill will deny millions of students the skills they need to lead a better life. All over America today, communities are being devastated by the short-term and shortsighted stop-and-go strategy of this Republican operation. Now is the time for teacher contracts to be signed, now is the time for cities to submit their school budgets, now is the time for kids to make decisions about what colleges they want to go to. But they cannot do that, because you are messing around with their funding and messing around with their lives.

Now, we all know that the President is not going to accept these extreme cuts. He understands that education needs to be a top priority. In order to force through your extreme agenda, you are willing to hang American schools, families and communities out to dry.

I say the American people deserve better. At a time when paychecks are falling, parents across this country are working hard, sometimes two, three jobs, to give their kids a better life. They understand that the key to that, the key to mobility and progression to a better life is a good education. They deserve a break, they deserve a government that is on their side, they do not need a Congress to stand in their way.

That is exactly what this bill does. I urge my colleagues, vote no on this bill, work with us to fully fund education, and help us give the kids the opportunity they need to be successful today in this competitive economy of ours.

Mr. LIVINGSTON. Mr. Chairman, I am delighted to yield 4 minutes to the gentleman from Illinois [Mr. PORTER], the chairman of the Subcommittee on Labor, Health and Human Services, and Education.

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

Mr. PORTER. Mr. Chairman, I thank my chairman for yielding me time.

Mr. Chairman, this system of ours requires us to find common ground if we are to get anything done. Obviously from the very beginning, we have understood that there are priorities on this side of the aisle and priorities on that side of the aisle that would not necessarily agree. But we have said from the very beginning and understand the need to accommodate the President's and the minority's priorities, and we have only said that all we require of them is that they do that within a framework of fiscal responsibility where we work together over

the next 7 years with real figures toward a balanced budget, and that we do it without tax increases. That is not too much to ask of the President or the minority.

We stand here today with this legislation and say to the minority and to the President, we are willing to accommodate your priorities in this bill. We are willing to make increases in discretionary spending, if only you will tell us where you want to get the money from. Not from tax increases, not from phony accounts or from phony numbers, but from real accounts and real numbers, and we will accommodate it.

The President has steadfastly refused to responsibly come forward with any suggestion in that regard that is worth anything, and what he has most refused to do is to come to grips with the reality that we will never get the budget into balance unless we restrain the rate of increase, not cut, restrain the rate of increase in the entitlement program. If the President will come forward now and will say to the Congress that he is willing to do that in a responsible manner, then we will obviously accommodate his priorities in the spending.

We have done a better job I think in the Labor-HHS section of this bill, in this rendition, because we do have $1 billion more to work with. We have put some of that money toward helping AIDS patients by putting $52 million in support of the provisions for new drugs for low-income patients. We believe that is a priority and it ought to be funded, and we are doing so.

We have put in more money for Head Start, the level funded to the 1995 funding level. We have not, however, put in any money for Goals 2000. Why? Because while this is an important initiative, there is no reason whatsoever in the world to spend over $1 billion a year on it to bribe States to do what they are already doing with their own funds. It is not money that gives a better education to kids. It is merely money to encourage States to do something they are already doing. It is unnecessary spending.

The gentleman from Michigan [Mr. BONIOR] talked about title I, education for the disadvantaged. There is no evidence whatsoever that the program is doing anything to help low income kids achieve better, and, in fact, there is some evidence that it is actually retrogressive.

Why would we want to pour more money into a failed program? It is time to reinvent the program and make it work. It is time to do that with all the spending for our Government, to make Government work better for people. Let me tell you, there are many, many programs that have failed. Title I is one. Welfare is another. It is time we reinvent them and make them work better for people.

It is time also we get rid of the heavy hand of bureaucracy. Two hundred forty programs in the Department of Education, 760 education programs spread all across the Government, each with their own director and each with their own staff wasting taxpayer money, is not the idea. We have to make this Government work better for people. This bill aims us in the right direction.

Mr. Chairman, I am proud today to support the Balanced Budget Downpayment Act, part 2 and specifically the provisions relating to the jurisdiction of the Subcommittee on Labor, Health and Human Services, Education and Related Agencies which I chair. This section achieves two important—and seemingly contradictory—goals. First, it continues our commitment to setting priorities: To increasing funding programs which work, which represent a national commitment or advance a national interest while, at the same time, carrying out our goal of a balanced budget. Second, and I want to make this point very clear, it also represents a substantial movement toward the President in many areas and represents a very real attempt to begin the process of negotiation that will hopefully result in a final compromise.

As man of you know, Chairman SPECTER and I have been meeting since soon after the Senate bill was reported and the vast majority of the provisions of the Labor-HHS sections reflect the agreements made between us. I want to commend Senator SPECTER and his find staff for the many hours of work that are reflected in the provisions of this bill. I also want to thank the members of the subcommittee for their patience during this extraordinary process that has lasted for so long. Of course, there remain a number of outstanding issues that will need to be reconciled in conference.

THE LABOR-HHS PROVISIONS

This provision continues our commitment to funding high-priority programs while reducing or eliminating failed programs or those that serve only a narrow constituency. Some 128 programs are terminated in our section of the bill and, overall, this section reduces discretionary funding for the programs within our jurisdiction by $5.2 billion.

DEPARTMENT OF LABOR

The Department of Labor provisions in this bill include a total of $8 billion for discretionary spending.

No funds are included for the summer youth jobs program. No funds were included in the original House bill or in the Senate committee bill. Let me remind my fellow Members that if we are in the business of providing a general subsidy for employing young people, then this is a good program. If the purpose is to help improve the long-term employability of young people, then the program has failed by the Department's own admission, and we should not fund it.

For OSHA total funding is $280 million; this is a 10-percent cut from fiscal year 1995. The House originally had a 15-percent cut. The funding continues our emphasis on moving the agency toward assisting companies in complying with worker safety requirements. Compliance assistance is increased by 19 percent while enforcement is curtailed by 21 percent.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

The Labor-HHS provisions include a total discretionary amount for HHS of $28.9 billion; the original House bill was $27.8 billion. The fiscal year 1995 amount was $29.2 billion.

I know the Ryan White Program is important to many Members. We continued funding for title I, which provides grants to cities for the care and treatment of AIDS patients at the same levels as passed the House.

I know that many members have been concerned by the inability of the Health Care Financing Administration to carry out initial certifications of new health care facilities. The result was new facilities standing idle. This bill makes small changes in the survey and certification requirements to free up funds to allow HCFA to begin these certifications. In this regard, I would like to thank Chairman ARCHER and BLILEY and Chairman THOMAS and BILIRAKIS for their cooperation and support in allowing us to carry this provision on H.R. 3019.

The Labor-HHS provisions include an increase of $14 million over the House bill for rural health including funding for the Office of Rural Health Care Policy.

Head Start funding is increased to last year's level of $3.5 billion. Here, too, I would caution Members that next year will be a very difficult year. This program, while enjoying broad support, can provide precious little in the way of evaluations that show that Head Start actually improves educational success. It will be difficult to continue funding at these levels without such proof.

DEPARTMENT OF EDUCATION

The Labor-HHS section includes a total discretionary amount for the Department of Education of $23.6 billion; the original House bill was $23.2 billion.

The Labor HHS title includes no funding for Goals 2000. A survey by the Council of State Chief School Officers conducted just after the passage of Goals indicated most States already had curriculum content and pupil performance standards under development.

Since this program is a high priority for the President and Secretary Riley, we have provided funding at last year's level in the contingency funding title.

Education for the Disadvantaged, title I, remains at the House levels. I know that there has been much discussion over funding of Education for the Disadvantaged with the administration circulating information on the reductions in funding projected for each State and district. Let me remind Members that title I is most definitely not a general subsidy for disadvantaged schools. Its primary purpose is not to increase spending, hire teachers, or buy equipment. Its purpose is to improve the performance of disadvantaged students and there is no evidence that it is successful. The most recent national assessment—published by the Department of Education—indicated that the program ''. . . Does not appear to be helping close the learning gap.''

I am also concerned that this program sends funds to over 90 percent of the school districts in America. In fact, almost one-half billion. dollars is distributed to the 100 richest counties with per-capita income of $24,000 to $49,000.

In spite of my concerns, in order to accommodate the President, we have included an additional $961 million in the contingency funding title with over half of the additional funds focused on the most disadvantaged districts.

The bill assures that Impact Aid will receive the same level of funding this year as in fiscal year 1995. This title provides $693 million for the program. When combined with the $35 million for Impact Aid in the Defense bill, a total of $728 million will be available the same as last year.

For Special Education, the State grants portion is funded at last year's level and all of the ''Discretionary'' programs are funded at levels included in the Senate reported version of the Labor-HHS bill.

The Pell Grant maximum remains at $2,440, the highest level ever and the largest single year increase.

Safe and Drug Free Schools is funded at the House level based on the many other funding sources for drug abuse prevention and treatment. Again, this is a program that distributes funds to over 96 percent of school districts, independent of need or wealth, with many small school districts receiving only a few hundred dollars—hardly enough to impact on drug abuse. For those who would decry the decrease in funding I would ask, Why has there been no national evaluation during the history of the program? Why should we spend several hundred million dollars in education for drug abuse treatment when the bill also provides $1.2 billion on a substance abuse block grant in HHS, $145 million in the Preventive Health Block Grant.

Does each institution get its own drug abuse program or are we going to force administrators to focus on the most effective programs serving the most needy populations?

TITLE IV, RELATED AGENCIES

CPB—The omnibus bill contains a $250 million advance appropriation for 1998, a $10 million reduction from the 1997 level and is the same as the authorized level contained in the Public Broadcasting Self-Sufficiency Act.

In closing, Mr. Chairman, I am including in the RECORD a table reflecting the program level funding detail in the bill and a second chart indicating the amounts made available in the contingency title.

Finally, I want to make it clear to the departments and agencies covered by the Labor-HHS-Education bill that it is the intent of the committee that the original House committee report on H.R. 2127—House Report No. 104–209—is still applicable to the bill that we are considering today—H.R. 3019. With certain obvious exceptions where numbers have changed, that report still represents the position of the committee and we fully expect the departments and agencies to comply with the directions and guidance contained in it. In addition, any House floor colloquies that were conducted with respect to H.R. 2127 on August 2 and 3, 1995, are also still applicable to funds provided in this bill today. I am also including additional guidance for the departments and agencies as part of my extended remarks.

STATEMENT OF CHAIRMAN JOHN PORTER, SUBCOMMITTEE ON LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES—ADDITIONAL VIEWS AND CLARIFICATIONS

DEPARTMENT OF LABOR

Occupational Safety and Health Administration

With respect to the Occupational Safety and Health Administration, the bill includes $280,000,000; this is a reduction of $31,660,000, or 10 percent, below the FY 1995 level. The Federal enforcement activity has been reduced by 21 percent below last year. This funding strategy attempts to redirect OSHA's emphasis from enforcement by the book to a compliance assistance mode and I am encouraged that the Assistant Secretary for OSHA, Joe Dear, is attempting to move the OSHA bureaucracy in a common sense direction. I am trying to help him by rearranging the budget to shift funds from enforcement to compliance assistance. The funding for compliance assistance activities has been increased by 19 percent over last year and I encourage him to continue and intensify his agency reinvention efforts. These efforts will become especially important as the agency is downsized. Increased emphasis should be place on the Voluntary Protection Program which seems to be an effective initiative that deserves to be expanded.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Health Resources and Services Administration

Relating to the funds provided to the Health Resources and Services Administration, I am supportive of the efforts of the Departments of Education and Health and Human Services (in the Maternal and Child Health Bureau) to achieve the year 2000 goal of being able to universally screen newborns for hearing impairments. However, there is concern that the Departments' efforts to date in pursuing this goal have been focused on the use and development of only one available screening technology. The Department is encouraged to award future grants in a balanced fashion intended to evaluate and incorporate use of all existing, proven technologies.

National Institutes of Health

With regard to the funds that were provided for the National Institutes of Health in P.L. 104–91, for the National Cancer Institute (NCI), translational research in moving research advances from the bench to the bedside is an important initiative. NCI is encouraged to enhance existing translational research opportunities, such as the current leukemia and related cancers translational research initiative, in order to speed the development and delivery of more effective treatments for patients. I continue to support clinical trials at NCI designated clinical centers.

National Institutes of Health

With regard to the Office of the Director of the National Institutes of Health, I concur with the Senate recommendation that the Director consider developing an initiative for basic and clinical research on neurodegenerative diseases, among them Alzheimer's and Parkinson's diseases.

Substance Abuse and Mental Health Administration

Pursuant to previously enacted authorizing statutes, the bill provides funding for three consolidated demonstration programs of mental health, substance abuse prevention and substance abuse treatment. For substance abuse treatment demonstrations, the bill provides $90 million as opposed to the $141,889,000 provided for consolidated mental health and substance abuse demonstrations provided in the House version of H.R. 2127. Any grant issued under this appropriation should contain the following elements: (1) demonstration of grantee's ability and intention to sustain programs, if demonstrated to be successful, following termination of the federal grant, and (2) a plan to measure and publicly report outcomes relating to the grantee's stated goals including the incidence of substance abuse among individuals served.

The bill also provides $90 million for substance abuse prevention demonstrations. Any grant issued under this appropriation should contain the following elements: (1) a commitment to develop and implement a coordinated plan for reducing substance abuse through prevention, treatment, public awareness and law enforcement that involves schools, parents, law enforcement, treatment, business, and community organizations, (2) a commitment to match a substantial percentage of federal funds, whether in cash or in kind, from nonfederal sources, (3) demonstration of grantee's ability and intention to sustain services, if demonstrated to be successful, following termination of the federal grant, and (4) a plan to measure and publicly report outcomes relating to the grantees' stated goals and the incidence of substance abuse and criminal activity in the communities served, according to common national indicators and evaluation prototol.

Health Care Financing Administration

The Health Care Financing Administration should review and, if necessary, revise its current regulations pertaining to rescreening of cytology slides under the quality control procedures established in the Clinical Laboratory Improvement Act to clarify that automated cytology devices approved by the Food and Drug Administration satisfy the requirements of the Act.

Refugee and Entrant Assistance

The bill contains $397,872,000 for Refugee and Entrant Assistance programs including $258,273,000 for transitional and medical assistance sufficient to continue the current policy of paying 8 months of benefits and $2,700,000 for preventive health activities. Preventive health funding for overseas health screening activities have not been included in the bill. The remaining funding can be expended for local preventive health activities to be administered in accord with the Department's recently promulgated protocol for newly arriving refugees. It is not the intention of these funding strategies to limit the Secretary's discretion to determine which Departmental agency should administer this program.

General Departmental Management

The bill includes $143,127,000 for the General Department Management account in the Office of the Secretary; this is a reduction of $29,752,000 from the comparable appropriation for FY 1995. The reduction is accounted for by the fact that the Office of the Assistant Secretary for Health is not funded separately in FY 1996; it has been eliminated as a separate office and some of the funds and personnel transferred to the Office of the Secretary.

The Office of Public Health and Science should be a very lean operation. This Office contains the remnants of the old OASH. Although the Office of Research integrity and the Office of Emergency Preparedness are not funded as line items, they should be continued within the Department. There is concern about possible duplication and overlap between the immediate Office of the Assistant Secretary for Health and the Office of the Assistant Secretary for Planning and Evaluation. The Secetary should exercise careful oversight of these two offices to ensure that there is no duplication of effort.

DEPARTMENT OF EDUCATION

Impact Aid

The bill provides $693,000,000 for the Impact Aid Account, an increase of $48,000,000 above the amount provided in H.R. 2127. This amount, in combination with the $35,000,000 provided for Impact Aid in the 1996 Defense Appropriation, provides the same level of funding for Impact Aid in 1996 as was provided in 1995.

National Technical Institute for the Deaf

The National Technical Institute for the Deaf is to be complimented for the many difficult decisions it has taken to reduce operating costs and increase efficiency, and we commend NTID's example to the attention of other federally-supported postsecondary institutions.

Pell Grants

The bill provides $5,423,331,000 for the Pell Grant program. When combined with

$1,304,000,000 in previously appropriated carryover funding, the bill provides an increase of $571,982,000 over the amount appropriated in 1995. In addition, the bill establishes a maximum grant of $2,440, the highest maximum grant ever and a $100 increase over the 1995 maximum grant.

Office of Special Education and Rehabilitative Technology

While I am very supportive of the efforts of the Departments of Education and Health and Human Services to achieve the year 2000 goal of being able to provide universal screening of newborns for hearing impairments, there is significant concern that the Departments' efforts in pursuing this goal have been focused on the use and development of only one available screening technology. The Departments should assure that funds are awarded in a balanced fashion intended to evaluate and incorporate all existing, proven technologies, with particular emphasis placed on American made and developed technologies.

Office of Educational Research and Improvement

Funds are specifically included in the Fund for the Improvement of Education within the Office of Educational Research and Improvement to support field testing of the Third International Mathematics and Science Study (TIMSS).

Office of Educational Research and Improvement

Funds are included in the Fund for the Improvement of Education for model programs involving public-private partnerships between cultural institutions, institutions of higher learning, and local educational agencies for the improvement of music education in public school systems and the infusion of music into traditional curricula. Priority should be given to existing partnerships with demonstrated ability to improve music education.

Office of Educational Research and Improvement

Within the funds provided to the Office of Educational Research and Improvement are funds to support the National Mentoring Coalition's Research and Demonstration Agenda and the Office should give this program a high priority.

National Institute of Disability and Rehabilitation Research

Funds are made available for the Regional Head Injury Center Programs within this account. These centers have been extremely productive and have served as a launching pad for many fine programs. These centers stimulate the development of comprehensive programs for the brain injured including a prevention aspect, acute care, acute rehabilitation care, vocational rehabilitation, and a follow-up medical care system. These centers are extremely valuable, perhaps the most valuable program that the federal government has sponsored in rehabilitation in sometime. The Administration should award funds for this program on a fair and competitive basis so that the most appropriate institution(s) are able to maximize the impact of this program.

General provisions

For purposes of Section 305 of the bill, direct administrative expenses of the William D. Ford Direct Loan Program under Part D of the Higher Education Act means the cost of (i) activities related to credit extension, loan origination, loan servicing, management of contractors, and payments to contractors, other government entities, and program participants, (ii) collection of delinquent loans, and (iii) write-off and close-out of loans.

FY 1996 DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS BILL (H.R. 3019) ($000)

	FY 1995 Enacted	FY 1996 Estimate	House (H.R. 2127)	H.R. 3019	H.R. 3019 compared with Enacted
SUMMARY					
Title I - Department of Labor:					
Federal Funds	8,439,273	9,631,811	8,804,435	8,551,875	-1,841,338
Trust Funds	(3,501,398)	(3,629,347)	(3,369,980)	(3,390,873)	(-110,275)
Title II - Department of Health and Human Services:					
Federal Funds	179,227,732	200,475,426	196,344,442	197,456,742	+18,555,721
Current year	(146,780,015)	(168,200,874)	(165,399,092)	(166,501,392)	(+20,048,088)
1997 advance	(32,447,717)	(32,274,554)	(30,955,350)	(30,955,350)	(-1,492,367)
Trust Funds	(2,236,265)	(2,291,444)	(2,162,220)	(2,158,375)	(-71,114)
Title III - Department of Education:					
Federal Funds	26,800,310	26,220,106	23,213,105	23,578,040	-3,204,146
Title IV - Related Agencies:					
Federal Funds	30,027,988	29,857,742	29,586,083	29,688,628	-349,360
Current year	(22,527,988)	(20,131,342)	(19,926,083)	(19,988,628)	(-2,539,360)
1997 advance	(7,240,000)	(9,430,000)	(9,430,000)	(9,430,000)	(+2,190,000)
1996 advance	(260,000)	(296,400)	(240,000)	(250,000)	.....
Trust Funds	(5,660,113)	(6,338,470)	(6,034,205)	(6,034,682)	(+374,569)
Total, all titles:					
Federal Funds	244,495,303	266,185,087	258,058,065	257,256,285	+13,160,877
Current year	(204,547,588)	(226,184,133)	(215,432,718)	(216,620,935)	(+12,463,244)
1997 advance	(39,687,717)	(41,704,554)	(40,385,350)	(40,385,350)	(+697,633)
1996 advance	(260,000)	(296,400)	(240,000)	(250,000)	.....
Trust Funds	(11,396,796)	(12,259,261)	(11,566,405)	(11,573,930)	(+193,180)
BUDGET ENFORCEMENT ACT RECAP					
Federal Funds (all years)	244,495,303	266,185,087	258,058,065	257,256,285	+13,160,877
Mandatory, total in bill	184,182,317	202,641,084	202,633,887	202,368,283	+18,185,966
Less advances for subsequent years	-38,687,717	-40,385,350	-40,385,350	-40,385,350	-1,697,633
Plus advances provided in prior years 1/	37,760,000	38,687,717	38,687,717	38,687,717	+927,717
Adjustment for leg cap on Title XX SSBGs	.....	.....	.....	280,000	+280,000
Total, mandatory, current year	183,254,600	200,943,431	200,936,254	200,950,650	+17,696,050
Discretionary, total in bill (incl rescissions)	60,312,996	65,544,023	53,424,178	54,888,002	-5,025,089
Less advances for subsequent years	-1,280,000	-1,815,604	-240,000	-250,000	+1,000,000
Plus advances provided in prior years 1/	1,767,638	1,275,000	1,275,000	1,275,000	-492,638
Scorekeeping adjustments:					
Trust funds considered budget authority	6,552,420	6,926,676	6,518,556	6,506,051	-30,293
Black lung benefit cola	12,900	.....	.....	.....	-12,900
Adjustment to balance with FY95 bill	-52,590	.....	.....	.....	+52,590
Pell grants, rescission of FY94 funds	-35,000	.....	.....	.....	+35,000
Youth training rescission (FY 1994)	-50,000	.....	.....	.....	+50,000
NIH buildings & facilities resc (FY 1994)	-60,000	.....	.....	.....	+60,000
Emergency funding	-35,000	.....	.....	.....	+35,000
Retirement fraud	-410	.....	.....	.....	+410
HEAL loan limitation	.....	.....	-6,983	-6,983	-6,983
Direct loan administration limitation	.....	.....	.....	-118,000	-118,000
Direct loan 40% cap	.....	.....	.....	-55,000	-55,000
Dept of Labor working capital fund	.....	.....	3,900	3,900	+3,900
Adjustment for leg cap on Title XX SSBGs	.....	.....	.....	-280,000	-280,000
Total, discretionary, current year	67,152,944	72,132,095	60,974,851	61,983,000	-4,784,003
Crime trust fund	11,000	175,400	39,900	53,000	+42,000
General purposes	67,141,944	71,956,695	60,934,751	61,910,000	-4,826,003
Grand total, current year	250,407,544	273,075,526	261,910,905	262,913,650	+12,912,047

1/ Fiscal year 1995 comparable reflects level before rescission of advance funding. Fiscal year 1996 amounts reflect level after rescission.

NOTE: Appropriations for the Centers for Disease Control and the National Institutes of Health were enacted in P.L. 104-91 and are not included in H.R. 3019. Appropriations for these accounts are displayed in this table for descriptive purposes only.

FY 1996 DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS BILL (H.R. 3019) ($000)—Continued

	FY 1995 Enacted	FY 1996 Estimate	House (H.R. 2127)	H.R. 3019	H.R. 3019 compared with Enacted
TITLE I - DEPARTMENT OF LABOR					
EMPLOYMENT AND TRAINING ADMINISTRATION					
TRAINING AND EMPLOYMENT SERVICES 1/					
Grants to States:					
Adult training	996,813	1,054,813	830,000	745,700	-251,113
Youth training	126,672	266,879	126,672	126,672	.....
Summer youth employment and training program	184,786	956,540	.....	.....	-184,786
(Summer of 1995) (non-add)	(184,786)	.....	.....	.....	(-184,786)
Dislocated worker assistance	1,228,550	1,396,000	850,000	867,000	-361,550
Proposed leg: Dislocated workers (non-add)	.....	(860,000)	.....	.....	.....
Proposed leg: Adult Training (non-add) transfer to Department of Education (Adult Literacy)	.....	(-84,161)	.....	.....	.....
Proposed leg: Still Grants (Pell transfer) (non-add)	(1,827,102)	(2,129,369)	.....	.....	(-1,827,102)
Federally administered programs:					
Native Americans	59,787	61,871	50,000	52,502	-7,285
Migrants and seasonal farmworkers	79,867	78,303	65,000	69,205	-10,662
Job Corps:					
Operations	957,183	1,029,832	972,475	972,475	+15,292
Construction and renovation	132,029	198,082	148,535	121,467	-10,562
Subtotal, Job Corps	1,089,222	1,227,714	1,121,010	1,093,942	+4,720
Youth Fair Chance	.....	49,785	.....	.....	.....
Veterans' employment	8,860	8,860	7,300	7,300	-1,560
National activities:					
Pilots and demonstrations	33,186	35,522	19,022	27,140	-6,046
Research, demonstration and evaluation	9,198	12,598	6,198	6,198	-3,000
Other	10,989	73,564	5,489	13,489	+2,500
Subtotal, National activities	53,371	121,702	30,707	46,825	-6,546
Subtotal, Federal activities	1,291,227	1,548,255	1,274,017	1,269,854	-21,373
Total, Job Training Partnership Act	3,826,060	5,246,567	3,090,899	3,009,226	-816,824
Veterans homeless program 2/	.....	5,011	.....	.....	.....
Glass Ceiling Commission 2/	736	142	142	142	-596
Women in apprenticeship 2/	744	744	610	610	-134
National Center for the Workplace 2/	.....	.....	.....	.....	.....
Skills Standards	4,500	12,000	4,000	4,000	-500
Total, National activities, TES (non-add)	(59,353)	(138,589)	(35,459)	(51,577)	(-7,776)
School-to-work	122,500	200,000	95,000	95,000	-27,500
Total, Training and Employment Services	3,956,532	5,464,484	3,180,441	3,108,978	-847,554
Subtotal, forward funded	(3,955,060)	(5,458,567)	(3,179,699)	(3,108,226)	(-846,824)
COMMUNITY SERVICE EMPLOYMENT FOR OLDER AMERICANS	396,080	410,500	350,000	350,000	.....
FEDERAL UNEMPLOYMENT BENEFITS AND ALLOWANCES					
Trade adjustment	274,400	279,600	279,600	279,600	+5,200
NAFTA activities	.....	66,500	66,500	66,500	+66,500
Total	274,400	346,100	346,100	346,100	+71,700
STATE UNEMPLOYMENT INSURANCE AND EMPLOYMENT SERVICE OPERATIONS					
Unemployment Compensation (Trust Funds):					
State Operations	(1,756,626)	(2,206,138)	(2,080,520)	(2,080,520)	(+323,894)
State integrity activities	(367,169)	.....	.....	.....	(-367,169)
National Activities	(17,328)	(17,824)	(10,000)	(10,000)	(-7,328)
Contingency	(172,137)	(245,983)	(216,333)	(216,333)	(+44,196)
Contingency bill language (OMB estimate)	(67,900)	.....	.....	.....	(-67,900)
Portion treated as budget authority	(612)	.....	.....	.....	(-612)
Subtotal, Unemployment Comp (trust funds)	(2,314,072)	(2,469,943)	(2,306,853)	(2,306,853)	(-7,219)
Employment Service:					
Allotments to States:					
Federal funds	25,254	24,177	23,452	23,452	-1,802
Trust funds	(813,658)	(781,735)	(738,283)	(738,283)	(-75,375)
Subtotal	838,912	805,912	761,735	761,735	-77,177

1/ Forward funded except where noted.

2/ Current funded.

FY 1996 DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS BILL (H.R. 3019) ($000)—Continued

	FY 1995 Enacted	FY 1996 Estimate	House (H.R. 2127)	H.R. 3019	H.R. 3019 compared with Enacted
National Activities:					
Federal funds	1,934	1,934	1,876	1,876	-58
Trust funds	(64,194)	(64,194)	(62,268)	(59,058)	(-5,136)
Targeted jobs tax credit	(10,250)				
Subtotal, Emp. Serv., National Activities	76,378	66,128	64,144	60,934	-5,194
Subtotal, Employment Service	915,290	872,040	825,679	822,869	-92,371
Federal funds	27,188	26,111	25,268	25,328	-1,860
Trust funds	(888,102)	(845,929)	(800,411)	(797,341)	(-90,511)
One-stop Career Centers	100,000	200,000	100,000	92,000	-8,000
Total, State Unemployment	3,329,362	3,541,983	3,232,732	3,221,522	-97,590
Federal Funds	127,188	226,111	125,328	117,328	-9,860
Trust Funds	(3,202,174)	(3,315,872)	(3,107,404)	(3,104,194)	(-97,730)
ADVANCES TO UNEMPLOYMENT TRUST FUND AND OTHER FUNDS	1,004,495	369,000	369,000	369,000	-635,495
ADVANCES TO THE ESA ACCOUNT OF THE UNEMPLOYMENT TRUST FUND				-56,300	-56,300
PAYMENTS TO UI TRUST FUND AND OTHER FUNDS				-250,000	-250,000
PROGRAM ADMINISTRATION					
Adult employment and training	27,754	31,144	25,756	25,619	-2,135
Trust funds	(2,467)	(2,637)	(2,268)	(2,283)	(-184)
Youth employment and training	31,815	35,170	29,801	29,441	-2,374
Employment security	6,584	3,913	6,080	6,057	-527
Trust funds	(40,271)	(47,378)	(37,268)	(37,167)	(-3,104)
Apprenticeship services	17,460	18,661	16,216	16,129	-1,331
Executive direction	6,308	6,805	5,840	5,808	-498
Trust funds	(1,414)	(1,887)	(1,310)	(1,343)	(-71)
Total, Program Administration	134,071	147,415	124,479	123,847	-10,224
Federal funds	89,919	95,513	83,808	83,054	-6,865
Trust funds	(44,152)	(51,902)	(40,674)	(40,793)	(-3,359)
Total, Employment and Training Administration	9,094,910	10,279,482	7,602,782	7,213,147	-1,825,453
Federal funds	5,848,584	6,911,708	4,454,374	4,068,160	-1,734,364
Trust funds	(3,246,326)	(3,367,774)	(3,148,378)	(3,144,987)	(-91,089)
OFFICE OF THE AMERICAN WORKPLACE					
SALARIES AND EXPENSES					
Office of the Workplace Programs	7,082	10,770			-7,082
PENSION AND WELFARE BENEFITS ADMINISTRATION					
SALARIES AND EXPENSES					
Enforcement and compliance	53,492	65,163	49,847	50,750	-2,742
Policy, regulation and public service	12,054	12,412	11,242	11,242	-812
Program oversight	3,385	3,607	3,224	3,206	-179
Total, PWBA	68,931	81,182	64,113	65,198	-3,733
PENSION BENEFIT GUARANTY CORPORATION					
Program Administration subject to limitation (Trust Funds)	(11,463)	(12,043)	(10,603)	(10,603)	(-860)
Services related to terminations not subject to limitations (non-add)	(126,032)	(128,496)	(128,496)	(128,496)	(+2,464)
Total, PBGC	(137,495)	(140,539)	(139,099)	(139,099)	(+1,604)
EMPLOYMENT STANDARDS ADMINISTRATION					
SALARIES AND EXPENSES					
Enforcement of wage and hour standards	100,725	116,943	88,921	94,169	-6,556
Office of Labor-Management Standards	23,997	31,075	22,197	23,097	-900
Federal contractor EEO standards enforcement	58,725	63,531	54,508	55,245	-3,480
Federal programs for workers' compensation	76,403	82,937	70,893	71,648	-4,755
Trust funds	(1,057)	(1,089)	(978)	(978)	(-79)
Program direction and support	11,490	11,660	10,848	10,597	-893
Total, salaries and expenses	272,397	308,145	247,945	255,734	-16,663
Federal funds	271,340	306,476	246,967	254,756	-16,584
Trust funds	(1,057)	(1,089)	(978)	(978)	(-79)
SPECIAL BENEFITS					
Federal employees compensation benefits	254,000	214,000	214,000	214,000	-40,000
Longshore and harbor workers' benefits	4,000	4,000	4,000	4,000	
Total, Special Benefits	258,000	218,000	218,000	218,000	-40,000

FY 1996 DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS BILL (H.R. 3019) ($000)—Continued

	FY 1995 Enacted	FY 1996 Estimate	House (H.R. 2127)	H.R. 3019	H.R. 3019 compared with Enacted
BLACK LUNG DISABILITY TRUST FUND					
Benefit payments and interest on advances	923,005	949,494	949,494	949,494	+26,489
Employment Standards Admin., salaries & expenses	27,799	28,655	28,045	28,045	-1,754
Departmental Management, salaries and expenses	23,188	19,621	19,621	19,621	-3,567
Departmental Management, inspector general	309	310	287	287	-22
Subtotal, Black Lung Disability. Trust Fund, appm	974,301	998,080	995,447	995,447	+21,146
Treasury administrative costs (indefinite)	756	756	756	756	.....
Total, Black Lung Disability Trust Fund	975,057	998,836	996,203	996,203	+21,146
Total, Employment Standards Administration	1,505,454	1,524,961	1,462,148	1,469,937	-35,517
Federal funds	1,504,397	1,523,312	1,461,170	1,468,959	-35,438
Trust funds	(1,057)	(1,649)	(978)	(978)	(-79)
OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION					
SALARIES AND EXPENSES					
Safety and health standards	8,906	9,471	8,354	8,354	-552
Enforcement:					
Federal Enforcement	145,289	155,854	98,000	114,015	-31,274
State programs	70,615	75,915	65,319	65,319	-5,296
Technical Support	18,863	21,898	17,467	17,467	-1,416
Compliance Assistance	44,974	55,332	53,601	.....	-44,974
Federal Assistance	.....	.....	.....	18,248	+18,248
State Consultation Grants	.....	.....	.....	35,353	+35,353
Safety and health statistics	15,730	20,669	14,707	14,707	-1,023
Executive direction and administration	7,263	7,594	6,537	6,537	-726
Total, OSHA	311,660	346,503	283,985	280,000	-31,660
MINE SAFETY AND HEALTH ADMINISTRATION					
SALARIES AND EXPENSES					
Enforcement:					
Coal	107,039	112,957	99,464	107,039	.....
Metal/nonmetal	42,296	46,862	39,124	41,412	-884
Standards development	1,339	1,006	1,006	1,006	-331
Assessments	3,781	3,712	3,497	3,497	-284
Educational policy and development	15,084	14,985	13,934	14,782	-282
Technical support	22,097	23,575	20,440	21,268	-829
Program administration	8,519	9,127	7,897	7,897	-852
Total, Mine Safety and Health Administration	200,135	212,108	185,154	196,673	-3,462
BUREAU OF LABOR STATISTICS					
SALARIES AND EXPENSES					
Employment and Unemployment Statistics	99,421	107,955	102,895	100,000	+579
Labor Market Information (Trust Funds)	(53,206)	(56,350)	(50,220)	(49,997)	(-3,209)
Prices and cost of living	93,001	99,224	93,956	93,956	+955
Compensation and working conditions	61,188	63,855	54,625	54,625	-6,563
Productivity and technology	6,970	7,419	7,419	6,413	-557
Economic growth and employment projections	4,006	4,487	4,487	3,847	-159
Executive direction and staff services	26,723	25,842	22,072	22,072	-4,651
Consumer Price Index Revision	5,127	11,549	11,549	11,549	+6,422
Total, Bureau of Labor Statistics	349,642	378,881	347,213	342,459	-7,183
Federal Funds	296,436	320,331	296,993	292,462	-3,974
Trust Funds	(53,206)	(56,350)	(50,220)	(49,997)	(-3,209)
DEPARTMENTAL MANAGEMENT					
SALARIES AND EXPENSES					
Executive direction	20,934	26,232	17,931	18,641	-2,293
Legal services	61,844	69,570	57,307	58,072	-3,772
Trust funds	(328)	(342)	(303)	(303)	(-25)
International labor affairs	12,198	12,950	5,850	5,850	-6,348
Administration and management	14,963	15,503	13,904	13,904	-1,059
Adjudication	19,926	24,589	18,500	18,500	-1,426
Promoting employment of people with disabilities	4,358	4,772	4,058	4,358	.....
Women's Bureau	8,326	8,973	7,743	7,743	-583
Civil Rights Activities	4,888	5,038	4,535	4,535	-353
Chief Financial Officer	4,738	5,120	4,394	4,394	-344
Enforcement Automation	2,000	.....	.....	.....	-2,000
Total, Salaries and expenses	154,503	173,069	134,523	136,300	-18,203
Federal funds	154,175	172,747	134,220	135,997	-18,178
Trust funds	(328)	(342)	(303)	(303)	(-25)

FY 1996 DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS BILL (H.R. 3019) ($000)—Continued

	FY 1995 Enacted	FY 1996 Estimate	House (H.R. 2127)	H.R. 3019	H.R. 3019 compared with Enacted
VETERANS EMPLOYMENT AND TRAINING					
State Administration:					
Disabled Veterans Outreach Program	(83,601)	(83,643)	(79,888)	(78,913)	(-6,688)
Local Veterans Employment Program	(77,593)	(77,632)	(73,854)	(71,386)	(-6,207)
Subtotal, State Administration	(161,194)	(161,275)	(153,836)	(148,299)	(-12,895)
Federal Administration	(21,025)	(23,017)	(19,888)	(19,419)	(-1,606)
National Veterans Training Institute	(2,904)	(2,822)	(2,888)	(2,672)	(-232)
Total, Trust Funds	(185,123)	(187,114)	(175,563)	(170,390)	(-14,733)
REINVENTION INVESTMENT FUND		3,900			
OFFICE OF THE INSPECTOR GENERAL					
Program activities	40,517	41,857	37,822	37,822	-2,695
Trust funds	(3,696)	(4,056)	(3,615)	(3,615)	(-290)
Executive Direction and Management	7,356	7,595	6,804	6,804	-552
Total, Office of the Inspector General	51,769	53,307	48,041	48,041	-3,727
Federal funds	47,873	49,252	44,426	44,426	-3,447
Trust funds	(3,696)	(4,056)	(3,615)	(3,615)	(-290)
Total, Departmental Management	391,394	417,410	356,447	354,731	-36,663
Federal funds	202,046	225,899	176,846	180,423	-21,625
Trust funds	(189,348)	(191,511)	(179,601)	(174,308)	(-15,038)
Total, Labor Department 1/	11,940,671	13,261,158	10,294,415	9,932,748	-1,951,613
Federal funds	8,439,273	9,831,811	6,904,436	6,551,875	-1,841,336
Trust funds	(3,501,398)	(3,629,347)	(3,389,980)	(3,380,873)	(-110,275)
TITLE II - DEPARTMENT OF HEALTH AND HUMAN SERVICES					
HEALTH RESOURCES AND SERVICES ADMINISTRATION					
HEALTH RESOURCES AND SERVICES					
Consolidated health centers			756,518	756,518	
Community health centers	616,555				
Migrant health centers	85,000				
Health care for the homeless	65,445				
Public housing health service grants	9,518				
Health Centers Cluster (proposed legislation)		756,399			
Subtotal, Health Centers Activities	756,518	756,399	756,518	756,518	
National Health Service Corps:					
Field placements	41,979		41,979	41,979	
Recruitment	78,206		78,206	78,206	
Subtotal, National Health Service Corps	120,185		120,185	120,185	
Health Professions					
Consolidated Health Professions Education & Training			278,977	278,977	
Grants to communities for scholarships	474				
Health professions data system	548				-548
Nurse loan repayment for shortage area service	2,044				
Research on health professions issues	800				
Workforce Development Cluster (proposed leg)		127,218			
Centers of excellence	23,040				
Health careers opportunity program	25,350				
Exceptional financial need scholarships	10,542				
Faculty loan repayment	955				
Fin assistance for disadvantaged HP students	5,895				
HPSL recapitalization	8,017				
Scholarships for disadvantaged students	17,376				
Minority / Disadvantaged Cluster (proposed leg)		89,450			
Family medicine training / departments	46,057				
General internal medicine and pediatrics	16,503				
Physician assistants	5,984				
Public health and preventive medicine	7,546				
Health administration traineeships / projects	979				
Primary Care Medicine and Public Health Cluster (proposed leg)		78,055			
Area health education centers	24,125				
Border health training centers	3,509				
General dentistry residencies	3,530				
Allied health special projects	3,580				

1/ Includes Federal and Trust funds.

Note: All HHS accounts are current funded unless otherwise noted.

FY 1996 DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS BILL (H.R. 3019) ($000)—Continued

	FY 1995 Enacted	FY 1996 Estimate	House (H.R. 2127)	H.R. 3019	H.R. 3019 compared with Enacted
Geriatric education centers and training	8,273				
Interdisciplinary traineeships	3,880				
Podiatric medicine	615				
Chiropractic demonstration grants	936				
Enhanced Area Health Education Cluster (proposed legislation)		38,783			
Advanced nurse education	11,642				
Nurse practitioners / nurse midwives	16,140				
Special projects	9,846				
Nurse disadvantaged assistance	3,606				
Professional nurse traineeships	14,830				
Nurse anesthetists	2,574				
Nurse Education / Practice Initiatives Cluster (proposed legislation)		56,750			
Subtotal, Health professions	278,977	388,256	278,977	278,977	-548
Other HRSA Programs:					
Hansen's disease services	20,826	20,826	17,500	17,500	-3,326
Maternal & child health block grant	663,950	678,866	663,950	678,866	-5,084
Healthy start	104,220	100,000	59,000	93,000	-11,220
Organ transplantation	2,629	2,629	2,400	2,400	
Health teaching facilities interest subsidies	411	411	411	411	
Bone marrow program	15,360	15,360	15,360	15,360	
Rural outreach grants	26,091		26,091	27,898	+1,807
State Offices of Rural Health					
Rural Health Cluster (proposed legislation)		29,029			
Trauma care	293				-293
Emergency medical services for children	10,000		10,000	11,000	+1,000
Emergency Medical Services (EMS) Cluster (proposed leg)		14,784			
Black lung clinics	4,142			3,811	-331
Alzheimers demonstration grants	4,959		4,000	4,000	
Payment to Hawaii, treatment of Hansen's Disease	2,976			2,045	-931
Pacific Basin initiative	1,500			1,200	
Native Hawaiian health care	4,336				-4,336
Special Populations Cluster (proposed legislation)		17,259			
Acquired Immune Deficiency Syndrome (AIDS):					
Education and training centers	16,267	16,267		6,000	
AIDS dental services	6,937	6,937	6,937	6,937	
Ryan White AIDS Programs:					
Emergency assistance	356,500	407,000	379,500	379,500	
Comprehensive care programs	196,147	273,867	196,147	250,147	
Early intervention program	52,318	62,566	52,318	52,318	
Pediatric demonstrations	28,000	32,000	28,000	26,500	
Subtotal, Ryan White AIDS programs	632,965	775,465	655,965	708,465	
Subtotal, AIDS	656,169	798,698	682,902	721,402	
Family planning	193,349	198,982	193,349	193,349	
Rural health research	9,426	9,426		9,426	
Health care facilities	10,000	2,000		10,000	
Buildings and facilities	933	933	933	858	-75
National practitioner data bank	9,000	8,000	8,000	8,000	-3,000
User fees	-9,000	-8,000	-8,000	-8,000	+3,000
Program management	120,909	120,546	120,546	120,546	-363
Savings attributable to legislative proposal		(8,000)	(8,000)		
Undistributed administrative reduction			-16,000	-16,000	-16,000
Total, Health resources and services	3,028,179	3,154,365	2,927,122	3,062,782	-39,700
MEDICAL FACILITIES GUARANTEE AND LOAN FUND:					
Interest subsidy program	9,000	8,000	8,000	8,000	-1,000
HEALTH EDUCATION ASSISTANCE LOANS PROGRAM (HEAL):					
New loan subsidies	22,050	18,044	13,500	13,500	-8,550
Liquidating account (non-add)	(17,990)	(42,000)	(42,000)	(42,000)	(+24,010)
HEAL loan limitation (non-add)	(375,000)	(290,000)	(210,000)	(210,000)	
Program management	2,922	2,922	2,703	2,666	-234
Total, HEAL	24,972	20,966	16,203	16,166	-8,784
VACCINE INJURY COMPENSATION PROGRAM TRUST FUND:					
Post - FY88 claims (trust fund)	54,476	56,721	56,721	56,721	+2,245
HRSA administration (trust fund)	3,000	3,000	3,000	3,000	
Subtotal, Vaccine injury compensation trust fund	57,476	59,721	59,721	59,721	+2,245
VACCINE INJURY COMPENSATION:					
Pre - FY89 claims (appropriation)	110,000	110,000	110,000	110,000	
Total, Vaccine injury	167,476	169,721	169,721	169,721	+2,245
Total, Health Resources and Services Administration	3,229,627	3,353,082	3,121,046	3,248,681	-47,239

FY 1996 DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS BILL (H.R. 3019) ($000)—Continued

	FY 1995 Enacted	FY 1996 Estimate	House (H.R. 2127)	H.R. 3019	H.R. 3019 compared with Enacted
CENTERS FOR DISEASE CONTROL					
DISEASE CONTROL, RESEARCH AND TRAINING					
Preventive Health Services Block Grant	157,916	154,336	157,916	145,416	-12,496
Prevention centers	7,724	7,724	7,724	8,099	+375
Data initiative		6,000			
1% evaluation funds (non-add)		(14,000)			
Immunization partnership grant (proposed legislation)		502,818			
CDC/HCFA vaccine program:					
Proposed legislation: Vaccine tax cut (non-add)		-25,000			
Childhood immunization	463,734		475,497	470,497	
HCFA vaccine purchase (non-add)	(376,000)	(408,307)	(408,307)	(408,307)	(+32,307)
Subtotal, CDC/HCFA vaccine program level	(839,734)	(383,307)	(883,804)	(878,804)	(+32,307)
1995 Vaccine rescission (non-add)				(-53,000)	(-53,000)
Communicable diseases:					
HIV/STD/TB partnership grant (proposed legislation		848,331			
Acquired Immune Deficiency Syndrome (AIDS)	589,831		589,989	589,962	+131
Tuberculosis	119,573		119,582	119,582	
Sexually transmitted diseases	105,164		110,242	108,242	+3,078
Subtotal, Communicable diseases	814,568	848,331	818,788	817,786	+3,209
Chronic diseases:					
Chronic disease partnership grant (proposed leg)		243,498			
Chronic and environmental disease prevention	139,664		150,000	147,439	+7,775
Breast and cervical cancer screening	100,000		125,000	125,000	+25,000
Subtotal, Chronic diseases	239,664	243,498	275,000	272,439	+32,775
Infectious disease	54,340	63,191	67,276	65,057	+10,717
Lead poisoning prevention	36,404	36,391	36,409	36,409	+5
Injury control	43,669	44,661	43,679	43,679	+10
Occupational Safety and Health (NIOSH):					
Research	119,086	124,186	99,222	124,186	+5,100
Training	12,898	12,898		9,673	-3,225
Subtotal, NIOSH	131,984	137,084	99,222	133,859	+1,875
Epidemic services	73,198	73,318	73,325	73,325	+127
National Center for Health Statistics:					
Program operations	53,508	53,564	53,575	40,063	-13,445
1% evaluation funds (non-add)	(27,862)	(27,862)	(27,862)	(40,063)	(+12,201)
Subtotal, health statistics	53,508	53,564	53,575	40,063	-13,445
Buildings and facilities	3,575	3,575	4,353	4,353	+778
Program management	3,058	3,067	3,067	3,067	+9
Savings attributable to legislative proposal		6,000			
Undistributed administrative reduction			-31,000	-31,000	-31,000
Subtotal, Centers for Disease Control	2,083,342	2,183,560	2,085,831	2,083,051	-7,063
Crime Bill Activities:					
Rape prevention and education		35,000	35,000	28,542	+28,542
Domestic violence community demonstrations		4,000	4,000	3,000	+3,000
Crime victim study		100	100	100	+100
Subtotal, Crime bill activities		39,100	39,100	31,642	+31,642
Total, Disease Control	2,083,342	2,222,660	2,124,931	2,114,693	+24,579
NATIONAL INSTITUTES OF HEALTH					
National Cancer Institute	1,913,167	1,994,007	2,251,084	2,251,084	+337,917
Transfer, Office of AIDS Research	(217,735)	(225,790)			(-217,735)
Subtotal	(2,130,902)	(2,219,797)	(2,251,084)	(2,251,084)	(+120,182)
National Heart, Lung, and Blood Institute	1,242,574	1,279,066	1,355,866	1,355,866	+113,292
Transfer, Office of AIDS Research	(55,485)	(57,955)			(-55,485)
Subtotal	(1,298,059)	(1,337,021)	(1,355,866)	(1,355,866)	(+57,807)
National Institute of Dental Research	163,112	168,341	183,196	183,196	+20,084
Transfer, Office of AIDS Research	(11,733)	(12,309)			(-11,733)
Subtotal	(174,845)	(180,650)	(183,196)	(183,196)	(+8,351)
National Institute of Diabetes and Digestive and Kidney Diseases	724,974	748,798	771,252	771,252	+46,278
Transfer, Office of AIDS Research	(10,752)	(11,735)			(-10,752)
Subtotal	(735,726)	(760,533)	(771,252)	(771,252)	(+35,526)

FY 1996 DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS BILL (H.R. 3019) ($000)—Continued

	FY 1995 Enacted	FY 1996 Estimate	House (H.R. 2127)	H.R. 3019	H.R. 3019 compared with Enacted
National Institute of Neurological Disorders and Stroke	628,247	648,288	661,534	661,534	+53,287
Transfer, Office of AIDS Research	(22,741)	(23,807)			(-22,741)
Subtotal	(650,988)	(672,095)	(661,534)	(661,534)	(+30,546)
National Institute of Allergy and Infectious Diseases	536,940	557,354	1,169,626	1,169,626	+632,686
Transfer, Office of AIDS Research	(557,768)	(595,018)			(-557,768)
Subtotal	(1,094,708)	(1,153,372)	(1,169,626)	(1,169,626)	(+74,922)
National Institute of General Medical Sciences	880,233	907,874	946,871	946,871	+66,738
Transfer, Office of AIDS Research	(24,664)	(26,135)			(-24,664)
Subtotal	(904,897)	(933,809)	(946,871)	(946,871)	(+42,074)
National Institute of Child Health and Human Development	509,031	526,177	565,162	565,162	+56,131
Transfer, Office of AIDS Research	(58,667)	(60,713)			(-58,667)
Subtotal	(567,698)	(586,890)	(565,162)	(565,162)	(+27,464)
National Eye Institute	291,464	300,893	314,185	314,185	+22,721
Transfer, Office of AIDS Research	(8,606)	(9,125)			(-8,606)
Subtotal	(300,070)	(309,818)	(314,185)	(314,185)	(+14,115)
National Institute of Environmental Health Sciences	266,337	279,832	288,898	288,898	+22,561
Transfer, Office of AIDS Research	(5,745)	(5,051)			(-5,745)
Subtotal	(272,082)	(284,883)	(288,898)	(288,898)	(+16,816)
National Institute on Aging	432,164	445,823	453,917	453,917	+21,753
Transfer, Office of AIDS Research	(1,715)	(1,785)			(-1,715)
Subtotal	(433,879)	(447,608)	(453,917)	(453,917)	(+20,038)
National Institute of Arthritis and Musculoskeletal and Skin Diseases	228,122	235,426	241,828	241,828	+13,706
Transfer, Office of AIDS Research	(2,879)	(3,039)			(-2,879)
Subtotal	(231,001)	(238,467)	(241,828)	(241,828)	(+10,827)
National Institute on Deafness and Other Communication Disorders	167,138	172,399	176,502	176,502	+9,364
Transfer, Office of AIDS Research	(1,552)	(1,650)			(-1,552)
Subtotal	(168,690)	(174,049)	(176,502)	(176,502)	(+7,812)
National Institute of Nursing Research	48,123	50,189	55,831	55,831	+7,708
Transfer, Office of AIDS Research	(4,577)	(4,896)			(-4,577)
Subtotal	(52,700)	(55,085)	(55,831)	(55,831)	(+3,131)
National Institute on Alcohol Abuse and Alcoholism	180,064	185,712	198,607	198,607	+18,543
Transfer, Office of AIDS Research	(9,741)	(10,135)			(-9,741)
Subtotal	(189,805)	(195,847)	(198,607)	(198,607)	(+8,802)
National Institute on Drug Abuse	289,581	298,738	458,441	458,441	+168,860
Transfer, Office of AIDS Research	(147,347)	(153,331)			(-147,347)
Subtotal	(436,928)	(452,069)	(458,441)	(458,441)	(+21,513)
National Institute of Mental Health	541,376	558,580	661,328	661,328	+119,952
Transfer, Office of AIDS Research	(88,562)	(93,556)			(-88,562)
Subtotal	(629,938)	(652,136)	(661,328)	(661,328)	(+31,390)
National Center for Research Resources	287,341	307,544	390,339	390,339	+102,998
Transfer, Office of AIDS Research	(64,630)	(68,370)			(-64,630)
Subtotal	(351,971)	(375,914)	(390,339)	(390,339)	(+38,368)
National Center for Human Genome Research	152,906	166,678	170,041	170,041	+17,135
Transfer, Office of AIDS Research	(993)	(1,000)			(-993)
Subtotal	(153,899)	(167,678)	(170,041)	(170,041)	(+16,142)
John E. Fogarty International Center	14,633	15,267	25,313	25,313	+10,680
Transfer, Office of AIDS Research	(9,108)	(9,694)			(-9,108)
Subtotal	(23,741)	(24,961)	(25,313)	(25,313)	(+1,572)
National Library of Medicine	125,195	136,311	141,439	141,439	+16,244
Transfer, Office of AIDS Research	(2,694)	(3,162)			(-2,694)
Subtotal	(127,889)	(139,473)	(141,439)	(141,439)	(+13,550)
Office of the Director	214,234	230,256	261,488	261,488	+47,254
Transfer, Office of AIDS Research	(25,394)	(27,598)			(-25,394)
Subtotal	(239,628)	(257,854)	(261,488)	(261,488)	(+21,860)

FY 1996 DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS BILL (H.R. 3019) ($000)—Continued

	FY 1995 Enacted	FY 1996 Estimate	House (H.R. 2127)	H.R. 3019	H.R. 3019 compared with Enacted
Buildings and facilities	114,120	144,120	146,151	146,151	+32,031
Office of AIDS Research	1,333,086	1,407,824			-1,333,086
Total N.I.H	11,264,162	11,764,088	11,939,001	11,939,001	+674,839
SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES ADMINISTRATION					
Consolidated mental health & substance abuse demos			141,369		
Center for Mental Health Services:					
Consolidated Mental Health Demonstrations		53,082		36,100	
Mental Health Block Grant	275,420	304,617	275,420	275,420	
Children's mental health	59,956	60,000	60,000	60,000	
Clinical training / AIDS training	5,379				-5,379
Community support demonstrations	24,147				
Grants to States for the homeless (PATH)	29,462			20,000	
Homeless services demonstrations	21,205				
Protection and advocacy	21,957	21,760	19,500	19,950	
AIDS demonstrations	1,485		1,487		
Subtotal, mental health	439,013	439,469	356,407	413,370	-5,379
Center for Substance Abuse Treatment:					
Consolidated Treatment Demonstrations		236,694		90,000	
Substance abuse block grant	1,234,107	1,294,107	1,234,107	1,284,107	
Treatment grants to crisis areas	35,520				
Treatment improvement demos:					
Pregnant/post partum women and children	54,226				
Transfer from forfeiture fund (non-add)	(10,000)				
Criminal justice program	37,502				
Designated populations	23,561				
Comprehensive community treatment program	27,073				
Transfer from forfeiture fund (non-add)	(4,000)				
Training	5,590				
AIDS demonstration & training:					
Training	2,787				
Linkage	7,739				
Outreach	7,500				
Treatment capacity expansion program	6,701				
Subtotal, Substance Abuse Treatment	1,442,306	1,530,801	1,234,107	1,324,107	
Center for Substance Abuse Prevention:					
Consolidated Prevention Demonstrations		216,080		90,000	
Prevention demonstrations:					
High risk youth	65,160				
Pregnant women & infants	22,501				-22,501
Other programs	6,318				-6,318
Community partnership	114,741				
Prevention education/dissemination	13,465				-13,465
Training	16,049				-16,049
Subtotal, Substance Abuse Prevention	238,234	216,080		90,000	-58,333
Program management	61,113	58,042	58,543	56,238	-4,875
Savings attributable to legislative proposal		3,000			
Total, Substance Abuse and Mental Health	2,180,668	2,247,392	1,788,946	1,883,715	-66,587
ASSISTANT SECRETARY FOR HEALTH					
OFFICE OF THE ASSISTANT SECRETARY FOR HEALTH					
Population affairs: Adolescent family life	6,678	6,144			
Health initiatives:					
Office of Disease Prevention and Health Promotion	4,558	4,601			-4,558
Physical fitness and sports	1,407	1,408			-1,407
Minority health	20,540	20,592			
National vaccine program	988	995			-988
Office of research integrity	3,853	3,856			-3,853
Office of women's health	2,542	2,562			-2,542
Emergency preparedness	2,180	2,374			-2,180
Health care reform data analysis	1,344				-1,344
Data development program		3,956			
Health Service Management	18,432	17,304			-18,432
Streamlining costs	1,500	785			-1,500
National AIDS program office	1,730	1,739			-1,730
Total, OASH	65,752	66,206			-38,534

FY 1996 DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS BILL (H.R. 3019) ($000)—Continued

	FY 1995 Enacted	FY 1996 Estimate	House (H.R. 2127)	H.R. 3019	H.R. 3019 compared with Enacted
RETIREMENT PAY AND MEDICAL BENEFITS FOR COMMISSIONED OFFICERS					
Retirement payments	124,213	129,808	129,808	129,808	+5,595
Survivors benefits	8,826	9,208	9,208	9,208	+382
Dependent's medical care	23,844	25,108	25,108	25,108	+1,264
Military Services Credit	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
Total, Retirement pay and medical benefits	159,321	166,925	166,925	166,925	+7,604
AGENCY FOR HEALTH CARE POLICY AND RESEARCH					
Health services research:					
Research	56,919	63,433	12,661	36,160	.....
1% evaluation funding (non-add)	(18,300)	(39,284)	(34,284)	(31,124)	.....
Subtotal including trust funds & 1% funds	(77,219)	(102,717)	(46,945)	(69,284)	.....
Medical treatment effectiveness:					
Federal funds	73,947	78,598	18,115	55,798	.....
Trust funds	(5,796)	(5,796)	.....	.....	.....
1% evaluation funding (non-add)	.....	(6,000)	.....	.....	.....
Subtotal, Medical treatment effectiveness	(79,743)	(84,394)	(18,115)	(55,798)	.....
Program support	2,424	2,423	2,423	2,230	-194
Undistributed administrative reduction	.....	.....	-2,000	-2,000	-2,000
Total, Health Care Policy and Research:					
Federal Funds	135,290	142,424	31,219	94,188	-2,194
Trust funds	(5,796)	(5,796)	.....	.....	.....
Total, 1% evaluation funding (non-add)	(18,300)	(45,284)	(34,284)	(31,124)	.....
Total, Health Care Policy & Research (non-add)	(159,386)	(193,504)	(65,503)	(125,310)	(-2,194)
Total, Public Health Service:					
Federal Funds	19,138,162	19,982,755	19,172,066	19,445,161	+530,466
Trust funds	(5,796)	(5,796)	.....	.....	.....
HEALTH CARE FINANCING ADMINISTRATION					
GRANTS TO STATES FOR MEDICAID					
Medicaid current law benefits	84,835,700	92,235,200	92,235,200	92,235,200	+7,399,500
Excess benefit budget authority	7,657,598	.....	.....	.....	-7,657,598
State and local administration	3,602,660	3,742,000	3,742,000	3,742,000	+139,340
Excess admin budget authority	294,891	.....	.....	.....	-294,891
Proposed legislation: Vaccine tax cut (non-add)	.....	(-49,800)	.....	.....	.....
Subtotal, Medicaid program level, FY 1996	96,390,849	95,977,200	95,977,200	95,977,200	-413,649
Carryover balance	-7,150,074	-13,835,128	-13,835,128	-13,835,128	-6,685,054
Less funds advanced in prior year	-26,600,000	-27,047,717	-27,047,717	-27,047,717	-447,717
Total, request, FY 1996	62,640,775	55,094,355	55,094,355	55,094,355	-7,546,420
New advance, 1st quarter, FY 1997	27,047,717	26,155,350	26,155,350	26,155,350	-892,367
PAYMENTS TO HEALTH CARE TRUST FUNDS					
Supplemental medical insurance	36,955,000	55,385,000	55,385,000	55,385,000	+18,430,000
Hospital insurance for the uninsured	406,000	358,000	358,000	358,000	-48,000
Federal uninsured payment	56,000	63,000	63,000	63,000	+7,000
DOD adjustment	.....	625,000	625,000	625,000	+625,000
SMI lapses	.....	6,737,000	6,737,000	6,737,000	+6,737,000
Program management	129,756	145,000	145,000	145,000	+15,242
Total, Payment to Trust Funds, current law	37,546,756	63,313,000	63,313,000	63,313,000	+25,766,242
PROGRAM MANAGEMENT					
Research, demonstration, and evaluation:					
Regular program, trust funds	(45,146)	(58,000)	(40,000)	(40,000)	(-5,146)
Counseling program	(10,036)	(4,500)	.....	.....	(-10,036)
Rural hospital transition demonstrations, trust funds	(17,621)	.....	(10,000)	(13,089)	(-4,532)
Essential access community hospitals, trust funds	(2,000)	.....	.....	.....	(-2,000)
New rural health grants	.....	(2,000)	.....	.....	.....
Subtotal, research, demonstration, & evaluation	(74,803)	(64,500)	(50,000)	(53,089)	(-21,714)
Medicare Contractors (Trust Funds)	(1,804,171)	(1,831,100)	(1,804,767)	(1,804,171)	.....
State Survey and Certification:					
Medicare certification, trust funds	(145,800)	(182,100)	(152,000)	(147,625)	(+1,825)
Proposed legislation	.....	(-5,800)	.....	.....	.....

FY 1996 DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS BILL (H.R. 3019) ($000)—Continued

	FY 1995 Enacted	FY 1996 Estimate	House (H.R. 2127)	H.R. 3019	H.R. 3019 compared with Enacted
Federal Administration:					
Trust funds	(353,374)	(396,222)	(327,894)	(326,053)	(-27,321)
Less current law user fees	(-124)	(-128)	(-128)	(-128)	(-4)
Subtotal, Federal Administration	(353,250)	(396,094)	(327,766)	(325,925)	(-27,325)
Total, Program management	(2,178,024)	(2,253,794)	(2,134,533)	(2,130,810)	(-47,214)
PROPOSED LEG: UNDOCUMENTED ALIENS ASSISTANCE (NON-ADD)		(150,000)			
HMO LOAN AND LOAN GUARANTEE FUND	15,000				-15,000
Total, Health Care Financing Administration:					
Federal funds	127,250,250	144,562,705	144,562,705	144,562,705	+17,312,455
Current year, FY 1995 / 1996	(100,202,533)	(118,407,355)	(118,407,355)	(118,407,355)	(+18,204,822)
New advance, 1st quarter, FY 1996 / 1997	(27,047,717)	(26,155,350)	(26,155,350)	(26,155,350)	(-892,367)
Trust funds	(2,178,024)	(2,253,794)	(2,134,533)	(2,130,810)	(-47,214)
ADMINISTRATION FOR CHILDREN AND FAMILIES					
FAMILY SUPPORT PAYMENTS TO STATES					
Aid to Families with Dependent Children (AFDC)	12,424,136	12,999,000	12,999,000	12,999,000	+574,864
Quality control liabilities	-40,867	-71,121	-71,121	-71,121	-30,254
Payments to territories	19,428	19,428	19,428	19,428	
Emergency assistance	864,000	974,000	974,000	974,000	+110,000
Repatriation	1,000	1,000	1,000	1,000	
Demonstrations (AFDC Benefit Payment)					
State and local welfare administration	1,716,000	1,770,000	1,770,000	1,770,000	+54,000
Work activities child care	666,000	734,000	734,000	734,000	+68,000
Transitional child care	199,000	220,000	220,000	220,000	+21,000
At risk child care	357,000	300,000	300,000	300,000	-57,000
Subtotal, Welfare payments	16,205,697	16,946,307	16,946,307	16,946,307	+740,610
Child Support Enforcement:					
State and local administration	1,966,000	1,943,000	1,943,000	1,943,000	-23,000
Federal incentive payments	402,000	439,000	439,000	439,000	+37,000
Less federal share collections	-1,213,000	-1,314,000	-1,314,000	-1,314,000	-101,000
Subtotal, Child support	1,155,000	1,068,000	1,068,000	1,068,000	-87,000
Total, Payments, FY 1995 / 1996 program level	17,360,697	18,014,307	18,014,307	18,014,307	+653,610
Less funds advanced in previous years	-4,200,000	-4,400,000	-4,400,000	-4,400,000	-200,000
Total, Payments, current request, FY 1995 /1996	13,160,697	13,614,307	13,614,307	13,614,307	+453,610
New advance, 1st quarter, FY 1996 /1997	4,400,000	4,800,000	4,800,000	4,800,000	+400,000
JOB OPPORTUNITIES AND BASIC SKILLS (JOBS)	970,000	1,000,000	1,000,000	1,000,000	+30,000
LOW INCOME HOME ENERGY ASSISTANCE					
Advance from prior year (non-add)	(1,474,996)	(1,000,000)	(1,000,000)	(1,000,000)	(-474,996)
Rescission	-474,996		-1,000,000	-100,000	+374,996
FY 1996 program level	(1,000,000)	(1,000,000)		(900,000)	(-100,000)
Emergency allocation (non-add)	(600,000)				(-600,000)
Advance funding (FY 1996 / 1997)	1,000,000	1,319,204			-1,000,000
REFUGEE AND ENTRANT ASSISTANCE					
Transitional and medical services	258,273	278,529	278,862	263,273	+5,000
Social services	80,802	80,802	80,802	80,802	
Preventive health	5,300	5,471	2,700	2,700	-2,600
Targeted assistance	55,397	49,397	49,397	51,097	-4,300
Carryover (non-add)	(7,000)		(10,590)	(10,590)	(+3,590)
Total, Refugee and entrant assistance	399,772	414,199	411,761	397,872	-1,900
STATE LEGALIZATION IMPACT ASSISTANCE GRANTS:					
SLIAG rescission	-75,000				+75,000
Civics and English education grants	4,000				-4,000
Total, SLIAG	-71,000				+71,000
CHILD CARE AND DEVELOPMENT BLOCK GRANT (delay obligation until Sept. 30, 1996)	934,642	1,048,825	934,642	934,642	
SOCIAL SERVICES BLOCK GRANT (TITLE XX)	2,800,000	2,800,000	2,800,000	2,520,000	-280,000

FY 1996 DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS BILL (H.R. 3019) ($000)—Continued

	FY 1995 Enacted	FY 1996 Estimate	House (H.R. 2127)	H.R. 3019	H.R. 3019 compared with Enacted
CHILDREN AND FAMILIES SERVICES PROGRAMS					
Programs for Children, Youth, and Families:					
Head start	3,534,129	3,934,726	3,387,429	3,534,429	+300
Child development associate scholarships	1,360				
Consolidated runaway, homeless youth program		68,572			
Runaway and homeless youth	40,458		40,458	43,653	+3,195
Runaway youth - transitional living	13,649		14,949	14,949	+1,300
Runaway youth activities - drugs	14,466				
Subtotal, runaway	68,573	68,572	55,407	58,602	+4,495
Youth gang substance abuse	10,420	10,520			
Child abuse state grants	22,854	22,854	22,854	21,028	-1,826
Child abuse discretionary activities	15,385	15,385	15,385	14,154	-1,231
ABCAN	288	288			-288
Temporary childcare/crisis nurseries	11,835	11,835	9,835	9,835	
Abandoned infants assistance	14,408	14,408	12,408	12,408	
Dependent care planning and development	12,823				
Child welfare services	291,989	291,989	291,989	277,389	-14,600
Child welfare training	4,398	4,398	2,000	2,000	-2,398
Child welfare research	6,395	6,395			-6,395
Adoption opportunities	13,000	13,000	11,000	11,000	-2,000
Family violence	32,619	32,645	32,645	32,645	+26
Social services research	14,961	14,961			-14,961
Family support centers	7,371				
Community Based Resource Centers	31,363	36,734		23,000	
Developmental disabilities program:					
State councils	70,438	70,438	40,438	40,438	-30,000
Protection and advocacy	26,716	26,716	26,716	26,716	
Developmental disabilities special projects	5,715	5,715			-5,715
Developmental disabilities university affiliated programs	18,979	18,979	10,000	10,000	-8,979
Subtotal, Developmental disabilities	121,850	121,850	77,156	77,156	-44,694
Native American Programs	36,362	36,461	35,000	35,000	
Community services: 1/					
Community Services Block Grants	389,600	391,500	389,600	389,600	
Homeless services grants	19,752	19,752			-19,752
Discretionary funds:					
Community initiative program:					
Economic development	23,733		23,733	27,334	+3,601
Rural community facilities	3,271		3,271	3,009	-262
Subtotal, discretionary funds	27,004		27,004	30,343	+3,339
National youth sports	12,000		12,000	11,520	-480
Demonstration Partnerships	601				-601
Community Food and Nutrition	8,678	6,000		4,000	-4,678
Subtotal, Community services	457,633	417,252	428,604	435,463	-22,170
Program direction	162,299	173,963	150,933	150,117	-12,182
EBT task force 2/		2,000	2,000		
Total, Children and Families Services Programs	4,874,333	5,234,256	4,544,843	4,694,222	-117,926
VIOLENT CRIME REDUCTION PROGRAMS:					
Community schools	10,000	72,500			-10,000
Community economic partnership		10,000			
Runaway Youth Prevention		7,000		5,558	+5,558
Domestic violence hotline	1,000	400	400	400	-600
Battered women's shelters		15,000		15,000	+15,000
Youth education demonstration		400	400	400	+400
Total, Violent crime reduction programs	11,000	105,300	800	21,358	+10,358
FAMILY SUPPORT AND PRESERVATION	150,000	225,000	225,000	225,000	+75,000

1/ The Senate bill creates a separate account for Community Services programs which are not included in the total figures for the Administration on Children and Families.

2/ House bill contains lang prohibiting expenditure of these funds for the EBT task force.

FY 1996 DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS BILL (H.R. 3019) ($000)—Continued

	FY 1995 Enacted	FY 1996 Estimate	House (H.R. 2127)	H.R. 3019	H.R. 3019 compared with Enacted
PAYMENTS TO STATES FOR FOSTER CARE AND ADOPTION ASSISTANCE					
Foster care	3,128,023	3,749,825	3,749,825	3,742,338	+614,315
Adoption assistance	399,348	488,017	488,017	509,900	+110,552
Independent living	70,000	70,000	70,000	70,000	.....
Total, Payment to States	3,597,371	4,307,842	4,307,842	4,322,238	+724,867
Total, Administration for Children and Families	31,751,817	34,866,933	31,838,015	32,428,839	+740,007
Current year, FY 1995 / 1996	(26,351,817)	(28,749,729)	(28,838,015)	(27,828,839)	(+1,340,007)
FY 1996 / 1997	(5,400,000)	(6,119,204)	(4,800,000)	(4,800,000)	(-600,000)
ADMINISTRATION ON AGING					
AGING SERVICES PROGRAMS					
Grants to States:					
Supportive services and centers	306,711	306,711	291,375	291,375	.....
Ombudsman services	4,449	4,449	.....	.....	.....
Prevention of elder abuse	4,732	6,232	.....	.....	.....
Pension counseling	1,976	1,976	.....	.....	.....
Preventive health	16,962	16,962	.....	.....	.....
Nutrition:					
Congregate meals	375,809	375,809	357,019	364,535	.....
Home-delivered meals	94,065	94,065	89,362	106,339	.....
Frail elderly in-home services	9,263	9,263	9,263	9,263	.....
Grants to Indians	16,902	16,402	16,067	15,550	.....
Aging research, training and special projects	25,630	46,134	.....	.....	.....
Federal Council on Aging	176	226	.....	.....	.....
White House Conference on Aging	3,000	500	.....	.....	.....
Program administration	16,312	17,399	15,170	15,170	.....
Total, Administration on Aging	876,007	897,146	778,246	801,232	.....
OFFICE OF THE SECRETARY					
GENERAL DEPARTMENTAL MANAGEMENT:					
Federal funds	88,150	86,162	82,439	96,439	+8,289
Trust funds	(11,611)	.....	.....	.....	(-11,611)
Portion treated as budget authority	(7,369)	(7,204)	(6,813)	(6,626)	(-743)
Population affairs: Adolescent family life	.....	.....	6,896	6,896	.....
Physical fitness and sports	.....	.....	1,000	1,000	+1,000
Minority health	.....	.....	20,631	27,000	.....
Office of research integrity	.....	.....	3,858	.....	.....
Office of women's health	.....	.....	2,200	5,362	+5,362
Total, General Departmental Management:					
Federal funds	88,150	86,162	116,826	136,499	+14,661
Trust funds	(18,977)	(7,204)	(6,813)	(6,626)	(-12,349)
Total	(107,127)	(93,366)	(123,639)	(143,127)	(+2,302)
OFFICE OF THE INSPECTOR GENERAL:					
Federal funds	60,748	58,889	56,333	56,333	-4,415
Trust funds	(7,662)	.....	.....	.....	(-7,662)
Portion treated as budget authority	(20,848)	(21,048)	(17,623)	(17,623)	(-3,223)
Total, Office of the Inspector General:					
Federal funds	60,748	58,889	56,333	56,333	-4,415
Trust funds	(28,708)	(21,048)	(17,623)	(17,623)	(-11,085)
Total	(89,456)	(79,937)	(73,956)	(73,956)	(-15,500)
OFFICE FOR CIVIL RIGHTS:					
Federal funds	18,195	17,558	10,249	16,153	-2,042
Trust funds	(4)	.....	.....	.....	(-4)
Portion treated as budget authority	(3,776)	(3,602)	(3,251)	(3,314)	(-462)
Total, Office for Civil Rights:					
Federal funds	18,195	17,558	10,249	16,153	-2,042
Trust funds	(3,780)	(3,602)	(3,251)	(3,314)	(-466)
Total	(21,975)	(21,160)	(13,500)	(19,467)	(-2,508)
POLICY RESEARCH	9,403	12,278	9,000	9,000	-403
Total, Office of the Secretary:					
Federal funds	176,496	174,887	192,408	217,985	+7,791
Trust funds	(51,465)	(31,854)	(27,687)	(27,565)	(-23,900)
Total	(227,961)	(206,741)	(220,095)	(245,550)	(-16,109)

FY 1996 DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS BILL (H.R. 3019) ($000)—Continued

	FY 1995 Enacted	FY 1996 Estimate	House (H.R. 2127)	H.R. 3019	H.R. 3019 compared with Enacted
PUBLIC HEALTH & SOCIAL SERVICES EMERGENCY FUND	35,000	9,000			-35,000
Total, Department of Health and Human Services:					
Federal Funds	178,227,732	200,475,426	198,344,442	197,456,742	+18,555,721
Current year, FY 1995 / 1996	(146,780,015)	(168,200,874)	(166,369,088)	(166,501,392)	(+20,046,088)
FY 1996 / 1997	(32,447,717)	(32,274,554)	(30,855,350)	(30,955,350)	(-1,492,367)
Trust funds	(2,235,289)	(2,291,444)	(2,162,220)	(2,158,375)	(-71,114)
TITLE III - DEPARTMENT OF EDUCATION					
EDUCATION REFORM 1/					
Goals 2000: Educate America Act:					
State & local educ systemic improvement grants	361,870	693,500			-361,870
National programs		46,500			
Parental assistance	10,000	10,000			-10,000
Subtotal, Goals 2000	371,870	750,000			-371,870
School-to-work opportunities:					
State grants and local partnerships	115,625	185,000	95,000	95,000	-20,625
National programs	6,875	15,000			-6,875
Subtotal	122,500	200,000	95,000	95,000	-27,500
Total	494,370	950,000	95,000	95,000	-399,370
EDUCATION FOR THE DISADVANTAGED 2/					
Grants to local education agencies:					
Basic grants, forward funded	5,966,235	5,263,363	4,946,005	4,946,005	-1,022,230
Basic grants, current funded		3,500	3,500	3,500	+3,500
Subtotal, Basic grants	5,966,235	5,266,863	4,949,505	4,949,505	-1,018,730
Concentration grants	663,137	663,137	549,945	549,945	-113,192
Targeted grants		1,000,000			
Setaside for BIA/outlying areas	66,964	70,000	55,550	55,550	-11,434
Subtotal	6,696,356	7,000,000	5,555,000	5,555,000	-1,143,356
Capital expenses for private school children	41,434	20,000	20,000	38,119	-3,315
Even start	102,024		102,024	102,024	
State agency programs:					
Migrant	305,475	310,000	305,475	305,475	
Neglected and delinquent / high risk youth	39,311	40,000	32,000	35,656	-3,655
State school improvement	27,560	35,146			-27,560
Demonstration of innovative practices		25,146			
Evaluation	3,664	11,000		3,370	-294
Total, ESEA	7,217,824	7,441,292	6,014,499	6,039,644	-1,178,180
Migrant education:					
High school equivalency program	8,088			7,441	-647
College assistance migrant program	2,204			2,028	-176
Subtotal, migrant education	10,292			9,469	-823
Total, Compensatory education programs	7,228,116	7,441,292	6,014,499	6,049,113	-1,179,003
Subtotal, forward funded	(7,214,160)	(7,426,792)	(6,010,999)	(6,032,774)	(-1,181,386)
IMPACT AID 3/					
Basic support payments	631,707	550,000	550,000	583,011	-48,696
Payments for children with disabilities	40,000	40,000	40,000	40,000	
Payments for heavily impacted districts (sec. 8)	40,000	20,000	50,000	50,000	+10,000
Subtotal	711,707	610,000	640,000	673,011	-38,696
Facilities maintenance (sec. 8008)		2,000			
Payments for increases in military dep (sec. 8006)		2,000			
Construction (sec. 8007)		5,000	5,000	5,000	+5,000
Payments for Federal property (Sec. 8002)	16,293			14,989	-1,304
Total, impact aid	728,000	619,000	645,000	693,000	-35,000

1/ Forward funded.

2/ All programs in this account are forward funded with the exception of current funded basic grants, Title I evaluation, High School Equivalency Program and the College Assistance Migrant Program.

3/ Figures do not include $35,000,000 provided for Impact Aid basic support payments in the 1996 House National Security Appropriations Bill.

NOTE: All Education accounts are current funded unless otherwise noted.

FY 1996 DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS BILL (H.R. 3019) ($000)—Continued

	FY 1995 Enacted	FY 1996 Estimate	House (H.R. 2127)	H.R. 3019	H.R. 3019 compared with Enacted
SCHOOL IMPROVEMENT PROGRAMS					
Professional development/program innovation and innovation education program strategies 1/	598,548	735,000	550,000	550,000	-48,548
Professional development 1/				(275,000)	(+275,000)
Program innovation 1/				(275,000)	(+275,000)
Safe and drug-free schools and communities:					
State grants 1/	440,981	465,000	200,000	200,000	-240,981
National programs	25,000	35,000			-25,000
Subtotal, Safe & drug-free schools & communities	465,981	500,000	200,000	200,000	-265,981
Education infrastructure 1/		35,000			
Inexpensive book distribution (RIF)	10,300	10,300	9,000	10,300	
Arts in education	10,500	10,000	9,000	9,000	-1,500
Law-Related Education	4,500				-4,500
Christa McAuliffe fellowships	1,946				-1,946
Other school improvement programs:					
Magnet schools assistance	111,519	111,519	95,000	95,000	-16,519
Educational support services for homeless children & youth 1/	29,811	30,000	23,000	23,000	-6,811
Women's educational equity	3,967	4,000			-3,967
Training and advisory services (Civil Rights IV-A)	21,412	14,000		7,334	-14,078
Dropout prevention demonstrations	12,000				-12,000
Ellender fellowships/Close up 1/	3,000				-3,000
Education for Native Hawaiians	9,000	9,000		12,000	+3,000
Foreign language assistance	10,912	10,912		10,039	-873
Training in early childhood education and violence counseling (HEA V-F)		9,800			
Charter schools	6,000	20,000	6,000	8,000	+2,000
Subtotal, other school improvement programs	206,621	209,031	124,000	155,373	-51,248
Technical assistance for improving ESEA programs:					
Comprehensive regional assistance centers	29,841	55,000		21,554	-8,067
Total, School improvement programs	1,326,037	1,554,331	882,000	946,227	-381,810
Subtotal, forward funded	(1,071,340)	(1,265,000)	(773,000)	(773,000)	(-298,340)
VIOLENT CRIME REDUCTION PROGRAM FAMILY AND COMMUNITY ENDEAVOR SCHOOLS		31,000			
BILINGUAL AND IMMIGRANT EDUCATION					
Bilingual education:					
Instructional services	117,190	155,890	53,000	100,000	-17,190
Support services	14,330	15,330			-14,330
Professional development	25,180	28,980			-25,180
Immigrant education	50,000	100,000	50,000	50,000	
Total	206,700	300,000	103,000	150,000	-56,700
SPECIAL EDUCATION					
State grants: 1/					
Proposed legis: Grants for Special Education		2,772,460			
Grants to States part "b"	2,322,915		2,323,837	2,323,837	+922
Preschool grants	360,265		360,409	360,409	
Grants for infants and families	315,632	315,632	315,754	315,754	
Subtotal, State grants	2,998,812	3,088,092	3,000,000	3,000,000	+922
Proposed legis: Program Support and Improvement:					
Research and demonstrations		63,000			
Technical assistance and systems change		50,000			
Professional development		97,000			
Parent training		14,534			
Technology development and support		29,500			
Subtotal, Proposed legislation		254,034			
Special purpose funds:					
Deaf-blindness	12,832		12,832	12,832	
Serious emotional disturbance	4,147		4,147	4,147	
Severe disabilities	10,030		10,030	10,030	
Early childhood education	25,167			25,167	
Secondary and transitional services	23,966		23,966	23,966	
Postsecondary education	8,839		8,839	8,839	
Innovation and development	20,635			14,000	
Media and captioning services	19,142		19,142	19,142	
Technology applications	10,862			9,993	
Special studies	4,160			3,827	
Personnel development	91,339			91,339	
Parent training	13,536		13,536	13,536	

1/ Forward funded.

FY 1996 DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS BILL (H.R. 3019) ($000)—Continued

	FY 1995 Enacted	FY 1996 Estimate	House (H.R. 2127)	H.R. 3019	H.R. 3019 compared with Enacted
Clearinghouses	2,162			1,999	
Regional resource centers	7,218			6,641	
Subtotal, Special purpose funds	254,034		92,491	245,447	
Total, Special education	3,252,846	3,342,129	3,092,491	3,245,447	+922
REHABILITATION SERVICES AND DISABILITY RESEARCH					
Vocational rehabilitation State grants	2,054,145	2,118,634	2,118,634	2,118,634	+64,589
Tech assistance to States		1,000	1,000	1,000	+1,000
Client assistance State grants	9,824	10,119	10,119	10,119	+295
Training	39,629	39,629	39,629	39,629	
Special demonstration programs	30,558	23,942	23,942	23,942	-6,616
Migratory workers	1,421	1,421	1,421	1,421	
Recreational programs	2,599	2,599	2,599	2,599	
Protection and advocacy of individual rights	7,456	7,456	7,456	7,456	
Projects with industry	22,071	22,071	22,071	22,071	
Supported employment State grants	36,536	36,152	36,152	36,152	+1,616
Independent living:					
State grants	21,859	21,859	21,859	21,859	
Centers	40,533	41,749	41,749	41,749	+1,216
Services for older blind individuals	8,952	8,952	8,952	8,952	
Subtotal, Independent living	71,344	72,560	72,560	72,560	+1,216
Evaluation	1,567	1,567	1,567	1,567	
Helen Keller National Center for Deaf-Blind Youth and Adults	6,936	7,144	7,144	7,144	+208
National Institute on Disability and Rehabilitation Research	70,000	70,000	70,000	70,000	
Subtotal, mandatory programs	2,354,103	2,416,511	2,416,511	2,416,511	+62,408
Assistive technology	39,249	40,429	39,249	36,109	-3,140
Total, Rehabilitation services	2,393,352	2,456,937	2,455,760	2,452,620	+59,268
SPECIAL INSTITUTIONS FOR PERSONS WITH DISABILITIES					
AMERICAN PRINTING HOUSE FOR THE BLIND	6,660	6,660	4,000	6,660	
NATIONAL TECHNICAL INSTITUTE FOR THE DEAF:					
Consolidated account		43,041	39,737	42,180	+42,180
Operations	42,705				-42,705
Endowment grant	336				-336
Construction	150				-150
Subtotal	43,191	43,041	39,737	42,180	-1,011
GALLAUDET UNIVERSITY:					
Consolidated account		80,030	72,028	55,321	+55,321
University programs	54,244				-54,244
Elementary and secondary education programs	24,786			22,308	-2,478
Endowment grant	1,000				-1,000
Subtotal	80,030	80,030	72,028	77,629	-2,401
Total, Special institutions for persons with disabilities	129,901	129,751	115,765	126,489	-3,412
VOCATIONAL AND ADULT EDUCATION 1/					
Vocational education:					
Proposed legis: State grants		1,141,066			
Basic State grants	972,750		800,000	890,000	-82,750
Community - based organizations					
Consumer and homemaking education					
Tech-Prep education	106,000		100,000	100,000	-6,000
Tribally controlled postsecondary vocational institutions	2,919		2,919	2,919	
State councils	8,846				-8,846
National programs:					
Proposed legis: National programs		37,000			
Research	6,851		1,000	5,000	-1,851
Demonstrations					
National occupational information coordinating committee	4,250				-4,250
Subtotal, national programs	11,101	37,000	1,000	5,000	-6,101
Subtotal, Vocational education	1,103,618	1,178,066	903,919	997,919	-105,699

1/ All programs are forward funded with the exception of Tribally Controlled Postsecondary Vocational Institutions.

FY 1996 DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS BILL (H.R. 3019) ($000)—Continued

	FY 1995 Enacted	FY 1996 Estimate	House (H.R. 2127)	H.R. 3019	H.R. 3019 compared with Enacted
Adult education:					
State activities:					
Proposed legislation: State grants		479,487			
State programs	252,345		250,000	250,000	-2,345
Subtotal, State activities	252,345	479,487	250,000	250,000	-2,345
National programs:					
Proposed legislation: National programs		11,000			
Evaluation and technical assistance	3,900				-3,900
National Institute for Literacy	4,862		4,869	4,869	+7
Subtotal, National programs	8,762	11,000	4,869	4,869	-3,893
State literacy resource centers					
Workplace literacy partnerships	12,736				-12,736
Literacy programs for prisoners	5,100		4,000	4,346	-754
Subtotal, adult education	278,943	490,487	258,869	259,215	-19,728
Total, Vocational and adult education	1,382,561	1,666,575	1,182,786	1,257,134	-125,427
STUDENT FINANCIAL ASSISTANCE					
Federal Pell Grants: Regular program	6,178,680	6,217,125	5,697,000	5,423,331	-755,349
Carryover funding		(372,025)	(715,000)	(715,000)	(+715,000)
Total, funding available for Pell Grants	6,178,680	6,589,150	6,412,000	6,138,331	-40,349
Memo (non-add): Maximum grant	(2,340)	(2,300)	(2,440)	(2,440)	(+100)
Benefits for participants in Operation Desert Storm (non-add)	(3,165)				(-3,165)
Subtotal, Pell Grants - New BA Current law	6,178,680	6,217,125	5,697,000	5,423,331	-755,349
Proposed legislation: Pell Grants (non-add):					
Base grants, degree candidates	(4,351,578)	(4,067,759)			(-4,351,578)
Increment for increase in max from $2500 to $2620		(384,378)			
Still grants, non-degree candidates	(1,827,102)	(2,129,366)			(-1,827,102)
Subtotal, Proposed legis (non-add)	(6,178,680)	(6,601,503)			(-6,178,680)
Federal supplemental educational opportunity grants	583,407	583,407	583,407	583,407	
Federal work-study	616,508	616,508	616,508	616,508	
Federal Perkins loans:					
Capital contributions	156,000	156,000			-156,000
Loan cancellations	18,000	20,000	20,000	20,000	+2,000
Subtotal, Federal Perkins loans	176,000	176,000	20,000	20,000	-156,000
State student incentive grants	63,375	31,375			-63,375
State postsecondary review program		25,000			
Total, Student financial assistance	7,617,970	7,651,415	6,916,915	6,643,246	-974,724
FEDERAL FAMILY EDUCATION LOANS PROGRAM (EXISTING GUARANTEED STUDENT LOANS PROGRAM)					
Federal education loans: Federal administration	62,096	30,066	30,066	30,066	-32,030
Total Outstanding Loan Volume (Current Law) (non-add)	(95,274,999)	(99,413,915)	(95,274,999)	(95,274,999)	
Total Outstanding Loan Volume (Adm Proposal) (non-add)	(95,274,999)	(95,926,406)	(99,413,915)	(99,413,915)	(+4,138,916)
FEDERAL DIRECT STUDENT LOAN PROGRAM					
Mandatory administrative costs (indefinite)	(283,565)	(550,000)	(320,000)	(320,000)	(+36,435)
Permanent authority (direct loan administration)	-61,000				+61,000
Total Outstanding Loan Volume (Current Law) (non-add)	(5,385,699)	(17,710,285)	(17,710,285)	(17,710,285)	(+12,324,586)
Total Outstanding Loan Volume (Adm Proposal) (non-add)	(5,385,699)	(21,195,791)			(-5,385,699)
HIGHER EDUCATION					
Aid for institutional development:					
Strengthening institutions	80,000	40,000	32,590	55,450	-24,550
Hispanic serving institutions	12,000	12,000	10,800	10,800	-1,200
Strengthening historically black colleges & univ	108,990	108,990	108,990	108,990	
Strengthening historically black grad institutions	19,906	19,906	19,906	19,906	
Endowment challenge grants:					
Endowment grants	6,045				-6,045
HBCU set-aside	2,015	2,015			-2,015
Evaluation	1,000				-1,000
Subtotal, institutional development	229,956	182,911	171,986	194,646	-34,810
Program development:					
Fund for the improvement of Postsecondary Educ	17,543	17,543	15,000	15,000	-2,543
Native Hawaiian and Alaska Native Culture Arts Development	500				-500
Eisenhower leadership program	1,080				-1,080
Minority teacher recruitment	2,458	3,000	2,212	2,212	-246
Minority science improvement	5,839	5,839	5,255	5,255	-584
Community service projects	1,423				-1,423

FY 1996 DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS BILL (H.R. 3019) ($000)—Continued

	FY 1995 Enacted	FY 1996 Estimate	House (H.R. 2127)	H.R. 3019	H.R. 3019 compared with Enacted
International education and foreign language studies:					
Domestic programs	52,263	52,263	52,263	50,461	-1,802
Overseas programs	5,790	5,790	4,000	4,750	-1,040
Institute for International Public Policy	1,000	1,000	.....	950	-50
Subtotal, International education	59,073	59,073	56,263	56,151	-2,922
Cooperative education	6,927	.....	.....	.....	-6,927
Law school clinical experience	13,222	.....	.....	5,500	-7,722
Urban community service	10,000	.....	.....	9,200	-800
Subtotal, Program development	118,065	85,455	78,750	93,318	-24,747
Construction: Interest subsidy grants, prior year construction	17,512	16,712	16,712	16,712	-800
Special grants:					
Bethune Cookman College Fine Arts Center	4,000	.....	.....	3,680	-320
Federal TRIO programs	463,000	463,000	463,000	463,000	.....
Early intervention scholarships and partnerships	3,108	.....	.....	3,108	.....
Scholarships:					
Byrd honors scholarships	29,117	38,117	.....	29,117	.....
National science scholars	3,303	.....	.....	.....	.....
Douglas teacher scholarships	299	.....	.....	.....	-299
Subtotal, Scholarships	32,719	38,117	.....	29,117	-299
Graduate fellowships:					
Harris fellowships	10,144	.....	.....	.....	-10,144
Javits fellowships	6,845	.....	.....	5,931	-914
Graduate assistance in areas of national need	27,292	27,292	27,292	27,292	.....
Faculty development fellowships	212	3,732	.....	.....	-212
Subtotal, Graduate fellowships	44,453	30,964	27,292	33,183	-11,270
School, college & university partnerships	3,893	3,893	.....	.....	-3,893
Legal training for the disadvantaged (CLEO)	2,964	.....	.....	.....	-2,964
Total, Higher education	919,370	820,772	757,700	838,964	-79,103
HOWARD UNIVERSITY					
Academic program	156,530	158,330	140,877	145,182	-11,348
Endowment program:					
Regular program	3,530	3,530	.....	.....	-3,530
Clinical law center (includes construction)	5,500	.....	.....	.....	.....
Research	4,614	4,614	.....	.....	-4,614
Howard University Hospital	29,489	29,489	29,489	29,489	.....
Construction	5,000	.....	.....	.....	-5,000
Total, Howard University	204,663	195,963	170,366	174,671	-24,492
COLLEGE HOUSING & ACADEMIC FACILITIES LOANS PROGRAM:					
Federal administration	757	1,027	700	700	-57
HISTORICALLY BLACK COLLEGE AND UNIVERSITY CAPITAL FINANCING PROGRAM					
Federal administration	346	166	166	166	-180
EDUCATION RESEARCH, STATISTICS, AND IMPROVEMENT					
Research and statistics:					
Research	86,200	97,800	101,576	107,600	+21,400
Statistics	48,153	57,000	48,155	46,227	-1,926
Assessment:					
National assessment	29,757	34,500	29,757	29,757	.....
National assessment governing board	2,995	3,500	3,000	2,880	-115
Subtotal, Assessment	32,752	38,000	32,757	32,637	-115
Subtotal, Research and statistics	167,105	192,800	182,488	186,464	+19,359
Fund for the Improvement of Education	36,750	36,750	36,750	37,624	+874
International education exchange (title VI)	3,000	3,000	.....	5,000	+2,000
21st century community learning centers	750	.....	.....	750	.....
Civic Education	4,463	4,463	3,000	4,000	-463
Eisenhower professional development national activities	21,356	35,000	.....	18,000	-3,356
Eisenhower regional mathematics & science education consortia	15,000	15,000	.....	15,000	.....
Javits gifted and talented education	4,921	9,921	3,000	3,000	-1,921
National writing project	3,212	.....	.....	2,955	-257
National Diffusion Network	11,780	14,480	.....	.....	-11,780
Education technology:					
Technology for education:					
K-12 technology learning challenge	9,500	50,000	25,000	25,000	+15,500
Adult technology learning challenge	.....	20,000	.....	.....	.....
National activities	13,000	13,000	.....	.....	-13,000
Subtotal, Technology for education	22,500	83,000	25,000	25,000	+2,500

FY 1996 DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS BILL (H.R. 3019) ($000)—Continued

	FY 1995 Enacted	FY 1996 Estimate	House (H.R. 2127)	H.R. 3019	H.R. 3019 compared with Enacted
Star schools	25,000	30,000		23,000	-2,000
Ready to learn television	7,000	7,000		6,440	-560
Telecommunications demo project for mathematics	1,125	2,250		1,035	-90
Subtotal, Education technology	55,625	122,250	26,000	55,475	-150
Total, ERSI	323,962	433,064	250,238	328,268	+4,306
LIBRARIES					
Public libraries:					
Services	83,227	89,135	83,227	92,636	+9,409
Construction	17,782	17,782		16,359	-1,423
Interlibrary cooperation	23,700		18,000	18,000	-5,700
Library literacy programs	8,028				-8,028
Library education and training	4,918			2,500	-2,418
Research and demonstrations	6,500			2,000	-4,500
Total, Libraries	144,161	106,927	101,227	131,505	-12,656
DEPARTMENTAL MANAGEMENT					
PROGRAM ADMINISTRATION	355,476	370,844	327,319	327,319	-28,157
HEADQUARTERS RENOVATION 1/		20,000		7,000	+7,000
Proposed leg: GI Bill savings (non-add)		(-1,728)			
OFFICE FOR CIVIL RIGHTS	56,236	62,784	53,951	55,451	-2,785
OFFICE OF THE INSPECTOR GENERAL	30,390	34,068	28,154	28,654	-1,736
Total, Departmental management	444,102	487,694	409,424	418,424	-25,678
Total, Department of Education	26,800,310	26,220,106	23,213,105	23,579,040	-3,204,146
TITLE IV - RELATED AGENCIES					
ARMED FORCES RETIREMENT HOME					
Operation and maintenance (trust fund limitation):					
Soldiers' and Airmen's Home	45,248	45,080	45,080		-45,248
United States Naval Home	11,015	11,979	11,045		-11,015
Consolidated account				54,017	+54,017
Subtotal, O & M	56,263	57,059	56,135	54,017	-2,246
Capital program (trust fund limitation):					
Soldiers' and Airmen's Home	2,500	1,463	1,463		-2,500
United States Naval Home	406	588	588		-406
Consolidated account				1,954	+1,954
Subtotal, capital	2,906	2,051	2,051	1,954	-952
Total, AFRH	59,169	59,120	58,186	55,971	-3,198
CORPORATION FOR NATIONAL AND COMMUNITY SERVICE					
Domestic Volunteer service Programs (formerly Action):					
Volunteers in Service to America:					
VISTA operations	42,676	53,800	25,803	39,262	-3,414
VISTA Literacy Corps	5,024	6,200			-5,024
Subtotal, VISTA	47,700	60,000	25,803	39,262	-8,438
National Senior Volunteer Corps:					
Foster Grandparents Program	67,812	78,810	62,237	62,237	-5,575
Senior Companion Program	31,244	43,090	31,155	31,155	-89
Retired Senior Volunteer Program	35,706	44,500	34,949	34,949	-757
Senior Demonstration Programs	1,000	2,000			-1,000
Subtotal, Senior Volunteers	135,764	168,400	128,341	128,341	-7,423
Program Administration	31,160	34,500	28,823	28,667	-2,493
Total, Domestic Volunteer Service Programs	214,624	262,900	182,767	196,270	-18,354
Corporation for Public Broadcasting: FY96 (current request) with FY97 comparable	280,000	296,400	240,000	250,000	
1997 advance (non-add) with FY96 comparable	(275,000)	(315,000)	(280,000)	(280,000)	(-15,000)
1996 advance (non-add) with FY95 comparable	(285,840)	(275,000)	(275,000)	(275,000)	(-10,840)
Rescissions:					
1995 funding	-7,000				+7,000
1996 advance funding (non-add)	(-37,000)				(+37,000)
1997 advance funding (non-add)	(-55,000)				(+55,000)

1/ Funds available for 3 years.

FY 1996 DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS BILL (H.R. 3019) ($000)—Continued

	FY 1995 Enacted	FY 1996 Estimate	House (H.R. 2127)	H.R. 3019	H.R. 3019 compared with Enacted
Federal Mediation and Conciliation Service	31,344	33,280	31,896	32,896	+1,552
Federal Mine Safety and Health Review Commission	6,200	6,457	6,457	6,200	.....
National Commission on Libraries and Information Science	901	992	450	829	-72
National Council on Disability	1,793	1,830	1,267	1,793	.....
National Education Goals Panel	.....	2,795	.....	1,000	+1,000
National Education Standards & Improvement Council	.....	3,000	.....	.....	.....
National Labor Relations Board	176,047	181,134	123,233	167,245	-8,802
National Mediation Board	8,519	8,933	8,000	7,837	-682
Occupational Safety and Health Review Commission	7,595	8,127	8,200	8,100	+505
Physician Payment Review Commission (trust funds)	(4,176)	(4,100)	(2,923)	(2,923)	(-1,253)
Propective payment Assessment Commission (trust funds)	(4,667)	(4,658)	(3,267)	(3,267)	(-1,400)
SOCIAL SECURITY ADMINISTRATION					
PAYMENTS TO SOCIAL SECURITY TRUST FUNDS	25,094	22,641	22,641	22,641	-2,453
ADDITIONAL ADMINISTRATIVE EXPENSES 1/	.....	10,000	10,000	10,000	+10,000
SPECIAL BENEFITS FOR DISABLED COAL MINERS					
Benefit payments	712,693	660,215	660,215	660,215	-52,478
Administration	5,181	5,181	5,181	5,181	.....
Subtotal, Black Lung, FY 1996 program level	717,874	665,396	665,396	665,396	-52,478
Less funds advanced in prior year	-190,000	-180,000	-180,000	-180,000	+10,000
Total, Black Lung, current request, FY 1996	527,874	485,396	485,396	485,396	-42,478
New advances, 1st quarter FY 1996 / 1997	180,000	170,000	170,000	170,000	-10,000
SUPPLEMENTAL SECURITY INCOME					
Federal benefit payments	25,435,739	23,548,636	23,548,636	23,548,636	-1,887,103
Beneficiary services	143,400	176,400	176,400	176,400	+33,000
Research and demonstration	27,700	6,700	6,700	6,700	-21,000
Administration	2,042,781	1,727,098	1,727,098	1,727,098	-315,683
Investment proposals:					
Automation investment initiative	67,000	136,159	103,000	103,000	+36,000
Disability investment initiative	260,000	267,000	252,000	252,000	-26,000
Subtotal, SSI FY 1996 program level	27,996,620	25,863,993	25,813,834	25,813,834	-2,182,786
Less funds advanced in prior year	-6,770,000	-7,060,000	-7,060,000	-7,060,000	-290,000
Total, SSI, current request, FY 1995 / 1996	21,226,620	18,803,993	18,753,834	18,753,834	-2,472,786
New advance, 1st quarter, FY 1996 / 1997	7,060,000	9,260,000	9,260,000	9,260,000	+2,200,000
LIMITATION ON ADMINISTRATIVE EXPENSES					
OASDI trust funds	(2,357,464)	(2,689,071)	(2,684,071)	(2,684,071)	(+326,607)
HI/SMI trust funds	(735,575)	(902,233)	(864,099)	(864,099)	(+128,524)
SSI	(2,042,781)	(1,727,098)	(1,727,098)	(1,727,098)	(-315,683)
Subtotal, regular LAE	(5,135,820)	(5,318,402)	(5,275,268)	(5,275,268)	(+139,448)
DI disability initiative	(40,000)	(267,000)	(155,000)	(155,000)	(+115,000)
SSI disability initiative	(260,000)	(267,000)	(252,000)	(252,000)	(-28,000)
Subtotal, Disability initiative	(320,000)	(534,000)	(407,000)	(407,000)	(+87,000)
OASDI automation	(21,283)	(218,841)	(125,000)	(125,000)	(+103,717)
SSI automation	(67,000)	(138,159)	(103,000)	(103,000)	(+36,000)
Subtotal, automation initiative	(88,283)	(357,000)	(228,000)	(228,000)	(+139,717)
TOTAL, LAE	(5,544,103)	(6,209,402)	(5,910,268)	(5,910,268)	(+366,165)
OFFICE OF INSPECTOR GENERAL					
Federal funds	2,408	6,964	4,816	4,816	+2,408
Trust funds	(3,851)	(9,704)	(10,099)	(10,099)	(+6,248)
Portion treated as budget authority	(4,187)	(10,549)	(10,877)	(10,877)	(+6,790)
Total, Office of the Inspector General:					
Federal funds	2,408	6,964	4,816	4,816	+2,408
Trust funds	(8,038)	(20,253)	(21,076)	(21,076)	(+13,038)
Total	(10,446)	(27,217)	(25,892)	(25,892)	(+15,446)
Total, Social Security Administration:					
Federal funds	29,021,998	26,756,994	26,706,867	26,706,867	-315,309
Current year FY 1995 / 1996	(21,781,998)	(19,326,994)	(19,276,867)	(19,276,867)	(-2,505,309)
New advances, 1st quarter FY 1996 / 1997	(7,240,000)	(9,430,000)	(9,430,000)	(9,430,000)	(+2,190,000)
Trust funds	(5,552,141)	(6,229,658)	(5,931,344)	(5,931,344)	(+379,203)

1/ No-year availability for these funds related to sections 9704 & 9706 of the Internal Revenue Code of 1986.

FY 1996 DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS BILL (H.R. 3019) ($000)—Continued

	FY 1995 Enacted	FY 1996 Estimate	House (H.R. 2127)	H.R. 3019	H.R. 3019 compared with Enacted
RAILROAD RETIREMENT BOARD					
Dual benefits payments account	254,000	239,000	239,000	239,000	-15,000
Less income tax receipts on dual benefits	-19,000	-17,000	-17,000	-17,000	+2,000
Subtotal, Dual Benefits	235,000	222,000	222,000	222,000	-13,000
Federal payment to the Railroad Retirement Account	300	300	300	300	.....
Limitation on administration:					
Consolidated account	.....	(92,700)	(90,912)	(90,816)	(+90,816)
Retirement	(73,803)	.....	.....	.....	(-73,803)
Unemployment	(17,013)	.....	.....	.....	(-17,013)
Subtotal, administration	(90,816)	(92,700)	(90,912)	(90,816)	.....
Special management improvement fund	(1,638)	(656)	(659)	(659)	(-979)
Total, limitation on administration	(92,454)	(93,356)	(91,571)	(91,475)	(-979)
Inspector General	(6,675)	(6,700)	(5,100)	(5,673)	(-1,002)
United States Institute of Peace	11,500	11,500	6,500	11,500	.....
Total, Title IV, Related Agencies:					
Federal Funds (all years)	30,027,988	29,857,742	29,566,063	29,666,628	-349,360
Current year, FY 1995 / 1996	(22,527,988)	(20,131,342)	(19,926,063)	(19,986,628)	(-2,539,360)
FY 1996 / 1997	(7,240,000)	(9,430,000)	(9,430,000)	(9,430,000)	(+2,190,000)
FY 1997 / 1998	(260,000)	(296,400)	(240,000)	(250,000)	.....
Trust funds	(6,660,113)	(6,338,470)	(6,034,205)	(6,034,682)	(+374,569)
SUMMARY					
Title I - Department of Labor:					
Federal Funds	6,439,273	9,631,811	6,904,435	6,551,875	-1,841,338
Trust Funds	(3,501,396)	(3,629,347)	(3,368,990)	(3,390,873)	(-110,275)
Title II - Department of Health and Human Services:					
Federal Funds	179,227,732	200,475,426	196,344,442	197,456,742	+18,555,721
Current year	(146,780,015)	(168,200,874)	(165,389,092)	(166,501,392)	(+20,048,068)
1997 advance	(32,447,717)	(32,274,554)	(30,955,350)	(30,955,350)	(-1,492,367)
Trust Funds	(2,235,285)	(2,291,444)	(2,162,220)	(2,158,375)	(-71,114)
Title III - Department of Education:					
Federal Funds	26,800,310	26,220,106	23,213,105	23,579,040	-3,204,146
Title IV - Related Agencies:					
Federal Funds	30,027,988	29,857,742	29,566,063	29,666,628	-349,360
Current year	(22,527,988)	(20,131,342)	(19,926,063)	(19,986,628)	(-2,539,360)
1997 advance	(7,240,000)	(9,430,000)	(9,430,000)	(9,430,000)	(+2,190,000)
1996 advance	(260,000)	(296,400)	(240,000)	(250,000)	.....
Trust Funds	(6,660,113)	(6,338,470)	(6,034,205)	(6,034,682)	(+374,569)
Total, all titles:					
Federal Funds	244,495,303	266,185,087	256,058,085	257,256,285	+13,160,877
Current year	(204,547,586)	(226,184,133)	(215,432,715)	(216,620,935)	(+12,463,244)
1997 advance	(39,687,717)	(41,704,554)	(40,385,350)	(40,385,350)	(+697,633)
1996 advance	(260,000)	(296,400)	(240,000)	(250,000)	.....
Trust Funds	(11,396,796)	(12,259,261)	(11,566,405)	(11,573,930)	(+193,180)
BUDGET ENFORCEMENT ACT RECAP					
Federal Funds (all years)	244,495,303	266,185,087	256,058,085	257,256,285	+13,160,877
Mandatory, total in bill	184,182,317	202,641,084	202,633,887	202,366,283	+18,185,966
Less advances for subsequent years	-38,687,717	-40,385,350	-40,385,350	-40,385,350	-1,697,633
Plus advances provided in prior years 1/	37,760,000	38,687,717	38,687,717	38,687,717	+927,717
Adjustment for leg cap on Title XX SSBGs	.....	.....	.....	260,000	+260,000
Total, mandatory, current year	183,254,600	200,943,431	200,936,254	200,950,650	+17,696,050

1/ FY95 comparable reflects level before rescission of advance funding. FY96 amounts reflect level after rescission.

FY 1996 DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS BILL (H.R. 3019) ($000)—Continued

	FY 1995 Enacted	FY 1996 Estimate	House (H.R. 2127)	H.R. 3019	H.R. 3019 compared with Enacted
Discretionary, total in bill (incl rescissions)	59,312,[illegible]	65,544,[illegible]	53,494,176	54,[illegible],002	-5,025,[illegible]
Less advances for subsequent years	-1,260,000	-1,615,804	-240,000	-260,000	+1,000,000
Plus advances provided in prior years 1/	1,767,636	1,275,000	1,275,000	1,275,000	-492,636
Scorekeeping adjustments:					
Trust funds considered budget authority	8,552,420	8,928,676	8,518,558	8,508,081	-30,293
Black lung benefit cola	12,900				-12,900
Adjustment to balance with FY95 bill	-52,590				+52,590
Pell grants, rescission of FY94 funds	-35,000				+35,000
Youth training rescission (FY 1994)	-50,000				+50,000
NIH buildings & facilities resc (FY 1994)	-60,000				+60,000
Emergency funding	-35,000				+35,000
Retirement fraud	-410				+410
HEAL loan limitation			-6,983	-6,983	-6,983
Direct loan administration limitation				-118,000	-118,000
Direct loan 40% cap				-55,000	-55,000
Dept of Labor working capital fund			3,900	3,900	+3,900
Adjustment for leg cap on Title XX SSBGs				-260,000	-260,000
Total, discretionary, current year	67,152,944	72,132,095	60,974,651	61,[illegible],000	-4,784,003
Crime trust fund	11,000	175,400	39,[illegible]	53,000	+42,000
General purposes	67,141,944	71,956,695	60,934,751	61,910,000	-4,828,003
Grand total, current year	250,407,544	273,075,528	261,910,505	262,813,650	+12,912,047

1/ FY95 comparable reflects level before rescission of advance funding. FY96 amounts reflect level after rescission.

NOTE: Appropriations for the Centers for Disease Control and the National Institutes of Health were enacted in P.L. 104-91 and are not included in H.R. 3019. Appropriations for these accounts are displayed in this table for descriptive purposes only.

FISCAL YEAR 1996 LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES CONTINGENCY FUNDING LEVELS

	CR #10 L-HHS Title ($000)	Contingency Amount ($000)	Total ($000)
TITLE I - DEPARTMENT OF LABOR			
Employment and Training Administration			
Training and Employment Services			
Adult Job Training	745,700	84,300	830,000
School-to-Work (ED & Labor Dep'ts.)	190,000	55,000	245,000
State Unemployment Insurance and Employment Service Operations			
One-Stop Career Centers	92,000	33,000	125,000
TITLE II - DEPT. OF HEALTH & HUMAN SERVICES			
Substance Abuse and Mental Health Services Administration			
Substance Abuse and Mental Health Services			
Substance Abuse Block Grant	1,234,107	100,000	1,334,107
TITLE III - DEPARTMENT OF EDUCATION			
Education Reform			
Goals 2000	0	362,000	362,000
Education for the Disadvantaged			
Education for the Disadvantaged (Title I)	5,555,000	961,000	6,516,000
School Improvement Programs			
Charter Schools	8,000	12,000	20,000
Education, Research, Statistics, and Improvement			
Eduation Technology			
K-12 Technology Learning Challenge	25,000	23,000	48,000
TOTAL	**7,849,807**	**1,630,300**	**9,480,107**

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

Mr. Chairman, the previous speaker indicated the President has not indicted any way to pay for his restorations. That is flatly not true. I was in a room with the President's staff director. He presented us a list of programs, of reductions that would fully pay for everything he is asking for. If you do not like his list, produce your own, but do not say he has not produced his own list. He has. If you do not know it, you ought to.

Mr. Chairman, I yield 3 minutes to the distinguished gentleman from Illinois [Mr. YATES].

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

Mr. Chairman, I address my remarks to the Interior Department part of this bill. This bill contains the same unacceptable provisions that the first Interior bill contained. My good friend from Louisiana, the chairman of the committee, Mr. LIVINGSTON, spoke about meeting the President halfway with this bill. This bill does not meet the President halfway. It does not even get off the starting blocks.

With respect to the Interior bill, this is the same bill that the House twice rejected by recommitting it. It is the same bill that the President wisely vetoed. This bill calls for the continuing destruction of the Tongass National Forest in Alaska. It mandates increased logging. It slashes funds for Native American programs by $325 million. It increases the poverty of the Indian community.

It cuts the Low-Income Weatherization Assistance Programs. It contains a moratorium on adding new plants and animals to the endangered species list, no matter that some of the animals are on the verge of extinction. It still removes the Mojave National Preserve in California from the Park Service and gives it to the Bureau of Land Management, where it will not receive the same quality of review and care. It cuts the National Endowment for the Arts. It cuts our Nation's culture to the bone. And it still treats native Americans like second class citizens by denying them their legal rights and by desecrating their sacred land.

My good friends in the majority may claim this is a new bill, but the fact of the matter is that while some of the deck chairs are being rearranged, this bill is still like a sinking ship. I say this bill is a terrible bill. It is not even acceptable to the other body, which is in the process of passing its own bill.

Mr. Chairman, it is time that we gave up the ghost. The fiscal 1996 Interior bill the Republicans tried to ram through is dead. It will not pass. It cannot be brought back to life. Instead of trying to revive this antienvironment bill, the Nation would be better served if we simply passed a clean CR for the rest of the year, free of extraneous riders, and turned our attention to the 1997 budget.

Mr. Chairman, I urge my colleagues to vote against this bill.

Mr. OBEY. Mr. Chairman, I yield 1 minute to the gentleman from Michigan [Mr. LEVIN].

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

Mr. LEVIN. Mr. Chairman, the chairman of the committee called this a wrap-up bill. I am afraid in certain respects it is closer to a meltdown bill.

Let me say a word about title I. When it was last reauthorized, problems in that program were addressed. I was at a title I program on Monday. The teachers, everybody involved, said what a wonderful asset title I was to the children in that classroom, a very middle-America kind of classroom. Kids were getting help with reading and with math.

There is talk here about economic insecurity, but what this bill does is to cut training and retraining programs. There is talk about physical security for our citizens. This cuts community policing programs and also veterans programs.

The era of big government is over, but the answer is not an era of extremism. We must balance the budget in the right way. This bill does it in the wrong way.

Mr. OBEY. Mr. Chairman, I yield myself 1¼ minutes.

Mr. Chairman, again this bill is being offered as a bill which is trying to move the process forward and help resolve remaining differences between the White House and the Congress. I have already described why that is not so, but I have another example.

I have just been handed a 5 page set of instructions which evidently the subcommittee chair for the Labor, Health and Education bill plans to insert in the RECORD, providing detailed instructions on how the money that is supposedly in this bill is supposed to be spent.

We have never seen this until just a few moments ago. It makes some policy changes. It redirects funds and creates greater likelihood that they will go to some contractors rather than others. It just seems to me that if they are trying to minimize the differences between the White House and themselves on this issue, this is a mighty strange process to go through in that effort.

Mr. LIVINGSTON. Mr. Chairman, I yield 3 minutes to the gentleman from Florida [Mr. YOUNG], the distinguished chairman of the Subcommittee on National Security.

Mr. YOUNG of Florida. Mr. Chairman, let me take just a few minutes to discuss chapter 4 of title II, which is the defense supplemental to pay for the Bosnia deployment. As all of us are aware, many Members in this House disagreed with the President and the administration when they decided to send United States troops to Bosnia. We voted several times on the House floor giving that indication to the White House, that we did not want American troops to go to Bosnia.

Nevertheless, the President made the decision, the troops were deployed, and they are serving in Bosnia today, and they are serving with great distinction, as they always do.

□ 1415

But now that the deployment has been made, we have to pay for it, and we are here with a strong commitment to make the necessary payments to provide our troops with whatever it is they need to do their mission and to give themselves some protection at the same time.

In the beginning it was estimated the Bosnia deployment would cost the taxpayers about $1½ billion. Now we are talking about $2½ billion, and in the opinion of this Member it is even going to be higher than that, but nevertheless we are going to deal with those costs.

We have already dealt with phase one of a three-phase program to pay for the Bosnia deployment. That was a major reprogramming, which our committee approved last month.

Today we deal with phase two, this supplemental we have recommended more than the President asked for because we determine that he actually needed more at this point in order to pay for what is going on in Bosnia. The gentleman from Louisiana [Mr. LIVINGSTON] said that we were meeting the President halfway on this bill. In the area of national defense and the Bosnia deployment, we are meeting him 125 percent of the way because we increased his request for $620 million to $820 million. I will submit a detailed statement as to exactly what those funds are to be used for.

Now, Mr. Chairman, we are very committed to providing our troops, wherever they might be, whatever they need to accomplish their mission and to protect themselves while they are doing it. But we want to deliver another message as strongly as we can. The Department of Defense funding, money appropriated to provide for our national defense, is not going become a bank for other agencies' operations, although we may support those operations. I say that because part of the President's request was to have the Department of Defense provide an additional $200 million in offsets for what I would describe briefly as a foreign aid program for Bosnia after U.S. troops leave. We resisted that strongly, and we were successful, and that $200 million will not come from Department of Defense funds.

Mr. Chairman, the chairman of the committee will ask in the House for permission to revise and extend and include tabular material, and I would like to insert a detailed explanation of how these funds will be used and tabular material following my comments at this point in the RECORD. The chairman will ask for that permission when we go back into the House.

With that, let me say God bless our troops in Bosnia. We will do everything

we can to provide them what they need.

Mr. Chairman, I rise to provide a brief explanation of those items under the jurisdiction of the Subcommittee on National Security in H.R. 3019.

Title II of this bill contains funding for a number of programs related to international peacekeeping activities. Chapter IV of this title provides a total of $782.5 million in emergency supplemental appropriations for the Department of Defense to finance unfunded costs resulting from the NATO-led Bosnia Peace Implementation Force [IFOR] and Operation Deny Flight. In conjunction with $37.5 million provided to the Department for Bosnia-related military construction costs in chapter III, H.R. 3019 contains a total of $820 million for Department of Defense costs stemming from the Bosnia operation. These supplemental appropriations are totally offset by $820 rescissions of previously appropriated Department of Defense funds identified by the Secretary of Defense as excess to requirements. Additional rescissions of $70 million have been included to offset funding in chapter II associated with the transfer of F–16 aircraft to the Government of Jordan.

The President has requested supplemental funding to replenish the Military Services' military personnel and operation and maintenance accounts for costs incurred due to the Bosnia deployment. Without these funds the Services will be forced to absorb the costs, forcing steps which will degrade military readiness and quality of life programs such as delaying promotions and personnel moves and canceling exercises and training operations.

This supplemental represents the second phase of the Department of Defense's plan to finance the cost of the Bosnia deployment. On January 21, 1996, the Department submitted a reprogramming request to the congressional defense committees for other Bosnia-related costs in the amount of $991 million, offset by an equal amount available due to revised inflation assumptions regarding programs in the fiscal year 1996 Department of Defense Appropriations Act. The Committee on Appropriations has been advised the Department will submit a second reprogramming action in the near future to cover any remaining incremental fiscal year 1996 costs from the Bosnia deployment and other unfunded contingency operations.

The President requested a total of $620 million in supplemental appropriations for Bosnia-related defense costs. The additional $200 million provided in this bill is for military personnel and logistics support costs identified subsequent to the President's submission.

The following table provides details of the appropriations in Chapters III and IV:

FISCAL YEAR 1996 DEPARTMENT OF DEFENSE, SUPPLEMENTAL APPROPRIATIONS REQUEST

[In thousands of dollars]

Appropriations	Request	House recommendation	Change
MILITARY PERSONNEL			
Military Personnel, Army	244,400	262,200	+17,800
Military Personnel, Navy	11,700	11,800	+100
Military Personnel, Marine Corps	2,600	2,700	+100
Military Personnel, Air Force	27,300	33,700	+6,400
Total, military personnel	286,000	310,400	+24,400
OPERATION AND MAINTENANCE			
Operation and maintenance, Army	48,200	235,200	+187,000

FISCAL YEAR 1996 DEPARTMENT OF DEFENSE, SUPPLEMENTAL APPROPRIATIONS REQUEST—Continued

[In thousands of dollars]

Appropriations	Request	House recommendation	Change
Operation and maintenance, Marine Corps	900	900	.....
Operation and maintenance, Air Force	141,600	130,200	−11,400
Operation and maintenance, Defense-wide	79,800	79,800	.....
Total, operation and maintenance,	270,500	446,100	+175,600
Procurement: Other Procurement, Air Force	26,000	26,000	.....
Military Construction: NATO Security Investment	37,500	37,500	.....
Grand Total	620,000	820,000	+200,000

Mr. YOUNG of Florida. The total of $310 million for military personnel includes additional incremental costs for pay and allowances for active duty and reserve personnel deployed in support of the Bosnia operation. Such costs include basic allowance for subsistence, imminent danger pay, family separation allowance and foreign duty pay.

The total of $446.1 million for operation and maintenance is for additional incremental costs for unit operations, transportation, logistics, consumable supplies, fuel and spare parts in support of IFOR and operation deny flight.

The committee notes with concern emerging trends associated with the expenses of logistical and other support for U.S. ground forces in the IFOR area of operations, particularly in the area of contractor-provided logistics support [LOGCAP]. These costs have risen considerably beyond initial estimates. While recognizing the need to provide essential resources to U.S. troops in support of IFOR, the committee expects the Department of Defense to live up to its recent commitment to controlling any further cost growth.

Mr. OBEY. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, let me simply make one point in response to what the gentleman said with respect to the troops in Bosnia. I certainly want to join in the salute to them. The chairman of the committee, Mr. LIVINGSTON, and I accompanied the President to Bosnia to review the troops just a very short period of time ago, and I must say that I was deeply impressed by the degree of commitment that those young people have. They feel that they have a job to do, and they are proud of it, and they are proud of the way they are doing it. They have every right to be proud of it. They are working in some places in very tough conditions and very tough working circumstances, but they feel that they are doing something that is going to benefit the region and this country, and we owe each and every one of them our thanks and congratulations.

Mr. Chairman, I yield 6 minutes to the gentleman from West Virginia [Mr. MOLLOHAN].

Mr. MOLLOHAN. Mr. Chairman, here we go again, I rise today to speak to that portion of the bill that deals with appropriations for the Departments of Commerce, State, Justice, Judiciary, and related agencies. I can only imagine, as I rise, that the Republican leadership is a bit uneasy about this, if not embarrassed, to still be dealing with last year's legislative business. This appropriations measure is 159 days late. That is, it has been 159 days since the beginning of fiscal year 1996, and the majority still has not passed all of the appropriation bills. This Congress has not yet gotten last year's business completed.

We have got to get on with last year's appropriations bills, Mr. Chairman, or we are going to be another year behind.

This, my colleagues, is a process gone awry and clearly shows bad process impacting substance. It is no way to run a railroad, let alone a legislative body.

Specifically, this bill falls short of providing the resources for the United States to maintain its competitive and technological edge. If we are to remain competitive in the new world economy, we must be at the forefront in technological research and development. This bill slashes nondefense technological investment by eliminating funds for the Advanced Technology Program. In case my colleagues did not know it, Japan is very close to spending more money than the United States in absolute terms on research and development. Now that is a scary thought.

Additionally, this bill forces the United States to renege, to renege on its international commitments, including peacekeeping commitments. This is irresponsible international citizenship. Last year the gentleman from Kentucky [Mr. ROGERS] was instrumental in providing leadership in the area of the United Nations reform and improvement. We all agreed that that had to be done. Because of Chairman Mr. ROGERS' efforts an inspector general position is in place in the United Nations.

Real progress is being made. Let us not impede the gains we have already made in this area, let us not be a piker. The United States made in this area, let us not be a piker. The United States must pay its bills. Let us fund peacekeeping.

Lastly, Mr. Chairman, this continuing resolution kills the Cops on the Beat Program, kills the Cops on the Beat Program. President Clinton told the American people that he would help communities fight crime. He fulfilled that commitment. He proposed the COPS Program. It started in October 1994. In that short time period over 33,000 federally funded police officers are out in our communities serving 87 percent of the American public. The COPS Program is working both in urban and rural communities. Chicago, Atlantic City, Tampa, New Orleans, San Antonio, Las Vegas are just a few of the places where crime rates are down. Numerous police organizations and civic groups support the COPS Program, and so do communities all across this Nation. Proof lies in the fact that from 47 States, Mr. Chairman, representing 2,332 jurisdictions, are currently pending applications for COPS

Program participation. Another 7,765 officers could be on the beat now if this legislation did not kill the COPS Program, and we could be adding another 30,000 cops to the beat in this next year. But the COPS Program under this legislation is killed.

Mr. Chairman, we have got to ask why, why kill a program that is clearly working and that is clearly in demand. Is it because the COPS Program was brought to fruition by President Clinton? Is it because the majority did not create the COPS Program? Mr. Chairman, I do not know the answer to that, I do not know the reason, but I do know that the program is working all over this Nation, and I do know that the majority is trying to destroy it, and I do know that they have sought to replace it with an unfocused program called Local Law Enforcement Block Grant Program.

Knowing, that, how can our colleagues expect the President to sign this bill? We know he cannot. He is committed to helping local communities fight crime. The COPS Program works. Our colleagues kill it in this legislation; he cannot fund it.

In summary, let us get down to business. Let us keep the politics out of this bill.

Mr. LIVINGSTON. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Kentucky [Mr. ROGERS].

Mr. ROGERS. Mr. Chairman, I was not going to speak until my colleague on the subcommittee brought up some very touchy points. Now there is money in this bill for the Advanced Technology Program, as the gentleman well knows. There is money in title IV, $100 million for the Advanced Technology Program. All they've got to do is find offsets in other spending to pay for it, and it is there. The President can have the money just like that by signing this bill and finding the offsets.

No. 2, this Congress has said heretofore under our leadership, that we are going to reduce the rate of U.N. peacekeeping assessment from 31 percent of the total that the United States has to pay to 25 percent. Unilaterally, we said that. There is money in this bill for that as well, to pay practically the 25 percent that we obligated ourselves to pay, provided the President finds offsets so there is not a deficit spending situation. That is all he has to do. The money is in this bill in title IV for that very purpose.

Now COPS. We have debated this thing how many times this year? I think this is the fifth or sixth time we will have voted on this issue. Every time the Congress says it is a waste of money, and instead, let us fund the block grants to the local communities so they can have a say-so about how the money is spent, and yet they simply will not go along down at the White House. This is not a debate over putting more police on the streets. We have $1.9 billion in this bill for cops on the beat or other purposes that the local communities may want to put in.

I will tell my colleagues what is wrong. According to the GAO, half the localities in America cannot afford the 25 percent match that is required. We do not require that in our program. Why does the President not understand that? These communities cannot afford to match this local share. In our bill, in our program, we provide $1.9 billion, and communities just do not have the 25-percent local match—it is 10 percent. Next year the COPS Program costs 50 percent, and the fourth year 100 percent. We charge 10 percent.

This is a good bill; I urge its support.

Mr. OBEY. Mr. Chairman, I yield such time as he may consume to the gentleman from California [Mr. MILLER].

(Mr. MILLER of California asked and was given permission to revise and extend his remarks.)

Mr. MILLER of California. Mr. Chairman, I rise in strong opposition to this legislation. The interior appropriations language alone is reason enough for the President to again use his veto pen.

I could, and do, criticize the Republican leadership for failing to provide the House with adequate time to review this bill, which contains many drastic policy changes in our historic approach to protecting the environment and managing natural resources. I could, and do, object, as the senior Democrat on the Resources Committee, to nearly half the Committee being excluded from the bill-writing process, even though much of the bill affects our jurisdiction.

But this bill really presents a problem of substance, not process. With a few superficial changes, this is the same Interior bill that the President was right to veto last December. This bill, as Yogi Berra once said, is deja vu all over again.

A flawed management plan is still imposed on the Tongass National Forest, but for 1 year instead of 2. The bill still interferes with the judicial process, waiving environmental laws which were violated in past timber sales, despite a negotiated settlement pending before the court. Other offensive legislative riders remain as well, such as the one gutting the Mojave Desert National Preserve.

The bill is riddled with punitive provisions which have little or nothing to do with the budget and everything to do with antienvironmental policies.

While the people and programs which are dedicated to protecting and preserving the environment are made to protecting and preserving the environment are made to suffer disproportionate cuts, the special interests who want to profit at taxpayer expense, like the timber companies, get what they want from the Republicans.

If the extreme, antienvironmental Republican leadership persists in forcing this legislation through the Congress, they will produce yet another shutdown of the Federal Government. We saw what happened the last time the Republicans chose to inflict the pain of Government shutdown on the American people. The Democratic task force just held a hearing at which we heard the devastating impact of the past Republican-inspired shutdowns on our ability to enforce the laws protecting our environment and to prosecute those who blatantly ignore the laws on clear air, clean water, toxics, and natural resources. Do we want a repeat of that debacle?

Mr. OBEY. Mr. Chairman, I yield 1 minute to the distinguished gentleman from West Virginia [Mr. MOLLOHAN].

Mr. MOLLOHAN. Mr. Chairman, I thank the ranking minority member for giving me an additional minute. I simply want to respond to my distinguished chairman, who I have great admiration for, a point about saying that there is money in this bill for the Advanced Technology Program, that there is money in this bill for peacekeeping. If there is money in this bill, it is funny money, it is more worthless than monopoly money. We cannot put money in an appropriations bill. The purpose is to appropriate money; it is an action activity; and make it contingent upon finding the money. We either have it in the appropriations bill or we do not. This appropriations bill does not fund peacekeeping, it does not fund the Advanced Technology Program, and it does not fund the COPS Program. That kills the COPS Program, and that is terribly regrettable and, I think, will guarantee its veto, as the majority knows, by the President of the United States.

Mr. LIVINGSTON. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Alabama [Mr. CALLAHAN].

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

Mr. CALLAHAN. Mr. Chairman, a delegation of this House went to Bosnia last weekend, and we met with the American military leaders in that war torn country, and it was unanimous from Admiral Smith to General Nash to the head of the 1st Army. Every single military man we talked to, who incidentally are doing a magnificent job and who, in my opinion, have accomplished the initial part of our mission, and that is to create a peace and a division of the warring factions in Bosnia.

□ 1430

But each and every one of them told us that the only way we are going to be successful in withdrawing our troops in a timely fashion is that reconstruction moneys be immediately sent. We met with Carl Bildt, the Ambassador who is going to handle the civilian side of reconstruction. I told Carl Bildt that it is not the responsibility of the United States of America to rebuild Bosnia. It is a European problem, and we are not going to bear a majority of that load.

So we are going to put up $200 million or thereabouts in this bill. We have insisted that Carl Bildt raise another 80 percent, or $1.2 billion, from European and other nations. If, indeed, we are going to come out of Bosnia successful, and I was one of the ones who encouraged the President not to go there, but we did go there and our mission is successful so far, and it can be successful to the nth degree if we can begin immediately the reconstruction project.

This is a very small part of this bill that is before us today, but it is a very important part of this mission in Bosnia. I urge Members to support the bill to include the $197 million that we are going to put up as seed money for the $1.5 billion.

Mr. OBEY. Mr. Chairman, I yield 1 minute to the gentlewoman from New York, [Mrs. LOWEY].

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

Mrs. LOWEY. Mr. Chairman, frankly, I do not even understand why we are voting on this bill today. It is the same legislation that the President has vetoed before. What this legislation does to our schools is completely unacceptable. If enacted, this legislation would make the largest education cut in the history of our Nation. Let me repeat that. This legislation makes the largest education cut in the history of our Nation.

My State of New York will lose $300 million, or 15 percent of its Federal education funding, if this legislation is enacted. New York City will lose over $67 million in Title I funds alone. In New York City, 60,000 schoolchildren will lose basic math and reading instruction, 2,700 teaching jobs will be eliminated.

This bill also, unbelievably, eliminates the summer jobs program. In New York City, some 24,000 teens will be left without any meaningful employment or the opportunity to earn money. There are simply no State or local funds to make up for these cuts in Federal aid without increasing property taxes.

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This bill also eliminates the summer jobs program. In New York City this summer, 24,000 teens will be left without any meaningful employment or the opportunity to earn money.

There are simply no State or local funds to make up for these cuts in Federal aid without increasing property taxes. Is that the Republican agenda—to force cities and States to pick up more of the tab? to increase local property taxes?

Mr. Chairman, we should not be considering this legislation today. It is an insult to our students, their families, our teachers and our schools.

Mr. LIVINGSTON. Mr. Chairman, I yield 1 minute to the gentleman from Alabama [Mr. BACHUS].

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

Mr. BACHUS. Mr. Chairman, I rise on behalf of myself and my colleagues, Mr. BEVILL of Alabama and Mrs. PRYCE and Mr. HOBSON of Ohio. Head injuries constitute a very serious public health problem. They are the most common cause of death and disability among people under the age of 44. Very often, even mild and moderate brain traumas can seriously disrupt the academic careers of our young people.

For several years the Rehabilitation Services Administration has supported the activities of six regional head injury centers all of which were selected competitively by the Department of Education. At this time, two remain active—the Ohio Valley Center based at Ohio State University and the Southeastern Regional Center based at the University of Alabama at Birmingham.

These centers help ensure that the latest information and knowledge about how to treat and rehabilitate head injuries are translated into services that reach victims. They upgrade and coordinate the efforts of emergency medical technicians, physicians, vocational rehabilitation and other rehabilitation agencies, victims' families, volunteer organizations, and others concerned with head injury.

The Labor, Health and Human Services and Education Subcommittee recognized their excellent work in its report, and we are grateful for this support.

I am pleased to report that the Senate made available $1 million to enable these two centers to serve as national resources so that the progress made by the regional centers would be continued. It is our hope that the committee would support this initiative in conference.

At this time, I would like to address the distinguished chairman of the subcommittee on Labor, Health and Human Services, and Education of the Committee on Appropriations in a brief colloquy.

Mr. Chairman, head injuries are the leading cause of death and injury to people under the age of 44. I am pleased to report that the Senate has made available, and I would like to engage the chairman of the Subcommittee on Labor, Health and Human Services, and Education of the Committee on Appropriations in a brief colloquy.

Mr. Chairman, I am pleased to report that the Senate made available $1 million to enable these two centers to serve as national resources so that the progress made by regional head injury centers could continue. It is my hope that our committee would support this initiative in conference.

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

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

Mr. PORTER. Mr. Chairman, I thank the gentleman for his remarks. I can assure him and his colleagues in the Senate that I am fully supportive of the Senate recommendation. I support the funding of the regional head injury centers, subject, of course, to full competition to ensure that the most qualified centers are funded.

Mr. LIVINGSTON. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Michigan [Mr. KNOLLENGERG], a member of the Committee on Appropriations.

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

Mr. Chairman, the President announced this morning that he would veto the bill in its current form. Apparently it falls, still, $8 billion, some say $12 billion, short of quenching his appetite for Government spending. The message of the White House seems to be, ''Ignore what we said 6 weeks ago. We want the era of big government to continue just a little bit longer.'' In fact, the President has indicated that if we try to hold him to his State of the Union address and the promise, he is going to shut down, I repeat, he is going to shut down government again.

I think it is important that the media and the public understand what is happening here. The President wants to spend billions more on Government programs. If he does not get it, he will shut down government again. It is the same old broken record that we have been hearing since the beginning of this debate. I would warn the President, shutting down the Government will not reap him political gain, so let us stop playing chicken. Instead, let us move forward. We must pass this bill and go to conference. The President needs to stop threatening a shutdown and start bargaining in good faith.

Mr. LIVINGSTON. Mr. Chairman, I yield 1 minute to the distinguished gentleman from North Carolina [Mr. HEINEMAN].

Mr. HEINEMAN. Mr. Chairman, I would like to take this time to thank the chairman of the committee, the gentleman from Louisiana [Mr. LIVINGSTON], and the gentleman from California [Mr. LEWIS], for including in this appropriations funding for a new EPA facility in Research Triangle Park. With this bill, the EPA can finally consolidate into one facility 11 buildings, 11 rundown buildings that they have been operating out of for the past 20 years. These old facilities will cost the taxpayers more money than a new building in Research Triangle Park. This building is state-of-the-art, and it is the top priority for the EPA as far as building is concerned. Critical new research on clean air technology will be possible with this facility.

Let me say to my colleagues, a vote for this bill is a vote for cost-effective, state-of-the-art environmental research. This is the future for our community, our commitment to the environment in America. I thank the gentleman, and the people of the United States thank him.

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

Mr. OBEY. Mr. Chairman, I yield myself 50 seconds to simply note that despite the comment of the previous speaker, the President has never threatened a shutdown of the Government. That has come over from their side of the aisle. It has come from time to time from the very top levels of their side of the aisle. The record is pretty clear; the President has done everything humanly possible to avoid it.

I would suggest that the Congress this year has done virtually nothing while we are in session, it has done virtually nothing, except to take time off to allow Mr. DOLE to campaign. Then when we finally do come back to work,

it passes this let's-pretend bill, which is going nowhere and is already facing a Presidential veto. That is not my idea of a Congress that is serious about its business.

Mr. Chairman, I yield the balance of my time to the distinguished minority leader, the gentleman from Missouri [Mr. GEPHARDT].

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

Mr. GEPHARDT. Mr. Chairman, I urge Members to vote against this legislation. There is a famous illusionist in America, his name is David Copperfield. He would be proud of this bill. This bill is an example of illusion. It acts like it is providing funds for education and for the environment and lots of other efforts that are needed in our country, and desired by people, but it is an illusion, because when we read the whole bill we find, and especially with the amendment that passed on the floor here today, that these moneys are never going to be provided.

Let us leave the discussion, for the moment, of the bill. Let us talk about people in the country. I was in a school in my district last week. When I walked in the front door I was surrounded by parents, teachers, the principal, and students. They wanted to know why I had voted for the last continuing resolution that cut Head Start by 25 percent and cut chapter I by 25 to 30 percent.

It is not the program that was important, it was the people that are important. They took me in classrooms of their hard-to-teach youngsters who could not learn in a setting of 30 children in the traditional style, but when they were set in front of a computer with a CD ROM with earphones, they turned on and they began to learn. The funding for that program was in part, in significant part, put together by chapter I.

We are talking here today about flesh-and-blood human beings. Look, people in the country know the most significant challenge to this society is a standard of living, an economic pie in this country, that is no longer growing the way it used to grow. We all know that is the problem. It was brought out in the Republican Presidential primaries, it is brought out to each of us as we meet our constituents every day.

What people do not want is for us to take away helps and proposals that will help them meet this challenge. Every American knows that educating our children to be productive citizens in this great international marketplace that we are all competitors in today is the most important help that the Federal Government can give to local and State government and to families and to people.

So I beg Members today, refuse this legislation. The President is going to veto it, for the right reasons, not because he does not want to have an appropriation in place, but because it will hurt flesh-and-blood people, children of this country, that we need to be educating and helping the local and private sector work to educate these children to be private citizens.

We can do better than this. Let us turn this piece of legislation down. Let us get into the negotiation with the President, as we should have been in it months ago, to find an answer to this appropriation that he can sign and would be a consensus between the Republican party and the Democrat Party to move this country in a positive direction. Vote this bill down. Let us get a bill on the floor the President will sign and is good for the American people.

Mr. LIVINGSTON. Mr. Chairman, I yield 15 seconds to the gentleman from Pennsylvania [Mr. GOODLING].

Mr. GOODLING. Mr. Chairman, I just wanted to point out to the minority whip that the recent problem with processing for free applications for student financial aid had nothing to do with the Congress of the United States. Simply, the Department did not print or distribute the applications in a timely manner, because they were sending all of their staff all over the place selling direct lending, rather than taking care of their business that they should have been.

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

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

Mr. LIVINGSTON. Mr. Chairman, the minority leader said this is a matter about people. I agree, and people pay taxes, and they expect the United States of America to spend the money they entrust to us wisely. What this is about is a misuse of their taxpayers' dollars. We are spending more than we receive, and we are attempting to get things under control.

We are succeeding, but the President is not satisfied with what we are doing. He wants to continue to hand out taxpayers' money, spend more than we receive and we will not let him do it. We are downscaling the Government, and we are still providing $14 billion for law enforcement, $23 billion for education, $38 billion for veterans' benefits, et cetera, et cetera, et cetera.

Mr. Chairman, this may not be a bill that gives the President as much money as he wants, but it gives the American people the benefits they need, and at a reasonable price. It is a start. We must complete the process by passing this bill, sending it to conference, and sending it to the President of the United States, and let him explain to the American people why, if we have not given him the $8 billion more over the hundreds of billions of dollars that we are giving him, why that is not enough. He said, ''This is the era where Big Government ceases to exist.'' Let him prove it. Let him sign this bill. I urge Members to pass this bill and send it to the Senate and to the conference.

Mr. CASTLE. Mr. Chairman, reluctantly, I must vote against passage of H.R. 3019, the omnibus appropriations bill for fiscal year 1996. I support the bill's goal to provide funding for Federal agencies for the remainder of fiscal year 1996 at a level consistent with the goal of achieving a balanced budget. However, I have several concerns regarding the bill and I'd like to elaborate on them.

First, I object to the inclusion of abortion riders in appropriations bills. The rider in this bill, in particular, was grossly unfair to poor women who are the victims of rape or incest. Each year, thousands of American women are brutally raped, or are the tragic victims of incest. Their emotional and physical burdens are compounded when they find themselves pregnant as a result. I do not believe that the rights of States outweigh the rights of poor, Medicaid-eligible women who are pregnant as a result of heinous crimes committed against them, and I strongly oppose the language in the bill which would deny a woman the right to choose in these instances.

I oppose the inclusion of the provision to require nonprofit Federal grant recipients to report their lobbying expenditures because it is unclear whether this will be a burdensome regulatory requirement for charities, which typically do not have the personnel resources to devote to this. At a time when we are expecting charities to meet additional demands, and we are trying to reduce regulatory redtape on all sectors of our society, I felt this amendment was contradictory to these goals. While there are certainly organizations whose lobbying activities should be questioned, this amendment is still too broad and would unfairly impact many legitimate charities.

I also object to the level of funding provided for education. Education should be one of our Nation's top priorities, and that simply was not reflected in this bill. Education programs would have received a $3.3 billion reduction in funding, which is simply too high. I voted against the fiscal year 1996 Labor-HHS-Education appropriations bill because of the education reductions as well as the abortion language I mentioned above. Mr. Chairman, I agree that education programs need to be reformed and consolidated, and I emphatically agree every program needs to be on the table for spending reductions. But drastically cutting funding is neither education reform now an equitable way to stay on track for a balance budget.

Finally, I support the goals of our major environmental laws in this country. For example, I believe that we must ensure that the air we breathe and the water we drink and swim in is clean. And, although this agency is far from perfect, I believe we must fund the Environmental Protection Agency [EPA] at a level that enables it to enforce these and many other important environmental laws. Like I mentioned above, no agency or program can be devoid of reductions. But we must work to ensure that these reductions are fair and equitable—and this bill made absolutely no improvements to the original VA–HUD appropriations bill that I voted against for the same reasons.

In conclusion, to achieve a balanced Federal budget, all areas, including education and EPA will have to contribute to this effort. However, I could not support House levels of funding or the legislative riders. Lets fund these necessary programs at an appropriate level without adding controversial issues to an already difficult process.

Mr. WAXMAN. Mr. Chairman, I rise in opposition to this bill. By bringing this proposal to the floor in a form that we know the President will veto, the majority continues to hold necessary Government programs and innocent Federal employees hostage to their agenda.

This bill continues totally unacceptable cuts in education spending, it provides greatly inadequate funding for our environmental protection programs, and it gratuitously brings abortion issues into this spending bill. It contains provision after provision which clearly will result in a veto of this effort.

Many of my colleagues have spoken eloquently on these issues.

But I also want to draw my colleagues' attention to another part of this bill—provisions amending FDA law concerning the export of unapproved drugs. While I know the sponsor of this legislation is well-meaning in his intent—and indeed in another context I believe I could find much common ground with him on this effort—it is unnecessary and inappropriate to include this measure in this legislation.

The regular committee process is the right way to develop and refine legislation on these issues. And that is the way this bill should be handled. We are not at the end of this session. We are not running out of time on a measure that has been agreed to on both sides of the aisle and both Houses of the Congress. There is no time-sensitive crisis situation which would require an unusual procedure for consideration. It should not be done in this way.

Not only is this inappropriate, but this kind of process lends itself to errors and misjudgments. I am concerned, for example, that a number of provisions that evidently were intended by the sponsor to be included to address FDA concerns with the bill were not in fact included because of the rush of the drafting and consideration process. To mention only one example, the provision before us does not include the necessary protections requested by the FDA to restrict importation of blood and tissue products for future export to assure that there is no diversion or cross-contamination into our own blood supply.

There are additional areas that at least deserve careful consideration before this bill is rushed forward.

Under this proposal, if a drug is approved in any one of a number of listed countries, it can then be exported from the United States for export into any country that does not have a legal barrier to such import. But it does not require that the drug be labeled for use in a way similar to what was approved. It does not require that promotion in the recipient country be consistent with the indications and contraindications. Nor does it require suspension of export if the FDA finds the drug presents an imminent hazard in the recipient country.

Again, I want to make clear that I personally am receptive to some revision in our FDA law on the export of unapproved drugs. I consider this a likely candidate for the development of a bipartisan consensus if it is considered in the normal process.

But action in this way increases the likelihood of error. This FDA section does not belong in this bill.

Mr. CLAY. Mr. Chairman, I oppose H.R. 3019.

This bill would make the largest cuts in education funding in the Nation's history. Its cuts are worse than the cuts found in the current continuing resolution it would replace.

The bill causes local school districts even more uncertainty than the existing CR because the bill promises to restore some funds, but only upon the passage of separate legislation at some uncertain date. The local planning and budgeting process will be turned on its head by this foolish provision.

The bill includes huge funding cuts in title I, Safe and Drug Free School, Summer Jobs Program, job training, and school improvement programs.

The education cuts proposed by the Republicans place our Nation and our future at a grave risk.

Earlier this week, Democrats on the Committee on Economic and Educational Opportunities heard from people on the education frontline: parents, teachers, and students. They described for us, in vivid detail, the potential damage of Republican budget cuts on education at the local level. We explored what would happen if the defunding of education is not stopped. If the continuing resolution is extended through the fiscal year, our Nation will face the largest cut in education funding in its history. We will have stolen $3.3 billion from America's schoolchildren.

They are a national treasure; we must protect them from idiotic, antieducation budget cuts.

The legislative provisions in the bill demonstrate conclusively that this is not a serious proposal. Controversial legislative riders have no place in an appropriations bills 5 months into the fiscal year. Here are a few examples:

The bill caps the direct lending program. That has nothing to do with appropriations—it is a direct spending program. The bill would cap the program at 30 percent of total student loan borrowing. So hundreds of thousands of young people and their parents will be denied the service, flexible terms, and economy of the popular direct loans program.

The bill would make the Secretary of Education go begging to the Republican Congress to be able to recover taxpayer funds from special interest guaranty agencies.

The bill would make one of the most prevalent and expensive types of workplace injuries—repetitive motion injuries—off limits for the Nation's workplace safety agency. The Federal Government can neither issue standards nor record the incidence of injuries.

Finally, the bill would restrict the ability of the National Labor Relations Board to enforce the Nation's labor laws and protect the rights of both workers and employers.

I urge my colleagues to vote against this bill.

Mr. STOKES. Mr. Chairman, I rise in opposition to H.R. 3019, the omnibus appropriations bill for fiscal year 1996. It is hard to believe that this body stands here today, 5 months into this fiscal year, without having resolved the remaining appropriations bills for so many critical Federal agencies.

What is even more incredulous is the fact that our colleagues on the other side of the aisle have failed to get the message conveyed to us by the American people after the last Republican-provoked budget crisis. That message was clear—do not risk a shutdown of the Federal Government by promoting an extreme set of budget priorities. Unfortunately, it appears this advice has gone unheeded and once again, we have a misguided proposal up for consideration.

Mr. Chairman, this bill continues to gut the very basic quality of life programs upon which millions of working Americans depend. From the dawn to the twilight of life, programs supporting our Nation's children, families, the elderly, and veterans in the areas of education, health care, the environment, housing, and crime prevention are all threatened.

The continuing resolution will cause needless suffering for our Nation's veterans. There are still no addbacks for medical care funding to reach the House-passed level. And despite appeals from the veterans community at large, limitations on personnel and travel for the office of the secretary of Veterans Affairs are still included in this measure. This provision can only harm our ability to efficiently and effectively serve our veterans.

In the housing area, funding for public and low-income housing is drastically cut. Local Public authorities are, and will continue to be, faced with reduced security, maintenance, and administration. Housing for the elderly and disabled is reduced, placing these vulnerable populations at risk for becoming homeless. Furthermore, this bill includes a provision to transfer the HUD Office of Fair Housing to the Department of Justice. This one action imperils nearly three decades of efforts to end segregation and discrimination in housing.

Mr. Chairman, environmental safety is also severely compromised under this measure, from superfund clean up delays, to the inability of tracking hazardous waste, to the postponement or cancellation of environmental inspections. In my own city of Cleveland, this means that EPA may not be able to provide requested assistance to the toxic sweep task force with regard to difficult toxic properties, or provide community-based environmental protection and compliance assistance to certain needy communities.

This bill funds Americorps, the President's stellar initiative to promote community service nationwide, at only three-fourths of the fiscal year 1995 level. Americorps is of the highest priority to the administration and needs to be funded at a sufficient level to carry out its important charge.

One million children across the country will suffer from the GOP's $1.1 billion cut in Title I. These disadvantaged children will be denied the teaching assistance they need in basic reading and math. The $266 million cut in safe and drug-free schools will jeopardize children's safety in classrooms across the country. Teachers and principals will be denied the critical resources they need to provide children a safe, crime-free and drug-free environment in which to learn.

Funding for summer jobs and employment training is also gutted. Where will our Nation's youth—who need and want to work—turn for summer jobs when the bill eliminates funding for the summer jobs program? Over 600,000 young people will not have the opportunity to gain the work experience they need to prepare them for the job market. This drastic step coupled with the dramatic cuts in employment training, dislocated worker assistance, school-to-work, OSHA, and the national labor relations board will reduce workers' employment opportunities, and will seriously threaten workers' safety.

These cuts, coupled with those in other major quality-of-life programs, including low-income home energy assistance, health care, meals for the elderly, healthy start, and numerous other essential health and human services-related initiatives, will devastate the quality of life for millions of Americans.

Mr. Chairman, crime prevention for our communities, industry development and State affairs are compromised by the 12 percent reduction in funds requested by the Clinton administration for the appropriation for the Departments of Commerce, Justice, and State, the judiciary and related programs. This reduction terminates funding for many governmental programs that have proven to be excellent investments of Federal dollars.

The bill eliminated the advanced technology program that has created thousands of jobs across this Nation. H.R. 3019 also hampers economic opportunities for women and minorities by substantially curtailing funding for the minority business development agency by over 33 percent. This irresponsible and unjust slashing of the budget for this important agency will lead to the foreclosing of economic opportunities for thousands of Americans who have also encountered discrimination.

In the justice portion of the measure, the committee has failed to follow through with the President's unprecedented efforts to fight crime. The bill would slash funding for the highly successful and popular COPS Program that responds to the public's desire for an increased police presence in our communities. As a result of the cuts in this legislation, the hiring of new police officers under the COPS Grant Program would be ended. Instead, a Republican local law enforcement block grant program would replace mechanisms set up in the 1994 crime bill to fund local crime fighting. And for those persons needing legal aid, the legal services corporation that provides vital legal assistance to poor Americans who cannot afford an attorney has also been targeted for substantial cuts.

Mr. Chairman, H.R. 3019 is so replete with misguided priorities that there is insufficient time to address all of my concerns. My constituents have made it clear to me that they oppose the short-sighted and extreme position this omnibus appropriations legislation represents. I know that my position on this bill has been the right one, and I urge my colleagues to oppose this measure.

Mr. BORSKI. Mr. Speaker, I rise today in opposition to H.R. 3019, the Republican omnibus appropriations bill. This legislation continues the assault on working and retired Americans. It targets the programs which are most important to them, including education, crime, energy assistance, and job training. It's time for Republicans to stop playing games and start facing up to their responsibilities. The House should defeat this bill and instead pass a clean appropriations bill that funds these programs at adequate levels.

H.R. 3019 is the eleventh funding bill proposed by Republicans this fiscal year and it is even more irresponsible that the last. Mr. Chairman, it was bad enough to slash these vital programs in the first place. Now, adding insult to injury, the Republicans are promising to restore some of the cuts only if there are future unidentified cuts in other entitlement programs. Where are these future cuts going to come from? We all know where they looked for savings last time—Medicare and Medicaid. Mr. Speaker, it is not right to balance the budget on the backs of senior citizens and children.

Education should be a priority in this country. Denying children a good education is unjustifiable and irresponsible. The Republican majority wants to cut $3.2 billion from 1995 education funding levels—$4.7 billion less than the administration's request. H.R. 3019 would cut over $1.2 billion from the Title I Compensatory Education Program. This program directly funds the most disadvantaged schools across the country, providing important Federal dollars for greatly needed educational material necessary for a good education. Last year, the city of Philadelphia received over $78 million in title I funding. Should this legislation be approved, Philadelphia schools alone would lose over $13 million in title I funding, resulting in a significantly reduced number of children receiving the necessary educational skills needed to compete in the modern world.

H.R. 3019 would eliminate $900 million from financial assistance to students. This legislation robs this Nation's neediest kids, by cutting into the Pell Grant and Perkins Loan Programs. The Pell Grant Program would be slashed $756 million, denying America's working-class families the opportunity to further their education in undergraduate and graduate studies. This bill also would eliminate entirely the funding for capital contributions to the Perkins Loan Program. Mr. Speaker, this legislation would slam the door of educational opportunities in the faces of America's children.

H.R. 3019 would also slash necessary funding for employment and job training. The bill appropriates $848 million less than the 1995 level and $2.4 billion less than the President's requested level. It is irresponsible in this time of limited job opportunities to restrict workers' ability to gain valuable training and experience necessary in obtaining higher paying jobs.

In addition, H.R. 3019 would rescind $100 million from the fiscal year 1996 appropriation for the Low Income Home Energy Assistance Program [LIHEAP], as well as provide no advance funding for the upcoming winter of 1996–1997. As a result, should Congress fail to appropriate funding in the upcoming Budget for the 1997 fiscal year, the LIHEAP program would be effectively eliminated. LIHEAP provides cooling and heating assistance to elderly and disabled people who can not afford to pay the energy bills on their own.

H.R. 3019 would also drastically undermine previous congressional efforts to effectively fight crime across the country, including the Safe and Drug Free School Program. It would eliminate the highly successful Cops on the Beat Program—one of the strongest crime fighting weapons in the Nation. The City of Philadelphia has been able to hire 250 additional police officers over the past 2 years. However, the program would be replaced with a local block grant containing no guarantee that one additional police officer would ever be hired.

Mr. Chairman, H.R. 3019 would enact the largest education cuts in this country's history. A vote for H.R. 3019 is a vote against good schools, safe streets, basic job skills for workers, and energy assistance for the elderly and disabled.

Again, Mr. Chairman, I oppose H.R. 3019 and I urge this Congress to vote against this legislation.

Mr. UNDERWOOD. Mr. Chairman, H.R. 3019, the Balanced Budget Downpayment Act II/Omnibus Appropriations for fiscal year 1996, includes funding for territorial programs as part of the Department of the Interior appropriations.

I am pleased that the majority and the minority have been able to include the same funding and program changes in H.R. 3019 that were included in the conference report on H.R. 1977, the Interior appropriations bill. The compromises worked out by the House and Senate for H.R. 1977 are important to Guam, and I commend the House and Senate conferees for their work. Unfortunately, for reasons unrelated to the territorial funding provisions, the Interior appropriations bill had been vetoed by the president.

I would like to reiterate the legislative history of certain provisions applicable to the compact-impact reimbursement to Guam. First, it is important to note that the amount appropriated, $4.58 million for fiscal years 1996 through 2001, was included in H.R. 1977 as the Underwood amendment. This was the amount requested in the president's fiscal year 1996 budget, although the president's budget proposal required a change in law. The Underwood amendment was adopted by voice vote on the floor, and was intended as a reimbursement to Guam for the educational and social costs incurred as a result of immigration to Guam from citizens of the Freely Associated States. Public Law 99–239, which implemented the Compact of Free Association, also authorized such reimbursement to Guam and other United States areas impacted by the compact.

The Senate passed version of H.R. 1977 did not include the funding for Guam's Compact-impact reimbursement, and the committee report again cited the fact that the president's budget required a change in law. The House-Senate conference committee adopted a compromise that funded all the important territorial programs, and created a new Office of Insular Affairs. While the compromise language funded compact-impact reimbursement, it also required that the $4.58 million be utilized for capital improvement projects [CIPs]. It is important to note that, in Guam's case, the conference report language designated the CIP projects as those determined by the Government of Guam.

It is my understanding that the conference committee intended the capital improvement funding for Guam of $4.58 million as a compact-impact reimbursement. I expect the Secretary of the Interior to honor the conference committee's legislative intent, and to allow GovGuam to determine CIP projects as offsets for the $4.58 million reimbursement—in this manner, the fungible amounts in H.R. 3019—and previously in H.R. 1977—and Guam's designated CIPs can meet the reimbursement obligations that Congress intended.

Mr. LAZIO. Mr. Chairman, I rise today in support of this bill because it rightfully protects the housing needs of our most vulnerable populations.

When the House first passed H.R. 2099, the VA–HUD appropriations bill, my friend and colleague from California, the distinguished chairman of the VA–HUD Appropriations Subcommittee, and I made it clear that protecting seniors and persons with disabilities are among the highest priorities for housing assistance of this House. H.R. 3019 recognizes this priority by providing an additional $75 million for both the section 202 program for seniors and section 811 program for the disabled to the VA–HUD Conference funding levels.

This bill is yet another step by this Congress to balance the budget by the year 2002 and release our children and grandchildren from the burden of a trillion-dollar debt. This funding

for the section 202 and 811 programs reaffirms our commitment to provide assistance to needy seniors and others who cannot fully participate in the housing market. We have proven that even in reducing the growth in Federal programs, we are able to provide the necessary levels of funding for proven programs that address a variety of our country's needs.

I would also like to take this opportunity to address another area in which this House can protect the housing needs of our most vulnerable populations. As I have told my colleagues before, the ill-advised combination of section 8 project-based contracts on properties with FHA mortgage insurance has created an untenable funding situation. We are not against renewal per se; we are against renewals at unsustainable levels. If not effectively addressed, the renewal costs will swallow the entire HUD budget for housing assistance. Resolving this issue is one of the Housing Subcommittee's top priorities for this Congress.

H.R. 2880, the Balanced Budget Downpayment Act already enacted into law, allows the Secretary to renew the contracts for 1 year for a very simple reason: we will not jeopardize the housing assistance of those tenants living in section 8 projects, especially the very significant number of seniors who depend on those programs to keep a roof over their heads. I believe we can find a solution that allows us to cut back the rapid growth of spending, bring market discipline to these projects, and protect the deserving tenants who have benefited from the current program.

Mr. SOLOMON. Mr. Chairman, I thank the gentlelady from Utah for yielding me this time and commend her on her explanation of this resolution.

I wanted to take this brief time to commend Chairman CLINGER and ranking minority member COLLINS on the spirit of cooperation in which they have brought this to us and have developed further understandings and rules to carry out this special testimony authority.

This is something which the Rules Committee and the House have granted in only very special circumstances when we create a select committee to conduct an investigation or where a standing committee has indicated a compelling need for this authority.

As we have made clear in our committee report on this resolution, we do not intend for this to be a precedent for granting this type of authority on a blanket basis to any committee for any pending or further investigations, as some would like. Moreover, we have established three criteria for measuring any future requests from a standing committee for such authority.

First, the request must be specific to a particular investigation a committee is conducting. It should not be a request for such authority to apply to all pending or future investigations.

Second, there must be shown a compelling need for such authority, such as in this instance where there is a clear case of witnesses refusing to cooperate in staff interviews preliminary to a hearing.

Third, there must be assurances from the committee chairman that full protection will be afforded to witnesses and to the committee's minority members, similar to the protections currently afforded in House rules for committee hearings.

For instance, there should be opportunity for minority participation in any depositions. And there should be the right of witnesses to have counsel.

The Rules Committee was given all of these assurances in connection with Chairman CLINGER'S request to us for action on this resolution. And those assurances were further confirmed by ranking minority member CARDISS COLLINS when she appeared before our committee in support of this resolution.

While we did not adopt three amendments offered in our committee's markup by the Rules Committee minority members, we do think the concerns raised in those amendments will be adequately addressed by the Government Reform and Oversight Committee in its understandings, agreements, and special rules adopted in concert with the minority on that committee.

We did not think it was necessary for the Rules Committee to impose more detailed procedures on another committee in this resolution, since such procedures are being negotiated in good faith by that committee.

I therefore urge the adoption of this resolution so that the Committee on Government Reform and Oversight can expedite its hearing process with this special testimony authority and complete its investigation with the fullest information and evidence possible. I thank the gentlelady for yielding me this time and yield back the balance of my time.

H. RES. 369—PROVIDING SPECIAL AUTHORITIES TO THE COMMITTEE ON GOVERNMENT REFORM AND OVERSIGHT TO OBTAIN TESTIMONY ON THE WHITE HOUSE TRAVEL OFFICE MATTER

Purpose: The purpose of H. Res. 369 is to provide the Government Reform and Oversight Committee with special authorities to obtain testimony in connection with its investigation and study of the White House Travel Office matter.

Background and Legislative History: On the morning of May 19, 1993, all seven members of the White House Travel Office were fired and told to vacate their offices in two hours. They were immediately replaced by employees of the Clinton campaign's Arkansas travel agency, World Wide Travel. And, later that same day, the White House announced the launching of an FBI criminal investigation of the former employees.

While the travel office employees served at the pleasure of President, their precipitous dismissals, their replacement by the campaign's primary travel agency, and the manner in which the FBI was called into the matter, all raised an immediate storm of criticism. A subsequent White House ''management review'' of the travel office resulted in the reprimand of four White House staffers on July 2, 1993. That same day, a supplemental appropriations bill was enacted that included a required review of the Travel Office matter by the General Accounting Office. At least three other inquiries were conducted into various aspects of the Travel Office incident, resulting in reports by the Justice Department's Office of Professional Responsibility, the FBI, and the Treasury Department's Inspector General.

Although the various reports answered some questions, they also had the effect of raising even more questions that were left unanswered. Consequently, in October of 1994, then Government Operations Committee ranking-minority member Bill Clinger renewed an earlier request for hearings into the Travel Office matter, at the same time releasing a 71-page minority analysis of the issues unaddressed by the five reports. However, no hearings into the Travel Office affair were held in the House during the 103rd Congress.

Following the November elections, chairman-designate Clinger of the newly named Government Reform and Oversight Committee promised that his committee would further investigate the whole matter in the 104th Congress. Following months of staff interviews and document collection, the committee began its hearings on October 26, 1995, into the seven major issues raised and left unanswered by the five reports. And, following the acquittal of Travel Office Director Billy Dale on both charges brought against him, Chairman Clinger requested that the Public Integrity Section of the Justice Department turn over to the committee all documents related to the criminal prosecution for review by the committee. Beginning in January of 1996, the committee proceeded with further hearings into the seven issues raised.

The committee has often had great difficulty in obtaining necessary information from current and former Administration officials and private citizens linked to the Travel Office incident. To date the committee has issued numerous subpoenas to obtain critical documents and testimony. Moreover, significant new information has only come to light in recent weeks with the belated disclosure of the memorandum of David Watkins, former Special Assistant to the President for Management and Administration.

Because of the reluctance and even refusal of certain potential witnesses to cooperate in voluntarily submitting to committee staff interviews in preparation for committee hearings, Chairman Clinger on February 29, 1996, introduced H. Res. 369 to give the committee special authorities to obtain sworn testimony through Member or staff depositions, affidavits and interrogatories. Under existing House rules, sworn testimony may only be received for purposes of a formal hearing record at a duly constituted committee hearing at which at least two Members must be present. In the absence of preliminary staff interviews of key witnesses, such hearings are difficult if not impossible to adequately prepare for and therefore leave a committee with the trying task of attempting to ascertain the most basic background information while simultaneously devising a line of questioning from scratch during the course of a hearing.

H. Res. 369 is based on special testimony authority language contained in resolutions authorizing past House investigations of such matters as Koreagate, ABSCAM, Iran-Contra, and October Surprise.

Major Provisions: H. Res. 369 would—

Authorize the chairman of the Committee on Government Reform and Oversight, for purposes of its investigation and study of the Travel Office matter, upon consultation with the ranking minority member of the committee, to authorize the taking of affidavits, and of depositions, pursuant to notice or subpoena, by a member or staff of the committee designated by the chairman, or require the furnishing of information by interrogatory, under oath administered by a person otherwise authorized by law to administer oaths;

Deem all such testimony to be taken in executive session of the committee in Washington D.C.; and

Require such testimony to be considered as non-public until received by the committee, but permit it to be used by members of the committee in open session unless otherwise directed by the committee.

Rule Request: H. Res. 369 has been referred to the Committee on Rules as a matter of original jurisdiction and therefore is privileged for House floor consideration once reported, without the need for a special rule providing for its consideration.

On March 1, 1996, Chairman Clinger wrote to Chairman Solomon requesting that the

Rules Committee ''hold a hearing and report the resolution to the House at the earliest possible date so that we can expedite our hearings and complete our investigation.''

PREVIOUS HOUSE RESOLUTIONS GRANTING SPECIAL DEPOSITION AUTHORITY

(Compiled by Rules Committee Majority Staff)

Examples of Special Deposition Authority: Some examples of investigation authorization resolutions that have included special deposition authority are the following:

President Nixon Impeachment Proceedings (93rd Congress, 1974, H. Res. 803)—This resolution gave the Judiciary Committee full authorization to conduct an impeachment inquiry into allegations against President Nixon. Among other things it permitted the committee to require by subpoena or otherwise the attendance and testimony of any person, including the taking of depositions by counsel to the committee.

Assassinations Investigation (95th Congress, 1977, H. Res. 222)—This resolution created the Select Committee on Assassinations, and provided it with various procedural authorities, including the authority to take testimony under oath anywhere in the United States or abroad and authorized designated staff of the select committee to obtain statements from any witness who is placed under oath by an authority who is authorized to administer oaths in accordance with the applicable laws of the U.S.

Koreagate (95th Congress, 1977, H. Res. 252 & H. Res. 752)—The first resolution gave broadened the authority House Standards Committee to investigate whether family members or associates of House Members, officers or employees had accepted anything of value from the Koreans. The resolution also gave joint subpoena authority to the chairman and ranking minority member of the committee but permitted appeal to the committee if one objected. It also gave special counsel the right to intervene in any judicial proceeding relating to the inquiry. The second resolution authorized committee employees to take depositions, but required that an objection by a witness to answer a question could only be ruled on by a member of the committee.

Abscam (97th Congress, 1981, H. Res. 67)—The resolution gave certain special authorities to the Standards Committee, though the investigation was confirned to Members, officers and employees. Included in the resolution was a provision permitting any single member of the committee to take depositions.

Iran-Contra (100th Congress, 1987, H. Res. 12)—The resolution authorized the creation of a select committee to investigate the covert arms transactions with Iran and any diversion of funds from the sales. Among other things, the resolution gave the chairman, in consultation with the ranking minority member, the authority to authorize any member or designated staff to take depositions or affidavits pursuant to notice or subpoena, which were to be deemed to have been taken in executive session, but available for use by members of the select committee in open session. (See applicable text of resolution below)

Judge Hastings Impeachment Proceedings (100th Congress, 1987, H. Res. 320)—This resolution authorized counsel to the Judiciary Committee or its Subcommittee on Criminal Justice to take affidavits and depositions pursuant to notice or subpoena.

Judge Nixon Impeachment Proceedings (100th Congress, 1988, H. Res. 562)—This resolution authorized Judiciary Committee counsel to take depositions and affidavits pursuant to notice and subpoena.

October Surprise (102nd Congress, 1991, H. Res. 258)—This resolution established a special task force to investigate certain allegations regarding the holding of American hostages by Iran in 1980. Among other things the resolution authorized the chairman, in consultation with the ranking minority member, to authorize subpoenas and to authorize the taking of affidavits and depositions by any member or by designated staff, which were to be deemed to have been taken in Washington, D.C. in executive session.

Example of text of special authority from Iran-Contra Committee resolution, H. Res. 12, 100th Congress (adopted by a vote of 416 to 2, Jan. 7, 1987):

''(6) Unless otherwise determined by the select committee, the chairman, upon consultation with the ranking minority member, or the select committee, may authorize the taking of affidavits, and of depositions pursuant to notice or subpoena, by a Member or by designated staff, under oath administered by a Member or a person otherwise authorized by law to administer oaths. Deposition and affidavit testimony shall be deemed to have been taken in Washington, D.C. before the select committee once filed there with the clerk of the committee for the committee's use. Unless otherwise directed by the committee, all depositions, affidavits, and other materials received in the investigation shall be considered nonpublic until received by the select committee, except that all such material shall, unless otherwise directed by the select committee, be available for use by the select committee in open session.''

DEFINITIONS (FROM BARRON'S LAW DICTIONARY)

AFFIDAVIT a written, ex parte statement made or taken under oath before an officer of the court or a notary public or other person who has been duly authorized so to act.

DEPOSITION a method of pre-trial discovery which consists of ''a statement of a witness under oath, taken in question and answer form as it would be in court, with opportunity given to the adversary to be present and cross examine, with all this reported and transcribed stenographically.''

INTERROGATORIES in civil actions, a pretrial discovery tool in which written questions are propounded by one party and served on the adversary, who must answer by written replies made under oath.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES, COMMITTEE ON GOVERNMENT REFORM AND OVERSIGHT,
Washington, DC, March 1, 1996.

Hon. GERALD B. SOLOMON,
Chairman, Committee on Rules, Washington, DC.

DEAR MR. CHAIRMAN: On February 29, 1996, I introduced H. Res. 369, providing the Committee on Government Reform and Oversight with special authorities to take testimony in the White House Travel Office matter. I am writing to request that your committee hold a hearing and report the resolution to the House at the earliest possible date so that we can expedite our hearings and complete our investigation.

Under the resolution as chairman of the committee I would be authorized to permit a member or designated staff of our committee to take affidavits and depositions, and I would be authorized to require the furnishing of information. All such testimony taken would be under oath and received by the committee as in executive session in Washington. However, the testimony could be used by any member of the committee in open session unless the committee determines otherwise.

While ordinarily it should not be necessary for a committee to seek such special investigative authority, we have been faced with the reluctance and even refusal of certain potential witnesses to voluntarily submit to staff interviews preliminary to a hearing. This has made it extremely difficult to adequately prepare for a hearing and requires considerably more time during the course of a hearing to develop the same information we would otherwise obtain prior to the hearing. It is there necessary for me to request the authority to permit any member or designated staff to take such deposition testimony preliminary to the hearing stage. I will be working closely with the minority prior to the adoption of the resolution to develop special committee rules that will ensure fully minority access and participation in this special testimony process.

I look forward to testifying before you in support of H. Res. 369 at your earliest convenience.

Sincerely,

WILLIAM F. CLINGER, Jr.
Chairman.

Ms. DUNN of Washington. Mr. Chairman, today I want to express my strong support of the Balanced Budget Downpayment Act II and to urge the President to sign this legislation as soon as it comes before him.

This legislation makes a critical and significant downpayment toward finally achieving a balanced budget. Additionally, the bill includes emergency funds that Washington State needs in the worst way.

In December of 1995 and again in February of 1996 the Pacific Northwest was hit by devastating floods. Roads and bridges and homes that were constructed above the 100-year flood plain were totally washed out. Many of our residents living in both rural and urban areas had their lives shattered.

The National Oceanic and Atmospheric Administration called the November storm the ''most significant storm affecting the Western United States during 1995'' and compared it to the Columbus Day storm of October of 1962, which was the most destructive wind storm to ever hit the Pacific Northwest.

While Federal Emergency Management Agency in conjunction with other agencies was scrambling trying to help counties, States, businesses, and individuals put their lives back together after the December storm, Mother Nature dealt us another devastating blow in February.

Washington State's office of Financial Management has stated that the February storm will go down in history as the State's costliest. Preliminary figures estimate $319 million in uninsured and underinsured damage.

The President toured both Washington and Oregon immediately after the worst storm damage had occurred and immediately promised his full support for maximum aid for our beleaguered region. I urge the President to not back out of his commitment to the people of Washington State—he must sign this bill.

Mr. Chairman, this bill includes almost $1 billion dollars in natural disaster assistance—exactly as the President requested.

I urge my colleagues and the President to support this legislation and expedite the help needed to the communities in the Pacific Northwest.

Mr. GOODLING. Mr. Chairman, I rise to support H.R. 3019, the Balanced Budget Downpayment Act II and to commend my colleagues on the Appropriations Committee for funding important education and job training programs while maintaining our goal to reach a balanced budget over the next 7 years. Balancing the budget requires us to make

choices and to set priorities and this bill does that by funding key education and job training programs. While reforms in many of these programs are being sought by members of the Opportunities Committee, I believe we must place a priority on education in order for our children and grandchildren to enter the 21st century ready to learn and to be qualified to pursue high skilled job opportunities.

This House has passed the CAREERS Act which consolidates over 120 education and job training programs into three block grants to States and I am pleased that this legislation recognizes the CAREERS Act as a priority. I congratulate you for holding $172.3 million for adult and youth job training progams in title IV of this bill contingent on finding real offsets to fund these programs.

I am also glad to see that this legislation ensures funding for the Innovative Education Program Strategies Program, formerly the Chapter 2 Program. This is the only Federal education block grant currently in existence that provides true local flexibility to school districts allowing them to use Federal funds for education reform activities based on the unique needs of their students. By clearly providing $275 million for this program, we ensure that the Chapter 2 Program continues.

I also want to make special note that sufficient funds have been made available to fund Pell grants at the highest maximum ever without any changes to the eligibility rules. When combined with the level funding for college work study and supplemental educational opportunity grants, all students nationwide will continue to have access to a higher education and the promise of a better life.

In addition, I want to thank Chairman PORTER for including a limit of the Direct Student Loan Program. Many of us believe that a limit of 40 percent is still too great for testing a new program with no proven track record. But we also appreciate that with the next academic year beginning on July 1, it would be too disruptive to ask schools to leave at this point in time. A compromise that allows schools currently in the program to serve as the test group seems reasonable to me. No school will be asked to leave the program and no student will be denied a student loan, so let's not have that debate again. The most recent information we have from GAO indicates that direct loan volume is close to 31 percent. A 40 percent pilot allows plenty of growth if volume increases at the participating schools while still saving some money which can be spent on other education programs.

I think that it is important for the Department to focus it's attention on the total student aid picture and stop spending all it's staff time and resources on promoting the direct loan program. The recent problem with the processing of the free application for student financial aid is a perfect example. Instead of having staff working on the application forms for printing and distribution on a timely basis, staff is out promoting direct loans coast to coast. At least one conference held in San Antonio was attended by more than 100 Department of Education personnel. Maybe some of those people should have been here in Washington working on the form so it would have gotten to the printer on time.

In August, the Advisory Committee on Student Financial Assistance noted in it's report to Congress, and I quote ''The Committee found that ED has the capacity to manage the student aid programs effectively; however, ED is primarily focusing its resources on the implementation of the direct loan program, thus ED is ignoring the necessary reform of the Federal Family Education Loan Program and failing to adequately address program integrity issues in the delivery of ALL Title IV programs.'' If the Department is no longer pressured by the White House to sell direct lending to all the schools in the country, maybe they will focus their energies on all the student aid programs and avoid the kinds of application processing problems currently facing schools and students across the country.

Finally, I commend Chairman LIVINGSTON for agreeing to work with President Clinton to restore $961 million to title I program if real spending offsets can be found to meet this education priority. I want to work with the administration and my colleagues on the Appropriations Committee to find these offsets as soon as possible so that school districts can plan their budgets for the upcoming school year.

I believe this bill continues Republican goals to focus on quality by returning control to local communities and schools, encouraging high academic expectations and emphasizing parental involvement and commitment. I look forward to working with Congressmen LIVINGSTON and PORTER in the future to ensure that education and training programs that meet these goals receive adequate funding in the fiscal year 1997 appropriations bill.

Ms. FURSE. Mr. Chairman, people in my district have suffered greatly as a result of the flooding in the Pacific Northwest. Over the past few weeks, my staff and I have spent days and nights throughout my district, working with citizens and local community groups to begin the long, slow process of recovery. We have been doing everything from helping constituents wade through the maze of available Federal assistance, to helping get tons of alfalfa to some hungry cows. One portion of the bill before us today contains disaster relief funding for my constituents, relief that is sorely needed. As a result I will vote in favor of this bill today. People in Oregon are hurting, and we need to get them relief as soon as possible.

At the same time, I am very troubled by this bill. It is an exercise in irresponsibility. We would not be in this situation today if Congress had passed the fiscal year 1996 appropriations bills on time, not waiting 6 extra months. Moreover, we would not be in the situation if Congress had not turned almost every appropriation bill into a Christmas tree, adding unnecessary and unrelated riders. The lawless logging rider is an example of this approach to governing, when it was tacked on to the Oklahoma City bombing relief funding. The bill before us today is more of this haphazard, irresponsible approach.

Last night I asked the Rules Committee to allow me the opportunity to offer my bill to repeal the emergency timber salvage rider, H.R. 2745, as an amendment to this bill. I was denied this opportunity. Since its passage, the so-called emergency salvage rider has escalated into one of the top environmental controversies in the country. Although touted as an emergency measure to cut dead and dying timber, the rider is being used to cut green trees and clearcut old growth forests, some as old as 500 years. It is damaging the property rights of private timberland owners by driving down timber prices and will cost American taxpayers millions dollars by mandating below cost timber sales. Additionally, a Federal judge has greatly expanded the rider beyond congressional intent to require the immediate logging of every timber sale offered in Washington or Oregon since 1990—with no modifications to meet basic environmental standards.

The Republican leadership has chosen to address this huge problem by including a cosmetic fix in this bill. This fix is nothing more than a sham. Nothing more than a superficial attempt to fool Americans into thinking they've fixed the problem when they haven't. Nothing more than lipstick on a corpse. The only thing the bill before us today would do is give the Forest Service and BLM 45 days to try and find replacement timber for some of the worst old growth sales—but only if the timber purchasers agree to all the terms.

This sham language does nothing to restore environmental laws in our national forests or ensure that logging is done in a manner that won't harm endangered salmon and other important natural resources. This sham language does nothing to restore American resources. This sham language does nothing to restore American citizens' right to have input into the management of their national forests or to hold agencies accountable to the letter of the law. Yet, we are denied the opportunity to vote on this vital issue.

I urge you my colleagues not to be confused by this sham salvage rider fix. Don't be fooled into thinking this will solve the many unintended consequences of the salvage rider. If you want a real solution to this problem, join me and 126 of your colleagues in cosponsoring my bill H.R. 2745 to repeal the rider and vote ''no'' on this bill.

With the exception of the sorely needed disaster relief provisions of this bill, I disagree with many other provisions of this bill, particularly in terms of the environment and education. I will vote in favor of this bill, although it is my hope that the Senate will make this a better bill and we will send the President a disaster relief package for Oregon as soon as possible.

Mr. MCDADE. Mr. Chairman, I rise in support of H.R. 3019, the legislation to fund four remaining fiscal year 1996 appropriations bills. This bill represents a commitment by the Congress to both fund the necessary functions of the Federal Government for the remainder of the current fiscal year and to control the cost of Government.

I want to comment specifically on the impact of title III of the legislation dealing with natural disaster assistance. As my colleagues know, the Commonwealth of Pennsylvania was hit hard earlier this year with a combination of flooding and blizzards which resulted in the loss of life, heavy property damage, and the disruption of families, businesses, and local governments.

The thousands of people who have been victimized by these natural disasters have had their lives, homes, and businesses devastated. Pennsylvanians have united in the effort to help their neighbors cope with the flood and storms, and they properly expect the Federal Government to assist them in the efforts to recover from the natural disaster. Gov. Tom Ridge has been in the forefront of the efforts to direct assistance to the victims of the flood, and I will continue to work with him to direct Federal resources to the people of our State.

The bill before us today helps with the Federal Government response to the extraordinary needs in Pennsylvania and other regions of the country created by flooding and blizzards.

Title III provides $100 million to the Small Business Administration to fund needed personal assistance loans for flood victims. The Federal Highway Administration is appropriated $70 million to repair damages to Federal highways and bridges in Pennsylvania. In Pennsylvania's 10th District, there is a need for over $17 million in repairs to Commonwealth roads and bridges.

The Army Corps of Engineers is provided with $165 million for its operations and maintenance and flood control and coastal emergencies programs. It is expected that $16.5 million will go toward repair and rehab of non-Federal levees throughout the Commonwealth. Assessment teams are continuing to evaluate the damage.

The bill provides $34 million to the National Park Service, including $1 million for structural damage repair and debris cleanup caused at the Delaware Water Gap National Recreation Area by the 1996 flood and blizzards.

Pennsylvania will benefit from the $73 million appropriated in the bill for the Emergency Watershed and Protection Program which cleans debris from streams and stabilizes stream banks. Of that amount, $3.4 million will ensure that all 102 sites in Pennsylvania will be funded.

Mr. Chairman, more work remains to be done to help flood victims as they attempt to restore their lives and property. The natural disaster assistance in title III of this bill will help in that effort. Clearly, more Federal resources need to be marshaled to help the safety, health, and property of our citizens whose lives have been torn apart by these devastating disasters.

I urge passage of the legislation.

Mr. OWENS. Mr. Chairman, I rise in strong opposition to the second, so-called Balanced Budget Downpayment Act (H.R. 3019). This bill represents a Republican charade; Republicans have still not acted in good faith to restore devastating cuts made to education, housing, and environmental programs. After spending half of last year debating contract legislation, and debating 11 continuing resolutions, the Republican-controlled 104th Congress has become the most inefficient, ineffective, inconsequential Congress in the history of the United States since the Depression. H.R. 3019 is a phony new deal that embodies the saying, ''the more things change, the more things stay the same.''

In classic Republican tradition, this new budget offer would still assault families, children, and the American worker. On the surface, H.R. 3019 appears laudable in that it provides an extra $4.3 billion for four of the five appropriations bills that have not passed by last year's deadline of October 1. But upon closer scrutiny of the bill's provisions, $3 billion of these new funds will only be provided when offsetting funds are determined by cutting welfare and Medicaid. In other words, this bill is a blatant Robin Hood in reverse where the poor are being robbed to pay for the Republican tax cut which has generated a situation of phony scarcity.

The more fair and sensible approach would be to attack the more than $80 billion in annual corporate tax loopholes and corporate welfare to restore funds to significant programs. It appears that Republicans are saying we cannot afford the programs that are so vital to the future of our Nation's children, but we can afford the corporate pork which is clogging the arteries of our democracy. We cannot afford to ensure that our children receive a healthy, productive, head start, but we can afford to entertain proposals that would shield some of our most prosperous American companies from paying any taxes at all.

How dare the Republicans use this transparent approach to continue the course of dismantling vital social programs. H.R. 3019 would pit programs of significance to America's social and fiscal security against one another. Republicans insist that Congress must first agree to abolish the safety net for our most vulnerable; Congress must then agree to deny health care coverage to the most needy. If Congress supports these measures, then, and only then, will $420 million be released to fund housing programs, $961 million to title I compensatory education and $390 million to the goals 2000 National Educational Standards Program. This is a crude form of fiscal blackmail.

Even more ominous to this approach is the fact that even if Federal protections are removed from welfare and Medicaid, draconian cuts would still take effect. For example, LIHEAP, the program that provides heat to our senior citizens would be terminated after this fiscal year. The Summer Youth Employment Program would be eliminated, whether or not entitlement reform becomes law. The Legal Services Corporation would be cut by more than 30 percent; any listing of new species under the Endangered Species Act would be barred; the successful Cops-on-the-Beat Program would be replaced with a newly created law enforcement block grant; and no funds would be provided to create or renovate additional units of affordable housing for the more than 20 million Americans who already lack such housing.

I strongly urge my colleagues to vote against this Republican ambush of much-needed safety-net programs. I further challenge my colleagues to join me and others to ensure that, at the very least, funding for education and training is restored to its current level.

I call upon my colleagues on both sides of the aisle to seriously consider one painless action which would help to resolve this situation. Let us demand that the recently discovered $2 billion in unspent funds at the Central Intelligence Agency be utilized for more positive purposes. Transfer $1.1 billion in CIA funds to title I, $300 million to HeadStart and $600 million to the Summer Youth Employment Program; and vote ''no'' on the second Balanced Budget Downpayment Act.

Mr. DEFAZIO. Mr. Chairman, the Republican leadership is wrong to make the continuing resolution a Christmas tree bill. They have done Americans a tremendous disservice by dressing up bad legislation by attaching emergency flood assistance and other necessary pieces of legislative business.

As a member of the delegation from Oregon, I take personal offense at this underhanded parliamentary maneuver. Parts of my State were devastated by floodwaters. Tens of thousands of people were evacuated from their homes. I flew by helicopter over towns that were completely ravaged by flood waters. The administration and northwest Democrats and Republicans have worked to put together a package of flood assistance for these people. I receive calls from Oregonians on a daily basis who are depending on this flood assistance to rebuild homes and businesses, fix washed-out highways, and clean drinking water.

I have to vote ''no'' on this legislation, however, because it is a bad bill that hurts working Americans. The Republican leadership is trying to accomplish by stealth what it couldn't accomplish by shutting down the Government. This bill takes a knife to school funding, heating assistance for senior citizens, veterans programs, affordable housing, job-training and dislocated worker assistance, and worker safety protection. This bill is evidence that the so-called Republican revolution is still about helping the wealthy and large corporations at the expense of working and middle-class Americans.

I am particularly concerned about the Republican leadership's continued attack on the environment. Today's measure deeply cuts funding for the Environmental Protection Agency—cuts that will result in less teeth in the enforcement of environmental laws in every community in the country. According to the EPA, these cuts have already had an impact in the Northwest by shutting down work at Superfund sites, halting efforts to bring safe water supplies to rural communities with contaminated water sources, ending measures keep pollutants away from salmon habitat, and halting a host of other ongoing environmental protection efforts. This is an antienvironment bill written by an antienvironment Republican leadership that jeopardizes the clean air and clean water that all Americans take for granted.

And as if misplaced cuts and attacks on the environment weren't enough, the antichoice forces in Congress have once again hijacked legislation in Congress to suit their own agenda. Hidden within this government-funding bill are provisions that would deny lower income women the right to choose. It's shameful that those whose views on choice are at odds with the overwhelming majority of the American people have now lowered themselves to legislative trickery to advance their cause.

Mr. Chairman, the legislative process was not meant to work this way. I urge the majority to let the emergency flood assistance be voted on separately—apart from the continuing resolution—so that Oregonians affected by the flood can be given a fair shot at rebuilding their lives and communities.

Mrs. SMITH of Washington. Mr. Chairman, I rise in strong support of this legislation.

The primary objective of this Congress is to balance the budget, but if there is an appropriate way to spend taxpayer money—it should be on people who have suffered through a natural disaster.

The flooding in the Pacific Northwest last month devastated communities throughout the Northwest.

I recently walked the streets in these small towns with the President and I can tell you that in many cases, homes and businesses are completely destroyed.

It's going to be months before we can rebuild our communities. In Washington State alone over 10,000 people have called the Federal Emergency Management Agency asking for help.

The emergency funding contained in this bill for disaster relief will go a long way toward rebuilding the infrastructure and making sure people can restart their business.

For my colleagues who haven't had the opportunity to look at the damage, I want to make sure that everyone understands what kind of projects this money will be used for:

The funding for the Small Business Administration will help small businesses in places like Woodland get their operations back up and running.

The funding for the Forest Service will help open access to National Forests like the Gifford Pinchot, where most of the roads and bridges are completely washed out, hurting the tourism economy in many areas in southwestern Washington.

The money for the Fish and Wildlife Service will help repair our wildlife refuges that provide habitat for endangered species like the Columbia white-tailed deer in Wahkiakum County.

The funds for the Corps of Engineers will help repair critical dikes and levees that protect our communities so we won't have to go through another flood disaster like this again.

I want to assure my colleagues that this money will be well-spent.

This legislation demonstrates that we can pass a fiscally responsible appropriations bill that still shows compassion for the people who truly need our help.

I want to thank Chairman LIVINGSTON for his work on this bill and I urge my colleagues to support this legislation.

Ms. PRYCE. Mr. Chairman, I rise today in strong support of this rule, and H.R. 3019, the second installment in our downpayment toward a balanced Federal budget.

While my colleagues on the other side of the aisle may argue against this rule, I believe this is a fair and reasonable rule given the situation we are in. The current CR will expire in just over a week, and Federal employees are once again left to wonder if another Government shutdown will take place. Well, Mr. Chairman, I would say to those Federal workers in my district and around the country whose jobs may be at stake that President Clinton could end the speculation very quickly by agreeing to the responsible spending priorities contained in this legislation.

This second balanced budget downpayment reflects our continued commitment to real deficit reduction. The bill, if enacted, will fund the four remaining unsigned spending bills at levels which keep us on the glidepath to a balanced budget. Even the emergency funds that are included for disaster relief and continued activities in Bosnia are actually paid for, and not simply taken off-budget to hide their true costs or their impact on the budget deficit. And, in keeping with our goal of reducing the size and scope of Government, the bill eliminates some 175 different Federal programs.

While we in the Congress are making the real cuts necessary to keep us on track to balance the Federal budget, the Clinton administration sadly continues to threaten a veto of this important legislation unless additional spending is made available to fund their priorities. I am amazed that the same President who came to this Chamber 2 months ago and declared that the era of big Government is over, is now asking for upwards of $8 billion in additional spending. Agreeing to that request would be irresponsible without a firm commitment on the part of the administration to pay for these additional Government programs with offsetting cuts in spending.

Mr. Chairman, I commend Chairman LIVINGSTON for trying to respond to the administration's concerns in a way that maintains our commitment to a balanced budget. I urge my colleagues to support the contingency title in this legislation to ensure that funding for these extra priorities is not used unless Congress and the President agree to separate legislation that actually pays for them. We can never hope to achieve a balanced budget in our lifetime if we subscribe to the convenient policy of buy now, pay later. If we do, then our children and grandchildren will surely pay a much higher price for our lack of spending discipline.

Mr. Chairman, despite the administration's threatened veto, I am hopeful that the approach this legislation takes will send a clear signal to our constituents and to our friends in the White House that we are serious about getting Government spending under control. In the next week, I am sure we will all see just how serious the President is about bringing the era of big Government to a close.

I urge my colleagues to support this fair and balanced rule, and to pass this responsible continuing resolution. Thank you, Mr. Chairman. I yield back the balance of my time.

The CHAIRMAN. All time for general debate has expired.

For what purpose does the gentleman from Wisconsin [Mr. OBEY] rise?

□ 1445

Mr. OBEY. Mr. Chairman, I ask unanimous consent to strike the last word.

The CHAIRMAN. Without objection, the gentleman is recognized for 5 minutes.

There was no objection.

Mr. OBEY. Mr. Chairman, I do so so that the gentleman from Illinois [Mr. PORTER], the subcommittee chairman, and I may make a few comments about a departing staff member for the Labor-HHS and Education Appropriations Subcommittee.

Mike Stephens served this committee for a long, long time, beginning in 1976, and served as the subcommittee clerk and staff director for the Labor-HHS and Education Subcommittee from 1990 to 1994. He then served as the chief minority staffer for that subcommittee from January 1995 until he retired from his job in January 1996.

I think anyone who knows Mike Stephens knows that most of what the Congress has done in support of biomedical research through the years, it has done because of his knowledge and his guidance. No one who has served this committee, and I would certainly say no Member, knows more about the needs of biomedical research in this country or the inner workings of the National Institutes of Health than does Mike Stephens, and no one on Capitol Hill has been more responsible for the funding levels that we have provided for biomedical research through the years than has Mike Stephens.

I must say as a person who came to cherish his friendship, his personal friendship, as well as his professional knowledge, I think the Congress has experienced a great loss with his decision to leave us. I know that feeling is shared by the distinguished chairman of the subcommittee.

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

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

Mr. PORTER. I thank the ranking member for yielding.

Mr. Chairman, I want to tell the House how much we are all going to miss Mike Stephens. Mike served on the Labor-HHS Appropriations Subcommittee for over 20 years, 5 as clerk, and was enormously helpful to all members of the subcommittee, including those of us in the minority, throughout that time. I want to personally thank him for his honesty and professionalism in dealing with me during the 15 years I served in the minority on the subcommittee. He served with great skill under three chairmen—the flamboyant Dan Flood, the gentleman's gentleman Bill Natcher, and the doggedly determined Neal Smith. And he served all three with equal expertise and sensitivity. We sometimes felt he was an extension of the chairman himself. But he remained the consummate staffer at all times—quietly in the background, building consensus and brokering compromises, indispensable to the smooth functioning of the subcommittee. His dedication to the subcommittee, his devotion to the Congress as an institution, and his commitment to serving its Members and the public set the standard for those who follow him. Mike's retirement from the House is a great loss to our subcommittee and to the Congress. We wish him nothing but the best in his new ventures.

Mr. OBEY. Mr. Chairman, I thank the gentleman.

Mr. Chairman, let me simply say that none of Mike's service would have been possible without the dedicated willingness of his wife, Sharman, and his children, David, Julie, and Sarah and we wish them all well as Mike enters a new stage of his professional life.

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

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

Mr. LIVINGSTON. Mr. Chairman, I thank the gentleman for yielding and I too want to join with the gentleman and with the gentleman from Illinois [Mr. PORTER] for expressing our best wishes for lots of success and happiness to Mike Stephens in the time that he spends apart from Government and apart from this committee. He has rendered yeoman service to the United States of America, both to us in the Congress and to his former colleagues in the Marine Corps and he is an outstanding American citizen. We are proud to have worked with him here in the Congress. We do wish him well.

The CHAIRMAN. Pursuant to the rule, the amendment printed in section 2 of House Resolution 372 is adopted and the bill, as amended, is considered

as an original bill for further amendment.

The text of H.R. 3019, as amended pursuant to House Resolution 372, is as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, and out of applicable corporate or other revenues, receipts, and funds, for the several departments, agencies, corporations,and other organizational units of Government for the fiscal year 1996, and for other purposes, namely:

TITLE I

CONTINUING APPROPRIATIONS

SEC. 101. (a) Such amounts as may be necessary for programs, projects or activities provided for in the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1996, at a rate of operations and to the extent and in the manner provided for, the provisions of such Act to be effective as if it had been enacted into law as the regular appropriations Act, as follows:

AN ACT

Making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 1996, and for other purposes.

TITLE I—DEPARTMENT OF JUSTICE

GENERAL ADMINISTRATION

SALARIES AND EXPENSES

For expenses necessary for the administration of the Department of Justice, $74,282,000; including not to exceed $3,317,000 for the Facilities Program 2000, and including $5,000,000 for management and oversight of Immigration and Naturalization Service activities, both sums to remain available until expended: *Provided,* That not to exceed 45 permanent positions and 51 full-time equivalent workyears and $7,477,000 shall be expended for the Department Leadership Program only for the Offices of the Attorney General and the Deputy Attorney General, exclusive of augmentation that occurred in these offices in fiscal year 1995: *Provided further,* That not to exceed 76 permanent positions and 90 full-time equivalent workyears and $9,487,000 shall be expended for the Offices of Legislative Affairs, Public Affairs and Policy Development: *Provided further,* That the latter three aforementioned offices shall not be augmented by personnel details, temporary transfers of personnel on either a reimbursable or non-reimbursable basis or any other type of formal or informal transfer or reimbursement of personnel or funds on either a temporary or long-term basis.

COUNTERTERRORISM FUND

For necessary expenses, as determined by the Attorney General, $16,898,000, to remain available until expended, to reimburse any Department of Justice organization for (1) the costs incurred in reestablishing the operational capability of an office or facility which has been damaged or destroyed as a result of the bombing of the Alfred P. Murrah Federal Building in Oklahoma City or any domestic or international terrorist incident, (2) the costs of providing support to counter, investigate or prosecute domestic or international terrorism, including payment of rewards in connection with these activities, and (3) the costs of conducting a terrorism threat assessment of Federal agencies and their facilities: *Provided,* That funds provided under this section shall be available only after the Attorney General notifies the Committees on Appropriations of the House of Representatives and the Senate in accordance with section 605 of this Act.

ADMINISTRATIVE REVIEW AND APPEALS

For expenses necessary for the administration of pardon and clemency petitions and immigration related activities, $38,886,000: *Provided,* That the obligated and unobligated balances of funds previously appropriated to the General Administration, Salaries and Expenses appropriation for the Executive Office for Immigration Review and the Office of the Pardon Attorney shall be merged with this appropriation.

VIOLENT CRIME REDUCTION PROGRAMS, ADMINISTRATIVE REVIEW AND APPEALS

For activities authorized by sections 130005 and 130007 of Public Law 103–322, $47,780,000, to remain available until expended, which shall be derived from the Violent Crime Reduction Trust Fund: *Provided,* That the obligated and unobligated balances of funds previously appropriated to the General Administration, Salaries and Expenses appropriation under title VIII of Public Law 103–317 for the Executive Office for Immigration Review shall be merged with this appropriation.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, $28,960,000; including not to exceed $10,000 to meet unforeseen emergencies of a confidential character, to be expended under the direction of, and to be accounted for solely under the certificate of, the Attorney General; and for the acquisition, lease, maintenance and operation of motor vehicles without regard to the general purchase price limitation.

UNITED STATES PAROLE COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the United States Parole Commission as authorized by law, $5,446,000.

LEGAL ACTIVITIES

SALARIES AND EXPENSES, GENERAL LEGAL ACTIVITIES

(INCLUDING TRANSFER OF FUNDS)

For expenses necessary for the legal activities of the Department of Justice, not otherwise provided for, including not to exceed $20,000 for expenses of collecting evidence, to be expended under the direction of, and to be accounted for solely under the certificate of, the Attorney General; and rent of private or Government-owned space in the District of Columbia; $401,929,000; of which not to exceed $10,000,000 for litigation support contracts shall remain available until expended: *Provided,* That of the funds available in this appropriation, not to exceed $22,618,000 shall remain available until expended for office automation systems for the legal divisions covered by this appropriation, and for the United States Attorneys, the Antitrust Division, and offices funded through ''Salaries and Expenses'', General Administration: *Provided further,* That of the total amount appropriated, not to exceed $1,000 shall be available to the United States National Central Bureau, INTERPOL, for official reception and representation expenses: *Provided further,* That notwithstanding 31 U.S.C. 1342, the Attorney General may accept on behalf of the United States and credit to this appropriation, gifts of money, personal property and services, for the purpose of hosting the International Criminal Police Organization's (INTERPOL) American Regional Conference in the United States during fiscal year 1996.

In addition, for reimbursement of expenses of the Department of Justice associated with processing cases under the National Childhood Vaccine Injury Act of 1986, not to exceed $4,028,000, to be appropriated from the Vaccine Injury Compensation Trust Fund, as authorized by section 6601 of the Omnibus Budget Reconciliation Act, 1989, as amended by Public Law 101–512 (104 Stat. 1289).

In addition, for Salaries and Expenses, General Legal Activities, $12,000,000 shall be made available to be derived by transfer from unobligated balances of the Working Capital Fund in the Department of Justice.

VIOLENT CRIME REDUCTION PROGRAMS, GENERAL LEGAL ACTIVITIES

For the expeditious deportation of denied asylum applicants, as authorized by section 130005 of Public Law 103–322, $7,591,000, to remain available until expended, which shall be derived from the Violent Crime Reduction Trust Fund.

SALARIES AND EXPENSES, ANTITRUST DIVISION

For expenses necessary for the enforcement of antitrust and kindered laws, $65,783,000: *Provided,* That notwithstanding any other provision of law, not to exceed $48,262,000 of offsetting collections derived from fees collected for premerger notification filings under the Hart-Scott-Rodino Antitrust Improvements Act of 1976 (15 U.S.C. 18(a)) shall be retained and used for necessary expenses in this appropriation, and shall remain available until expended: *Provided further,* That the sum herein appropriated from the General Fund shall be reduced as such offsetting collections are received during fiscal year 1996, so as to result in a final fiscal year 1996 appropriation from the General Fund estimated at not more than $17,521,000: *Provided further,* That any fees received in excess of $48,262,000 in fiscal year 1996, shall remain available until expended, but shall not be available for obligation until October 1, 1996.

SALARIES AND EXPENSES, UNITED STATES ATTORNEYS

For necessary expenses of the Office of the United States Attorneys, including intergovernmental agreements, $895,509,000, of which not to exceed $2,500,000 shall be available until September 30, 1997 for the purposes of (1) providing training of personnel of the Department of Justice in debt collection, (2) providing services to the Department of Justice related to locating debtors and their property, such as title searches, debtor skiptracing, asset searches, credit reports and other investigations, (3) paying the costs of the Department of Justice for the sale of property not covered by the sale proceeds, such as auctioneers' fees and expenses, maintenance and protection of property and businesses, advertising and title search and surveying costs, and (4) paying the costs of processing and tracking debts owed to the United States Government: *Provided,* That of the total amount appropriated, not to exceed $8,000 shall be available for official reception and representation expenses: *Provided further,* That not to exceed $10,000,000 of those funds available for automated litigation support contracts and $4,000,000 for security equipment shall remain available until expended: *Provided further,* That in addition to reimbursable full-time equivalent workyears available to the Office of the United States Attorneys, not to exceed 8,595 positions and 8,862 full-time equivalent workyears shall be supported from the funds appropriated in this Act for the United States Attorneys.

VIOLENT CRIME REDUCTION PROGRAMS, UNITED STATES ATTORNEYS

For activities authorized by sections 190001(d), 40114 and 130005 of Public Law 103–322, $30,000,000, to remain available until expended, which shall be derived from the Violent Crime Reduction Trust Fund, of which

$20,269,000 shall be available to help meet increased demands for litigation and related activities, $500,000 to implement a program to appoint additional Federal Victim's Counselors, and $9,231,000 for expeditious deportation of denied asylum applicants.

UNITED STATES TRUSTEE SYSTEM FUND

For necessary expenses of the United States Trustee Program, $102,390,000, as authorized by 28 U.S.C. 589a(a), to remain available until expended, for activities authorized by section 115 of the Bankruptcy Judges, United States Trustees, and Family Farmer Bankruptcy Act of 1986 (Public Law 99–554), which shall be derived from the United States Trustee System Fund: *Provided,* That deposits to the Fund are available in such amounts as may be necessary to pay refunds due depositors: *Provided further,* That, notwithstanding any other provision of law, not to exceed $44,191,000 of offsetting collections derived from fees collected pursuant to section 589a(f) of title 28, United States Code, as amended, shall be retained and used for necessary expenses in this appropriation: *Provided further,* That the $102,390,000 herein appropriated from the United States Trustee System Fund shall be reduced as such offsetting collections are received during fiscal year 1996, so as to result in a final fiscal year 1996 appropriation from such Fund estimated at not more than $58,199,000: *Provided further,* That any of the aforementioned fees collected in excess of $44,191,000 in fiscal year 1996 shall remain available until expended, but shall not be available for obligation until October 1, 1996.

SALARIES AND EXPENSES, FOREIGN CLAIMS SETTLEMENT COMMISSION

For expenses necessary to carry out the activities of the Foreign Claims Settlement Commission, including services as authorized by 5 U.S.C. 3109, $830,000.

SALARIES AND EXPENSES, UNITED STATES MARSHALS SERVICE

For necessary expenses of the United States Marshals Service; including the acquisition, lease, maintenance, and operation of vehicles and aircraft, and the purchase of passenger motor vehicles for police-type use without regard to the general purchase price limitation for the current fiscal year; $423,248,000, as authorized by 28 U.S.C. 561(i), of which not to exceed $6,000 shall be available for official reception and representation expenses.

VIOLENT CRIME REDUCTION PROGRAMS, UNITED STATES MARSHALS SERVICE

For activities authorized by section 190001(b) of Public Law 103–322, $25,000,000, to remain available until expended, which shall be derived from the Violent Crime Reduction Trust Fund.

FEDERAL PRISONER DETENTION

(INCLUDING TRANSFER OF FUNDS)

For expenses related to United States prisoners in the custody of the United States Marshals Service as authorized in 18 U.S.C. 4013, but not including expenses otherwise provided for in appropriations available to the Attorney General; $252,820,000, as authorized by 28 U.S.C. 561(i), to remain available until expended.

In addition, for Federal Prisoner Detention, $9,000,000 shall be made available until expended to be derived by transfer from unobligated balances of the Working Capital Fund in the Department of Justice.

FEES AND EXPENSES OF WITNESSES

For expenses, mileage, compensation, and per diems of witnesses, for expenses of contracts for the procurement and supervision of expert witnesses, for private counsel expenses, and for per diems in lieu of subsistence, as authorized by law, including advances, $85,000,000, to remain available until expended; of which not to exceed $4,750,000 may be made available for planning, construction, renovations, maintenance, remodeling, and repair of buildings and the purchase of equipment incident thereto for protected witness safesites; of which not to exceed $1,000,000 may be made available for the purchase and maintenance of armored vehicles for transportation of protected witnesses; and of which not to exceed $4,000,000 may be made available for the purchase, installation and maintenance of a secure automated information network to store and retrieve the identities and locations of protected witnesses.

SALARIES AND EXPENSES, COMMUNITY RELATIONS SERVICE

For necessary expenses of the Community Relations Service, established by title X of the Civil Rights Act of 1964, $5,319,000.

ASSETS FORFEITURE FUND

For expenses authorized by 28 U.S.C. 524(c)(1)(A)(ii), (B), (C), (F), and (G), as amended, $30,000,000 to be derived from the Department of Justice Assets Forfeiture Fund.

RADIATION EXPOSURE COMPENSATION

ADMINISTRATIVE EXPENSES

For necessary administrative expenses in accordance with the Radiation Exposure Compensation Act, $2,655,000.

PAYMENT TO RADIATION EXPOSURE COMPENSATION TRUST FUND

For payments to the Radiation Exposure Compensation Trust Fund, $16,264,000, to become available on October 1, 1996.

INTERAGENCY LAW ENFORCEMENT

INTERAGENCY CRIME AND DRUG ENFORCEMENT

For necessary expenses for the detection, investigation, and prosecution of individuals involved in organized crime drug trafficking not otherwise provided for, to include intergovernmental agreements with State and local law enforcement agencies engaged in the investigation and prosecution of individuals involved in organized crime drug trafficking, $359,843,000, of which $50,000,000 shall remain available until expended: *Provided,* That any amounts obligated from appropriations under this heading may be used under authorities available to the organizations reimbursed from this appropriation: *Provided further,* That any unobligated balances remaining available at the end of the fiscal year shall revert to the Attorney General for reallocation among participating organizations in succeeding fiscal years, subject to the reprogramming procedures described in section 605 of this Act.

FEDERAL BUREAU OF INVESTIGATION

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For expenses necessary for detection, investigation, and prosecution of crimes against the United States; including purchase for police-type use of not to exceed 1,815 passenger motor vehicles of which 1,300 will be for replacement only, without regard to the general purchase price limitation for the current fiscal year, and hire of passenger motor vehicles; acquisition, lease, maintenance and operation of aircraft; and not to exceed $70,000 to meet unforeseen emergencies of a confidential character, to be expended under the direction of, and to be accounted for solely under the certificate of, the Attorney General; $2,189,183,000, of which not to exceed $50,000,000 for automated data processing and telecommunications and technical investigative equipment and $1,000,000 for undercover operations shall remain available until September 30, 1997; of which not less than $102,345,000 shall be for counterterrorism investigations, foreign counterintelligence, and other activities related to our national security; of which not to exceed $98,400,000 shall remain available until expended; of which not to exceed $10,000,000 is authorized to be made available for making payments or advances for expenses arising out of contractual or reimbursable agreements with State and local law enforcement agencies while engaged in cooperative activities related to violent crime, terrorism, organized crime, and drug investigations; and of which $1,500,000 shall be available to maintain an independent program office dedicated solely to the relocation of the Criminal Justice Information Services Division and the automation of fingerprint identification services: *Provided,* That not to exceed $45,000 shall be available for official reception and representation expenses: *Provided further,* That $58,000,000 shall be made available for NCIC 2000, of which not less than $35,000,000 shall be derived from ADP and Telecommunications unobligated balances, and of which $22,000,000 shall be derived by transfer and available until expended from unobligated balances in the Working Capital Fund of the Department of Justice.

VIOLENT CRIME REDUCTION PROGRAMS

For activities authorized by Public Law 103–322, $218,300,000, to remain available until expended, which shall be derived from the Violent Crime Reduction Trust Fund, of which $208,800,000 shall be for activities authorized by section 190001(c); $4,000,000 for Training and Investigative Assistance authorized by section 210501(c)(2); and $5,500,000 for establishing DNA quality assurance and proficiency testing standards, establishing an index to facilitate law enforcement exchange of DNA identification information, and related activities authorized by section 210306.

CONSTRUCTION

For necessary expenses to construct or acquire buildings and sites by purchase, or as otherwise authorized by law (including equipment for such buildings); conversion and extension of federally-owned buildings; and preliminary planning and design of projects; $97,589,000, to remain available until expended.

DRUG ENFORCEMENT ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses of the Drug Enforcement Administration, including not to exceed $70,000 to meet unforeseen emergencies of a confidential character, to be expended under the direction of, and to be accounted for solely under the certificate of, the Attorney General; expenses for conducting drug education and training programs, including travel and related expenses for participants in such programs and the distribution of items of token value that promote the goals of such programs; purchase of not to exceed 1,208 passenger motor vehicles, of which 1,178 will be for replacement only, for police-type use without regard to the general purchase price limitation for the current fiscal year; and acquisition, lease, maintenance, and operation of aircraft; $745,668,000, of which not to exceed $1,800,000 for research and $15,000,000 for transfer to the Drug Diversion Control Fee Account for operating expenses shall remain available until expended, and of which not to exceed $4,000,000 for purchase of evidence and payments for information, not to exceed $4,000,000 for contracting for ADP and telecommunications equipment, and not to exceed $2,000,000 for technical and laboratory equipment shall remain available until September 30, 1997, and of which not to exceed

$50,000 shall be available for official reception and representation expenses.

VIOLENT CRIME REDUCTION PROGRAMS

For activities authorized by sections 180104 and 190001(b) of Public Law 103–322, $60,000,000, to remain available until expended, which shall be derived from the Violent Crime Reduction Trust Fund.

IMMIGRATION AND NATURALIZATION SERVICE

SALARIES AND EXPENSES

For expenses, not otherwise provided for, necessary for the administration and enforcement of the laws relating to immigration, naturalization, and alien registration, including not to exceed $50,000 to meet unforeseen emergencies of a confidential character, to be expended under the direction of, and to be accounted for solely under the certificate of, the Attorney General; purchase for police-type use (not to exceed 813 of which 177 are for replacement only) without regard to the general purchase price limitation for the current fiscal year, and hire of passenger motor vehicles; acquisition, lease, maintenance and operation of aircraft; and research related to immigration enforcement; $1,394,825,000, of which $36,300,000 shall remain available until September 30, 1997; of which $506,800,000 is available for the Border Patrol; of which not to exceed $400,000 for research shall remain available until expended; and of which not to exceed $10,000,000 shall be available for costs associated with the training program for basic officer training: *Provided,* That none of the funds available to the Immigration and Naturalization Service shall be available for administrative expenses to pay any employee overtime pay in an amount in excess of $25,000 during the calendar year beginning January 1, 1996: *Provided further,* That uniforms may be purchased without regard to the general purchase price limitation for the current fiscal year: *Provided further,* That not to exceed $5,000 shall be available for official reception and representation expenses: *Provided further,* That the Attorney General may transfer to the Department of Labor and the Social Security Administration not to exceed $10,000,000 for programs to verify the immigration status of persons seeking employment in the United States: *Provided further,* That none of the funds provided in this or any other Act shall be used for the continued operation of the San Clemente and Temecula checkpoints unless: (1) the checkpoints are open and traffic is being checked on a continuous 24-hour basis and (2) the Immigration and Naturalization Service undertakes a commuter lane facilitation pilot program at the San Clemente checkpoint within 90 days of enactment of this Act: *Provided further,* That the Immigration and Naturalization Service shall undertake the renovation and improvement of the San Clemente checkpoint, to include the addition of two to four lanes, and which shall be exempt from Federal procurement regulations for contract formation, from within existing balances in the Immigration and Naturalization Service Construction account: *Provided further,* That if renovation of the San Clemente checkpoint is not completed by July 1, 1996, the San Clemente checkpoint will close until such time as the renovations and improvements are completed unless funds for the continued operation of the checkpoint are provided and made available for obligation and expenditure in accordance with procedures set forth in section 605 of this Act, as the result of certification by the Attorney General that exigent circumstances require the checkpoint to be open and delays in completion of the renovations are not the result of any actions that are or have been in the control of the Department of Justice: *Provided further,* That the Office of Public Affairs at the Immigration and Naturalization Service shall conduct its business in areas only relating to its central mission, including: research, analysis, and dissemination of information, through the media and other communications outlets, relating to the activities of the Immigration and Naturalization Service: *Provided further,* That the Office of Congressional Relations at the Immigration and Naturalization Service shall conduct business in areas only relating to its central mission, including: providing services to Members of Congress relating to constituent inquiries and requests for information; and working with the relevant congressional committees on proposed legislation affecting immigration matters: *Provided further,* That in addition to amounts otherwise made available in this title to the Attorney General, the Attorney General is authorized to accept and utilize, on behalf of the United States, the $100,000 Innovation in American Government Award for 1995 from the Ford Foundation for the Immigration and Naturalization Service's Operation Jobs program.

VIOLENT CRIME REDUCTION PROGRAMS

For activities authorized by sections 130005, 130006, and 130007 of Public Law 103–322, $316,198,000, to remain available until expended, which will be derived from the Violent Crime Reduction Trust Fund, of which $38,704,000 shall be for expeditious deportation of denied asylum applicants, $231,570,000 for improving border controls, and $45,924,000 for expanded special deportation proceedings: *Provided,* That of the amounts made available, $75,765,000 shall be for the Border Patrol.

CONSTRUCTION

For planning, construction, renovation, equipping and maintenance of buildings and facilities necessary for the administration and enforcement of the laws relating to immigration, naturalization, and alien registration, not otherwise provided for, $25,000,000, to remain available until expended.

FEDERAL PRISON SYSTEM

SALARIES AND EXPENSES

For expenses necessary for the administration, operation, and maintenance of Federal penal and correctional institutions, including purchase (not to exceed 853, of which 559 are for replacement only) and hire of law enforcement and passenger motor vehicles; and for the provision of technical assistance and advice on corrections related issues to foreign governments; $2,567,578,000: *Provided,* That there may be transferred to the Health Resources and Services Administration such amounts as may be necessary, in the discretion of the Attorney General, for direct expenditures by that Administration for medical relief for inmates of Federal penal and correctional institutions: *Provided further,* That the Director of the Federal Prison System (FPS), where necessary, may enter into contracts with a fiscal agent/fiscal intermediary claims processor to determine the amounts payable to persons who, on behalf of the FPS, furnish health services to individuals committed to the custody of the FPS: *Provided further,* That uniforms may be purchased without regard to the general purchase price limitation for the current fiscal year: *Provided further,* That not to exceed $6,000 shall be available for official reception and representation expenses: *Provided further,* That not to exceed $50,000,000 for the activation of new facilities shall remain available until September 30, 1997: *Provided further,* That of the amounts provided for Contract Confinement, not to exceed $20,000,000 shall remain available until expended to make payments in advance for grants, contracts and reimbursable agreements and other expenses authorized by section 501(c) of the Refugee Education Assistance Act of 1980 for the care and security in the United States of Cuban and Haitian entrants: *Provided further,* That no funds appropriated in this Act shall be used to privatize any Federal prison facilities located in Forrest City, Arkansas, and Yazoo City, Mississippi: *Provided further,* That obligations incurred for the National Institute of Corrections through March 15, 1996 shall be charged to the amount made available under this heading.

VIOLENT CRIME REDUCTION PROGRAMS

For substance abuse treatment in Federal prisons as authorized by section 32001(e) of Public Law 103–322, $13,500,000, to remain available until expended, which shall be derived from the Violent Crime Reduction Trust Fund.

BUILDINGS AND FACILITIES

For planning, acquisition of sites and construction of new facilities; leasing the Oklahoma City Airport Trust Facility; purchase and acquisition of facilities and remodeling and equipping of such facilities for penal and correctional use, including all necessary expenses incident thereto, by contract or force account; and constructing, remodeling, and equipping necessary buildings and facilities at existing penal and correctional institutions, including all necessary expenses incident thereto, by contract or force account; $334,728,000, to remain available until expended, of which not to exceed $14,074,000 shall be available to construct areas for inmate work programs: *Provided,* That labor of United States prisoners may be used for work performed under this appropriation: *Provided further,* That not to exceed 10 percent of the funds appropriated to ''Buildings and Facilities'' in this Act or any other Act may be transferred to ''Salaries and Expenses'', Federal Prison System upon notification by the Attorney General to the Committees on Appropriations of the House of Representatives and the Senate in compliance with provisions set forth in section 605 of this Act: *Provided further,* That of the total amount appropriated, not to exceed $22,351,000 shall be available for the renovation and construction of United States Marshals Service prisoner holding facilities.

FEDERAL PRISON INDUSTRIES, INCORPORATED

The Federal Prison Industries, Incorporated, is hereby authorized to make such expenditures, within the limits of funds and borrowing authority available, and in accord with the law, and to make such contracts and commitments, without regard to fiscal year limitations as provided by section 9104 of title 31, United States Code, as may be necessary in carrying out the program set forth in the budget for the current fiscal year for such corporation, including purchase of (not to exceed five for replacement only) and hire of passenger motor vehicles.

LIMITATION ON ADMINISTRATIVE EXPENSES, FEDERAL PRISON INDUSTRIES, INCORPORATED

Not to exceed $3,559,000 of the funds of the corporation shall be available for its administrative expenses, and for services as authorized by 5 U.S.C. 3109, to be computed on an accrual basis to be determined in accordance with the corporation's current prescribed accounting system, and such amounts shall be exclusive of depreciation, payment of claims, and expenditures which the said accounting system requires to be capitalized or charged to cost of commodities acquired or produced, including selling and shipping expenses, and expenses in connection with acquisition, construction, operation, maintenance, improvement, protection, or disposition of facilities and other

property belonging to the corporation or in which it has an interest.

OFFICE OF JUSTICE PROGRAMS

JUSTICE ASSISTANCE

For grants, contracts, cooperative agreements, and other assistance authorized by title I of the Omnibus Crime Control and Safe Streets Act of 1968, as amended, and the Missing Children's Assistance Act, as amended, including salaries and expenses in connection therewith, and with the Victims of Crime Act of 1984, as amended, $99,977,000, to remain available until expended, as authorized by section 1001 of title I of the Omnibus Crime Control and Safe Streets Act, as amended by Public Law 102–534 (106 Stat. 3524).

VIOLENT CRIME REDUCTION PROGRAMS, JUSTICE ASSISTANCE

For assistance (including amounts for administrative costs for management and administration, which amounts shall be transferred to and merged with the ''Justice Assistance'' account) authorized by the Violent Crime Control and Law Enforcement Act of 1994, Public Law 103–322 (''the 1994 Act''); the Omnibus Crime Control and Safe Streets Act of 1968, as amended (''the 1968 Act''); and the Victims of Child Abuse Act of 1990, as amended (''the 1990 Act''); $202,400,000, to remain available until expended, which shall be derived from the Violent Crime Reduction Trust Fund; of which $6,000,000 shall be for the Court Appointed Special Advocate Program, as authorized by section 218 of the 1990 Act; $750,000 for Child Abuse Training Programs for Judicial Personnel and Practitioners, as authorized by section 224 of the 1990 Act; $130,000,000 for Grants to Combat Violence Against Women to States, units of local governments and Indian tribal governments, as authorized by section 1001(a)(18) of the 1968 Act; $28,000,000 for Grants to Encourage Arrest Policies to States, units of local governments and Indian tribal governments, as authorized by section 1001(a)(19) of the 1968 Act; $7,000,000 for Rural Domestic Violence and Child Abuse Enforcement Assistance Grants, as authorized by section 40295 of the 1994 Act; $1,000,000 for training programs to assist probation and parole officers who work with released sex offenders, as authorized by section 40152(c) of the Violent Crime Control and Law Enforcement Act of 1994; $50,000 for grants for televised testimony, as authorized by section 1001(a)(7) of the Omnibus Crime Control and Safe Streets Act of 1968; $200,000 for the study of State databases on the incidence of sexual and domestic violence, as authorized by section 40292 of the Violent Crime Control and Law Enforcement Act of 1994; $1,500,000 for national stalker and domestic violence reduction, as authorized by section 40603 of the 1994 Act; $27,000,000 for grants for residential substance abuse treatment for State prisoners authorized by section 1001(a)(17) of the 1968 Act; and $900,000 for the Missing Alzheimer's Disease Patient Alert Program, as authorized by section 240001(d) of the 1994 Act: *Provided*, That any balances for these programs shall be transferred to and merged with this appropriation.

STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE

For grants, contracts, cooperative agreements, and other assistance authorized by part E of title I of the Omnibus Crime Control and Safe Streets Act of 1968, as amended, for State and Local Narcotics Control and Justice Assistance Improvements, notwithstanding the provisions of section 511 of said Act, $388,000,000, to remain available until expended, as authorized by section 1001 of title I of said Act, as amended by Public Law 102–534 (106 Stat. 3524), of which $60,000,000 shall be available to carry out the provisions of chapter A of subpart 2 of part E of title I of said Act, for discretionary grants under the Edward Byrne Memorial State and Local Law Enforcement Assistance Programs: *Provided*, That balances of amounts appropriated prior to fiscal year 1995 under the authorities of this account shall be transferred to and merged with this account.

VIOLENT CRIME REDUCTION PROGRAMS, STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE

For assistance (including amounts for administrative costs for management and administration, which amounts shall be transferred to and merged with the ''Justice Assistance'' account) authorized by the Violent Crime Control and Law Enforcement Act of 1994, Public Law 103–322 (''the 1994 Act''); the Omnibus Crime Control and Safe Streets Act of 1968, as amended (''the 1968 Act''); and the Victims of Child Abuse Act of 1990, as amended (''the 1990 Act''); $3,005,200,000, to remain available until expended, which shall be derived from the Violent Crime Reduction Trust Fund; of which $1,903,000,000 shall be for Local Law Enforcement Block Grants, pursuant to H.R. 728 as passed by the House of Representatives on February 14, 1995 for the purposes set forth in paragraphs (A), (B), (D), (F), and (I) of section 101(a)(2) of H.R. 728 and for establishing crime prevention programs involving cooperation between community residents and law enforcement personnel in order to control, detect, or investigate crime or the prosecution of criminals: *Provided*, That recipients are encouraged to use these funds to hire additional law enforcement officers: *Provided further*, That funds may also be used to defray the costs of indemnification insurance for law enforcement officers: *Provided further*, That $10,000,000 of this amount shall be available for educational expenses as set forth in section 200103 of the 1994 Act; $25,000,000 for grants to upgrade criminal records, as authorized by section 106(b) of the Brady Handgun Violence Prevention Act of 1993, as amended, and section 4(b) of the National Child Protection Act of 1993; $147,000,000 as authorized by section 1001 of title I of the 1968 Act, which shall be available to carry out the provisions of subpart 1, part E of title I of the 1968 Act, notwithstanding section 511 of said Act, for the Edward Byrne Memorial State and Local Law Enforcement Assistance Programs; $300,000,000 for the State Criminal Alien Assistance Program, as authorized by section 242(j) of the Immigration and Nationality Act, as amended; $617,500,000 for Violent Offender Incarceration and Truth in Sentencing Incentive Grants pursuant to subtitle A of title II of the Violent Crime Control and Law Enforcement Act of 1994 (as amended by section 114 of this Act), of which $200,000,000 shall be available for payments to States for incarceration of criminal aliens, and of which $12,500,000 shall be available for the Cooperative Agreement Program; $1,000,000 for grants to States and units of local government for projects to improve DNA analysis, as authorized by section 1001(a)(22) of the 1968 Act; $9,000,000 for Improved Training and Technical Automation Grants, as authorized by section 210501(c)(1) of the 1994 Act; $1,000,000 for Law Enforcement Family Support Programs, as authorized by section 1001(a)(21) of the 1968 Act; $500,000 for Motor Vehicle Theft Prevention Programs, as authorized by section 220002(h) of the 1994 Act; $1,000,000 for Gang Investigation Coordination and Information Collection, as authorized by section 150006 of the 1994 Act; $200,000 for grants as authorized by section 32201(c)(3) of the 1994 Act: *Provided further*, That funds made available in fiscal year 1996 under subpart 1 of part E of title I of the Omnibus Crime Control and Safe Streets Act of 1968, as amended, may be obligated for programs to assist States in the litigation processing of death penalty Federal habeas corpus petitions: *Provided further*, That any 1995 balances for these programs shall be transferred to and merged with this appropriation: *Provided further*, That if a unit of local government uses any of the funds made available under this title to increase the number of law enforcement officers, the unit of local government will achieve a net gain in the number of law enforcement officers who perform nonadministrative public safety service: *Provided further*, That obligations incurred for Drug Courts through March 15, 1996 shall be charged to the amount made available under this heading for Local Law Enforcement Block Grants.

WEED AND SEED PROGRAM FUND

For necessary expenses, including salaries and related expenses of the Executive Office for Weed and Seed, to implement ''Weed and Seed'' program activities, $28,500,000, which shall be derived from discretionary grants provided under the Edward Byrne Memorial State and Local Law Enforcement Assistance Programs, to remain available until expended for intergovernmental agreements, including grants, cooperative agreements, and contracts, with State and local law enforcement agencies engaged in the investigation and prosecution of violent crimes and drug offenses in ''Weed and Seed'' designated communities, and for either reimbursements or transfers to appropriation accounts of the Department of Justice and other Federal agencies which shall be specified by the Attorney General to execute the ''Weed and Seed'' program strategy: *Provided*, That funds designated by Congress through language for other Department of Justice appropriation accounts for ''Weed and Seed'' program activities shall be managed and executed by the Attorney General through the Executive Office for Weed and Seed: *Provided further*, That the Attorney General may direct the use of other Department of Justice funds and personnel in support of ''Weed and Seed'' program activities only after the Attorney General notifies the Committees on Appropriations of the House of Representatives and the Senate in accordance with section 605 of this Act.

JUVENILE JUSTICE PROGRAMS

For grants, contracts, cooperative agreements, and other assistance authorized by the Juvenile Justice and Delinquency Prevention Act of 1974, as amended, including salaries and expenses in connection therewith to be transferred to and merged with the appropriations for Justice Assistance, $144,000,000, to remain available until expended, as authorized by section 299 of part I of title II and section 506 of title V of the Act, as amended by Public Law 102–586, of which: (1) $100,000,000 shall be available for expenses authorized by parts A, B, and C of title II of the Act; (2) $10,000,000 shall be available for expenses authorized by sections 281 and 282 of part D of title II of the Act for prevention and treatment programs relating to juvenile gangs; (3) $10,000,000 shall be available for expenses authorized by section 285 of part E of title II of the Act; (4) $4,000,000 shall be available for expenses authorized by part G of title II of the Act for juvenile mentoring programs; and (5) $20,000,000 shall be available for expenses authorized by title V of the Act for incentive grants for local delinquency prevention programs.

In addition, for grants, contracts, cooperative agreements, and other assistance authorized by the Victims of Child Abuse Act of 1990, as amended, $4,500,000, to remain available until expended, as authorized by

section 214B, of the Act: *Provided*, That balances of amounts appropriated prior to fiscal year 1995 under the authorities of this account shall be transferred to and merged with this account.

PUBLIC SAFETY OFFICERS BENEFITS

For payments authorized by part L of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796), as amended, such sums as are necessary, to remain available until expended, as authorized by section 6093 of Public Law 100–690 (102 Stat. 4339–4340), and, in addition, $2,134,000, to remain available until expended, for payments as authorized by section 1201(b) of said Act.

GENERAL PROVISIONS—DEPARTMENT OF JUSTICE

SEC. 114. (a) GRANT PROGRAM.—Subtitle A of title II of the Violent Crime and Law Enforcement Act of 1994 is amended to read as follows:

"Subtitle A—Violent Offender Incarceration and Truth-in-Sentencing Incentive Grants

"SEC. 20101. DEFINITIONS.

''As used in this subtitle—

''(1) the term ''indeterminate sentencing' means a system by which—

''(A) the court may impose a sentence of a range defined by statute; and

''(B) an administrative agency, generally the parole board, or the court, controls release within the statutory range;

''(2) the term 'part 1 violent crime' means murder and nonnegligent manslaughter, forcible rape, robbery, and aggravated assault as reported to the Federal Bureau of Investigation for purposes of the Uniform Crime Reports; and

''(3) the term 'State' means a State of the United States, the District of Columbia, or any commonwealth, territory, or possession of the United States.

"SEC. 20102. AUTHORIZATION OF GRANTS.

''(a) IN GENERAL.—The Attorney General shall provide grants to eligible States—

''(1) to build or expand correctional facilities to increase the prison bed capacity for the confinement of persons convicted of a part 1 violent crime or adjudicated delinquent for an act which if committed by an adult, would a part 1 violent crime;

''(2) to build or expand temporary or permanent correctional facilities, including facilities on military bases, prison barges, and boot camps, for the confinement of convicted nonviolent offenders and criminal aliens, for the purpose of freeing suitable existing prison space for the confinement of persons convicted of a part 1 violent crime; and

''(3) to build or expand jails.

''(b) REGIONAL COMPACTS.—

''(1) IN GENERAL.—Subject to paragraph (2), States may enter into regional compacts to carry out this subtitle. Such compacts shall be treated as States under this subtitle.

''(2) REQUIREMENT.—To be recognized as a regional compact for eligibility for a grant under section 20103 or 20104, each member State must be eligible individually.

''(3) LIMITATION ON RECEIPT OF FUNDS.—No State may receive a grant under this subtitle both individually and as part of a compact.

''(c) LIMITATIONS.—

''(1) Except as provided in paragraph (2), an eligible State may receive either a general grant under section 20103 or a truth-in-sentencing incentive grant under section 20104.

''(2) EXCEPTION.—An eligible State may receive a grant under both sections 20103 and 20104 if the amount that such State is eligible to receive under section 20103 in a year equals or exceeds the amount that such State is eligible to receive under section 20104 for that year.

''(d) APPLICABILITY.—Notwithstanding the eligibility requirements of sections 20103 and 20104, a State that certifies to the Attorney General that, as of the date of enactment of the Department of Justice Appropriations Act, 1996, such State has enacted legislation in reliance on subtitle A of title II of the Violent Crime Control and Law Enforcement Act, as enacted on September 13, 1994, and would in fact qualify under those provisions, shall be eligible to receive a grant for fiscal year 1996 as though such State qualifies under sections 20103 or 20104 of this subtitle.

"SEC. 20103. GENERAL GRANTS.

''(a) IN GENERAL.—To be eligible to receive a grant under this section, a State shall submit an application to the Attorney General that provides assurances that such State has, since 1993—

''(1) increased the percentage of persons convicted of a part 1 violent crime sentenced to prison;

''(2) increased the average prison time actually to be served in prison by persons convicted of a part 1 violent crime sentenced to prison; and

''(3) increased the average percentage of time of the sentence to be actually served in prison by persons convicted of a part 1 violent crime and sentenced to prison.

''(b) INDETERMINATE SENTENCING EXCEPTION.—Notwithstanding subsection (a), a State shall be eligible for a grant under this section if such State submits an application to the Attorney General that provides assurances that the State on the date of the enactment of the Departments of Commerce, Justice, and State, the Judiciary and Related Agencies Appropriations Act, 1996—

''(1) practices indeterminate sentencing with regard to any part 1 violent crime; and

''(2) since 1993 the State has increased—

''(A) the percentage of persons convicted of a part 1 violent crime sentenced to prison; and

''(B) the average time served in the State for the offenses of murder, rape, and robbery under the State's sentencing and release guidelines for such offenses.

"SEC. 20104. TRUTH-IN-SENTENCING INCENTIVE GRANTS.

''(a) ELIGIBILITY.—To be eligible to receive a grant under this section, a State shall submit an application to the Attorney General that provides assurances that—

''(1) such State has implemented truth-in-sentencing laws that require persons convicted of a part 1 violent crime to serve not less than 85 percent of the sentence imposed (not counting time not actually served, such as administrative or statutory incentives for good behavior);

''(2) such State has truth-in-sentencing laws that have been enacted, but not yet implemented, that require such State, not later than 3 years after such State submits an application to the Attorney General, to provide that persons convicted of a part 1 violent crime serve not less than 85 percent of the sentence imposed; or

''(3) if, in the case of a State that on the date of enactment of the Departments of Commerce, Justice, and State, the Judiciary and Related Agencies Appropriations Act, 1996, practices indeterminate sentencing with regard to any part 1 violent crime, such State demonstrates that the average time served for part 1 violent crimes in the State equals at least 85 percent of the sentences established for such crimes under the State's sentencing and release guidelines (not counting time not actually served, such as administrative or statutory incentives for good behavior).

''(b) EXCEPTION.—Notwithstanding subsection (a), a State may provide that the Governor of the State may allow for the earlier release of—

''(1) a geriatric prisoner; or

''(2) a prisoner whose medical condition precludes the prisoner from posing a threat to the public, but only after a public hearing in which representatives of the public and the prisoner's victims have had an opportunity to be heard regarding a proposed release.

"SEC. 20105. SPECIAL RULES.

''(a) SHARING OF FUNDS WITH COUNTIES AND OTHER UNITS OF LOCAL GOVERNMENT.—

''(1) RESERVATION.—Each State shall reserve not more than 15 percent of the amount of funds allocated in a fiscal year pursuant to section 20106 for counties and units of local government to construct, develop, expand, modify, or improve jails and other correctional facilities.

''(2) FACTORS FOR DETERMINATION OF AMOUNT.—To determine the amount of funds to be reserved under this subsection, a State shall consider the burden placed on a county or unit of local government that results from the implementation of policies adopted by the State to carry out sections 20103 and 20104.

''(b) ADDITIONAL REQUIREMENT.—To be eligible to receive a grant under section 20103 or 20104, a State shall provide assurances to the Attorney General that the State has implemented or will implement not later than 18 months after the date of the enactment of this subtitle policies that provide for the recognition of the rights and needs of crime victims.

''(c) FUNDS FOR JUVENILE OFFENDERS.—Notwithstanding any other provision of this subtitle, if a State, or unit of local government located in a State that otherwise meets the requirements of sections 20103 or 20104, certifies to the Attorney General that exigent circumstances exist that require the State to expend funds to confine juvenile offenders, the State may use funds received under this subtitle to build or expand juvenile correctional facilities or pretrial detention facilities for juvenile offenders.

''(d) PRIVATE FACILITIES.—A State may use funds received under this subtitle for the privatization of facilities to carry out the purposes of section 20102.

"SEC. 20106. FORMULA FOR GRANTS.

''In determining the amount of funds that may be granted to each State eligible to receive a grant under section 20103 or 20104, the Attorney General shall apply the following formula:

''(1) MINIMUM AMOUNT FOR GRANTS UNDER SECTION 20103.—Of the amount set aside for grants for section 20103, 0.6 percent shall be allocated to each eligible State, except that the United States Virgin Islands, American Samoa, Guam, and the Commonwealths of Puerto Rico and the Northern Mariana Islands shall each be allocated 0.05 percent.

''(2) MINIMUM AMOUNT FOR GRANTS UNDER SECTION 20104.—Of the amount set aside for grants for section 20104—

''(A) if less than 20 States are awarded grants under section 20104, 2.5 percent of the amounts paid shall be allocated to each eligible State, except that the United States Virgin Islands, American Samoa, Guam, and the Commonwealths of Puerto Rico and the Northern Mariana Islands shall each be allocated 0.05 percent; and

''(B) if 20 or more States are awarded grants under section 20104, 2.0 percent of the amounts awarded shall be allocated to each eligible State in a fiscal year for a grant under section 20104, except that the United States Virgin Islands, American Samoa, Guam, and the Commonwealths of Puerto Rico and the Northern Mariana Islands shall each be allocated 0.04 percent.

''(3) ADDITIONAL AMOUNTS BASED ON NUMBER OF PART 1 VIOLENT CRIMES.—

''(A) DISTRIBUTION OF REMAINING AMOUNTS.—The amounts remaining after the

application of paragraph (1) or (2) shall be allocated to each eligible State in the ration that the average annual number of part 1 violent crimes reported by such State to the Federal Bureau of Investigation for the 3 years preceding the year in which the determination is made bears to the average annual number of part 1 violent crimes reported by all such States to the Federal Bureau of Investigation for the 3 years preceding the year in which the determination is made.

''(B) UNAVAILABLE DATA.—If data regarding part 1 violent crimes in any State is unavailable for the 3 years preceding the year in which the determination is made or substantially inaccurate, the Attorney General shall utilize the best available comparable data regarding the number of violent crimes for the previous year for the State for the purposes of allocation of funds under this subtitle.

''(4) REGIONAL COMPACTS.—In determining the funds that States organized as a regional compact may receive, the Attorney General shall first apply the formula in either paragraph (1) or (2) and (3) of this section to each member State of the compact. The States organized as a regional compact may receive the sum of the amounts so determined.

''SEC. 20107. ACCOUNTABILITY.

''(a) FISCAL REQUIREMENTS.—A State that receives funds under this subtitle shall use accounting, audit, and fiscal procedures that conform to guidelines prescribed by the Attorney General, and shall ensure that any funds used to carry out the programs under section 20102(a) shall represent the best value for the State governments at the lowest possible cost and employ the best available technology.

''(b) ADMINISTRATIVE PROVISIONS.—The administrative provisions of sections 801 and 802 of the Omnibus Crime Control and Safe Streets Act of 1968 shall apply to the Attorney General under this subtitle in the same manner that such provisions apply to the officials listed in such sections.

''SEC. 20108. AUTHORIZATION OF APPROPRIATIONS.

''(a) IN GENERAL.—

''(1) AUTHORIZATIONS.—There are authorized to be appropriated to carry out this subtitle—

''(A) $997,500,000 for fiscal year 1996;

''(B) $1,330,000,000 for fiscal year 1997;

''(C) $2,527,999,000 for fiscal year 1998;

''(D) $2,660,000,000 for fiscal year 1999; and

''(E) $2,753,100,000 for fiscal year 2000.

''(2) DISTRIBUTION.—

''(A) IN GENERAL.—Subject to section 20109, and except as provided in subparagraph (B), of the amount appropriated pursuant to paragraph (1)—

''(i) one-third of such amount shall be allocated pursuant to section 20106 to eligible states under section 20103; and

''(ii) two-thirds of such amount shall be allocated pursuant to section 20106 to eligible states under section 20104.

''(B) ADDITIONAL FUNDS.—Subject to section 20109, if the amount appropriated pursuant to paragraph (1) exceeds $750,000,000—

''(i) half of such amount shall be allocated pursuant to section 20106 to eligible States under section 20103; and

''(ii) half of such amount shall be allocated pursuant to section 20106 to eligible States under section 20104.

''(b) LIMITATIONS ON FUNDS.—

''(1) USES OF FUNDS.—Except as provided in section 20111, funds made available pursuant to this section shall be used only to carry out the purposes described in section 20102(a).

''(2) NONSUPPLANTING REQUIREMENT.—Funds made available pursuant to this section shall not be used to supplant State funds, but shall be used to increase the amount of funds that would, in the absence of Federal funds, be made available from State sources.

''(3) ADMINISTRATIVE COSTS.—Not more than 3 percent of the funds made available pursuant to this section shall be used for administrative costs.

''(4) CARRYOVER OF APPROPRIATIONS.—Funds appropriated pursuant to this section during any fiscal year shall remain available until expended.

''(5) MATCHING FUNDS.—The Federal share of a grant received under this subtitle may not exceed 90 percent of the costs of a proposal as described in an application approved under this subtitle.

''SEC. 20109. PAYMENTS FOR INCARCERATION ON TRIBAL LANDS.

''(a) RESERVATION OF FUNDS.—Notwithstanding any other provision of this subtitle, from amounts appropriated under section 20108 to carry out sections 20103 and 20104, the Attorney General shall reserve, to carry out this section—

''(1) 0.3 percent in each of fiscal years 1996 and 1997; and

''(2) 0.2 percent in each of fiscal years 1998, 1999, and 2000.

''(b) GRANTS TO INDIAN TRIBES.—From the amounts reserved under subsection (a), the Attorney General may make grants to Indian tribes for the purposes of constructing jails on tribal lands for the incarceration of offenders subject to tribal jurisdiction.

''(c) APPLICATIONS.—To be eligible to receive a grant under this section, an Indian tribe shall submit to the Attorney General an application in such form and containing such information as the Attorney General may by regulation require.

''SEC. 20110. PAYMENTS TO ELIGIBLE STATES FOR INCARCERATION OF CRIMINAL ALIENS.

''(a) IN GENERAL.—The Attorney General shall make a payment to each State which is eligible under section 242(j) of the Immigration and Nationality Act and which meets the eligibility requirements of section 20104, in such amount as is determined under section 242(j) and for which payment is not made to such State for such fiscal year under such section.

''(b) AUTHORIZATION OF APPROPRIATIONS.—Notwithstanding any other provision of this subtitle, there are authorized to be appropriated to carry out this section from amounts authorized under section 20108, an amount which when added to amounts appropriated to carry out section 242(j) of the Immigration and Nationality Act for fiscal year 1996 equals $500,000,000 and for each of the fiscal years 1997 through 2000 does not exceed $650,000,000.

''(c) REPORT TO CONGRESS.—Not later than May 15, 1999, the Attorney General shall submit a report to the Congress which contains the recommendation of the Attorney General concerning the extension of the program under this section.

''SEC. 20111. SUPPORT OF FEDERAL PRISONERS IN NON-FEDERAL INSTITUTIONS.

''(a) IN GENERAL.—The Attorney General may make payments to States and units of local government for the purposes authorized in section 4013 of title 18, United States Code.

''(b) AUTHORIZATION OF APPROPRIATIONS.—Notwithstanding any other provision of this subtitle, there are authorized to be appropriated from amounts authorized under section 20108 for each fiscal years 1996 through 2000 such sums as may be necessary to carry out this section.

''SEC. 20112. REPORT BY THE ATTORNEY GENERAL.

''Beginning on July 1, 1996, and each July 1 thereafter, the Attorney General shall report to the Congress on the implementation of this subtitle, including a report on the eligibility of the States under sections 20103 and 20104, and the distribution and use of funds under this subtitle.''.

(b) PREFERENCE IN PAYMENTS.—Section 242(j)(4) of the Immigration and Nationality Act (8 U.S.C. 1252(j)(4)) is amended by adding at the end the following:

''(C) in carrying out paragraph (1)(A), the Attorney General shall give preference in making payments to States and political subdivisions of States which are ineligible for payments under section 20110 of the Violent Crime Control and Law Enforcement Act of 1994.''.

(c) CONFORMING AMENDMENTS.—

(1) OMNIBUS CRIME CONTROL AND SAFE STREETS ACT OF 1968.—

(A) PART V.—Part V of title I of the Omnibus Crime Control and Safe Streets Act of 1968 is repealed.

(B) FUNDING.—

(i) Section 1001(a) of the Omnibus Crime Control and Safe Streets Act of 1968 is amended by striking paragraph (20).

(ii) Notwithstanding the provisions of subparagraph (A), any funds that remain available to an applicant under paragraph (20) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 shall be used in accordance with part V of such Act as if such Act was in effect on the day preceding the date of enactment of this Act.

(2) VIOLENT CRIME CONTROL AND LAW ENFORCEMENT ACT OF 1994.—

(A) TABLE OF CONTENTS.—The table of contents of the Violent Crime Control and Law Enforcement Act of 1994 is amended by striking the matter relating to title V.

(B) COMPLIANCE.—Notwithstanding the provisions of paragraph (1), any funds that remain available to an applicant under title V of the Violent Crime Control and Law Enforcement Act of 1994 shall be used in accordance with such subtitle as if such subtitle was in effect on the day preceding the date of enactment of this Act.

(C) TRUTH-IN-SENTENCING.—The table of contents of the Violent Crime Control and Law Enforcement Act of 1994 is amended by striking the matter relating to subtitle A of title II and inserting the following:

''SUBTITLE A—TRUTH-IN-SENTENCING GRANTS

''Sec. 20101. Definitions.
''Sec. 20102. Authorization of Grants.
''Sec. 20103. General Grants.
''Sec. 20104. Truth-in-sentencing incentive grants.
''Sec. 20105. Special rules.
''Sec. 20106. Formula for grants.
''Sec. 20107. Accountability.
''Sec. 20108. Authorization of appropriations.
''Sec. 20109. Payments for Incarceration on Tribal Lands.
''Sec. 20110. Payments to States for Incarceration of Criminal Aliens.
''Sec. 20111. Support of Federal Prisoners in Non-Federal Institutions.
''Sec. 20112. Report by the Attorney General.''.

This title may be cited as the ''Department of Justice Appropriations Act, 1996''.

TITLE II—DEPARTMENT OF COMMERCE AND RELATED AGENCIES

TRADE AND INFRASTRUCTURE DEVELOPMENT

RELATED AGENCIES

OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

SALARIES AND EXPENSES

For necessary expenses of the Office of the United States Trade Representative, including the hire of passenger motor vehicles and the employment of experts and consultants as authorized by 5 U.S.C. 3109, $20,889,000, of which $2,500,000 shall remain available until

expended: *Provided,* That not to exceed $98,000 shall be available for official reception and representation expenses.

INTERNATIONAL TRADE COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the International Trade Commission, including hire of passenger motor vehicles and services as authorized by 5 U.S.C. 3109, and not to exceed $2,500 for official reception and representation expenses, $40,000,000, to remain available until expended.

DEPARTMENT OF COMMERCE

INTERNATIONAL TRADE ADMINISTRATION

OPERATIONS AND ADMINISTRATION

For necessary expenses for international trade activities of the Department of Commerce provided for by law, and engaging in trade promotional activities abroad, including expenses of grants and cooperative agreements for the purpose of promoting exports of United States firms, without regard to 44 U.S.C. 3702 and 3703; full medical coverage for dependent members of immediate families of employees stationed overseas and employees temporarily posted overseas; travel and transportation of employees of the United States and Foreign Commercial Service between two points abroad, without regard to 49 U.S.C. 1517; employment of Americans and aliens by contract for services; rental of space abroad for periods not exceeding ten years, and expenses of alteration, repair, or improvement; purchase or construction of temporary demountable exhibition structures for use abroad; payment of tort claims, in the manner authorized in the first paragraph of 28 U.S.C. 2672 when such claims arise in foreign countries; not to exceed $327,000 for official representation expenses abroad; purchase of passenger motor vehicles for official use abroad, not to exceed $30,000 per vehicle; obtain insurance on official motor vehicles; and rent tie lines and teletype equipment; $264,885,000, to remain available until expended: *Provided,* That the provisions of the first sentence of section 105(f) and all of section 108(c) of the Mutual Educational and Cultural Exchange Act of 1961 (22 U.S.C. 2455(f) and 2458(c)) shall apply in carrying out these activities without regard to 15 U.S.C. 4912; and that for the purpose of this Act, contributions under the provisions of the Mutual Educational and Cultural Exchange Act shall include payment for assessments for services provided as part of these activities.

EXPORT ADMINISTRATION

OPERATIONS AND ADMINISTRATION

For necessary expenses for export administration and national security activities of the Department of Commerce, including costs associated with the performance of export administration field activities both domestically and abroad; full medical coverage for dependent members of immediate families of employees stationed overseas; employment of Americans and aliens by contract for services abroad; rental of space abroad for periods not exceeding ten years, and expenses of alteration, repair, or improvement; payment of tort claims, in the manner authorized in the first paragraph of 28 U.S.C. 2672 when such claims arise in foreign countries; not to exceed $15,000 for official representation expenses abroad; awards of compensation to informers under the Export Administration Act of 1979, and as authorized by 22 U.S.C. 401(b); purchase of passenger motor vehicles for official use and motor vehicles for law enforcement use with special requirement vehicles eligible for purchase without regard to any price limitation otherwise established by law; $38,604,000, to remain available until expended: *Provided,* That the provisions of the first sentence of section 105(f) and all of section 108(c) of the Mutual Educational and Cultural Exchange Act of 1961 (22 U.S.C. 2455(f) and 2458(c)) shall apply in carrying out these activities: *Provided further,* That payments and contributions collected and accepted for materials or services provided as part of such activities may be retained for use in covering the cost of such activities, and for providing information to the public with respect to the export administration and national security activities of the Department of Commerce and other export control programs of the United States and other governments.

ECONOMIC DEVELOPMENT ADMINISTRATION

ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

For grants for economic development assistance as provided by the Public Works and Economic Development Act of 1965, as amended, Public Law 91–304, and such laws that were in effect immediately before September 30, 1982, and for trade adjustment assistance, $328,500,000: *Provided,* That none of the funds appropriated or otherwise made available under this heading may be used directly or indirectly for attorneys' or consultants' fees in connection with securing grants and contracts made by the Economic Development Administration: *Provided further,* That, notwithstanding any other provision of law, the Secretary of Commerce may provide financial assistance for projects to be located on military installations closed or scheduled for closure or realignment to grantees eligible for assistance under the Public Works and Economic Development Act of 1965, as amended, without it being required that the grantee have title or ability to obtain a lease for the property, for the useful life of the project, when in the opinion of the Secretary of Commerce, such financial assistance is necessary for the economic development of the area: *Provided further,* That the Secretary of Commerce may, as the Secretary considers appropriate, consult with the Secretary of Defense regarding the title to land on military installations closed or scheduled for closure or realignment.

SALARIES AND EXPENSES

For necessary expenses of administering the economic development assistance programs as provided for by law, $20,000,000: *Provided,* That these funds may be used to monitor projects approved pursuant to title I of the Public Works Employment Act of 1976, as amended, title II of the Trade Act of 1974, as amended, and the Community Emergency Drought Relief Act of 1977.

MINORITY BUSINESS DEVELOPMENT AGENCY

MINORITY BUSINESS DEVELOPMENT

For necessary expenses of the Department of Commerce in fostering, promoting, and developing minority business enterprise, including expenses of grants, contracts, and other agreements with public or private organizations, $32,000,000.

ECONOMIC AND INFORMATION INFRASTRUCTURE

ECONOMIC AND STATISTICAL ANALYSIS

SALARIES AND EXPENSES

For necessary expenses, as authorized by law, of economic and statistical analysis programs of the Department of Commerce, $45,900,000, to remain available until September 30, 1997.

ECONOMICS AND STATISTICS ADMINISTRATION REVOLVING FUND

The Secretary of Commerce is authorized to disseminate economic and statistical data products as authorized by 15 U.S.C. 1525–1527 and, notwithstanding 15 U.S.C. 4912, charge fees necessary to recover the full costs incurred in their production. Notwithstanding 31 U.S.C. 3302, receipts received from these data dissemination activities shall be credited to this account, to be available for carrying out these purposes without further appropriation.

BUREAU OF THE CENSUS

SALARIES AND EXPENSES

For expenses necessary for collecting, compiling, analyzing, preparing, and publishing statistics, provided for by law, $133,812,000.

PERIODIC CENSUSES AND PROGRAMS

For expenses necessary to collect and publish statistics for periodic censuses and programs provided for by law, $150,300,000, to remain available until expended.

NATIONAL TELECOMMUNICATIONS AND INFORMATION ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses, as provided for by law, of the National Telecommunications and Information Administration, $17,000,000, to remain available until expended: *Provided,* That notwithstanding 31 U.S.C. 1535(d), the Secretary of Commerce is authorized to retain and use as offsetting collections all funds transferred, or previously transferred, from other Government agencies for spectrum management, analysis, and operations and for all costs incurred in telecommunications research, engineering, and related activities by the Institute for Telecommunication Sciences of the NTIA in furtherance of its assigned functions under this paragraph and such funds received from other Government agencies shall remain available until expended.

PUBLIC BROADCASTING FACILITIES, PLANNING AND CONSTRUCTION

For grants authorized by section 392 of the Communications Act of 1934, as amended, $15,500,000, to remain available until expended as authorized by section 391 of the Act, as amended: *Provided,* That not to exceed $2,200,000 shall be available for program administration as authorized by section 391 of the Act: *Provided further,* That notwithstanding the provisions of section 391 of the Act, the prior year unobligated balances may be made available for grants for projects for which applications have been submitted and approved during any fiscal year.

INFORMATION INFRASTRUCTURE GRANTS

For grants authorized by section 392 of the Communications Act of 1934, as amended, $21,500,000, to remain available until expended as authorized by section 391 of the Act, as amended: *Provided,* That not to exceed $3,000,000 shall be available for program administration and other support activities as authorized by section 391 of the Act including support of the Advisory Council on National Information Infrastructure: *Provided further,* That of the funds appropriated herein, not to exceed 5 percent may be available for telecommunications research activities for projects related directly to the development of a national information infrastructure: *Provided further,* That notwithstanding the requirements of section 392(a) and 392(c) of the Act, these funds may be used for the planning and construction of telecommunications networks for the provision of educational, cultural, health care, public information, public safety or other social services.

PATENT AND TRADEMARK OFFICE

SALARIES AND EXPENSES

For necessary expenses of the Patent and Trademark Office provided for by law, including defense of suits instituted against the Commissioner of Patents and Trademarks; $82,324,000, to remain available until expended: *Provided,* That the funds made

available under this heading are to be derived from deposits in the Patent and Trademark Office Fee Surcharge Fund as authorized by law: *Provided further,* That the amounts made available under the Fund shall not exceed amounts deposited; and such fees as shall be collected pursuant to 15 U.S.C. 1113 and 35 U.S.C. 41 and 376, shall remain available until expended.

SCIENCE AND TECHNOLOGY

NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY

SCIENTIFIC AND TECHNICAL RESEARCH AND SERVICES

For necessary expenses of the National Institute of Standards and Technology, $259,000,000, to remain available until expended, of which not to exceed $8,500,000 may be transferred to the ''Working Capital Fund''.

INDUSTRIAL TECHNOLOGY SERVICES

For necessary expenses of the Manufacturing Extension Partnership of the National Institute of Standards and Technology, $80,000,000, to remain available until expended, of which not to exceed $500,000 may be transferred to the ''Working Capital Fund'': *Provided,* That none of the funds made available under this heading in this or any other Act may be used for the purposes of carrying out additional program competitions under the Advanced Technology Program: *Provided further,* That any unobligated balances available from carryover of prior year appropriations under the Advanced Technology Program may be used only for the purposes of providing continuation grants.

CONSTRUCTION OF RESEARCH FACILITIES

For construction of new research facilities, including architectural and engineering design, and for renovation of existing facilities, not otherwise provided for the National Institute of Standards and Technology, as authorized by 15 U.S.C. 278c–278e, $60,000,000, to remain available until expended.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

OPERATIONS, RESEARCH, AND FACILITIES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of activities authorized by law for the National Oceanic and Atmospheric Administration, including acquisition, maintenance, operation, and hire of aircraft; not to exceed 358 commissioned officers on the active list; grants, contracts, or other payments to nonprofit organizations for the purposes of conducting activities pursuant to cooperative agreements; and alteration, modernization, and relocation of facilities as authorized by 33 U.S.C. 883i; $1,795,677,000, to remain available until expended: *Provided,* That notwithstanding 31 U.S.C. 3302 but consistent with other existing law, fees shall be assessed, collected, and credited to this appropriation as offsetting collections to be available until expended, to recover the costs of administering aeronautical charting programs: *Provided further,* That the sum herein appropriated from the general fund shall be reduced as such additional fees are received during fiscal year 1996, so as to result in a final general fund appropriation estimated at not more than $1,792,677,000: *Provided further,* That any such additional fees received in excess of $3,000,000 in fiscal year 1996 shall not be available for obligation until October 1, 1996: *Provided further,* That fees and donations received by the National Ocean Service for the management of the national marine sanctuaries may be retained and used for the salaries and expenses associated with those activities, notwithstanding 31 U.S.C. 3302: *Provided further,* That in addition, $63,000,000 shall be derived by transfer from the fund entitled ''Promote and Develop Fishery Products and Research Pertaining to American Fisheries'': *Provided further,* That grants to States pursuant to sections 306 and 306(a) of the Coastal Zone Management Act, as amended, shall not exceed $2,000,000.

COASTAL ZONE MANAGEMENT FUND

Of amounts collected pursuant to 16 U.S.C. 1456a, not to exceed $7,800,000, for purposes set forth in 16 U.S.C. 1456a(b)(2)(A), 16 U.S.C. 1456a(b)(2)(B)(v), and 16 U.S.C. 1461(e).

CONSTRUCTION

For repair and modification of, and additions to, existing facilities and construction of new facilities, and for facility planning and design and land acquisition not otherwise provided for the National Oceanic and Atmospheric Administration, $50,000,000, to remain available until expended.

FLEET MODERNIZATION, SHIPBUILDING AND CONVERSION

For expenses necessary for the repair, acquisition, leasing, or conversion of vessels, including related equipment to maintain and modernize the existing fleet and to continue planning the modernization of the fleet, for the National Oceanic and Atmospheric Administration, $8,000,000, to remain available until expended.

FISHING VESSEL AND GEAR DAMAGE COMPENSATION FUND

For carrying out the provisions of section 3 of Public Law 95–376, not to exceed $1,032,000, to be derived from receipts collected pursuant to 22 U.S.C. 1980 (b) and (f), to remain available until expended.

FISHERMEN'S CONTINGENCY FUND

For carrying out the provisions of title IV of Public Law 95–372, not to exceed $999,000, to be derived from receipts collected pursuant to that Act, to remain available until expended.

FOREIGN FISHING OBSERVER FUND

For expenses necessary to carry out the provisions of the Atlantic Tunas Convention Act of 1975, as amended (Public Law 96–339), the Magnuson Fishery Conservation and Management Act of 1976, as amended (Public Law 100–627) and the American Fisheries Promotion Act (Public Law 96–561), there are appropriated from the fees imposed under the foreign fishery observer program authorized by these Acts, not to exceed $196,000, to remain available until expended.

FISHING VESSEL OBLIGATIONS GUARANTEES

For the cost, as defined in section 502 of the Federal Credit Reform Act of 1990, of guaranteed loans authorized by the Merchant Marine Act of 1936, as amended, $250,000: *Provided,* That none of the funds made available under this heading may be used to guarantee loans for any new fishing vessel that will increase the harvesting capacity in any United States fishery.

TECHNOLOGY ADMINISTRATION

UNDER SECRETARY FOR TECHNOLOGY/OFFICE OF TECHNOLOGY POLICY

SALARIES AND EXPENSES

For necessary expenses for the Under Secretary for Technology/Office of Technology Policy, $5,000,000.

GENERAL ADMINISTRATION

SALARIES AND EXPENSES

For expenses necessary for the general administration of the Department of Commerce provided for by law, including not to exceed $3,000 for official entertainment, $29,100,000.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended (5 U.S.C. App. 1–11 as amended by Public Law 100–504), $19,849,000.

NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY

CONSTRUCTION OF RESEARCH FACILITIES

(RESCISSION)

Of the unobligated balances available under this heading, $75,000,000 are rescinded.

GENERAL PROVISIONS—DEPARTMENT OF COMMERCE

SEC. 201. During the current fiscal year, applicable appropriations and funds made available to the Department of Commerce by this Act shall be available for the activities specified in the Act of October 26, 1949 (15 U.S.C. 1514), to the extent and in the manner prescribed by the Act, and, notwithstanding 31 U.S.C. 3324, may be used for advanced payments not otherwise authorized only upon the certification of officials designated by the Secretary that such payments are in the public interest.

SEC. 202. During the current fiscal year, appropriations made available to the Department of Commerce by this Act for salaries and expenses shall be available for hire of passenger motor vehicles as authorized by 31 U.S.C. 1343 and 1344; services as authorized by 5 U.S.C. 3109; and uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901–5902).

SEC. 203. None of the funds made available by this Act may be used to support the hurricane reconnaissance aircraft and activities that are under the control of the United States Air Force or the United States Air Force Reserve.

SEC. 204. None of the funds provided in this or any previous Act, or hereinafter made available to the Department of Commerce shall be available to reimburse the Unemployment Trust Fund or any other fund or account of the Treasury to pay for any expenses paid before October 1, 1992, as authorized by section 8501 of title 5, United States Code, for services performed after April 20, 1990, by individuals appointed to temporary positions within the Bureau of the Census for purposes relating to the 1990 decennial census of population.

SEC. 205. Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Department of Commerce in this Act may be transferred between such appropriations, but no such appropriation shall be increased by more than 10 percent by any such transfers: *Provided,* That any transfer pursuant to this section shall be treated as a reprogramming of funds under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

SEC. 206. (a) Should legislation be enacted to dismantle or reorganize the Department of Commerce, the Secretary of Commerce, no later than 90 days thereafter, shall submit to the Committees on Appropriations of the House and the Senate a plan for transferring funds provided in this Act to the appropriate successor organizations: *Provided,* That the plan shall include a proposal for transferring or rescinding funds appropriated herein for agencies or programs terminated under such legislation: *Provided further,* That such plan shall be transmitted in accordance with section 605 of this Act.

(b) The Secretary of Commerce or the appropriate head of any successor organization(s) may use any available funds to carry out legislation dismantling or reorganizing the Department of Commerce to cover the costs of actions relating to the abolishment, reorganization or transfer of functions and any related personnel action,

including voluntary separation incentives if authorized by such legislation: *Provided,* That the authority to transfer funds between appropriations accounts that may be necessary to carry out this section is provided in addition to authorities included under section 205 of this Act: *Provided further,* That use of funds to carry out this section shall be treated as a reprogramming of funds under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

SEC. 207. Notwithstanding any other provision of law (including any regulation and including the Public Works and Economic Development Act of 1965), the transfer of title to the Rutland City Industrial Complex to Hilinex, Vermont (as related to Economic Development Administration Project Number 01–11–01742) shall not require compensation to the Federal Government for the fair share of the Federal Government of that real property.

SEC. 208. (a) IN GENERAL.—The Secretary of Commerce, acting through the Assistant Secretary for Economic Development of the Department of Commerce, shall—

(1) not later than January 1, 1996, commence the demolition of the structures on, and the cleanup and environmental remediation on, the parcel of land described in subsection (b);

(2) not later than March 31, 1996, complete the demolition, cleanup, and environmental remediation under paragraph (1); and

(3) not later than April 1, 1996, convey the parcel of land described in subsection (b), in accordance with the requirements of section 120(h) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9620(h)), to the Tuscaloosa County Industrial Development Authority, on receipt of payment of the fair market value for the parcel by the Authority, as agreed on by the Secretary and the Authority.

(b) LAND PARCEL.—The parcel of land referred to in subsection (a) is the parcel of land consisting of approximately 41 acres in Holt, Alabama (in Tuscaloosa County), that is generally known as the ''Central Foundry Property'', as depicted on a map, and as described in a legal description, that the Secretary, acting through the Assistant Secretary for Economic Development, determines to be satisfactory.

SEC. 209. Any costs incurred by a Department or agency funded under this title resulting from personnel actions taken in response to funding reductions included in this title shall be absorbed within the total budgetary resources available to such Department or agency: *Provided,* That the authority to transfer funds between appropriations accounts as may be necessary to carry out this provision is provided in addition to authorities included elsewhere in this Act: *Provided further,* That use of funds to carry out this section shall be treated as a reprogramming of funds under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

SEC. 210. None of the funds appropriated under this Act may be used to develop new fishery management plans or amendments which create new individual transferable quota programs, or to implement any such plans or amendments approved by a Regional Fishery Management Council or the Secretary of Commerce after January 4, 1995, until offsetting fees to pay for the cost of administering such plans or amendments are expressly authorized under the Magnuson Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.).

This title may be cited as the ''Department of Commerce and Related Agencies Appropriations Act, 1996''.

TITLE III—THE JUDICIARY

SUPREME COURT OF THE UNITED STATES

SALARIES AND EXPENSES

For expenses necessary for the operation of the Supreme Court, as required by law, excluding care of the building and grounds, including purchase or hire, driving, maintenance and operation of an automobile for the Chief Justice, not to exceed $10,000 for the purpose of transporting Associate Justices, and hire of passenger motor vehicles as authorized by 31 U.S.C. 1343 and 1344; not to exceed $10,000 for official reception and representation expenses; and for miscellaneous expenses, to be expended as the Chief Justice may approve, $25,834,000.

CARE OF THE BUILDING AND GROUNDS

For such expenditures as may be necessary to enable the Architect of the Capitol to carry out the duties imposed upon him by the Act approved May 7, 1934 (40 U.S.C. 13a–13b), $3,313,000, of which $500,000 shall remain available until expended.

UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT

SALARIES AND EXPENSES

For salaries of the chief judge, judges, and other officers and employees, and for necessary expenses of the court, as authorized by law, $14,288,000.

UNITED STATES COURT OF INTERNATIONAL TRADE

SALARIES AND EXPENSES

For salaries of the chief judge and eight judges, salaries of the officers and employees of the court, services as authorized by 5 U.S.C. 3109, and necessary expenses of the court, as authorized by law, $10,859,000.

COURTS OF APPEALS, DISTRICT COURTS, AND OTHER JUDICIAL SERVICES

SALARIES AND EXPENSES

For the salaries of circuit and district judges (including judges of the territorial courts of the United States), justices and judges retired from office or from regular active service, judges of the United States Court of Federal Claims, bankruptcy judges, magistrate judges, and all other officers and employees of the Federal Judiciary not otherwise specifically provided for, and necessary expenses of the courts, as authorized by law, $2,433,141,000 (including the purchase of firearms and ammunition); of which not to exceed $13,454,000 shall remain available until expended for space alteration projects; of which not to exceed $10,000,000 shall remain available until expended for furniture and furnishings related to new space alteration and construction projects; and of which $500,000 is to remain available until expended for acquisition of books, periodicals, and newspapers, and all other legal reference materials, including subscriptions.

In addition, for expenses of the United States Court of Federal Claims associated with processing cases under the National Childhood Vaccine Injury Act of 1986, not to exceed $2,318,000, to be appropriated from the Vaccine Injury Compensation Trust Fund.

VIOLENT CRIME REDUCTION PROGRAMS

For activities of the Federal Judiciary as authorized by law, $30,000,000, to remain available until expended, which shall be derived from the Violent Crime Reduction Trust Fund, as authorized by section 190001(a) of Public Law 103–322.

DEFENDER SERVICES

For the operation of Federal Public Defender and Community Defender organizations, the compensation and reimbursement of expenses of attorneys appointed to represent persons under the Criminal Justice Act of 1964, as amended, the compensation and reimbursement of expenses of persons furnishing investigative, expert and other services under the Criminal Justice Act (18 U.S.C. 3006A(e)), the compensation (in accordance with Criminal Justice Act maximums) and reimbursement of expenses of attorneys appointed to assist the court in criminal cases where the defendant has waived representation by counsel, the compensation and reimbursement of travel expenses of guardians ad litem acting on behalf of financially eligible minor or incompetent offenders in connection with transfers from the United States to foreign countries with which the United States has a treaty for the execution of penal sentences, and the compensation of attorneys appointed to represent jurors in civil actions for the protection of their employment, as authorized by 28 U.S.C. 1875(d), $267,217,000, to remain available until expended as authorized by 18 U.S.C. 3006A(i): *Provided,* That none of the funds provided in this Act shall be available for Death Penalty Resource Centers or Post-Conviction Defender Organizations after April 1, 1996.

FEES OF JURORS AND COMMISSIONERS

For fees and expenses of jurors as authorized by 28 U.S.C. 1871 and 1876; compensation of jury commissioners as authorized by 28 U.S.C. 1863; and compensation of commissioners appointed in condemnation cases pursuant to rule 71A(h) of the Federal Rules of Civil Procedure (28 U.S.C. Appendix Rule 71A(h)); $59,028,000, to remain available until expended: *Provided,* That the compensation of land commissioners shall not exceed the daily equivalent of the highest rate payable under section 5332 of title 5, United States Code.

COURT SECURITY

For necessary expenses, not otherwise provided for, incident to the procurement, installation, and maintenance of security equipment and protective services for the United States Courts in courtrooms and adjacent areas, including building ingress-egress control, inspection of packages, directed security patrols, and other similar activities as authorized by section 1010 of the Judicial Improvement and Access to Justice Act (Public Law 100–702); $102,000,000, to be expended directly or transferred to the United States Marshals Service which shall be responsible for administering elements of the Judicial Security Program consistent with standards or guidelines agreed to by the Director of the Administrative Office of the United States Courts and the Attorney General.

ADMINISTRATIVE OFFICE OF THE UNITED STATES COURTS

SALARIES AND EXPENSES

For necessary expenses of the Administrative Office of the United States Courts as authorized by law, including travel as authorized by 31 U.S.C. 1345, hire of a passenger motor vehicle as authorized by 31 U.S.C. 1343(b), advertising and rent in the District of Columbia and elsewhere, $47,500,000, of which not to exceed $7,500 is authorized for official reception and representation expenses.

FEDERAL JUDICIAL CENTER

SALARIES AND EXPENSES

For necessary expenses of the Federal Judicial Center, as authorized by Public Law 90–219, $17,914,000; of which $1,800,000 shall remain available through September 30, 1997, to provide education and training to Federal court personnel; and of which not to exceed $1,000 is authorized for official reception and representation expenses.

JUDICIAL RETIREMENT FUNDS

PAYMENT TO JUDICIARY TRUST FUNDS

For payment to the Judicial Officers' Retirement Fund, as authorized by 28 U.S.C. 377(o), $24,000,000, to the Judicial Survivors' Annuities Fund, as authorized by 28 U.S.C. 376(c), $7,000,000, and to the United States Court of Federal Claims Judges' Retirement Fund, as authorized by 28 U.S.C. 178(l), $1,900,000.

UNITED STATES SENTENCING COMMISSION

SALARIES AND EXPENSES

For the salaries and expenses necessary to carry out the provisions of chapter 58 of title 28, United States Code, $8,500,000, of which not to exceed $1,000 is authorized for official reception and representation expenses.

GENERAL PROVISIONS—THE JUDICIARY

SEC. 301. Appropriations and authorizations made in this title which are available for salaries and expenses shall be available for services as authorized by 5 U.S.C. 3109.

SEC. 302. Appropriations made in this title shall be available for salaries and expenses of the Special Court established under the Regional Rail Reorganization Act of 1973, Public Law 93–236.

SEC. 303. Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Judiciary in this Act may be transferred between such appropriations, but no such appropriation, except ''Courts of Appeals, District Courts, and other Judicial Services, Defender Services'', shall be increased by more than 10 percent by any such transfers: *Provided,* That any transfer pursuant to this section shall be treated as a reprogramming of funds under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

SEC. 304. Notwithstanding any other provision of law, the salaries and expenses appropriation for district courts, courts of appeals, and other judicial services shall be available for official reception and representation expenses of the Judicial Conference of the United States: *Provided,* That such available funds shall not exceed $10,000 and shall be administered by the Director of the Administrative Office of the United States Courts in his capacity as Secretary of the Judicial Conference.

SEC. 305. Section 333 of title 28, United States Code, is amended—

(1) in the first paragraph by striking ''shall'' the first, second, and fourth place it appears and inserting ''may''; and

(2) in the second paragraph—

(A) by striking ''shall'' the first place it appears and inserting ''may''; and

(B) by striking '', and unless excused by the chief judge, shall remain throughout the conference''.

This title may be cited as ''The Judiciary Appropriations Act, 1996''.

TITLE IV—DEPARTMENT OF STATE AND RELATED AGENCIES

DEPARTMENT OF STATE

ADMINISTRATION OF FOREIGN AFFAIRS

DIPLOMATIC AND CONSULAR PROGRAMS

For necessary expenses of the Department of State and the Foreign Service not otherwise provided for, including expenses authorized by the State Department Basic Authorities Act of 1956, as amended; representation to certain international organizations in which the United States participates pursuant to treaties, ratified pursuant to the advice and consent of the Senate, or specific Acts of Congress; acquisition by exchange or purchase of passenger motor vehicles as authorized by 31 U.S.C. 1343, 40 U.S.C. 481(c) and 22 U.S.C. 2674; and for expenses of general administration, $1,708,800,000: *Provided,* That notwithstanding section 140(a)(5), and the second sentence of section 140(a)(3) of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (Public Law 103–236), not to exceed $125,000,000 of fees may be collected during fiscal year 1996 under the authority of section 140(a)(1) of that Act: *Provided further,* That all fees collected under the preceding proviso shall be deposited in fiscal year 1996 as an offsetting collection to appropriations made under this heading to recover the costs of providing consular services and shall remain available until expended: *Provided further,* That starting in fiscal year 1997, a system shall be in place that allocates to each department and agency the full cost of its presence outside of the United States.

Of the funds provided under this heading, $24,856,000 shall be available only for the Diplomatic Telecommunications Service for operation of existing base services and not to exceed $17,144,000 shall be available only for the enhancement of the Diplomatic Telecommunications Service and shall remain available until expended. Of the latter amount, $9,600,000 shall not be made available until expiration of the 15 day period beginning on the date when the Secretary of State and the Director of the Diplomatic Telecommunications Service submit the pilot program report required by section 507 of Public Law 103–317.

In addition, not to exceed $700,000 in registration fees collected pursuant to section 38 of the Arms Export Control Act, as amended, may be used in accordance with section 45 of the State Department Basic Authorities Act of 1956, 22 U.S.C. 2717; and in addition not to exceed $1,223,000 shall be derived from fees from other executive agencies for lease or use of facilities located at the International Center in accordance with section 4 of the International Center Act (Public Law 90–553, as amended by section 120 of Public Law 101–246); and in addition not to exceed $15,000 which shall be derived from reimbursements, surcharges, and fees for use of Blair House facilities in accordance with section 46 of the State of Department Basic Authorities Act of 1956 (22 U.S.C. 2718(a)).

Notwithstanding section 402 of this Act, not to exceed 20 percent of the amounts made available in this Act in the appropriation accounts, ''Diplomatic and Consular Programs'' and ''Salaries and Expenses'' under the heading ''Administration of Foreign Affairs'' may be transferred between such appropriation accounts: *Provided,* That any transfer pursuant to this section shall be treated as a reprogramming of funds under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

For an additional amount for security enhancements to counter the threat of terrorism, $9,720,000, to remain available until expended.

SALARIES AND EXPENSES

For expenses necessary for the general administration of the Department of State and the Foreign Service, provided for by law, including expenses authorized by section 9 of the Act of August 31, 1964, as amended (31 U.S.C. 3721), and the State Department Basic Authorities Act of 1956, as amended, $363,276,000.

For an additional amount for security enhancements to counter the threat of terrorism, $1,870,000, to remain available until expended.

CAPITAL INVESTMENT FUND

For necessary expenses of the Capital Investment Fund, $16,400,000, to remain available until expended, as authorized in Public Law 103–236: *Provided,* That section 135(e) of Public Law 103–236 shall not apply to funds appropriated under this heading.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended (5 U.S.C. App.), $27,369,000, notwithstanding section 209(a)(1) of the Foreign Service Act of 1980 (Public Law 96–465), as it relates to post inspections: *Provided,* That notwithstanding any other provision of law, (1) the Office of the Inspector General of the United States Information Agency is hereby merged with the Office of the Inspector General of the Department of State; (2) the functions exercised and assigned to the Office of the Inspector General of the United States Information Agency before the effective date of this Act (including all related functions) are transferred to the Office of the Inspector General of the Department of State; and (3) the Inspector General of the Department of State shall also serve as the Inspector General of the United States Information Agency.

REPRESENTATION ALLOWANCES

For representation allowances as authorized by section 905 of the Foreign Service Act of 1980, as amended (22 U.S.C. 4085), $4,500,000.

PROTECTION OF FOREIGN MISSIONS AND OFFICIALS

For expenses, not otherwise provided, to enable the Secretary of State to provide for extraordinary protective services in accordance with the provisions of section 214 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 4314) and 3 U.S.C. 208, $8,579,000.

SECURITY AND MAINTENANCE OF UNITED STATES MISSIONS

For necessary expenses for carrying out the Foreign Service Buildings Act of 1926, as amended (22 U.S.C. 292–300), and the Diplomatic Security Construction Program as authorized by title IV of the Omnibus Diplomatic Security and Antiterrorism Act of 1986 (22 U.S.C. 4851), $385,760,000, to remain available until expended as authorized by 22 U.S.C. 2696(c): *Provided,* That none of the funds appropriated in this paragraph shall be available for acquisition of furniture and furnishings and generators for other departments and agencies.

EMERGENCIES IN THE DIPLOMATIC AND CONSULAR SERVICE

For expenses necessary to enable the Secretary of State to meet unforeseen emergencies arising in the Diplomatic and Consular Service pursuant to the requirement of 31 U.S.C. 3526(e), $6,000,000, to remain available until expended as authorized by 22 U.S.C. 2696(c), of which not to exceed $1,000,000 may be transferred to and merged with the Repatriation Loans Program Account, subject to the same terms and conditions.

REPATRIATION LOANS PROGRAM ACCOUNT

For the cost of direct loans, $593,000, as authorized by 22 U.S.C. 2671: *Provided,* That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974. In addition, for administrative expenses necessary to carry out the direct loan program, $183,000 which may be transferred to and merged with the Salaries and Expenses account under Administration of Foreign Affairs.

PAYMENT TO THE AMERICAN INSTITUTE IN TAIWAN

For necessary expenses to carry out the Taiwan Relations Act, Public Law 96–8 (93 Stat. 14), $15,165,000.

PAYMENT TO THE FOREIGN SERVICE RETIREMENT AND DISABILITY FUND

For payment to the Foreign Service Retirement and Disability Fund, as authorized by law, $125,402,000.

INTERNATIONAL ORGANIZATIONS AND CONFERENCES

CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

For expenses, not otherwise provided for, necessary to meet annual obligations of membership in international multilateral organizations, pursuant to treaties ratified pursuant to the advice and consent of the Senate, conventions or specific Acts of Congress, $700,000,000: *Provided,* That any payment of arrearages shall be directed toward special activities that are mutually agreed upon by the United States and the respective international organization: *Provided further,* That 20 percent of the funds appropriated in this paragraph for the assessed contribution of the United States to the United Nations shall be withheld from obligation and expenditure until a certification is made under section 401(b) of Public Law 103–236 for fiscal year 1996: *Provided further,* That certification under section 401(b) of Public Law 103–236 for fiscal year 1996 may only be made if the Committees on Appropriations and Foreign Relations of the Senate and the Committees on Appropriations and International Relations of the House of Representatives are notified of the steps taken, and anticipated, to meet the requirements of section 401(b) of Public Law 103–236 at least 15 days in advance of the proposed certification: *Provided further,* That none of the funds appropriated in this paragraph shall be available for a United States contribution to an international organization for the United States share of interest costs made known to the United States Government by such organization for loans incurred on or after October 1, 1984, through external borrowings.

CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING ACTIVITIES

For necessary expenses to pay assessed and other expenses of international peacekeeping activities directed to the maintenance or restoration of international peace and security, $225,000,000: *Provided,* That none of the funds made available under this Act shall be obligated or expended for any new or expanded United Nations peacekeeping mission unless, at least fifteen days in advance of voting for the new or expanded mission in the United Nations Security Council (or in an emergency, as far in advance as is practicable), (1) the Committees on Appropriations of the House of Representatives and the Senate and other appropriate Committees of the Congress are notified of the estimated cost and length of the mission, the vital national interest that will be served, and the planned exit strategy; and (2) a reprogramming of funds pursuant to section 605 of this Act is submitted, and the procedures therein followed, setting forth the source of funds that will be used to pay for the cost of the new or expanded mission: *Provided further,* That funds shall be available for peacekeeping expenses only upon a certification by the Secretary of State to the appropriate committees of the Congress that American manufacturers and suppliers are being given opportunities to provide equipment, services and material for United Nations peacekeeping activities equal to those being given to foreign manufacturers and suppliers.

INTERNATIONAL CONFERENCES AND CONTINGENCIES

For necessary expenses authorized by section 5 of the State Department Basic Authorities Act of 1956, in addition to funds otherwise available for these purposes, contributions for the United States share of general expenses of international organizations and conferences and representation to such organizations and conferences as provided for by 22 U.S.C. 2656 and 2672 and personal services without regard to civil service and classification laws as authorized by 5 U.S.C. 5102, $3,000,000, to remain available until expended as authorized by 22 U.S.C. 2696(c), of which not to exceed $200,000 may be expended for representation as authorized by 22 U.S.C. 4085.

INTERNATIONAL COMMISSIONS

For necessary expenses, not otherwise provided for, to meet obligations of the United States arising under treaties, or specific Acts of Congress, as follows:

INTERNATIONAL BOUNDARY AND WATER COMMISSION, UNITED STATES AND MEXICO

For necessary expenses for the United States Section of the International Boundary and Water Commission, United States and Mexico, and to comply with laws applicable to the United States Section, including not to exceed $6,000 for representation; as follows:

SALARIES AND EXPENSES

For salaries and expenses, not otherwise provided for, $12,058,000.

CONSTRUCTION

For detailed plan preparation and construction of authorized projects, $6,644,000, to remain available until expended as authorized by 22 U.S.C. 2696(c).

AMERICAN SECTIONS, INTERNATIONAL COMMISSIONS

For necessary expenses, not otherwise provided for the International Joint Commission and the International Boundary Commission, United States and Canada, as authorized by treaties between the United States and Canada or Great Britain, and for the Border Environment Cooperation Commission as authorized by Public Law 103–182; $5,800,000, of which not to exceed $9,000 shall be available for representation expenses incurred by the International Joint Commission.

INTERNATIONAL FISHERIES COMMISSIONS

For necessary expenses for international fisheries commissions, not otherwise provided for, as authorized by law, $14,669,000: *Provided,* That the United States share of such expenses may be advanced to the respective commissions, pursuant to 31 U.S.C. 3324.

OTHER

PAYMENT TO THE ASIA FOUNDATION

For a grant to the Asia Foundation, as authorized by section 501 of Public Law 101–246, $5,000,000, to remain available until expended as authorized by 22 U.S.C. 2696(c).

RELATED AGENCIES

ARMS CONTROL AND DISARMAMENT AGENCY

ARMS CONTROL AND DISARMAMENT ACTIVITIES

For necessary expenses not otherwise provided, for arms control, nonproliferation, and disarmament activities, $32,700,000, of which not to exceed $50,000 shall be for official reception and representation expenses as authorized by the Act of September 26, 1961, as amended (22 U.S.C. 2551 et seq.).

UNITED STATES INFORMATION AGENCY

SALARIES AND EXPENSES

For expenses, not otherwise provided for, necessary to enable the United States Information Agency, as authorized by the Mutual Educational and Cultural Exchange Act of 1961, as amended (22 U.S.C. 2451 et seq.), the United States Information and Educational Exchange Act of 1948, as amended (22 U.S.C. 1431 et seq.) and Reorganization Plan No. 2 of 1977 (91 Stat. 1636), to carry out international communication, educational and cultural activities; and to carry out related activities authorized by law, including employment, without regard to civil service and classification laws, of persons on a temporary basis (not to exceed $700,000 of this appropriation), as authorized by 22 U.S.C. 1471, and entertainment, including official receptions, within the United States, not to exceed $25,000 as authorized by 22 U.S.C. 1474(3); $445,645,000: *Provided,* That not to exceed $1,400,000 may be used for representation abroad as authorized by 22 U.S.C. 1452 and 4085: *Provided further,* That not to exceed $7,615,000 to remain available until expended, may be credited to this appropriation from fees or other payments received from or in connection with English teaching, library, motion pictures, and publication programs as authorized by section 810 of the United States Information and Educational Exchange Act of 1948, as amended: *Provided further,* That not to exceed $1,700,000 to remain available until expended may be used to carry out projects involving security construction and related improvements for agency facilities not physically located together with Department of State facilities abroad.

TECHNOLOGY FUND

For expenses necessary to enable the United States Information Agency to provide for the procurement of information technology improvements, as authorized by the United States Information and Educational Exchange Act of 1948, as amended (22 U.S.C. 1431 et seq.), the Mutual Educational and Cultural Exchange Act of 1961, as amended (22 U.S.C. 2451 et seq.), and Reorganization Plan No. 2 of 1977 (91 Stat. 1636), $5,050,000, to remain available until expended.

EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS

For expenses of educational and cultural exchange programs, as authorized by the Mutual Educational and Cultural Exchange Act of 1961, as amended (22 U.S.C. 2451 et seq.), and Reorganization Plan No. 2 of 1977 (91 Stat. 1636), $200,000,000, to remain available until expended as authorized by 22 U.S.C. 2455.

EISENHOWER EXCHANGE FELLOWSHIP PROGRAM TRUST FUND

For necessary expenses of Eisenhower Exchange Fellowships, Incorporated, as authorized by sections 4 and 5 of the Eisenhower Exchange Fellowship Act of 1990 (20 U.S.C. 5204–05), all interest and earnings accruing to the Eisenhower Exchange Fellowship Program Trust Fund on or before September 30, 1996, to remain available until expended: *Provided,* That none of the funds appropriated herein shall be used to pay any salary or other compensation, or to enter into any contract providing for the payment thereof, in excess of the rate authorized by 5 U.S.C. 5376; or for purposes which are not in accordance with OMB Circulars A–110 (Uniform Administrative Requirements) and A–122 (Cost Principles for Non-profit Organizations), including the restrictions on compensation for personal services.

ISRAELI ARAB SCHOLARSHIP PROGRAM

For necessary expenses of the Israeli Arab Scholarship Program as authorized by section 214 of the Foreign Relations Authorization Act, Fiscal Years 1992 and 1993 (22 U.S.C. 2452), all interest and earnings accruing to the Israeli Arab Scholarship Fund on or before September 30, 1996, to remain available until expended.

AMERICAN STUDIES COLLECTIONS ENDOWMENT FUND

For necessary expenses of American Studies Collections as authorized by section 235

of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995, all interest and earnings accruing to the American Studies Collections Endowment Fund on or before September 30, 1996, to remain available until expended.

INTERNATIONAL BROADCASTING OPERATIONS

For expenses necessary to enable the United States Information Agency, as authorized by the United States Information and Educational Exchange Act of 1948, as amended, the United States International Broadcasting Act of 1994, as amended, and Reorganization Plan No. 2 of 1977, to carry out international communication activities; $325,191,000, of which $5,000,000 shall remain available until expended, not to exceed $16,000 may be used for official receptions within the United States as authorized by 22 U.S.C. 1474(3), not to exceed $35,000 may be used for representation abroad as authorized by 22 U.S.C. 1452 and 4085, and not to exceed $39,000 may be used for official reception and representation expenses of Radio Free Europe/Radio Liberty; and in addition, not to exceed $250,000 from fees as authorized by section 810 of the United States Information and Educational Exchange Act of 1948, as amended, to remain available until expended for carrying out authorized purposes; and in addition, notwithstanding any other provision of law, not to exceed $1,000,000 in monies received (including receipts from advertising, if any) by or for the use of the United States Information Agency from or in connection with broadcasting resources owned by or on behalf of the Agency, to be available until expended for carrying out authorized purposes.

BROADCASTING TO CUBA

For expenses necessary to enable the United States Information Agency to carry out the Radio Broadcasting to Cuba Act, as amended, the Television Broadcasting to Cuba Act, and the International Broadcasting Act of 1994, including the purchase, rent, construction, and improvement of facilities for radio and television transmission and reception, and purchase and installation of necessary equipment for radio and television transmission and reception, $24,809,000 to remain available until expended: *Provided,* That not later than April 1, 1996, the headquarters of the Office of Cuba Broadcasting shall be relocated from Washington, D.C. to south Florida, and that any funds available under the headings ''International Broadcasting Operations'', ''Broadcasting to Cuba'', and ''Radio Construction'' may be available to carry out this relocation.

RADIO CONSTRUCTION

For an additional amount for the purchase, rent, construction, and improvement of facilities for radio transmission and reception and purchase and installation of necessary equipment for radio and television transmission and reception as authorized by 22 U.S.C. 1471, $40,000,000, to remain available until expended as authorized by 22 U.S.C. 1477b(a).

EAST-WEST CENTER

To enable the Director of the United States Information Agency to provide for carrying out the provisions of the Center for Cultural and Technical Interchange Between East and West Act of 1960 (22 U.S.C. 2054–2057), by grant to the Center for Cultural and Technical Interchange Between East and West in the State of Hawaii, $11,750,000: *Provided,* That none of the funds appropriated herein shall be used to pay any salary, or enter into any contract providing for the payment thereof, in excess of the rate authorized by 5 U.S.C. 5376.

NORTH/SOUTH CENTER

To enable the Director of the United States Information Agency to provide for carrying out the provisions of the North/South Center Act of 1991 (22 U.S.C. 2075), by grant to an educational institution in Florida known as the North/South Center, $2,000,000, to remain available until expended.

NATIONAL ENDOWMENT FOR DEMOCRACY

For grants made by the United States Information Agency to the National Endowment for Democracy as authorized by the National Endowment for Democracy Act, $30,000,000, to remain available until expended.

GENERAL PROVISIONS—DEPARTMENT OF STATE AND RELATED AGENCIES

SEC. 401. Funds appropriated under this title shall be available, except as otherwise provided, for allowances and differentials as authorized by subchapter 59 of 5 U.S.C.; for services as authorized by 5 U.S.C. 3109; and hire of passenger transportation pursuant to 31 U.S.C. 1343(b).

SEC. 402. Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Department of State in this Act may be transferred between such appropriations, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 10 percent by any such transfers: *Provided,* That not to exceed 5 percent of any appropriation made available for the current fiscal year for the United States Information Agency in this Act may be transferred between such appropriations, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 10 percent by any such transfers: *Provided further,* That any transfer pursuant to this section shall be treated as a reprogramming of funds under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

SEC. 403. Funds appropriated or otherwise made available under this Act or any other Act may be expended for compensation of the United States Commissioner of the International Boundary Commission, United States and Canada, only for actual hours worked by such Commissioner.

SEC. 404. (a) No later than 90 days after enactment of legislation consolidating, reorganizing or downsizing the functions of the Department of State, the United States Information Agency, and the Arms Control and Disarmament Agency, the Secretary of State, the Director of the United States Information Agency and the Director of the Arms Control and Disarmament Agency shall submit to the Committees on Appropriations of the House and the Senate a proposal for transferring or rescinding funds appropriated herein for functions that are consolidated, reorganized or downsized under such legislation: *Provided,* That such plan shall be transmitted in accordance with section 605 of this Act.

(b) The Secretary of State, the Director of the United States Information Agency, and the Director of the Arms Control and Disarmament Agency, as appropriate, may use any available funds to cover the costs of actions to consolidate, reorganize or downsize the functions under their authority required by such legislation, and of any related personnel action, including voluntary separation incentives if authorized by such legislation: *Provided,* That the authority to transfer funds between appropriations accounts that may be necessary to carry out this section is provided in addition to authorities included under section 402 of this Act: *Provided further,* That use of funds to carry out this section shall be treated as a reprogramming of funds under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

SEC. 405. (a) Funds appropriated by this Act for the United States Information Agency, the Arms Control and Disarmament Agency, and the Department of State may be obligated and expended notwithstanding section 701 of the United States Information and Educational Exchange Act of 1948 and section 313 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995, section 53 of the Arms Control and Disarmament Act, and section 15 of the State Department Basic Authorities Act of 1956.

(b) Subsection (a) shall cease to be in effect after April 1, 1996.

SEC. 406. Section 36(a)(1) of the State Department Authorities Act of 1956, as amended (22 U.S.C. 2708), is amended to delete ''may pay a reward'' and insert in lieu thereof ''shall establish and publicize a program under which rewards may be paid''.

SEC. 407. Sections 6(a) and 6(b) of Public Law 101–454 are repealed. In addition, notwithstanding any other provision of law, Eisenhower Exchange Fellowships, Incorporated, may use one-third of any earned but unused trust income from the period 1992 through 1995 for Fellowship purposes in each of fiscal years 1996 through 1998.

SEC. 408. It is the sense of the Senate that none of the funds appropriated or otherwise made available pursuant to this Act should be used for the deployment of combat-equipped forces of the Armed Forces of the United States for any ground operations in Bosnia and Herzegovina unless—

(1) Congress approves in advance the deployment of such forces of the Armed Forces; or

(2) the temporary deployment of such forces of the Armed Forces of the United States into Bosnia and Herzegovina is necessary to evacuate United Nations peacekeeping forces from a situation of imminent danger, to undertake emergency air rescue operations, or to provide for the airborne delivery of humanitarian supplies, and the President reports as soon as practicable to Congress after the initiation of the temporary deployment, but in no case later than 48 hours after the initiation of the deployment.

SEC. 409. Any costs incurred by a Department or agency funded under this title resulting from personnel actions taken in response to funding reductions included in this title shall be absorbed within the total budgetary resources available to such Department or agency: *Provided,* That the authority to transfer funds between appropriations accounts as may be necessary to carry out this provision is provided in addition to authorities included elsewhere in this Act: *Provided further,* That use of funds to carry out this section shall be treated as a reprogramming of funds under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

This title may be cited as the ''Department of State and Related Agencies Appropriations Act, 1996''.

TITLE V—RELATED AGENCIES

DEPARTMENT OF TRANSPORTATION

MARITIME ADMINISTRATION

OPERATING-DIFFERENTIAL SUBSIDIES

(LIQUIDATION OF CONTRACT AUTHORITY)

For the payment of obligations incurred for operating-differential subsidies as authorized by the Merchant Marine Act, 1936, as amended, $162,610,000, to remain available until expended.

MARITIME NATIONAL SECURITY PROGRAM

For necessary expenses to maintain and preserve a U.S.-flag merchant fleet to serve the national security needs of the United States as determined by the Secretary of Defense in consultation with the Secretary of

Transportation, $46,000,000, to remain available until expended: *Provided,* That these funds will be available only upon enactment of an authorization for this program.

OPERATIONS AND TRAINING

For necessary expenses of operations and training activities authorized by law, $66,600,000, to remain available until expended: *Provided,* That notwithstanding any other provision of law, the Secretary of Transportation may use proceeds derived from the sale or disposal of National Defense Reserve Fleet vessels that are currently collected and retained by the Maritime Administration, to be used for facility and ship maintenance, modernization and repair, conversion, acquisition of equipment, and fuel costs necessary to maintain training at the United States Merchant Marine Academy and State maritime academies and may be transferred to the Secretary of the Interior for use as provided in the National Maritime Heritage Act (Public Law 103–451): *Provided further,* That reimbursements may be made to this appropriation from receipts to the ''Federal Ship Financing Fund'' for administrative expenses in support of that program in addition to any amount heretofore appropriated.

MARITIME GUARANTEED LOAN (TITLE XI) PROGRAM ACCOUNT

For the cost of guaranteed loans, as authorized by the Merchant Marine Act of 1936, $40,000,000, to remain available until expended: *Provided,* That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: *Provided further,* That these funds are available to subsidize total loan principal, any part of which is to be guaranteed, not to exceed $1,000,000,000.

In addition, for administrative expenses to carry out the guaranteed loan program, not to exceed $3,500,000, which shall be transferred to and merged with the appropriation for Operations and Training.

ADMINISTRATIVE PROVISIONS—MARITIME ADMINISTRATION

Notwithstanding any other provision of this Act, the Maritime Administration is authorized to furnish utilities and services and make necessary repairs in connection with any lease, contract, or occupancy involving Government property under control of the Maritime Administration, and payments received therefor shall be credited to the appropriation charged with the cost thereof: *Provided,* That rental payments under any such lease, contract, or occupancy for items other than such utilities, services, or repairs shall be covered into the Treasury as miscellaneous receipts.

No obligations shall be incurred during the current fiscal year from the construction fund established by the Merchant Marine Act, 1936, or otherwise, in excess of the appropriations and limitations contained in this Act or in any prior appropriation Act, and all receipts which otherwise would be deposited to the credit of said fund shall be covered into the Treasury as miscellaneous receipts.

COMMISSION FOR THE PRESERVATION OF AMERICA'S HERITAGE ABROAD

SALARIES AND EXPENSES

For expenses for the Commission for the Preservation of America's Heritage Abroad, $206,000, as authorized by Public Law 99–83, section 1303.

COMMISSION ON CIVIL RIGHTS

SALARIES AND EXPENSES

For necessary expenses of the Commission on Civil Rights, including hire of passenger motor vehicles, $8,750,000: *Provided,* That not to exceed $50,000 may be used to employ consultants: *Provided further,* That none of the funds appropriated in this paragraph shall be used to employ in excess of four full-time individuals under Schedule C of the Excepted Service exclusive of one special assistant for each Commissioner: *Provided further,* That none of the funds appropriated in this paragraph shall be used to reimburse Commissioners for more than 75 billable days, with the exception of the Chairperson who is permitted 125 billable days.

COMMISSION ON IMMIGRATION REFORM

SALARIES AND EXPENSES

For necessary expenses of the Commission on Immigration Reform pursuant to section 141(f) of the Immigration Act of 1990, $1,894,000, to remain available until expended.

COMMISSION ON SECURITY AND COOPERATION IN EUROPE

SALARIES AND EXPENSES

For necessary expenses of the Commission on Security and Cooperation in Europe, as authorized by Public Law 94–304, $1,090,000, to remain available until expended as authorized by section 3 of Public Law 99–7.

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Equal Employment Opportunity Commission as authorized by title VII of the Civil Rights Act of 1964, as amended (29 U.S.C. 206(d) and 621–634), the Americans with Disabilities Act of 1990 and the Civil Rights Act of 1991, including services as authorized by 5 U.S.C. 3109; hire of passenger motor vehicles as authorized by 31 U.S.C. 1343(b); nonmonetary awards to private citizens; not to exceed $26,500,000, for payments to State and local enforcement agencies for services to the Commission pursuant to title VII of the Civil Rights Act of 1964, as amended, sections 6 and 14 of the Age Discrimination in Employment Act, the Americans with Disabilities Act of 1990, and the Civil Rights Act of 1991; $233,000,000: *Provided,* That the Commission is authorized to make available for official reception and representation expenses not to exceed $2,500 from available funds.

FEDERAL COMMUNICATIONS COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Federal Communications Commission, as authorized by law, including uniforms and allowances therefor, as authorized by 5 U.S.C. 5901–02; not to exceed $600,000 for land and structure; not to exceed $500,000 for improvement and care of grounds and repair to buildings; not to exceed $4,000 for official reception and representation expenses; purchase (not to exceed sixteen) and hire of motor vehicles; special counsel fees; and services as authorized by 5 U.S.C. 3109; $175,709,000, of which not to exceed $300,000 shall remain available until September 30, 1997, for research and policy studies: *Provided,* That $116,400,000 of offsetting collections shall be assessed and collected pursuant to section 9 of title I of the Communications Act of 1934, as amended, and shall be retained and used for necessary expenses in this appropriation, and shall remain available until expended: *Provided further,* That the sum herein appropriated shall be reduced as such offsetting collections are received during fiscal year 1996 so as to result in a final fiscal year 1996 appropriation estimated at $59,309,000: *Provided further,* That any offsetting collections received in excess of $116,400,000 in fiscal year 1996 shall remain available until expended, but shall not be available for obligation until October 1, 1996.

FEDERAL MARITIME COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Federal Maritime Commission as authorized by section 201(d) of the Merchant Marine Act of 1936, as amended (46 App. U.S.C. 1111), including services as authorized by 5 U.S.C. 3109; hire of passenger motor vehicles as authorized by 31 U.S.C. 1343(b); and uniforms or allowances therefor, as authorized by 5 U.S.C. 5901–02; $14,855,000: *Provided,* That not to exceed $2,000 shall be available for official reception and representation expenses.

FEDERAL TRADE COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Federal Trade Commission, including uniforms or allowances therefor, as authorized by 5 U.S.C. 5901–5902; services as authorized by 5 U.S.C. 3109; hire of passenger motor vehicles; and not to exceed $2,000 for official reception and representation expenses; $79,568,000: *Provided,* That not to exceed $300,000 shall be available for use to contract with a person or persons for collection services in accordance with the terms of 31 U.S.C. 3718, as amended: *Provided further,* That notwithstanding any other provision of law, not to exceed $48,262,000 of offsetting collections derived from fees collected for premerger notification filings under the Hart-Scott-Rodino Antitrust Improvements Act of 1976 (15 U.S.C. 18(a)) shall be retained and used for necessary expenses in this appropriation, and shall remain available until expended: *Provided further,* That the sum herein appropriated from the General Fund shall be reduced as such offsetting collections are received during fiscal year 1996, so as to result in a final fiscal year 1996 appropriation from the General Fund estimated at not more than $31,306,000, to remain available until expended: *Provided further,* That any fees received in excess of $48,262,000 in fiscal year 1996 shall remain available until expended, but shall not be available for obligation until October 1, 1996: *Provided further,* That none of the funds made available to the Federal Trade Commission shall be available for obligation for expenses authorized by section 151 of the Federal Deposit Insurance Corporation Improvement Act of 1991 (Public Law 102–242, 105 Stat. 2282–2285).

JAPAN-UNITED STATES FRIENDSHIP COMMISSION

JAPAN-UNITED STATES FRIENDSHIP TRUST FUND

For expenses of the Japan-United States Friendship Commission, as authorized by Public Law 94–118, as amended, from the interest earned on the Japan-United States Friendship Trust Fund, $1,247,000; and an amount of Japanese currency not to exceed the equivalent of $1,420,000 based on exchange rates at the time of payment of such amounts as authorized by Public Law 94–118.

LEGAL SERVICES CORPORATION

PAYMENT TO THE LEGAL SERVICES CORPORATION

For payment to the Legal Services Corporation to carry out the purposes of the Legal Services Corporation Act of 1974, as amended, $278,000,000, of which $266,000,000 is for basic field programs; $7,000,000 is for the Office of the Inspector General, of which $5,500,000 shall remain available until expended and be used to contract with independent public accountants for financial audits of all recipients in accordance with the requirements of section 509 of this Act; and $5,000,000 is for management and administration: *Provided,* That $198,750,000 of the total amount provided under this heading for basic field programs shall not be available except for the competitive award of grants and contracts under section 503 of this Act.

ADMINISTRATIVE PROVISIONS—LEGAL SERVICES CORPORATION

SEC. 501. (a) Funds appropriated under this Act to the Legal Services Corporation for basic field programs shall be distributed as follows:

(1) The Corporation shall define geographic areas and make the funds available for each geographic area on a per capita basis relative to the number of individuals in poverty determined by the Bureau of the Census to be within the geographic area, except as provided in paragraph (2)(B). Funds for such a geographic area may be distributed by the Corporation to 1 or more persons or entities eligible for funding under section 1006(a)(1)(A) of the Legal Services Corporation Act (42 U.S.C. 2996e(a)(1)(A)), subject to sections 502 and 504.

(2) Funds for grants from the Corporation, and contracts entered into by the Corporation for basic field programs, shall be allocated so as to provide—

(A) except as provided in subparagraph (B), an equal figure per individual in poverty for all geographic areas, as determined on the basis of the most recent decennial census of population conducted pursuant to section 141 of title 13, United States Code (or, in the case of the Republic of Palau, the Federated States of Micronesia, the Republic of the Marshall Islands, Alaska, Hawaii, and the United States Virgin Islands, on the basis of the adjusted population counts historically used as the basis for such determinations); and

(B) an additional amount for Native American communities that received assistance under the Legal Services Corporation Act for fiscal year 1995, so that the proportion of the funds appropriated to the Legal Services Corporation for basic field programs for fiscal year 1996 that is received by the Native American communities shall be not less than the proportion of such funds appropriated for fiscal year 1995 that was received by the Native American communities.

(b) As used in this section:

(1) The term ''individual in poverty'' means an individual who is a member of a family (of 1 or more members) with an income at or below the poverty line.

(2) The term ''poverty line'' means the poverty line (as defined by the Office of Management and Budget, and revised annually in accordance with section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2)) applicable to a family of the size involved.

SEC. 502. None of the funds appropriated in this Act to the Legal Services Corporation shall be used by the Corporation to make a grant, or enter into a contract, for the provision of legal assistance unless the Corporation ensures that the person or entity receiving funding to provide such legal assistance is—

(1) a private attorney admitted to practice in a State or the District of Columbia;

(2) a qualified nonprofit organization, chartered under the laws of a State or the District of Columbia, that—

(A) furnishes legal assistance to eligible clients; and

(B) is governed by a board of directors or other governing body, the majority of which is comprised of attorneys who—

(i) are admitted to practice in a State or the District of Columbia; and

(ii) are appointed to terms of office on such board or body by the governing body of a State, county, or municipal bar association, the membership of which represents a majority of the attorneys practicing law in the locality in which the organization is to provide legal assistance;

(3) a State or local government (without regard to section 1006(a)(1)(A)(ii) of the Legal Services Corporation Act (42 U.S.C. 2996e(a)(1)(A)(ii)); or

(4) a substate regional planning or coordination agency that serves a substate area and whose governing board is controlled by locally elected officials.

SEC. 503. (a)(1) Not later than April 1, 1996, the Legal Services Corporation shall implement a system of competitive awards of grants and contracts for all basic field programs, which shall apply to all such grants and contracts awarded by the Corporation after March 31, 1996, from funds appropriated in this Act.

(2) Any grant or contract awarded before April 1, 1996, by the Legal Services Corporation to a basic field program for 1996—

(A) shall not be for an amount greater than the amount required for the period ending March 31, 1996;

(B) shall terminate at the end of such period; and

(C) shall not be renewable except in accordance with the system implemented under paragraph (1).

(3) The amount of grants and contracts awarded before April 1, 1996, by the Legal Services Corporation for basic field programs for 1996 in any geographic area described in section 501 shall not exceed an amount equal to 3/12 of the total amount to be distributed for such programs for 1996 in such area.

(b) Not later than 60 days after the date of enactment of this Act, the Legal Services Corporation shall promulgate regulations to implement a competitive selection process for the recipients of such grants and contracts.

(c) Such regulations shall specify selection criteria for the recipients, which shall include—

(1) a demonstration of a full understanding of the basic legal needs of the eligible clients to be served and a demonstration of the capability of serving the needs;

(2) the quality, feasibility, and cost effectiveness of a plan submitted by an applicant for the delivery of legal assistance to the eligible clients to be served; and

(3) the experience of the Legal Services Corporation with the applicant, if the applicant has previously received financial assistance from the Corporation, including the record of the applicant of past compliance with Corporation policies, practices, and restrictions.

(d) Such regulations shall ensure that timely notice regarding an opportunity to submit an application for such an award is published in periodicals of local and State bar associations and in at least 1 daily newspaper of general circulation in the area to be served by the person or entity receiving the award.

(e) No person or entity that was previously awarded a grant or contract by the Legal Services Corporation for the provision of legal assistance may be given any preference in the competitive selection process.

(f) For the purposes of the funding provided in this Act, rights under sections 1007(a)(9) and 1011 of the Legal Services Corporation Act (42 U.S.C. 2996f(a)(9) and 42 U.S.C. 2996j) shall not apply.

SEC. 504. (a) None of the funds appropriated in this Act to the Legal Services Corporation may be used to provide financial assistance to any person or entity (which may be referred to in this section as a ''recipient'')—

(1) that makes available any funds, personnel, or equipment for use in advocating or opposing any plan or proposal, or represents any party or participates in any other way in litigation, that is intended to or has the effect of altering, revising, or reapportioning a legislative, judicial, or elective district at any level of government, including influencing the timing or manner of the taking of a census;

(2) that attempts to influence the issuance, amendment, or revocation of any executive order, regulation, or other statement of general applicability and future effect by any Federal, State, or local agency;

(3) that attempts to influence any part of any adjudicatory proceeding of any Federal, State, or local agency if such part of the proceeding is designed for the formulation or modification of any agency policy of general applicability and future effect;

(4) that attempts to influence the passage or defeat of any legislation, constitutional amendment, referendum, initiative, or any similar procedure of the Congress or a State or local legislative body;

(5) that attempts to influence the conduct of oversight proceedings of the Corporation or any person or entity receiving financial assistance provided by the Corporation;

(6) that pays for any personal service, advertisement, telegram, telephone communication, letter, printed or written matter, administrative expense, or related expense, associated with an activity prohibited in this section;

(7) that initiates or participates in a class action suit;

(8) that files a complaint or otherwise initiates or participates in litigation against a defendant, or engages in a precomplaint settlement negotiation with a prospective defendant, unless—

(A) each plaintiff has been specifically identified, by name, in any complaint filed for purposes of such litigation or prior to the precomplaint settlement negotiation; and

(B) a statement or statements of facts written in English and, if necessary, in a language that the plaintiffs understand, that enumerate the particular facts known to the plaintiffs on which the complaint is based, have been signed by the plaintiffs, are kept on file by the recipient, and are made available to any Federal department or agency that is auditing or monitoring the activities of the Corporation or of the recipient, and to any auditor or monitor receiving Federal funds to conduct such auditing or monitoring, including any auditor or monitor of the Corporation:

Provided, That upon establishment of reasonable cause that an injunction is necessary to prevent probable, serious harm to such potential plaintiff, a court of competent jurisdiction may enjoin the disclosure of the identity of any potential plaintiff pending the outcome of such litigation or negotiations after notice and an opportunity for a hearing is provided to potential parties to the litigation or the negotiations: *Provided further*, That other parties to the litigation or negotiation shall have access to the statement of facts referred to in subparagraph (B) only through the discovery process after litigation has begun;

(9) unless—

(A) prior to the provision of financial assistance—

(i) if the person or entity is a nonprofit organization, the governing board of the person or entity has set specific priorities in writing, pursuant to section 1007(a)(2)(C)(i) of the Legal Services Corporation Act (42 U.S.C. 2996f(a)(2)(C)(i)), of the types of matters and cases to which the staff of the nonprofit organization shall devote time and resources; and

(ii) the staff of such person or entity has signed a written agreement not to undertake cases or matters other than in accordance with the specific priorities set by such governing board, except in emergency situations defined by such board and in accordance with the written procedures of such board for such situations; and

(B) the staff of such person or entity provides to the governing board on a quarterly

basis, and to the Corporation on an annual basis, information on all cases or matters undertaken other than cases or matters undertaken in accordance with such priorities;

(10) unless—

(A) prior to receiving the financial assistance, such person or entity agrees to maintain records of time spent on each case or matter with respect to which the person or entity is engaged;

(B) any funds, including Interest on Lawyers Trust Account funds, received from a source other than the Corporation by the person or entity, and disbursements of such funds, are accounted for and reported as receipts and disbursements, respectively, separate and distinct from Corporation funds; and

(C) the person or entity agrees (notwithstanding section 1009(d) of the Legal Services Corporation Act (42 U.S.C. 2996h(d)) to make the records described in this paragraph available to any Federal department or agency that is auditing or monitoring the activities of the Corporation or of the recipient, and to any independent auditor or monitor receiving Federal funds to conduct such auditing or monitoring, including any auditor or monitor of the Corporation;

(11) that provides legal assistance for or on behalf of any alien, unless the alien is present in the United States and is—

(A) an alien lawfully admitted for permanent residence as defined in section 101(a)(20) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(20));

(B) an alien who—

(i) is married to a United States citizen or is a parent or an unmarried child under the age of 21 years of such a citizen; and

(ii) has filed an application to adjust the status of the alien to the status of a lawful permanent resident under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.), which application has not been rejected;

(C) an alien who is lawfully present in the United States pursuant to an admission under section 207 of the Immigration and Nationality Act (8 U.S.C. 1157) (relating to refugee admission) or who has been granted asylum by the Attorney General under such Act;

(D) an alien who is lawfully present in the United States as a result of withholding of deportation by the Attorney General pursuant to section 243(h) of the Immigration and Nationality Act (8 U.S.C. 1253(h));

(E) an alien to whom section 305 of the Immigration Reform and Control Act of 1986 (8 U.S.C. 1101 note) applies, but only to the extent that the legal assistance provided is the legal assistance described in such section; or

(F) an alien who is lawfully present in the United States as a result of being granted conditional entry to the United States before April 1, 1980, pursuant to section 203(a)(7) of the Immigration and Nationality Act (8 U.S.C. 1153(a)(7)), as in effect on March 31, 1980, because of persecution or fear of persecution on account of race, religion, or political calamity;

(12) that supports or conducts a training program for the purpose of advocating a particular public policy or encouraging a political activity, a labor or antilabor activity, a boycott, picketing, a strike, or a demonstration, including the dissemination of information about such a policy or activity, except that this paragraph shall not be construed to prohibit the provision of training to an attorney or a paralegal to prepare the attorney or paralegal to provide—

(A) adequate legal assistance to eligible clients; or

(B) advice to any eligible client as to the legal rights of the client;

(13) that claims (or whose employee claims), or collects and retains, attorneys' fees pursuant to any Federal or State law permitting or requiring the awarding of such fees;

(14) that participates in any litigation with respect to abortion;

(15) that participates in any litigation on behalf of a person incarcerated in a Federal, State, or local prison;

(16) that initiates legal representation or participates in any other way, in litigation, lobbying, or rulemaking, involving an effort to reform a Federal or State welfare system, except that this paragraph shall not be construed to preclude a recipient from representing an individual eligible client who is seeking specific relief from a welfare agency if such relief does not involve an effort to amend or otherwise challenge existing law in effect on the date of the initiation of the representation;

(17) that defends a person in a proceeding to evict the person from a public housing project if—

(A) the person has been charged with the illegal sale or distribution of a controlled substance; and

(B) the eviction proceeding is brought by a public housing agency because the illegal drug activity of the person threatens the health or safety of another tenant residing in the public housing project or employee of the public housing agency;

(18) unless such person or entity agrees that the person or entity, and the employees of the person or entity, will not accept employment resulting from in-person unsolicited advice to a nonattorney that such nonattorney should obtain counsel or take legal action, and will not refer such nonattorney to another person or entity or an employee of the person or entity, that is receiving financial assistance provided by the Corporation; or

(19) unless such person or entity enters into a contractual agreement to be subject to all provisions of Federal law relating to the proper use of Federal funds, the violation of which shall render any grant or contractual agreement to provide funding null and void, and, for such purposes, the Corporation shall be considered to be a Federal agency and all funds provided by the Corporation shall be considered to be Federal funds provided by grant or contract.

(b) Nothing in this section shall be construed to prohibit a recipient from using funds from a source other than the Legal Services Corporation for the purpose of contacting, communicating with, or responding to a request from, a State or local government agency, a State or local legislative body or committee, or a member thereof, regarding funding for the recipient, including a pending or proposed legislative or agency proposal to fund such recipient.

(c) Not later than 30 days after the date of enactment of this Act, the Legal Services Corporation shall promulgate a suggested list of priorities that boards of directors may use in setting priorities under subsection (a)(9).

(d)(1) The Legal Services Corporation shall not accept any non-Federal funds, and no recipient shall accept funds from any source other than the Corporation, unless the Corporation or the recipient, as the case may be, notifies in writing the source of the funds that the funds may not be expended for any purpose prohibited by the Legal Services Corporation Act or this title.

(2) Paragraph (1) shall not prevent a recipient from—

(A) receiving Indian tribal funds (including funds from private nonprofit organizations for the benefit of Indians or Indian tribes) and expending the tribal funds in accordance with the specific purposes for which the tribal funds are provided; or

(B) using funds received from a source other than the Legal Services Corporation to provide legal assistance to a covered individual if such funds are used for the specific purposes for which such funds were received, except that such funds may not be expended by recipients for any purpose prohibited by this Act or by the Legal Services Corporation Act.

(e) As used in this section:

(1) The term ''controlled substance'' has the meaning given the term in section 102 of the Controlled Substances Act (21 U.S.C. 802).

(2) The term ''covered individual'' means any person who—

(A) except as provided in subparagraph (B), meets the requirements of this Act and the Legal Services Corporation Act relating to eligibility for legal assistance; and

(B) may or may not be financially unable to afford legal assistance.

(3) The term ''public housing project'' has the meaning as used within, and the term ''public housing agency'' has the meaning given the term, in section 3 of the United States Housing Act of 1937 (42 U.S.C. 1437a).

SEC. 505. None of the funds appropriated in this Act to the Legal Services Corporation or provided by the Corporation to any entity or person may be used to pay membership dues to any private or nonprofit organization.

SEC. 506. None of the funds appropriated in this Act to the Legal Services Corporation may be used by any person or entity receiving financial assistance from the Corporation to file or pursue a lawsuit against the Corporation.

SEC. 507. None of the funds appropriated in this Act to the Legal Services Corporation may be used for any purpose prohibited or contrary to any of the provisions of authorization legislation for fiscal year 1996 for the Legal Services Corporation that is enacted into law. Upon the enactment of such Legal Services Corporation reauthorization legislation, funding provided in this Act shall from that date be subject to the provisions of that legislation and any provisions in this Act that are inconsistent with that legislation shall no longer have effect.

SEC. 508. (a) The requirements of section 504 shall apply to the activities of a recipient described in section 504, or an employee of such a recipient, during the provision of legal assistance for a case or matter, if the recipient or employee begins to provide the legal assistance on or after the date of enactment of this Act.

(b) If the recipient or employee began to provide legal assistance for the case or matter prior to the date of enactment of this Act—

(1) each of the requirements of section 504 (other than paragraphs (7), (11), and (15) of subsection (a) of such section) shall, beginning on the date of enactment of this Act, apply to the activities of the recipient or employee during the provision of legal assistance for the case or matter; and

(2) the requirements of paragraphs (7), (11), and (15) of section 504(a) shall apply—

(A) beginning on the date of enactment of this Act, to the activities of the recipient or employee during the provision of legal assistance for any additional related claim for which the recipient or employee begins to provide legal assistance on or after such date; and

(B) beginning July 1, 1996, to all other activities of the recipient or employee during the provision of legal assistance for the case or matter.

(c) The Legal Services Corporation shall, every 60 days, submit to the Committees on Appropriations of the Senate and House of Representatives a report setting forth the status of cases and matters referred to in subsection (b)(2).

SEC. 509. (a) An audit of each person or entity receiving financial assistance from the

Legal Services Corporation under this Act (referred to in this section as a ''recipient'') shall be conducted in accordance with generally accepted government auditing standards and shall report whether—

(1) the financial statements of the recipient present fairly its financial position and the results of its financial operations in accordance with generally accepted accounting principles;

(2) the recipient has internal control systems to provide reasonable assurance that it is managing funds, regardless of source, in compliance with Federal laws and regulations; and

(3) the recipient has complied with Federal laws and regulations applicable to funds received, regardless of source.

(b) In carrying out the requirements of subsection (a)(3), the auditor shall select and test a representative number of transactions. Any noncompliance found by the auditor during the audit under this section shall be reported within 30 days to the Office of the Inspector General.

(c) Audits conducted in accordance with this section shall be in lieu of the financial audits otherwise required by section 1009(c) of the Legal Services Corporation Act (42 U.S.C. 2996h(c)).

(d) Notwithstanding section 1006(b)(3) of the Legal Services Corporation Act (42 U.S.C. 2996e(b)(3)), the Legal Services Corporation shall have access to financial records, time records, retainer agreements, client trust fund and eligibility records, and client names, for each recipient, except for reports or records subject to the attorney-client privilege.

(e) The Legal Services Corporation shall not disclose any name or document referred to in subsection (d), except to—

(1) a Federal, State, or local law enforcement official; or

(2) an official of an appropriate bar association for the purpose of enabling the official to conduct an investigation of a rule of professional conduct.

(f) The requirements of this section shall apply to a recipient for its first fiscal year beginning on or after January 1, 1996.

MARINE MAMMAL COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Marine Mammal Commission as authorized by title II of Public Law 92–522, as amended, $1,190,000.

MARTIN LUTHER KING, JR. FEDERAL HOLIDAY COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Martin Luther King, Jr. Federal Holiday Commission, as authorized by Public Law 98–399, as amended, $350,000: *Provided,* That this shall be the final Federal payment to the Martin Luther King, Jr. Federal Holiday Commission for operations and necessary closing costs.

SECURITIES AND EXCHANGE COMMISSION

SALARIES AND EXPENSES

For necessary expenses for the Securities and Exchange Commission, including services as authorized by 5 U.S.C. 3109, the rental of space (to include multiple year leases) in the District of Columbia and elsewhere, and not to exceed $3,000 for official reception and representation expenses, $287,738,000, of which $3,000,000 is for the Office of Economic Analysis, to be headed by the Chief Economist of the Commission, and of which not to exceed $10,000 may be used toward funding a permanent secretariat for the International Organization of Securities Commissions, and of which not to exceed $100,000 shall be available for expenses for consultations and meetings hosted by the Commission with foreign governmental and other regulatory officials, members of their delegations, appropriate representatives and staff to exchange views concerning developments relating to securities matters, development and implementation of cooperation agreements concerning securities matters and provision of technical assistance for the development of foreign securities markets, such expenses to include necessary logistic and administrative expenses and the expenses of Commission staff and foreign invitees in attendance at such consultations and meetings including: (i) such incidental expenses as meals taken in the course of such attendance, (ii) any travel and transportation to or from such meetings, and (iii) any other related lodging or subsistence: *Provided,* That immediately upon enactment of this Act, the rate of fees under section 6(b) of the Securities Act of 1933 (15 U.S.C. 77f(b)) shall increase from one-fiftieth of one percentum to one-twenty-ninth of one percentum, and such increase shall be deposited as an offsetting collection to this appropriation, to remain available until expended, to recover costs of services of the securities registration process: *Provided further,* That the total amount appropriated for fiscal year 1996 under this heading shall be reduced as such fees are deposited to this appropriation so as to result in a final total fiscal year 1996 appropriation from the General Fund estimated at not more than $103,445,000: *Provided further,* That any such fees collected in excess of $184,293,000 shall remain available until expended but shall not be available for obligation until October 1, 1996: *Provided further,* That $1,000,000 of the funds appropriated for the Commission shall be available for the enforcement of the Investment Advisers Act of 1940 in addition to any other appropriated funds designated by the Commission for enforcement of such Act.

SMALL BUSINESS ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses, not otherwise provided for, of the Small Business Administration as authorized by Public Law 103–403, including hire of passenger motor vehicles as authorized by 31 U.S.C. 1343 and 1344, and not to exceed $3,500 for official reception and representation expenses, $219,190,000: *Provided,* That the Administrator is authorized to charge fees to cover the cost of publications developed by the Small Business Administration, and certain loan servicing activities: *Provided further,* That notwithstanding 31 U.S.C. 3302, revenues received from all such activities shall be credited to this account, to be available for carrying out these purposes without further appropriations.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended (5 U.S.C. App. 1–11 as amended by Public Law 100–504), $8,500,000.

BUSINESS LOANS PROGRAM ACCOUNT

For the cost of direct loans, $4,500,000, and for the cost of guaranteed loans, $156,226,000, as authorized by 15 U.S.C. 631 note, of which $1,216,000, to be available until expended, shall be for the Microloan Guarantee Program, and of which $40,510,000 shall remain available until September 30, 1997: *Provided,* That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further,* That during fiscal year 1996, commitments to guarantee loans under section 503 of the Small Business Investment Act of 1958, as amended, shall not exceed the amount of financings authorized under section 20(n)(2)(B) of the Small Business Act, as amended.

In addition, for administrative expenses to carry out the direct and guaranteed loan programs, $92,622,000, which may be transferred to and merged with the appropriations for Salaries and Expenses.

DISASTER LOANS PROGRAM ACCOUNT

For the cost of direct loans authorized by section 7(b) of the Small Business Act, as amended, $34,432,000, to remain available until expended: *Provided,* That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974.

In addition, for administrative expenses to carry out the direct loan program, $71,578,000, which may be transferred to and merged with the appropriations for Salaries and Expenses.

SURETY BOND GUARANTEES REVOLVING FUND

For additional capital for the ''Surety Bond Guarantees Revolving Fund'', authorized by the Small Business Investment Act, as amended, $2,530,000, to remain available without fiscal year limitation as authorized by 15 U.S.C. 631 note.

ADMINISTRATIVE PROVISION—SMALL BUSINESS ADMINISTRATION

SEC. 510. Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Small Business Administration in this Act may be transferred between such appropriations, but no such appropriation shall be increased by more than 10 percent by any such transfers: *Provided,* That any transfer pursuant to this section shall be treated as a reprogramming of funds under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

STATE JUSTICE INSTITUTE

SALARIES AND EXPENSES

For necessary expenses of the State Justice Institute, as authorized by The State Justice Institute Authorization Act of 1992 (Public Law 102–572 (106 Stat. 4515–4516)), $5,000,000 to remain available until expended: *Provided,* That not to exceed $2,500 shall be available for official reception and representation expenses.

TITLE VI—GENERAL PROVISIONS

SEC. 601. No part of any appropriation contained in this Act shall be used for publicity or propaganda purposes not authorized by the Congress.

SEC. 602. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 603. The expenditure of any appropriation under this Act for any consulting service through procurement contract, pursuant to 5 U.S.C. 3109, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued pursuant to existing law.

SEC. 604. If any provision of this Act or the application of such provision to any person or circumstances shall be held invalid, the remainder of the Act and the application of each provision to persons or circumstances other than those as to which it is held invalid shall not be affected thereby.

SEC. 605 (a) None of the funds provided under this Act, or provided under previous Appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in fiscal year 1996, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation

or expenditure through a reprogramming of funds which (1) creates new programs; (2) eliminates a program, project, or activity; (3) increases funds or personnel by any means for any project or activity for which funds have been denied or restricted; (4) relocates an office or employees; (5) reorganizes offices, programs, or activities; or (6) contracts out or privatizes any functions or activities presently performed by Federal employees; unless the Appropriations Committees of both Houses of Congress are notified fifteen days in advance of such reprogramming of funds.

(b) None of the funds provided under this Act, or provided under previous Appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in fiscal year 1996, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure for activities, programs, or projects through a reprogramming of funds in excess of $500,000 or 10 percent, whichever is less, that (1) augments existing programs, projects, or activities; (2) reduces by 10 percent funding for any existing program, project, or activity, or numbers of personnel by 10 percent as approved by Congress; or (3) results from any general savings from a reduction in personnel which would result in a change in existing programs, activities, or projects as approved by Congress; unless the Appropriations Committees of both Houses of Congress are notified fifteen days in advance of such reprogramming of funds.

SEC. 606. None of the funds made available in this Act may be used for the construction, repair (other than emergency repair), overhaul, conversion, or modernization of vessels for the National Oceanic and Atmospheric Administration in shipyards located outside of the United States.

SEC. 607. (a) PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS.—It is the sense of the Congress that, to the greatest extent practicable, all equipment and products purchased with funds made available in this Act should be American-made.

(b) NOTICE REQUIREMENT.—In providing financial assistance to, or entering into any contract with, any entity using funds made available in this Act, the head of each Federal agency, to the greatest extent practicable, shall provide to such entity a notice describing the statement made in subsection (a) by the Congress.

SEC. 608. None of the funds made available in this Act may be used to implement, administer, or enforce any guidelines of the Equal Employment Opportunity Commission covering harassment based on religion, when it is made known to the Federal entity or official to which such funds are made available that such guidelines do not differ in any respect from the proposed guidelines published by the Commission on October 1, 1993 (58 Fed. Reg. 51266).

SEC. 609. None of the funds appropriated or otherwise made available by this Act may be obligated or expended to pay for any cost incurred for (1) opening or operating any United States diplomatic or consular post in the Socialist Republic of Vietnam that was not operating on July 11, 1995; (2) expanding any United States diplomatic or consular post in the Socialist Republic of Vietnam that was operating on July 11, 1995; or (3) increasing the total number of personnel assigned to United States diplomatic or consular posts in the Socialist Republic of Vietnam above the levels existing on July 11, 1995, unless the President certifies within 60 days, based upon all information available to the United States Government that the Government of the Socialist Republic of Vietnam is fully cooperating with the United States in the following four areas:

(1) Resolving discrepancy cases, live sightings and field activities,

(2) Recovering and repatriating American remains,

(3) Accelerating efforts to provide documents that will help lead to fullest possible accounting of POW/MIA's,

(4) Providing further assistance in implementing trilateral investigations with Laos.

SEC. 610. None of the funds made available by this Act may be used for any United Nations undertaking when it is made known to the Federal official having authority to obligate or expend such funds (1) that the United Nations undertaking is a peacekeeping mission, (2) that such undertaking will involve United States Armed Forces under the command or operational control of a foreign national, and (3) that the President's military advisors have not submitted to the President a recommendation that such involvement is in the national security interests of the United States and the President has not submitted to the Congress such a recommendation.

SEC. 611. None of the funds made available in this Act shall be used to provide the following amenities or personal comforts in the Federal prison system—

(1) in-cell television viewing except for prisoners who are segregated from the general prison population for their own safety;

(2) the viewing of R, X, and NC–17 rated movies, through whatever medium presented;

(3) any instruction (live or through broadcasts) or training equipment for boxing, wrestling, judo, karate, or other martial art, or any bodybuilding or weightlifting equipment of any sort;

(4) possession of in-cell coffee pots, hot plates, or heating elements; or

(5) the use or possession of any electric or electronic musical instrument.

SEC. 612. None of the funds made available in title II for the National Oceanic and Atmospheric Administration under the heading ''Fleet Modernization, Shipbuilding and Conversion'' may be used to implement sections 603, 604, and 605 of Public Law 102–567.

SEC. 613. None of the funds made available in this Act may be used for ''USIA Television Marti Program'' under the Television Broadcasting to Cuba Act or any other program of United States Government television broadcasts to Cuba, when it is made known to the Federal official having authority to obligate or expend such funds that such use would be inconsistent with the applicable provisions of the March 1995 Office of Cuba Broadcasting Reinventing Plan of the United States Information Agency.

SEC. 614. (a)(1) Section 5002 of title 18, United States Code, is repealed.

(2) The table of sections for chapter 401 of title 18, United States Code, is amended by striking out the item relating to the Advisory Corrections Council.

(b) This section shall take effect 30 days after the date of the enactment of this Act.

SEC. 615. Any costs incurred by a Department or agency funded under this Act resulting from personnel actions taken in response to funding reductions included in this Act shall be absorbed within the total budgetary resources available to such Department or agency: *Provided*, That the authority to transfer funds between appropriations accounts as may be necessary to carry out this provision is provided in addition to authorities included elsewhere in this Act: *Provided further*, That use of funds to carry out this section shall be treated as a reprogramming of funds under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

TITLE VII—RESCISSIONS

DEPARTMENT OF JUSTICE

GENERAL ADMINISTRATION

WORKING CAPITAL FUND

(RESCISSION)

Of the unobligated balances available under this heading, $65,000,000 are rescinded.

DEPARTMENT OF STATE

ADMINISTRATION OF FOREIGN AFFAIRS

ACQUISITION AND MAINTENANCE OF BUILDINGS ABROAD

(RESCISSION)

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

RELATED AGENCIES

UNITED STATES INFORMATION AGENCY

RADIO CONSTRUCTION

(RESCISSION)

Of the unobligated balances available under this heading, $7,400,000 are rescinded.

TITLE VIII—PRISON LITIGATION REFORM

SEC. 801. SHORT TITLE.

This title may be cited as the ''Prison Litigation Reform Act of 1995''.

SEC. 802. APPROPRIATE REMEDIES FOR PRISON CONDITIONS.

(a) IN GENERAL.—Section 3626 of title 18, United States Code, is amended to read as follows:

''§ 3626. Appropriate remedies with respect to prison conditions

''(a) REQUIREMENTS FOR RELIEF.—

''(1) PROSPECTIVE RELIEF.—(A) Prospective relief in any civil action with respect to prison conditions shall extend no further than necessary to correct the violation of the Federal right of a particular plaintiff or plaintiffs. The court shall not grant or approve any prospective relief unless the court finds that such relief is narrowly drawn, extends no further than necessary to correct the violation of the Federal right, and is the least intrusive means necessary to correct the violation of the Federal right. The court shall give substantial weight to any adverse impact on public safety or the operation of a criminal justice system caused by the relief.

''(B) The court shall not order any prospective relief that requires or permits a government official to exceed his or her authority under State or local law or otherwise violates State or local law, unless—

''(i) Federal law permits such relief to be ordered in violation of State or local law;

''(ii) the relief is necessary to correct the violation of a Federal right; and

''(iii) no other relief will correct the violation of the Federal right.

''(C) Nothing in this section shall be construed to authorize the courts, in exercising their remedial powers, to order the construction of prisons or the raising of taxes, or to repeal or detract from otherwise applicable limitations on the remedial powers of the courts.

''(2) PRELIMINARY INJUNCTIVE RELIEF.—In any civil action with respect to prison conditions, to the extent otherwise authorized by law, the court may enter a temporary restraining order or an order for preliminary injunctive relief. Preliminary injunctive relief must be narrowly drawn, extend no further than necessary to correct the harm the court finds requires preliminary relief, and be the least intrusive means necessary to correct that harm. The court shall give substantial weight to any adverse impact on public safety or the operation of a criminal justice system caused by the preliminary relief and shall respect the principles of comity set out in paragraph (1)(B) in tailoring any preliminary relief. Preliminary injunctive relief shall automatically expire on the

date that is 90 days after its entry, unless the court makes the findings required under subsection (a)(1) for the entry of prospective relief and makes the order final before the expiration of the 90-day period.

''(3) PRISONER RELEASE ORDER.—(A) In any civil action with respect to prison conditions, no prisoner release order shall be entered unless—

''(i) a court has previously entered an order for less intrusive relief that has failed to remedy the deprivation of the Federal right sought to be remedied through the prisoner release order; and

''(ii) the defendant has had a reasonable amount of time to comply with the previous court orders.

''(B) In any civil action in Federal court with respect to prison conditions, a prisoner release order shall be entered only by a three-judge court in accordance with section 2284 of title 28, if the requirements of subparagraph (E) have been met.

''(C) A party seeking a prisoner release order in Federal court shall file with any request for such relief, a request for a three-judge court and materials sufficient to demonstrate that the requirements of subparagraph (A) have been met.

''(D) If the requirements under subparagraph (A) have been met, a Federal judge before whom a civil action with respect to prison conditions is pending who believes that a prison release order should be considered may sua sponte request the convening of a three-judge court to determine whether a prisoner release order should be entered.

''(E) The three-judge court shall enter a prisoner release order only if the court finds by clear and convincing evidence that—

''(i) crowding is the primary cause of the violation of a Federal right; and

''(ii) no other relief will remedy the violation of the Federal right.

''(F) Any State or local official or unit of government whose jurisdiction or function includes the appropriation of funds for the construction, operation, or maintenance of program facilities, or the prosecution or custody of persons who may be released from, or not admitted to, a prison as a result of a prisoner release order shall have standing to oppose the imposition or continuation in effect of such relief and to seek termination of such relief, and shall have the right to intervene in any proceeding relating to such relief.

''(b) TERMINATION OF RELIEF.—

''(1) TERMINATION OF PROSPECTIVE RELIEF.—(A) In any civil action with respect to prison conditions in which prospective relief is ordered, such relief shall be terminable upon the motion of any party or intervener—

''(i) 2 years after the date the court granted or approved the prospective relief;

''(ii) 1 year after the date the court has entered an order denying termination of prospective relief under this paragraph; or

''(iii) in the case of an order issued on or before the date of enactment of the Prison Litigation Reform Act, 2 years after such date of enactment.

''(B) Nothing in this section shall prevent the parties from agreeing to terminate or modify relief before the relief is terminated under subparagraph (A).

''(2) IMMEDIATE TERMINATION OF PROSPECTIVE RELIEF.—In any civil action with respect to prison conditions, a defendant or intervener shall be entitled to the immediate termination of any prospective relief if the relief was approved or granted in the absence of a finding by the court that the relief is narrowly drawn, extends no further than necessary to correct the violation of the Federal right, and is the least intrusive means necessary to correct the violation of the Federal right.

''(3) LIMITATION.—Prospective relief shall not terminate if the court makes written findings based on the record that prospective relief remains necessary to correct a current or ongoing violation of the Federal right, extends no further than necessary to correct the violation of the Federal right, and that the prospective relief is narrowly drawn and the least intrusive means to correct the violation.

''(4) TERMINATION OR MODIFICATION OF RELIEF.—Nothing in this section shall prevent any party or intervener from seeking modification or termination before the relief is terminable under paragraph (1) or (2), to the extent that modification or termination would otherwise be legally permissible.

''(c) SETTLEMENTS.—

''(1) CONSENT DECREES.—In any civil action with respect to prison conditions, the court shall not enter or approve a consent decree unless it complies with the limitations on relief set forth in subsection (a).

''(2) PRIVATE SETTLEMENT AGREEMENTS.—(A) Nothing in this section shall preclude parties from entering into a private settlement agreement that does not comply with the limitations on relief set forth in subsection (a), if the terms of that agreement are not subject to court enforcement other than the reinstatement of the civil proceeding that the agreement settled.

''(B) Nothing in this section shall preclude any party claiming that a private settlement agreement has been breached from seeking in State court any remedy available under State law.

''(d) STATE LAW REMEDIES.—The limitations on remedies in this section shall not apply to relief entered by a State court based solely upon claims arising under State law.

''(e) PROCEDURE FOR MOTIONS AFFECTING PROSPECTIVE RELIEF.—

''(1) GENERALLY.—The court shall promptly rule on any motion to modify or terminate prospective relief in a civil action with respect to prison conditions.

''(2) AUTOMATIC STAY.—Any prospective relief subject to a pending motion shall be automatically stayed during the period—

''(A)(i) beginning on the 30th day after such motion is filed, in the case of a motion made under paragraph (1) or (2) of subsection (b); or

''(ii) beginning on the 180th day after such motion is filed, in the case of a motion made under any other law; and

''(B) ending on the date the court enters a final order ruling on the motion.

''(f) SPECIAL MASTERS.—

''(1) IN GENERAL.—(A) In any civil action in a Federal court with respect to prison conditions, the court may appoint a special master who shall be disinterested and objective and who will give due regard to the public safety, to conduct hearings on the record and prepare proposed findings of fact.

''(B) The court shall appoint a special master under this subsection during the remedial phase of the action only upon a finding that the remedial phase will be sufficiently complex to warrant the appointment.

''(2) APPOINTMENT.—(A) If the court determines that the appointment of a special master is necessary, the court shall request that the defendant institution and the plaintiff each submit a list of not more than 5 persons to serve as a special master.

''(B) Each party shall have the opportunity to remove up to 3 persons from the opposing party's list.

''(C) The court shall select the master from the persons remaining on the list after the operation of subparagraph (B).

''(3) INTERLOCUTORY APPEAL.—Any party shall have the right to an interlocutory appeal of the judge's selection of the special master under this subsection, on the ground of partiality.

''(4) COMPENSATION.—The compensation to be allowed to a special master under this section shall be based on an hourly rate not greater than the hourly rate established under section 3006A for payment of court-appointed counsel, plus costs reasonably incurred by the special master. Such compensation and costs shall be paid with funds appropriated to the Judiciary.

''(5) REGULAR REVIEW OF APPOINTMENT.—In any civil action with respect to prison conditions in which a special master is appointed under this subsection, the court shall review the appointment of the special master every 6 months to determine whether the services of the special master continue to be required under paragraph (1). In no event shall the appointment of a special master extend beyond the termination of the relief.

''(6) LIMITATIONS ON POWERS AND DUTIES.—A special master appointed under this subsection—

''(A) may be authorized by a court to conduct hearings and prepare proposed findings of fact, which shall be made on the record;

''(B) shall not make any findings or communications ex parte;

''(C) may be authorized by a court to assist in the development of remedial plans; and

''(D) may be removed at any time, but shall be relieved of the appointment upon the termination of relief.

''(g) DEFINITIONS.—As used in this section—

''(1) the term 'consent decree' means any relief entered by the court that is based in whole or in part upon the consent or acquiescence of the parties but does not include private settlements;

''(2) the term 'civil action with respect to prison conditions' means any civil proceeding arising under Federal law with respect to the conditions of confinement or the effects of actions by government officials on the lives of persons confined in prison, but does not include habeas corpus proceedings challenging the fact or duration of confinement in prison;

''(3) the term 'prisoner' means any person subject to incarceration, detention, or admission to any facility who is accused of, convicted of, sentenced for, or adjudicated delinquent for, violations of criminal law or the terms and conditions of parole, probation, pretrial release, or diversionary program;

''(4) the term 'prisoner release order' includes any order, including a temporary restraining order or preliminary injunctive relief, that has the purpose or effect of reducing or limiting the prison population, or that directs the release from or nonadmission of prisoners to a prison;

''(5) the term 'prison' means any Federal, State, or local facility that incarcerates or detains juveniles or adults accused of, convicted of, sentenced for, or adjudicated delinquent for, violations of criminal law;

''(6) the term 'private settlement agreement' means an agreement entered into among the parties that is not subject to judicial enforcement other than the reinstatement of the civil proceeding that the agreement settled;

''(7) the term 'prospective relief' means all relief other than compensatory monetary damages;

''(8) the term 'special master' means any person appointed by a Federal court pursuant to Rule 53 of the Federal Rules of Civil Procedure or pursuant to any inherent power of the court to exercise the powers of a master, regardless of the title or description given by the court; and

''(9) the term 'relief' means all relief in any form that may be granted or approved by the

court, and includes consent decrees but does not include private settlement agreements.''.

(b) APPLICATION OF AMENDMENT.—

(1) IN GENERAL.—Section 3626 of title 18, United States Code, as amended by this section, shall apply with respect to all prospective relief whether such relief was originally granted or approved before, on, or after the date of the enactment of this title.

(2) TECHNICAL AMENDMENT.—Subsections (b) and (d) of section 20409 of the Violent Crime Control and Law Enforcement Act of 1994 are repealed.

(c) CLERICAL AMENDMENT.—The table of sections at the beginning of subchapter C of chapter 229 of title 18, United States Code, is amended to read as follows:

''3626. Appropriate remedies with respect to prison conditions.''.

SEC. 803. AMENDMENTS TO CIVIL RIGHTS OF INSTITUTIONALIZED PERSONS ACT.

(a) INITIATION OF CIVIL ACTIONS.—Section 3(c) of the Civil Rights of Institutionalized Persons Act (42 U.S.C. 1997a(c)) (referred to in this section as the ''Act'') is amended to read as follows:

''(c) The Attorney General shall personally sign any complaint filed pursuant to this section.''.

(b) CERTIFICATION REQUIREMENTS.—Section 4 of the Act (42 U.S.C. 1997b) is amended—

(1) in subsection (a)—

(A) by striking ''he'' each place it appears and inserting ''the Attorney General''; and

(B) by striking ''his'' and inserting ''the Attorney General's''; and

(2) by amending subsection (b) to read as follows:

''(b) The Attorney General shall personally sign any certification made pursuant to this section.''.

(c) INTERVENTION IN ACTIONS.—Section 5 of the Act (42 U.S.C. 1997c) is amended—

(1) in subsection (b)—

(A) in paragraph (1), by striking ''he'' each place it appears and inserting ''the Attorney General''; and

(B) by amending paragraph (2) to read as follows:

''(2) The Attorney General shall personally sign any certification made pursuant to this section.''; and

(2) by amending subsection (c) to read as follows:

''(c) The Attorney General shall personally sign any motion to intervene made pursuant to this section.''.

(d) SUITS BY PRISONERS.—Section 7 of the Act (42 U.S.C. 1997e) is amended to read as follows:

''SEC. 7. SUITS BY PRISONERS.

''(a) APPLICABILITY OF ADMINISTRATIVE REMEDIES.—No action shall be brought with respect to prison conditions under section 1979 of the Revised Statutes of the United States (42 U.S.C. 1983), or any other Federal law, by a prisoner confined in any jail, prison, or other correctional facility until such administrative remedies as are available are exhausted.

''(b) FAILURE OF STATE TO ADOPT OR ADHERE TO ADMINISTRATIVE GRIEVANCE PROCEDURE.—The failure of a State to adopt or adhere to an administrative grievance procedure shall not constitute the basis for an action under section 3 or 5 of this Act.

''(c) DISMISSAL.—(1) The court shall on its own motion or on the motion of a party dismiss any action brought with respect to prison conditions under section 1979 of the Revised Statutes of the United States (42 U.S.C. 1983), or any other Federal law, by a prisoner confined in any jail, prison, or other correctional facility if the court is satisfied that the action is frivolous, malicious, fails to state a claim upon which relief can be granted, or seeks monetary relief from a defendant who is immune from such relief.

''(2) In the event that a claim is, on its face, frivolous, malicious, fails to state a claim upon which relief can be granted, or seeks monetary relief from a defendant who is immune from such relief, the court may dismiss the underlying claim without first requiring the exhaustion of administrative remedies.

''(d) ATTORNEY'S FEES.—(1) In any action brought by a prisoner who is confined to any jail, prison, or other correctional facility, in which attorney's fees are authorized under section 2 of the Revised Statutes of the United States (42 U.S.C. 1988), such fees shall not be awarded, except to the extent that—

''(A) the fee was directly and reasonably incurred in proving an actual violation of the plaintiff's rights protected by a statute pursuant to which a fee may be awarded under section 2 of the Revised Statutes; and

''(B)(i) the amount of the fee is proportionately related to the court ordered relief for the violation; or

''(ii) the fee was directly and reasonably incurred in enforcing the relief ordered for the violation.

''(2) Whenever a monetary judgment is awarded in an action described in paragraph (1), a portion of the judgment (not to exceed 25 percent) shall be applied to satisfy the amount of attorney's fees awarded against the defendant. If the award of attorney's fees is not greater than 150 percent of the judgment, the excess shall be paid by the defendant.

''(3) No award of attorney's fees in an action described in paragraph (1) shall be based on an hourly rate greater than 150 percent of the hourly rate established under section 3006A of title 18, United States Code, for payment of court-appointed counsel.

''(4) Nothing in this subsection shall prohibit a prisoner from entering into an agreement to pay an attorney's fee in an amount greater than the amount authorized under this subsection, if the fee is paid by the individual rather than by the defendant pursuant to section 2 of the Revised Statutes of the United States (42 U.S.C. 1988).

''(e) LIMITATION ON RECOVERY.—No Federal civil action may be brought by a prisoner confined in a jail, prison, or other correctional facility, for mental or emotional injury suffered while in custody without a prior showing of physical injury.

''(f) HEARINGS.—(1) To the extent practicable, in any action brought with respect to prison conditions in Federal court pursuant to section 1979 of the Revised Statutes of the United States (42 U.S.C. 1983), or any other Federal law, by a prisoner confined in any jail, prison, or other correctional facility, pretrial proceedings in which the prisoner's participation is required or permitted shall be conducted by telephone, video conference, or other telecommunications technology without removing the prisoner from the facility in which the prisoner is confined.

''(2) Subject to the agreement of the official of the Federal, State, or local unit of government with custody over the prisoner, hearings may be conducted at the facility in which the prisoner is confined. To the extent practicable, the court shall allow counsel to participate by telephone, video conference, or other communications technology in any hearing held at the facility.

''(g) WAIVER OF REPLY.—(1) Any defendant may waive the right to reply to any action brought by a prisoner confined in any jail, prison, or other correctional facility under section 1979 of the Revised Statutes of the United States (42 U.S.C. 1983) or any other Federal law. Notwithstanding any other law or rule of procedure, such waiver shall not constitute an admission of the allegations contained in the complaint. No relief shall be granted to the plaintiff unless a reply has been filed.

''(2) The court may require any defendant to reply to a complaint brought under this section if it finds that the plaintiff has a reasonable opportunity to prevail on the merits.

''(h) DEFINITION.—As used in this section, the term 'prisoner' means any person incarcerated or detained in any facility who is accused of, convicted of, sentenced for, or adjudicated delinquent for, violations of criminal law or the terms and conditions of parole, probation, pretrial release, or diversionary program.''.

(e) REPORT TO CONGRESS.—Section 8 of the Act (42 U.S.C. 1997f) is amended by striking ''his report'' and inserting ''the report''.

(f) NOTICE TO FEDERAL DEPARTMENTS.—Section 10 of the Act (42 U.S.C. 1997h) is amended—

(1) by striking ''his action'' and inserting ''the action''; and

(2) by striking ''he is satisfied'' and inserting ''the Attorney General is satisfied''.

SEC. 804. PROCEEDINGS IN FORMA PAUPERIS.

(a) FILING FEES.—Section 1915 of title 28, United States Code, is amended—

(1) in subsection (a)—

(A) by striking ''(a) Any'' and inserting ''(a)(1) Subject to subsection (b), any'';

(B) by striking ''and costs'';

(C) by striking ''makes affidavit'' and inserting ''submits an affidavit that includes a statement of all assets such prisoner possesses'';

(D) by striking ''such costs'' and inserting ''such fees'';

(E) by striking ''he'' each place it appears and inserting ''the person'';

(F) by adding immediately after paragraph (1), the following new paragraph:

''(2) A prisoner seeking to bring a civil action or appeal a judgment in a civil action or proceeding without prepayment of fees or security therefor, in addition to filing the affidavit filed under paragraph (1), shall submit a certified copy of the trust fund account statement (or institutional equivalent) for the prisoner for the 6-month period immediately preceding the filing of the complaint or notice of appeal, obtained from the appropriate official of each prison at which the prisoner is or was confined.''; and

(G) by striking ''An appeal'' and inserting ''(3) An appeal'';

(2) by redesignating subsections (b), (c), (d), and (e) as subsections (c), (d), (e), and (f), respectively;

(3) by inserting after subsection (a) the following new subsection:

''(b)(1) Notwithstanding subsection (a), if a prisoner brings a civil action or files an appeal in forma pauperis, the prisoner shall be required to pay the full amount of a filing fee. The court shall assess and, when funds exist, collect, as a partial payment of any court fees required by law, an initial partial filing fee of 20 percent of the greater of—

''(A) the average monthly deposits to the prisoner's account; or

''(B) the average monthly balance in the prisoner's account for the 6-month period immediately preceding the filing of the complaint or notice of appeal.

''(2) After payment of the initial partial filing fee, the prisoner shall be required to make monthly payments of 20 percent of the preceding month's income credited to the prisoner's account. The agency having custody of the prisoner shall forward payments from the prisoner's account to the clerk of the court each time the amount in the account exceeds $10 until the filing fees are paid.

''(3) In no event shall the filing fee collected exceed the amount of fees permitted by statute for the commencement of a civil action or an appeal of a civil action or criminal judgment.

''(4) In no event shall a prisoner be prohibited from bringing a civil action or appealing a civil or criminal judgment for the reason that the prisoner has no assets and no means by which to pay the initial partial filing fee.'';

(4) in subsection (c), as redesignated by paragraph (2), by striking ''subsection (a) of this section'' and inserting ''subsections (a) and (b) and the prepayment of any partial filing fee as may be required under subsection (b)''; and

(5) by amending subsection (e), as redesignated by paragraph (2), to read as follows:

''(e)(1) The court may request an attorney to represent any person unable to afford counsel.

''(2) Notwithstanding any filing fee, or any portion thereof, that may have been paid, the court shall dismiss the case at any time if the court determines that—

''(A) the allegation of poverty is untrue; or

''(B) the action or appeal—

''(i) is frivolous or malicious;

''(ii) fails to state a claim on which relief may be granted; or

''(iii) seeks monetary relief against a defendant who is immune from such relief.''.

(b) EXCEPTION TO DISCHARGE OF DEBT IN BANKRUPTCY PROCEEDING.—Section 523(a) of title 11, United States Code, is amended—

(1) in paragraph (16), by striking the period at the end and inserting ''; or''; and

(2) by adding at the end the following new paragraph:

''(17) for a fee imposed by a court for the filing of a case, motion, complaint, or appeal, or for other costs and expenses assessed with respect to such filing, regardless of an assertion of poverty by the debtor under section 1915 (b) or (f) of title 28, or the debtor's status as a prisoner, as defined in section 1915(h) of title 28.''.

(c) COSTS.—Section 1915(f) of title 28, United States Code (as redesignated by subsection (a)(2)), is amended—

(1) by striking ''(f) Judgment'' and inserting ''(f)(1) Judgment'';

(2) by striking ''cases'' and inserting ''proceedings''; and

(3) by adding at the end the following new paragraph:

''(2)(A) If the judgment against a prisoner includes the payment of costs under this subsection, the prisoner shall be required to pay the full amount of the costs ordered.

''(B) The prisoner shall be required to make payments for costs under this subsection in the same manner as is provided for filing fees under subsection (a)(2).

''(C) In no event shall the costs collected exceed the amount of the costs ordered by the court.''.

(d) SUCCESSIVE CLAIMS.—Section 1915 of title 28, United States Code, is amended by adding at the end the following new subsection:

''(g) In no event shall a prisoner bring a civil action or appeal a judgment in a civil action or proceeding under this section if the prisoner has, on 3 or more prior occasions, while incarcerated or detained in any facility, brought an action or appeal in a court of the United States that was dismissed on the grounds that it is frivolous, malicious, or fails to state a claim upon which relief may be granted, unless the prisoner is under imminent danger of serious physical injury.''.

(e) DEFINITION.—Section 1915 of title 28, United States Code, is amended by adding at the end the following new subsection:

''(h) As used in this section, the term 'prisoner' means any person incarcerated or detained in any facility who is accused of, convicted of, sentenced for, or adjudicated delinquent for, violations of criminal law or the terms and conditions of parole, probation, pretrial release, or diversionary program.''.

SEC. 805. JUDICIAL SCREENING.

(a) IN GENERAL.—Chapter 123 of title 28, United States Code, is amended by inserting after section 1915 the following new section:

''§ 1915A. Screening

''(a) SCREENING.—The court shall review, before docketing, if feasible or, in any event, as soon as practicable after docketing, a complaint in a civil action in which a prisoner seeks redress from a governmental entity or officer or employee of a governmental entity.

''(b) GROUNDS FOR DISMISSAL.—On review, the court shall identify cognizable claims or dismiss the complaint, or any portion of the complaint, if the complaint—

''(1) is frivolous, malicious, or fails to state a claim upon which relief may be granted; or

''(2) seeks monetary relief from a defendant who is immune from such relief.

''(c) DEFINITION.—As used in this section, the term 'prisoner' means any person incarcerated or detained in any facility who is accused of, convicted of, sentenced for, or adjudicated delinquent for, violations of criminal law or the terms and conditions of parole, probation, pretrial release, or diversionary program.''.

(b) TECHNICAL AMENDMENT.—The analysis for chapter 123 of title 28, United States Code, is amended by inserting after the item relating to section 1915 the following new item:

''1915A. Screening.''.

SEC. 806. FEDERAL TORT CLAIMS.

Section 1346(b) of title 28, United States Code, is amended—

(1) by striking ''(b)'' and inserting ''(b)(1)''; and

(2) by adding at the end the following:

''(2) No person convicted of a felony who is incarcerated while awaiting sentencing or while serving a sentence may bring a civil action against the United States or an agency, officer, or employee of the Government, for mental or emotional injury suffered while in custody without a prior showing of physical injury.''.

SEC. 807. PAYMENT OF DAMAGE AWARD IN SATISFACTION OF PENDING RESTITUTION ORDERS.

Any compensatory damages awarded to a prisoner in connection with a civil action brought against any Federal, State, or local jail, prison, or correctional facility or against any official or agent of such jail, prison, or correctional facility, shall be paid directly to satisfy any outstanding restitution orders pending against the prisoner. The remainder of any such award after full payment of all pending restitution orders shall be forwarded to the prisoner.

SEC. 808. NOTICE TO CRIME VICTIMS OF PENDING DAMAGE AWARD.

Prior to payment of any compensatory damages awarded to a prisoner in connection with a civil action brought against any Federal, State, or local jail, prison, or correctional facility or against any official or agent of such jail, prison, or correctional facility, reasonable efforts shall be made to notify the victims of the crime for which the prisoner was convicted and incarcerated concerning the pending payment of any such compensatory damages.

SEC. 809. EARNED RELEASE CREDIT OR GOOD TIME CREDIT REVOCATION.

(a) IN GENERAL.—Chapter 123 of title 28, United States Code, is amended by adding at the end the following new section:

''§ 1932. Revocation of earned release credit

''In any civil action brought by an adult convicted of a crime and confined in a Federal correctional facility, the court may order the revocation of such earned good time credit under section 3624(b) of title 18, United States Code, that has not yet vested, if, on its own motion or the motion of any party, the court finds that—

''(1) the claim was filed for a malicious purpose;

''(2) the claim was filed solely to harass the party against which it was filed; or

''(3) the claimant testifies falsely or otherwise knowingly presents false evidence or information to the court.''.

(b) TECHNICAL AMENDMENT.—The analysis for chapter 123 of title 28, United States Code, is amended by inserting after the item relating to section 1931 the following:

''1932. Revocation of earned release credit.''.

(c) AMENDMENT OF SECTION 3624 OF TITLE 18.—Section 3624(b) of title 18, United States Code, is amended—

(1) in paragraph (1)—

(A) by striking the first sentence;

(B) in the second sentence—

(i) by striking ''A prisoner'' and inserting ''Subject to paragraph (2), a prisoner'';

(ii) by striking ''for a crime of violence,''; and

(iii) by striking ''such'';

(C) in the third sentence, by striking ''If the Bureau'' and inserting ''Subject to paragraph (2), if the Bureau'';

(D) by striking the fourth sentence and inserting the following: ''In awarding credit under this section, the Bureau shall consider whether the prisoner, during the relevant period, has earned, or is making satisfactory progress toward earning, a high school diploma or an equivalent degree.''; and

(E) in the sixth sentence, by striking ''Credit for the last'' and inserting ''Subject to paragraph (2), credit for the last''; and

(2) by amending paragraph (2) to read as follows:

''(2) Notwithstanding any other law, credit awarded under this subsection after the date of enactment of the Prison Litigation Reform Act shall vest on the date the prisoner is released from custody.''.

SEC. 810. SEVERABILITY.

If any provision of this title, an amendment made by this title, or the application of such provision or amendment to any person or circumstance is held to be unconstitutional, the remainder of this title, the amendments made by this title, and the application of the provisions of such to any person or circumstance shall not be affected thereby.

This Act may be cited as the ''Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1996.''.

(b) Such amounts as may be necessary for programs, projects or activities provided for in the Department of the Interior and Related Agencies Appropriations Act, 1996, at a rate of operations and to the extent and in the manner provided for, the provisions of such Act to be effective as if it had been enacted into law as the regular appropriations Act, as follows:

AN ACT

Making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1996, and for other purposes.

TITLE I—DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT

MANAGEMENT OF LANDS AND RESOURCES

For expenses necessary for protection, use, improvement, development, disposal, cadastral surveying, classification, acquisition of easements and other interests in lands, and performance of other functions, including maintenance of facilities, as authorized by law, in the management of lands and their

resources under the jurisdiction of the Bureau of Land Management, including the general administration of the Bureau, and assessment of mineral potential of public lands pursuant to Public Law 96–487 (16 U.S.C. 3150(a)), $567,152,000, to remain available until expended, of which $2,000,000 shall be available for assessment of the mineral potential of public lands in Alaska pursuant to section 1010 of Public Law 96–487 (16 U.S.C. 3150), and of which not more than $599,999 shall be available to the Needles Resources Area for the management of the East Mojave National Scenic Area, as defined by the Bureau of Land Management prior to October 1, 1994, in the California Desert District of the Bureau of Land Management, and of which $4,000,000 shall be derived from the special receipt account established by section 4 of the Land and Water Conservation Fund Act of 1965, as amended (16 U.S.C. 460l–6a(i)): *Provided,* That appropriations herein made shall not be available for the destruction of healthy, unadopted, wild horses and burros in the care of the Bureau or its contractors; and in addition, $27,650,000 for Mining Law Administration program operations, to remain available until expended, to be reduced by amounts collected by the Bureau of Land Management and credited to this appropriation from annual mining claim fees so as to result in a final appropriation estimated at not more than $567,152,000: *Provided further,* That in addition to funds otherwise available, and to remain available until expended, not to exceed $5,000,000 from annual mining claim fees shall be credited to this account for the costs of administering the mining claim fee program, and $2,000,000 from communication site rental fees established by the Bureau.

WILDLAND FIRE MANAGEMENT

For necessary expenses for fire use and management, fire preparedness, emergency presuppression, suppression operations, emergency rehabilitation, and renovation or construction of fire facilities in the Department of the Interior, $235,924,000, to remain available until expended, of which not to exceed $5,025,000, shall be available for the renovation or construction of fire facilities: *Provided,* That notwithstanding any other provision of law, persons hired pursuant to 43 U.S.C. 1469 may be furnished subsistence and lodging without cost from funds available from this appropriation: *Provided further,* That such funds are also available for repayment of advances to other appropriation accounts from which funds were previously transferred for such purposes: *Provided further,* That unobligated balances of amounts previously appropriated to the Fire Protection and Emergency Department of the Interior Firefighting Fund may be transferred or merged with this appropriation.

CENTRAL HAZARDOUS MATERIALS FUND

For expenses necessary for use by the Department of the Interior and any of its component offices and bureaus for the remedial action, including associated activities, of hazardous waste substances, pollutants, or contaminants pursuant to the Comprehensive Environmental Response, Compensation and Liability Act, as amended (42 U.S.C. 9601 et seq.), $10,000,000, to remain available until expended: *Provided,* That, notwithstanding 31 U.S.C. 3302, sums recovered from or paid by a party in advance of or as reimbursement for remedial action or response activities conducted by the Department pursuant to sections 107 or 113(f) of the Comprehensive Environmental Response, Compensation and Liability Act, as amended (42 U.S.C. 9607 or 9613(f)), shall be credited to this account and shall be available without further appropriation and shall remain available until expended: *Provided further,* That such sums recovered from or paid by any party are not limited to monetary payments and may include stocks, bonds or other personal or real property, which may be retained, liquidated, or otherwise disposed of by the Secretary of the Interior and which shall be credited to this account.

CONSTRUCTION AND ACCESS

For acquisition of lands and interests therein, and construction of buildings, recreation facilities, roads, trails, and appurtenant facilities, $3,115,000, to remain available until expended.

PAYMENTS IN LIEU OF TAXES

For expenses necessary to implement the Act of October 20, 1976, as amended (31 U.S.C. 6901–07), $101,500,000, of which not to exceed $400,000 shall be available for administrative expenses.

LAND ACQUISITION

For expenses necessary to carry out the provisions of sections 205, 206, and 318(d) of Public Law 94–579 including administrative expenses and acquisition of lands or waters, or interests therein, $12,800,000 to be derived from the Land and Water Conservation Fund, to remain available until expended.

OREGON AND CALIFORNIA GRANT LANDS

For expenses necessary for management, protection, and development of resources and for construction, operation, and maintenance of access roads, reforestation, and other improvements on the revested Oregon and California Railroad grant lands, on other Federal lands in the Oregon and California land-grant counties of Oregon, and on adjacent rights-of-way; and acquisition of lands or interests therein including existing connecting roads on or adjacent to such grant lands; $93,379,000, to remain available until expended: *Provided,* That 25 per centum of the aggregate of all receipts during the current fiscal year from the revested Oregon and California Railroad grant lands is hereby made a charge against the Oregon and California land-grant fund and shall be transferred to the General Fund in the Treasury in accordance with the provisions of the second paragraph of subsection (b) of title II of the Act of August 28, 1937 (50 Stat. 876).

RANGE IMPROVEMENTS

For rehabilitation, protection, and acquisition of lands and interests therein, and improvement of Federal rangelands pursuant to section 401 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701), notwithstanding any other Act, sums equal to 50 per centum of all moneys received during the prior fiscal year under sections 3 and 15 of the Taylor Grazing Act (43 U.S.C. 315 et seq.) and the amount designated for range improvements from grazing fees and mineral leasing receipts from Bankhead-Jones lands transferred to the Department of the Interior pursuant to law, but not less than $9,113,000, to remain available until expended: *Provided,* That not to exceed $600,000 shall be available for administrative expenses.

SERVICE CHARGES, DEPOSITS, AND FORFEITURES

For administrative expenses and other costs related to processing application documents and other authorizations for use and disposal of public lands and resources, for costs of providing copies of official public land documents, for monitoring construction, operation, and termination of facilities in conjunction with use authorizations, and for rehabilitation of damaged property, such amounts as may be collected under sections 209(b), 304(a), 304(b), 305(a), and 504(g) of the Act approved October 21, 1976 (43 U.S.C. 1701), and sections 101 and 203 of Public Law 93–153, to be immediately available until expended: *Provided,* That notwithstanding any provision to the contrary of section 305(a) of the Act of October 21, 1976 (43 U.S.C. 1735(a)), any moneys that have been or will be received pursuant to that section, whether as a result of forfeiture, compromise, or settlement, if not appropriate for refund pursuant to section 305(c) of that Act (43 U.S.C. 1735(c)), shall be available and may be expended under the authority of this or subsequent appropriations Acts by the Secretary to improve, protect, or rehabilitate any public lands administered through the Bureau of Land Management which have been damaged by the action of a resource developer, purchaser, permittee, or any unauthorized person, without regard to whether all moneys collected from each such forfeiture, compromise, or settlement are used on the exact lands damage to which led to the forfeiture, compromise, or settlement: *Provided further,* That such moneys are in excess of amounts needed to repair damage to the exact land for which collected.

MISCELLANEOUS TRUST FUNDS

In addition to amounts authorized to be expended under existing law, there is hereby appropriated such amounts as may be contributed under section 307 of the Act of October 21, 1976 (43 U.S.C. 1701), and such amounts as may be advanced for administrative costs, surveys, appraisals, and costs of making conveyances of omitted lands under section 211(b) of that Act, to remain available until expended.

ADMINISTRATIVE PROVISIONS

Appropriations for the Bureau of Land Management shall be available for purchase, erection, and dismantlement of temporary structures, and alteration and maintenance of necessary buildings and appurtenant facilities to which the United States has title; up to $100,000 for payments, at the discretion of the Secretary, for information or evidence concerning violations of laws administered by the Bureau of Land Management; miscellaneous and emergency expenses of enforcement activities authorized or approved by the Secretary and to be accounted for solely on his certificate, not to exceed $10,000: *Provided,* That notwithstanding 44 U.S.C. 501, the Bureau may, under cooperative cost-sharing and partnership arrangements authorized by law, procure printing services from cooperators in connection with jointly-produced publications for which the cooperators share the cost of printing either in cash or in services, and the Bureau determines the cooperator is capable of meeting accepted quality standards.

UNITED STATES FISH AND WILDLIFE SERVICE

RESOURCE MANAGEMENT

For expenses necessary for scientific and economic studies, conservation, management, investigations, protection, and utilization of fishery and wildlife resources, except whales, seals, and sea lions, and for the performance of other authorized functions related to such resources; for the general administration of the United States Fish and Wildlife Service; and for maintenance of the herd of long-horned cattle on the Wichita Mountains Wildlife Refuge; and not less than $1,000,000 for high priority projects within the scope of the approved budget which shall be carried out by the Youth Conservation Corps as authorized by the Act of August 13, 1970, as amended by Public Law 93–408, $497,670,000, to remain available for obligation until September 30, 1997, of which $11,557,000 shall be available until expended for operation and maintenance of fishery mitigation facilities constructed by the Corps of Engineers under the Lower Snake River Compensation Plan, authorized by the Water Resources Development Act of 1976 (90 Stat. 2921), to compensate for loss of fishery

resources from water development projects on the Lower Snake River: *Provided,* That unobligated and unexpended balances in the Resource Management account at the end of fiscal year 1995, shall be merged with and made a part of the fiscal year 1996 Resource Management appropriation, and shall remain available for obligation until September 30, 1997: *Provided further,* That no monies appropriated under this Act or any other law shall be used to implement subsections (a), (b), (c), (e), (g), or (i) of section 4 of the Endangered Species Act of 1973 (16 U.S.C. 1533), until such time as legislation reauthorizing the Act is enacted or until the end of fiscal year 1996, whichever is earlier, except that monies appropriated under this Act may be used to delist or reclassify species pursuant to subsections 4(a)(2)(B), 4(c)(2)(B)(i), and 4(c)(2)(B)(ii) of the Act.

CONSTRUCTION

For construction and acquisition of buildings and other facilities required in the conservation, management, investigation, protection, and utilization of fishery and wildlife resources, and the acquisition of lands and interests therein; $37,655,000, to remain available until expended.

NATURAL RESOURCE DAMAGE ASSESSMENT FUND

To conduct natural resource damage assessment activities by the Department of the Interior necessary to carry out the provisions of the Comprehensive Environmental Response, Compensation, and Liability Act, as amended (42 U.S.C. 9601, et seq.), Federal Water Pollution Control Act, as amended (33 U.S.C. 1251, et seq.), the Oil Pollution Act of 1990 (Public Law 101–380), and the Act of July 27, 1990 (Public Law 101–337); $4,000,000, to remain available until expended: *Provided,* That sums provided by any party in fiscal year 1996 and thereafter are not limited to monetary payments and may include stocks, bonds or other personal or real property, which may be retained, liquidated or otherwise disposed of by the Secretary and such sums or properties shall be utilized for the restoration of injured resources, and to conduct new damage assessment activities.

LAND ACQUISITION

For expenses necessary to carry out the provisions of the Land and Water Conservation Fund Act of 1965, as amended (16 U.S.C. 460l–4–11), including administrative expenses, and for acquisition of land or waters, or interest therein, in accordance with statutory authority applicable to the United States Fish and Wildlife Service, $45,400,000, to be derived from the Land and Water Conservation Fund, to remain available until expended.

COOPERATIVE ENDANGERED SPECIES CONSERVATION FUND

For expenses necessary to carry out the provisions of the Endangered Species Act of 1973 (16 U.S.C. 1531–1543), as amended by Public Law 100–478, $8,085,000 for grants to States, to be derived from the Cooperative Endangered Species Conservation Fund, and to remain available until expended.

NATIONAL WILDLIFE REFUGE FUND

For expenses necessary to implement the Act of October 17, 1978 (16 U.S.C. 715s), $10,779,000.

REWARDS AND OPERATIONS

For expenses necessary to carry out the provisions of the African Elephant Conservation Act (16 U.S.C. 4201–4203, 4211–4213, 4221–4225, 4241–4245, and 1538), $600,000, to remain available until expended.

NORTH AMERICAN WETLANDS CONSERVATION FUND

For expenses necessary to carry out the provisions of the North American Wetlands Conservation Act, Public Law 101–233, $6,750,000, to remain available until expended.

LAHONTAN VALLEY AND PYRAMID LAKE FISH AND WILDLIFE FUND

For carrying out section 206(f) of Public Law 101–618, such sums as have previously been credited or may be credited hereafter to the Lahontan Valley and Pyramid Lake Fish and Wildlife Fund, to be available until expended without further appropriation.

RHINOCEROS AND TIGER CONSERVATION FUND

For deposit to the Rhinoceros and Tiger Conservation Fund, $200,000, to remain available until expended, to be available to carry out the provisions of the Rhinoceros and Tiger Conservation Act of 1994 (Public Law 103–391).

WILDLIFE CONSERVATION AND APPRECIATION FUND

For deposit to the Wildlife Conservation and Appreciation Fund, $800,000, to remain available until expended.

ADMINISTRATIVE PROVISIONS

Appropriations and funds available to the United States Fish and Wildlife Service shall be available for purchase of not to exceed 113 passenger motor vehicles; not to exceed $400,000 for payment, at the discretion of the Secretary, for information, rewards, or evidence concerning violations of laws administered by the United States Fish and Wildlife Service, and miscellaneous and emergency expenses of enforcement activities, authorized or approved by the Secretary and to be accounted for solely on his certificate; repair of damage to public roads within and adjacent to reservation areas caused by operations of the United States Fish and Wildlife Service; options for the purchase of land at not to exceed $1 for each option; facilities incident to such public recreational uses on conservation areas as are consistent with their primary purpose; and the maintenance and improvement of aquaria, buildings, and other facilities under the jurisdiction of the United States Fish and Wildlife Service and to which the United States has title, and which are utilized pursuant to law in connection with management and investigation of fish and wildlife resources: *Provided,* That notwithstanding 44 U.S.C. 501, the Service may, under cooperative cost sharing and partnership arrangements authorized by law, procure printing services from cooperators in connection with jointly-produced publications for which the cooperators share at least one-half the cost of printing either in cash or services and the Service determines the cooperator is capable of meeting accepted quality standards: *Provided further,* That the United States Fish and Wildlife Service may accept donated aircraft as replacements for existing aircraft: *Provided further,* That notwithstanding any other provision of law, the Secretary of the Interior may not spend any of the funds appropriated in this Act for the purchase of lands or interests in lands to be used in the establishment of any new unit of the National Wildlife Refuge System unless the purchase is approved in advance by the House and Senate Committees on Appropriations in compliance with the reprogramming procedures contained in House Report 103–551: *Provided further,* That none of the funds made available in this Act may be used by the U. S. Fish and Wildlife Service to impede or delay the issuance of a wetlands permit by the U. S. Army Corps of Engineers to the City of Lake Jackson, Texas, for the development of a public golf course west of Buffalo Camp Bayou between the Brazos River and Highway 332: *Provided further,* That the Director of the Fish and Wildlife Service may charge reasonable fees for expenses to the Federal Government for providing training by the National Education and Training Center: *Provided further,* That all training fees collected shall be available to the Director, until expended, without further appropriation, to be used for the costs of training and education provided by the National Education and Training Center: *Provided further,* That with respect to lands leased for farming pursuant to Public Law 88–567, if for any reason the Secretary disapproves for use in 1996 or does not finally approve for use in 1996 any pesticide or chemical which was approved for use in 1995 or had been requested for use in 1996 by the submission of a pesticide use proposal as of September 19, 1995, none of the funds in this Act may be used to develop, implement, or enforce regulations or policies (including pesticide use proposals) related to the use of chemicals and pest management that are more restrictive than the requirements of applicable State and Federal laws related to the use of chemicals and pest management practices on non-Federal lands.

NATIONAL PARK SERVICE

OPERATION OF THE NATIONAL PARK SYSTEM

For expenses necessary for the management, operation, and maintenance of areas and facilities administered by the National Park Service (including special road maintenance service to trucking permittees on a reimbursable basis), and for the general administration of the National Park Service, including not to exceed $1,593,000 for the Volunteers-in-Parks program, and not less than $1,000,000 for high priority projects within the scope of the approved budget which shall be carried out by the Youth Conservation Corps as authorized by the Act of August 13, 1970, as amended by Public Law 93–408, $1,086,014,000, without regard to the Act of August 24, 1912, as amended (16 U.S.C. 451), of which not to exceed $72,000,000, to remain available until expended is to be derived from the special fee account established pursuant to title V, section 5201, of Public Law 100–203, and of which not more than $500,000 shall be available for development of the National Park Service's management plan for the Mojave National Preserve: *Provided,* That these funds shall be strictly limited to the development activities for the Preserve's management plan.

NATIONAL RECREATION AND PRESERVATION

For expenses necessary to carry out recreation programs, natural programs, cultural programs, environmental compliance and review, international park affairs, statutory or contractual aid for other activities, and grant administration, not otherwise provided for, $37,649,000: *Provided,* That $236,000 of the funds provided herein are for the William O. Douglas Outdoor Education Center, subject to authorization.

HISTORIC PRESERVATION FUND

For expenses necessary in carrying out the provisions of the Historic Preservation Act of 1966 (80 Stat. 915), as amended (16 U.S.C. 470), $36,212,000, to be derived from the Historic Preservation Fund, established by section 108 of that Act, as amended, to remain available for obligation until September 30, 1997.

CONSTRUCTION

For construction, improvements, repair or replacement of physical facilities, $143,225,000, to remain available until expended: *Provided,* That not to exceed $4,500,000 of the funds provided herein shall be paid to the Army Corps of Engineers for modifications authorized by section 104 of the Everglades National Park Protection and Expansion Act of 1989: *Provided further,* That funds provided under this head, derived from the Historic Preservation Fund, established

by the Historic Preservation Act of 1966 (80 Stat. 915), as amended (16 U.S.C. 470), may be available until expended to render sites safe for visitors and for building stabilization.

LAND AND WATER CONSERVATION FUND

(RESCISSION)

The contract authority provided for fiscal year 1996 by 16 U.S.C. 460l–10a is rescinded.

LAND ACQUISITION AND STATE ASSISTANCE

For expenses necessary to carry out the provisions of the Land and Water Conservation Fund Act of 1965, as amended (16 U.S.C. 460l–4–11), including administrative expenses, and for acquisition of lands or waters, or interest therein, in accordance with statutory authority applicable to the National Park Service, $57,600,000, to be derived from the Land and Water Conservation Fund, to remain available until expended, and of which $1,500,000 is to administer the State assistance program: *Provided,* That any funds made available for the purpose of acquisition of the Elwha and Glines dams shall be used solely for acquisition, and shall not be expended until the full purchase amount has been appropriated by the Congress.

ADMINISTRATIVE PROVISIONS

Appropriations for the National Park Service shall be available for the purchase of not to exceed 518 passenger motor vehicles, of which 323 shall be for replacement only, including not to exceed 411 for police-type use, 12 buses, and 5 ambulances: *Provided,* That none of the funds appropriated to the National Park Service may be used to process any grant or contract documents which do not include the text of 18 U.S.C. 1913: *Provided further,* That none of the funds appropriated to the National Park Service may be used to implement an agreement for the redevelopment of the southern end of Ellis Island until such agreement has been submitted to the Congress and shall not be implemented prior to the expiration of 30 calendar days (not including any day in which either House of Congress is not in session because of adjournment of more than three calendar days to a day certain) from the receipt by the Speaker of the House of Representatives and the President of the Senate of a full and comprehensive report on the development of the southern end of Ellis Island, including the facts and circumstances relied upon in support of the proposed project.

None of the funds in this Act may be spent by the National Park Service for activities taken in direct response to the United Nations Biodiversity Convention.

The National Park Service may enter into cooperative agreements that involve the transfer of National Park Service appropriated funds to State, local and tribal governments, other public entities, educational institutions, and private nonprofit organizations for the public purpose of carrying out National Park Service programs.

The National Park Service shall, within existing funds, conduct a Feasibility Study for a northern access route into Denali National Park and Preserve in Alaska, to be completed within one year of the enactment of this Act and submitted to the House and Senate Committees on Appropriations and to the Senate Committee on Energy and Natural Resources and the House Committee on Resources. The Feasibility Study shall ensure that resource impacts from any plan to create such access route are evaluated with accurate information and according to a process that takes into consideration park values, visitor needs, a full range of alternatives, the viewpoints of all interested parties, including the tourism industry and the State of Alaska, and potential needs for compliance with the National Environmental Policy Act. The Study shall also address the time required for development of alternatives and identify all associated costs.

This Feasibility Study shall be conducted solely by the National Park Service planning personnel permanently assigned to National Park Service offices located in the State of Alaska in consultation with the State of Alaska Department of Transportation.

UNITED STATES GEOLOGICAL SURVEY

SURVEYS, INVESTIGATIONS, AND RESEARCH

For expenses necessary for the United States Geological Survey to perform surveys, investigations, and research covering topography, geology, hydrology, and the mineral and water resources of the United States, its Territories and possessions, and other areas as authorized by law (43 U.S.C. 31, 1332 and 1340); classify lands as to their mineral and water resources; give engineering supervision to power permittees and Federal Energy Regulatory Commission licensees; administer the minerals exploration program (30 U.S.C. 641); and publish and disseminate data relative to the foregoing activities; and to conduct inquiries into the economic conditions affecting mining and materials processing industries (30 U.S.C. 3, 21a, and 1603; 50 U.S.C. 98g(1)) and related purposes as authorized by law and to publish and disseminate data; $729,995,000, of which $62,130,000 shall be available for cooperation with States or municipalities for water resources investigations, and of which $137,000,000 for resource research and the operations of Cooperative Research Units shall remain available until September 30, 1997, and of which $16,000,000 shall remain available until expended for conducting inquiries into the economic conditions affecting mining and materials processing industries: *Provided,* That no part of this appropriation shall be used to pay more than one-half the cost of any topographic mapping or water resources investigations carried on in cooperation with any State or municipality: *Provided further,* That funds available herein for resource research may be used for the purchase of not to exceed 61 passenger motor vehicles, of which 55 are for replacement only: *Provided further,* That none of the funds available under this head for resource research shall be used to conduct new surveys on private property, including new aerial surveys for the designation of habitat under the Endangered Species Act, except when it is made known to the Federal official having authority to obligate or expend such funds that the survey or research has been requested and authorized in writing by the property owner or the owner's authorized representative: *Provided further,* That none of the funds provided herein for resource research may be used to administer a volunteer program when it is made known to the Federal official having authority to obligate or expend such funds that the volunteers are not properly trained or that information gathered by the volunteers is not carefully verified: *Provided further,* That no later than April 1, 1996, the Director of the United States Geological Survey shall issue agency guidelines for resource research that ensure that scientific and technical peer review is utilized as fully as possible in selection of projects for funding and ensure the validity and reliability of research and data collection on Federal lands: *Provided further,* That no funds available for resource research may be used for any activity that was not authorized prior to the establishment of the National Biological Survey: *Provided further,* That once every five years the National Academy of Sciences shall review and report on the resource research activities of the Survey: *Provided further,* That if specific authorizing legislation is enacted during or before the start of fiscal year 1996, the resource research component of the Survey should comply with the provisions of that legislation: *Provided further,* That unobligated and unexpended balances in the National Biological Survey, Research, inventories and surveys account at the end of fiscal year 1995, shall be merged with and made a part of the United States Geological Survey, Surveys, investigations, and research account and shall remain available for obligation until September 30, 1996: *Provided further,* That the authority granted to the United States Bureau of Mines to conduct mineral surveys and to determine mineral values by section 603 of Public Law 94–579 is hereby transferred to, and vested in, the Director of the United States Geological Survey.

ADMINISTRATIVE PROVISIONS

The amount appropriated for the United States Geological Survey shall be available for purchase of not to exceed 22 passenger motor vehicles, for replacement only; reimbursement to the General Services Administration for security guard services; contracting for the furnishing of topographic maps and for the making of geophysical or other specialized surveys when it is administratively determined that such procedures are in the public interest; construction and maintenance of necessary buildings and appurtenant facilities; acquisition of lands for gauging stations and observation wells; expenses of the United States National Committee on Geology; and payment of compensation and expenses of persons on the rolls of the United States Geological Survey appointed, as authorized by law, to represent the United States in the negotiation and administration of interstate compacts: *Provided,* That activities funded by appropriations herein made may be accomplished through the use of contracts, grants, or cooperative agreements as defined in 31 U.S.C. 6302, et seq.

MINERALS MANAGEMENT SERVICE

ROYALTY AND OFFSHORE MINERALS MANAGEMENT

For expenses necessary for minerals leasing and environmental studies, regulation of industry operations, and collection of royalties, as authorized by law; for enforcing laws and regulations applicable to oil, gas, and other minerals leases, permits, licenses and operating contracts; and for matching grants or cooperative agreements; including the purchase of not to exceed eight passenger motor vehicles for replacement only; $182,339,000, of which not less than $70,105,000 shall be available for royalty management activities; and an amount not to exceed $15,400,000 for the Technical Information Management System and Related Activities of the Outer Continental Shelf (OCS) Lands Activity, to be credited to this appropriation and to remain available until expended, from additions to receipts resulting from increases to rates in effect on August 5, 1993, from rate increases to fee collections for OCS administrative activities performed by the Minerals Management Service over and above the rates in effect on September 30, 1993, and from additional fees for OCS administrative activities established after September 30, 1993: *Provided,* That beginning in fiscal year 1996 and thereafter, fees for royalty rate relief applications shall be established (and revised as needed) in Notices to Lessees, and shall be credited to this account in the program areas performing the function, and remain available until expended for the costs of administering the royalty rate relief authorized by 43 U.S.C. 1337(a)(3): *Provided further,* That $1,500,000 for computer acquisitions shall remain available until September 30, 1997: *Provided further,* That funds appropriated under this Act shall be available for

the payment of interest in accordance with 30 U.S.C. 1721 (b) and (d): *Provided further,* That not to exceed $3,000 shall be available for reasonable expenses related to promoting volunteer beach and marine cleanup activities: *Provided further,* That notwithstanding any other provision of law, $15,000 under this head shall be available for refunds of overpayments in connection with certain Indian leases in which the Director of the Minerals Management Service concurred with the claimed refund due, to pay amounts owed to Indian allottees or Tribes, or to correct prior unrecoverable erroneous payments: *Provided further,* That beginning in fiscal year 1996 and thereafter, the Secretary shall take appropriate action to collect unpaid and underpaid royalties and late payment interest owed by Federal and Indian mineral lessees and other royalty payors on amounts received in settlement or other resolution of disputes under, and for partial or complete termination of, sales agreements for minerals from Federal and Indian leases.

OIL SPILL RESEARCH

For necessary expenses to carry out the purposes of title I, section 1016, title IV, sections 4202 and 4303, title VII, and title VIII, section 8201 of the Oil Pollution Act of 1990, $6,440,000, which shall be derived from the Oil Spill Liability Trust Fund, to remain available until expended.

BUREAU OF MINES

MINES AND MINERALS

For expenses necessary for, and incidental to, the closure of the United States Bureau of Mines, $64,000,000, to remain available until expended, of which not to exceed $5,000,000 may be used for the completion and/or transfer of certain ongoing projects within the United States Bureau of Mines, such projects to be identified by the Secretary of the Interior within 90 days of enactment of this Act: *Provided,* That there hereby are transferred to, and vested in, the Secretary of Energy: (1) the functions pertaining to the promotion of health and safety in mines and the mineral industry through research vested by law in the Secretary of the Interior or the United States Bureau of Mines and performed in fiscal year 1995 by the United States Bureau of Mines at its Pittsburgh Research Center in Pennsylvania, and at its Spokane Research Center in Washington; (2) the functions pertaining to the conduct of inquiries, technological investigations and research concerning the extraction, processing, use and disposal of mineral substances vested by law in the Secretary of the Interior or the United States Bureau of Mines and performed in fiscal year 1995 by the United States Bureau of Mines under the minerals and materials science programs at its Pittsburgh Research Center in Pennsylvania, and at its Albany Research Center in Oregon; and (3) the functions pertaining to mineral reclamation industries and the development of methods for the disposal, control, prevention, and reclamation of mineral waste products vested by law in the Secretary of the Interior or the United States Bureau of Mines and performed in fiscal year 1995 by the United States Bureau of Mines at its Pittsburgh Research Center in Pennsylvania: *Provided further,* That, if any of the same functions were performed in fiscal year 1995 at locations other than those listed above, such functions shall not be transferred to the Secretary of Energy from those other locations: *Provided further,* That the Director of the Office of Management and Budget, in consultation with the Secretary of Energy and the Secretary of the Interior, is authorized to make such determinations as may be necessary with regard to the transfer of functions which relate to or are used by the Department of the Interior, or component thereof affected by this transfer of functions, and to make such dispositions of personnel, facilities, assets, liabilities, contracts, property, records, and unexpended balances of appropriations, authorizations, allocations, and other funds held, used, arising from, available to or to be made available in connection with, the functions transferred herein as are deemed necessary to accomplish the purposes of this transfer: *Provided further,* That all reductions in personnel complements resulting from the provisions of this Act shall, as to the functions transferred to the Secretary of Energy, be done by the Secretary of the Interior as though these transfers had not taken place but had been required of the Department of the Interior by all other provisions of this Act before the transfers of function became effective: *Provided further,* That the transfers of function to the Secretary of Energy shall become effective on the date specified by the Director of the Office of Management and Budget, but in no event later than 90 days after enactment into law of this Act: *Provided further,* That the reference to ''function'' includes, but is not limited to, any duty, obligation, power, authority, responsibility, right, privilege, and activity, or the plural thereof, as the case may be.

ADMINISTRATIVE PROVISIONS

The Secretary is authorized to accept lands, buildings, equipment, other contributions, and fees from public and private sources, and to prosecute projects using such contributions and fees in cooperation with other Federal, State or private agencies: *Provided,* That the Bureau of Mines is authorized, during the current fiscal year, to sell directly or through any Government agency, including corporations, any metal or mineral products that may be manufactured in pilot plants operated by the Bureau of Mines, and the proceeds of such sales shall be covered into the Treasury as miscellaneous receipts: *Provided further,* That notwithstanding any other provision of law, the Secretary is authorized to convey, without reimbursement, title and all interest of the United States in property and facilities of the United States Bureau of Mines in Juneau, Alaska, to the City and Borough of Juneau, Alaska; in Tuscaloosa, Alabama, to the University of Alabama; in Rolla, Missouri, to the University of Missouri-Rolla; and in other localities to such university or government entities as the Secretary deems appropriate.

OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT

REGULATION AND TECHNOLOGY

For necessary expenses to carry out the provisions of the Surface Mining Control and Reclamation Act of 1977, Public Law 95–87, as amended, including the purchase of not to exceed 15 passenger motor vehicles for replacement only; $95,470,000, and notwithstanding 31 U.S.C. 3302, an additional amount shall be credited to this account, to remain available until expended, from performance bond forfeitures in fiscal year 1996: *Provided,* That notwithstanding any other provision of law, the Secretary of the Interior, pursuant to regulations, may utilize directly or through grants to States, moneys collected in fiscal year 1996 pursuant to the assessment of civil penalties under section 518 of the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1268), to reclaim lands adversely affected by coal mining practices after August 3, 1977, to remain available until expended: *Provided further,* That notwithstanding any other provision of law, appropriations for the Office of Surface Mining Reclamation and Enforcement may provide for the travel and per diem expenses of State and tribal personnel attending Office of Surface Mining Reclamation and Enforcement sponsored training.

ABANDONED MINE RECLAMATION FUND

For necessary expenses to carry out the provisions of title IV of the Surface Mining Control and Reclamation Act of 1977, Public Law 95–87, as amended, including the purchase of not more than 22 passenger motor vehicles for replacement only, $173,887,000, to be derived from receipts of the Abandoned Mine Reclamation Fund and to remain available until expended: *Provided,* That grants to minimum program States will be $1,500,000 per State in fiscal year 1996: *Provided further,* That of the funds herein provided up to $18,000,000 may be used for the emergency program authorized by section 410 of Public Law 95–87, as amended, of which no more than 25 per centum shall be used for emergency reclamation projects in any one State and funds for Federally-administered emergency reclamation projects under this proviso shall not exceed $11,000,000: *Provided further,* That prior year unobligated funds appropriated for the emergency reclamation program shall not be subject to the 25 per centum limitation per State and may be used without fiscal year limitation for emergency projects: *Provided further,* That pursuant to Public Law 97–365, the Department of the Interior is authorized to utilize up to 20 per centum from the recovery of the delinquent debt owed to the United States Government to pay for contracts to collect these debts: *Provided further,* That funds made available to States under title IV of Public Law 95–87 may be used, at their discretion, for any required non-Federal share of the cost of projects funded by the Federal Government for the purpose of environmental restoration related to treatment or abatement of acid mine drainage from abandoned mines: *Provided further,* That such projects must be consistent with the purposes and priorities of the Surface Mining Control and Reclamation Act.

BUREAU OF INDIAN AFFAIRS

OPERATION OF INDIAN PROGRAMS

For operation of Indian programs by direct expenditure, contracts, cooperative agreements, compacts, and grants including expenses necessary to provide education and welfare services for Indians, either directly or in cooperation with States and other organizations, including payment of care, tuition, assistance, and other expenses of Indians in boarding homes, or institutions, or schools; grants and other assistance to needy Indians; maintenance of law and order; management, development, improvement, and protection of resources and appurtenant facilities under the jurisdiction of the Bureau of Indian Affairs, including payment of irrigation assessments and charges; acquisition of water rights; advances for Indian industrial and business enterprises; operation of Indian arts and crafts shops and museums; development of Indian arts and crafts, as authorized by law; for the general administration of the Bureau of Indian Affairs, including such expenses in field offices; maintaining of Indian reservation roads as defined in section 101 of title 23, United States Code; and construction, repair, and improvement of Indian housing, $1,384,434,000, of which not to exceed $100,255,000 shall be for welfare assistance grants and not to exceed $104,626,000 shall be for payments to tribes and tribal organizations for contract support costs associated with ongoing contracts or grants or compacts entered into with the Bureau of Indian Affairs prior to fiscal year 1996, as authorized by the Indian Self-Determination Act of 1975, as amended, and up to $5,000,000 shall be for the Indian Self-Determination

Fund, which shall be available for the transitional cost of initial or expanded tribal contracts, grants, compacts, or cooperative agreements with the Bureau of Indian Affairs under the provisions of the Indian Self-Determination Act; and of which not to exceed $330,711,000 for school operations costs of Bureau-funded schools and other education programs shall become available for obligation on July 1, 1996, and shall remain available for obligation until September 30, 1997; and of which not to exceed $68,209,000 for higher education scholarships, adult vocational training, and assistance to public schools under the Act of April 16, 1934 (48 Stat. 596), as amended (25 U.S.C. 452 et seq.), shall remain available for obligation until September 30, 1997; and of which not to exceed $71,854,000 shall remain available until expended for housing improvement, road maintenance, attorney fees, litigation support, self-governance grants, the Indian Self-Determination Fund, and the Navajo-Hopi Settlement Program: *Provided,* That tribes and tribal contractors may use their tribal priority allocations for unmet indirect costs of ongoing contracts, grants or compact agreements: *Provided further,* That funds made available to tribes and tribal organizations through contracts or grants obligated during fiscal year 1996, as authorized by the Indian Self-Determination Act of 1975 (88 Stat. 2203; 25 U.S.C. 450 et seq.), or grants authorized by the Indian Education Amendments of 1988 (25 U.S.C. 2001 and 2008A) shall remain available until expended by the contractor or grantee: *Provided further,* That to provide funding uniformity within a Self-Governance Compact, any funds provided in this Act with availability for more than one year may be reprogrammed to one year availability but shall remain available within the Compact until expended: *Provided further,* That notwithstanding any other provision of law, Indian tribal governments may, by appropriate changes in eligibility criteria or by other means, change eligibility for general assistance or change the amount of general assistance payments for individuals within the service area of such tribe who are otherwise deemed eligible for general assistance payments so long as such changes are applied in a consistent manner to individuals similarly situated: *Provided further,* That any savings realized by such changes shall be available for use in meeting other priorities of the tribes: *Provided further,* That any net increase in costs to the Federal Government which result solely from tribally increased payment levels for general assistance shall be met exclusively from funds available to the tribe from within its tribal priority allocation: *Provided further,* That any forestry funds allocated to a tribe which remain unobligated as of September 30, 1996, may be transferred during fiscal year 1997 to an Indian forest land assistance account established for the benefit of such tribe within the tribe's trust fund account: *Provided further,* That any such unobligated balances not so transferred shall expire on September 30, 1997: *Provided further,* That notwithstanding any other provision of law, no funds available to the Bureau of Indian Affairs, other than the amounts provided herein for assistance to public schools under the Act of April 16, 1934 (48 Stat. 596), as amended (25 U.S.C. 452 et seq.), shall be available to support the operation of any elementary or secondary school in the State of Alaska in fiscal year 1996: *Provided further,* That funds made available in this or any other Act for expenditure through September 30, 1997 for schools funded by the Bureau of Indian Affairs shall be available only to the schools which are in the Bureau of Indian Affairs school system as of September 1, 1995: *Provided further,* That no funds available to the Bureau of Indian Affairs shall be used to support expanded grades for any school beyond the grade structure in place at each school in the Bureau of Indian Affairs school system as of October 1, 1995: *Provided further,* That notwithstanding the provisions of 25 U.S.C. 2011(h)(1) (B) and (C), upon the recommendation of a local school board for a Bureau of Indian Affairs operated school, the Secretary shall establish rates of basic compensation or annual salary rates for the positions of teachers and counselors (including dormitory and homeliving counselors) at the school at a level not less than that for comparable positions in public school districts in the same geographic area, to become effective on July 1, 1997: *Provided further,* That of the funds available only through September 30, 1995, not to exceed $8,000,000 in unobligated and unexpended balances in the Operation of Indian Programs account shall be merged with and made a part of the fiscal year 1996 Operation of Indian Programs appropriation, and shall remain available for obligation for employee severance, relocation, and related expenses, until March 31, 1996.

CONSTRUCTION

For construction, major repair, and improvement of irrigation and power systems, buildings, utilities, and other facilities, including architectural and engineering services by contract; acquisition of lands and interests in lands; and preparation of lands for farming, $100,833,000, to remain available until expended: *Provided,* That such amounts as may be available for the construction of the Navajo Indian Irrigation Project and for other water resource development activities related to the Southern Arizona Water Rights Settlement Act may be transferred to the Bureau of Reclamation: *Provided further,* That not to exceed 6 per centum of contract authority available to the Bureau of Indian Affairs from the Federal Highway Trust Fund may be used to cover the road program management costs of the Bureau of Indian Affairs: *Provided further,* That any funds provided for the Safety of Dams program pursuant to 25 U.S.C. 13 shall be made available on a non-reimbursable basis: *Provided further,* That for the fiscal year ending September 30, 1996, in implementing new construction or facilities improvement and repair project grants in excess of $100,000 that are provided to tribally controlled grant schools under Public Law 100–297, as amended, the Secretary of the Interior shall use the Administrative and Audit Requirements and Cost Principles for Assistance Programs contained in 43 CFR part 12 as the regulatory requirements: *Provided further,* That such grants shall not be subject to section 12.61 of 43 CFR; the Secretary and the grantee shall negotiate and determine a schedule of payments for the work to be performed: *Provided further,* That in considering applications, the Secretary shall consider whether the Indian tribe or tribal organization would be deficient in assuring that the construction projects conform to applicable building standards and codes and Federal, tribal, or State health and safety standards as required by 25 U.S.C. 2005(a), with respect to organizational and financial management capabilities: *Provided further,* That if the Secretary declines an application, the Secretary shall follow the requirements contained in 25 U.S.C. 2505(f): *Provided further,* That any disputes between the Secretary and any grantee concerning a grant shall be subject to the disputes provision in 25 U.S.C. 2508(e).

INDIAN LAND AND WATER CLAIM SETTLEMENTS AND MISCELLANEOUS PAYMENTS TO INDIANS

For miscellaneous payments to Indian tribes and individuals and for necessary administrative expenses, $80,645,000, to remain available until expended; of which $78,600,000 shall be available for implementation of enacted Indian land and water claim settlements pursuant to Public Laws 87–483, 97–293, 101–618, 102–374, 102–441, 102–575, and 103–116, and for implementation of other enacted water rights settlements, including not to exceed $8,000,000, which shall be for the Federal share of the Catawba Indian Tribe of South Carolina Claims Settlement, as authorized by section 5(a) of Public Law 103–116; and of which $1,045,000 shall be available pursuant to Public Laws 98–500, 99–264, and 100–580; and of which $1,000,000 shall be available (1) to liquidate obligations owed tribal and individual Indian payees of any checks canceled pursuant to section 1003 of the Competitive Equality Banking Act of 1987 (Public Law 100–86 (101 Stat. 659)), 31 U.S.C. 3334(b), (2) to restore to Individual Indian Monies trust funds, Indian Irrigation Systems, and Indian Power Systems accounts amounts invested in credit unions or defaulted savings and loan associations and which were not Federally insured, and (3) to reimburse Indian trust fund account holders for losses to their respective accounts where the claim for said loss(es) has been reduced to a judgment or settlement agreement approved by the Department of Justice.

TECHNICAL ASSISTANCE OF INDIAN ENTERPRISES

For payment of management and technical assistance requests associated with loans and grants approved under the Indian Financing Act of 1974, as amended, $500,000.

INDIAN GUARANTEED LOAN PROGRAM ACCOUNT

For the cost of guaranteed loans $4,500,000, as authorized by the Indian Financing Act of 1974, as amended: *Provided,* That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: *Provided further,* That these funds are available to subsidize total loan principal, any part of which is to be guaranteed, not to exceed $35,914,000.

In addition, for administrative expenses necessary to carry out the guaranteed loan program, $500,000.

ADMINISTRATIVE PROVISIONS

Appropriations for the Bureau of Indian Affairs shall be available for expenses of exhibits, and purchase of not to exceed 275 passenger carrying motor vehicles, of which not to exceed 215 shall be for replacement only.

TERRITORIAL AND INTERNATIONAL AFFAIRS

ASSISTANCE TO TERRITORIES

For expenses necessary for assistance to territories under the jurisdiction of the Department of the Interior, $65,188,000, of which (1) $61,661,000 shall be available until expended for technical assistance, including maintenance assistance, disaster assistance, insular management controls, and brown tree snake control and research; grants to the judiciary in American Samoa for compensation and expenses, as authorized by law (48 U.S.C. 1661(c)); grants to the Government of American Samoa, in addition to current local revenues, for construction and support of governmental functions; grants to the Government of the Virgin Islands as authorized by law; grants to the Government of Guam, as authorized by law; and grants to the Government of the Northern Mariana Islands as authorized by law (Public Law 94–241; 90 Stat. 272); and (2) $3,527,000 shall be available for salaries and expenses of the Office of Insular Affairs: *Provided,* That all financial transactions of the territorial and local governments herein provided for, including such transactions of all agencies or instrumentalities established or utilized by such governments, may be audited by the

General Accounting Office, at its discretion, in accordance with chapter 35 of title 31, United States Code: *Provided further,* That Northern Mariana Islands Covenant grant funding shall be provided according to those terms of the Agreement of the Special Representatives on Future United States Financial Assistance for the Northern Mariana Islands approved by Public Law 99–396, or any subsequent legislation related to Commonwealth of the Northern Mariana Islands Covenant grant funding: *Provided further,* That of the amounts provided for technical assistance, sufficient funding shall be made available for a grant to the Close Up Foundation: *Provided further,* That the funds for the program of operations and maintenance improvement are appropriated to institutionalize routine operations and maintenance of capital infrastructure in American Samoa, Guam, the Virgin Islands, the Commonwealth of the Northern Mariana Islands, the Republic of Palau, the Republic of the Marshall Islands, and the Federated States of Micronesia through assessments of long-range operations and maintenance needs, improved capability of local operations and maintenance institutions and agencies (including management and vocational education training), and project-specific maintenance (with territorial participation and cost sharing to be determined by the Secretary based on the individual territory's commitment to timely maintenance of its capital assets): *Provided further,* That any appropriation for disaster assistance under this head in this Act or previous appropriations Acts may be used as non-Federal matching funds for the purpose of hazard mitigation grants provided pursuant to section 404 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170c).

COMPACT OF FREE ASSOCIATION

For economic assistance and necessary expenses for the Federated States of Micronesia and the Republic of the Marshall Islands as provided for in sections 122, 221, 223, 232, and 233 of the Compacts of Free Association, and for economic assistance and necessary expenses for the Republic of Palau as provided for in sections 122, 221, 223, 232, and 233 of the Compact of Free Association, $24,938,000, to remain available until expended, as authorized by Public Law 99–239 and Public Law 99–658: *Provided,* That notwithstanding section 112 of Public Law 101–219 (103 Stat. 1873), the Secretary of the Interior may agree to technical changes in the specifications for the project described in the subsidiary agreement negotiated under section 212(a) of the Compact of Free Association, Public Law 99–658, or its annex, if the changes do not result in increased costs to the United States.

DEPARTMENTAL OFFICES

DEPARTMENTAL MANAGEMENT

SALARIES AND EXPENSES

For necessary expenses for management of the Department of the Interior, $56,456,000, of which not to exceed $7,500 may be for official reception and representation expenses.

OFFICE OF THE SOLICITOR

SALARIES AND EXPENSES

For necessary expenses of the Office of the Solicitor, $34,337,000.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

For necessary expenses of the Office of Inspector General, $23,939,000.

CONSTRUCTION MANAGEMENT

SALARIES AND EXPENSES

For necessary expenses of the Office of Construction Management, $500,000.

NATIONAL INDIAN GAMING COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the National Indian Gaming Commission, pursuant to Public Law 100–497, $1,000,000: *Provided,* That on March 1, 1996, the Chairman shall submit to the Secretary a report detailing those Indian tribes or tribal organizations with gaming operations that are in full compliance, partial compliance, or non-compliance with the provisions of the Indian Gaming Regulatory Act (25 U.S.C. 2701, et seq.): *Provided further,* That the information contained in the report shall be updated on a continuing basis.

OFFICE OF SPECIAL TRUSTEE FOR AMERICAN INDIANS

FEDERAL TRUST PROGRAMS

For operation of trust programs for Indians by direct expenditure, contracts, cooperative agreements, compacts, and grants, $16,338,000, of which $15,891,000 shall remain available until expended for trust funds management: *Provided,* That funds made available to tribes and tribal organizations through contracts or grants obligated during fiscal year 1996, as authorized by the Indian Self-Determination Act of 1975 (88 Stat. 2203; 25 U.S.C. 450 et seq.), shall remain available until expended by the contractor or grantee: *Provided further,* That notwithstanding any other provision of law, the statute of limitations shall not commence to run on any claim, including any claim in litigation pending on the date of this Act, concerning losses to or mismanagement of trust funds, until the affected tribe or individual Indian has been furnished with the accounting of such funds from which the beneficiary can determine whether there has been a loss: *Provided further,* That obligated and unobligated balances provided for trust funds management within ''Operation of Indian programs'', Bureau of Indian Affairs are hereby transferred to and merged with this appropriation.

ADMINISTRATIVE PROVISIONS

There is hereby authorized for acquisition from available resources within the Working Capital Fund, 15 aircraft, 10 of which shall be for replacement and which may be obtained by donation, purchase or through available excess surplus property: *Provided,* That notwithstanding any other provision of law, existing aircraft being replaced may be sold, with proceeds derived or trade-in value used to offset the purchase price for the replacement aircraft: *Provided further,* That no programs funded with appropriated funds in ''Departmental Management'', ''Office of the Solicitor'', and ''Office of Inspector General'' may be augmented through the Working Capital Fund or the Consolidated Working Fund.

GENERAL PROVISIONS, DEPARTMENT OF THE INTERIOR

SEC. 101. Appropriations made in this title shall be available for expenditure or transfer (within each bureau or office), with the approval of the Secretary, for the emergency reconstruction, replacement, or repair of aircraft, buildings, utilities, or other facilities or equipment damaged or destroyed by fire, flood, storm, or other unavoidable causes: *Provided,* That no funds shall be made available under this authority until funds specifically made available to the Department of the Interior for emergencies shall have been exhausted: *Provided further,* That all funds used pursuant to this section are hereby designated by Congress to be ''emergency requirements'' pursuant to section 251(b)(2)(D) of the Balanced Budget and Emergency Deficit Control Act of 1985 and must be replenished by a supplemental appropriation which must be requested as promptly as possible.

SEC. 102. The Secretary may authorize the expenditure or transfer of any no year appropriation in this title, in addition to the amounts included in the budget programs of the several agencies, for the suppression or emergency prevention of forest or range fires on or threatening lands under the jurisdiction of the Department of the Interior; for the emergency rehabilitation of burned-over lands under its jurisdiction; for emergency actions related to potential or actual earthquakes, floods, volcanoes, storms, or other unavoidable causes; for contingency planning subsequent to actual oilspills; response and natural resource damage assessment activities related to actual oilspills; for the prevention, suppression, and control of actual or potential grasshopper and Mormon cricket outbreaks on lands under the jurisdiction of the Secretary, pursuant to the authority in section 1773(b) of Public Law 99–198 (99 Stat. 1658); for emergency reclamation projects under section 410 of Public Law 95–87; and shall transfer, from any no year funds available to the Office of Surface Mining Reclamation and Enforcement, such funds as may be necessary to permit assumption of regulatory authority in the event a primacy State is not carrying out the regulatory provisions of the Surface Mining Act: *Provided,* That appropriations made in this title for fire suppression purposes shall be available for the payment of obligations incurred during the preceding fiscal year, and for reimbursement to other Federal agencies for destruction of vehicles, aircraft, or other equipment in connection with their use for fire suppression purposes, such reimbursement to be credited to appropriations currently available at the time of receipt thereof: *Provided further,* That for emergency rehabilitation and wildfire suppression activities, no funds shall be made available under this authority until funds appropriated to the ''Emergency Department of the Interior Firefighting Fund'' shall have been exhausted: *Provided further,* That all funds used pursuant to this section are hereby designated by Congress to be ''emergency requirements'' pursuant to section 251(b)(2)(D) of the Balanced Budget and Emergency Deficit Control Act of 1985 and must be replenished by a supplemental appropriation which must be requested as promptly as possible: *Provided further,* That such replenishment funds shall be used to reimburse, on a pro rata basis, accounts from which emergency funds were transferred.

SEC. 103. Appropriations made in this title shall be available for operation of warehouses, garages, shops, and similar facilities, wherever consolidation of activities will contribute to efficiency or economy, and said appropriations shall be reimbursed for services rendered to any other activity in the same manner as authorized by sections 1535 and 1536 of title 31, United States Code: *Provided,* That reimbursements for costs and supplies, materials, equipment, and for services rendered may be credited to the appropriation current at the time such reimbursements are received.

SEC. 104. Appropriations made to the Department of the Interior in this title shall be available for services as authorized by 5 U.S.C. 3109, when authorized by the Secretary, in total amount not to exceed $500,000; hire, maintenance, and operation of aircraft; hire of passenger motor vehicles; purchase of reprints; payment for telephone service in private residences in the field, when authorized under regulations approved by the Secretary; and the payment of dues, when authorized by the Secretary, for library membership in societies or associations which issue publications to members only or at a price to members lower than to subscribers who are not members.

SEC. 105. Appropriations available to the Department of the Interior for salaries and expenses shall be available for uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901–5902 and D.C. Code 4–204).

SEC. 106. Appropriations made in this title shall be available for obligation in connection with contracts issued for services or rentals for periods not in excess of twelve months beginning at any time during the fiscal year.

SEC. 107. Appropriations made in this title from the Land and Water Conservation Fund for acquisition of lands and waters, or interests therein, shall be available for transfer, with the approval of the Secretary, between the following accounts: Bureau of Land Management, Land acquisition, United States Fish and Wildlife Service, Land acquisition, and National Park Service, Land acquisition and State assistance. Use of such funds are subject to the reprogramming guidelines of the House and Senate Committees on Appropriations.

SEC. 108. Prior to the transfer of Presidio properties to the Presidio Trust, when authorized, the Secretary may not obligate in any calendar month more than 1/12 of the fiscal year 1996 appropriation for operation of the Presidio: *Provided,* That this section shall expire on December 31, 1995.

SEC. 109. Section 6003 of Public Law 101–380 is hereby repealed.

SEC. 110. None of the funds appropriated or otherwise made available by this Act may be obligated or expended by the Secretary of the Interior for developing, promulgating, and thereafter implementing a rule concerning rights-of-way under section 2477 of the Revised Statutes.

SEC. 111. No funds provided in this title may be expended by the Department of the Interior for the conduct of offshore leasing and related activities placed under restriction in the President's moratorium statement of June 26, 1990, in the areas of Northern, Central, and Southern California; the North Atlantic; Washington and Oregon; and the Eastern Gulf of Mexico south of 26 degrees north latitude and east of 86 degrees west longitude.

SEC. 112. No funds provided in this title may be expended by the Department of the Interior for the conduct of leasing, or the approval or permitting of any drilling or other exploration activity, on lands within the North Aleutian Basin planning area.

SEC. 113. No funds provided in this title may be expended by the Department of the Interior for the conduct of preleasing and leasing activities in the Eastern Gulf of Mexico for Outer Continental Shelf Lease Sale 151 in the Outer Continental Shelf Natural Gas and Oil Resource Management Comprehensive Program, 1992–1997.

SEC. 114. No funds provided in this title may be expended by the Department of the Interior for the conduct of preleasing and leasing activities in the Atlantic for Outer Continental Shelf Lease Sale 164 in the Outer Continental Shelf Natural Gas and Oil Resource Management Comprehensive Program, 1992–1997.

SEC. 115. (a) Of the funds appropriated by this Act or any subsequent Act providing for appropriations in fiscal years 1996 and 1997, not more than 50 percent of any self-governance funds that would otherwise be allocated to each Indian tribe in the State of Washington shall actually be paid to or on account of such Indian tribe from and after the time at which such tribe shall—

(1) take unilateral action that adversely impacts the existing rights to and/or customary uses of, nontribal member owners of fee simple land within the exterior boundary of the tribe's reservation to water, electricity, or any other similar utility or necessity for the nontribal members' residential use of such land; or

(2) restrict or threaten to restrict said owners use of or access to publicly maintained rights-of-way necessary or desirable in carrying the utilities or necessities described above.

(b) Such penalty shall not attach to the initiation of any legal actions with respect to such rights or the enforcement of any final judgments, appeals from which have been exhausted, with respect thereto.

SEC. 116. Within 30 days after the enactment of this Act, the Department of the Interior shall issue a specific schedule for the completion of the Lake Cushman Land Exchange Act (Public Law 102–436) and shall complete the exchange not later than September 30, 1996.

SEC. 117. Notwithstanding Public Law 90–544, as amended, the National Park Service is authorized to expend appropriated funds for maintenance and repair of the Company Creek Road in the Lake Chelan National Recreation Area: *Provided,* That appropriated funds shall not be expended for the purpose of improving the property of private individuals unless specifically authorized by law.

SEC. 118. Section 4(b) of Public Law 94–241 (90 Stat. 263) as added by section 10 of Public Law 99–396 is amended by deleting ''until Congress otherwise provides by law.'' and inserting in lieu thereof: ''except that, for fiscal years 1996 through 2002, payments to the Commonwealth of the Northern Mariana Islands pursuant to the multi-year funding agreements contemplated under the Covenant shall be $11,000,000 annually, subject to an equal local match and all other requirements set forth in the Agreement of the Special Representatives on Future Federal Financial Assistance of the Northern Mariana Islands, executed on December 17, 1992 between the special representative of the President of the United States and special representatives of the Governor of the Northern Mariana Islands with any additional amounts otherwise made available under this section in any fiscal year and not required to meet the schedule of payments in this subsection to be provided as set forth in subsection (c) until Congress otherwise provides by law.

''(c) The additional amounts referred to in subsection (b) shall be made available to the Secretary for obligation as follows:

''(1) for fiscal years 1996 through 2001, $4,580,000 annually for capital infrastructure projects as Impact Aid for Guam under section 104(c)(6) of Public Law 99–239;

''(2) for fiscal year 1996, $7,700,000 shall be provided for capital infrastructure projects in American Samoa; $4,420,000 for resettlement of Rongelap Atoll; and

''(3) for fiscal years 1997 and thereafter, all such amounts shall be available solely for capital infrastructure projects in Guam, the Virgin Islands, American Samoa, the Commonwealth of the Northern Mariana Islands, the Republic of Palau, the Federated States of Micronesia and the Republic of the Marshall Islands: *Provided,* That, in fiscal year 1997, $3,000,000 of such amounts shall be made available to the College of the Northern Marianas and beginning in fiscal year 1997, and in each year thereafter, not to exceed $3,000,000 may be allocated, as provided in appropriations Acts, to the Secretary of the Interior for use by Federal agencies or the Commonwealth of the Northern Mariana Islands to address immigration, labor, and law enforcement issues in the Northern Mariana Islands. The specific projects to be funded in American Samoa shall be set forth in a five-year plan for infrastructure assistance developed by the Secretary of the Interior in consultation with the American Samoa Government and updated annually and submitted to the Congress concurrent with the budget justifications for the Department of the Interior. In developing budget recommendations for capital infrastructure funding, the Secretary shall indicate the highest priority projects, consider the extent to which particular projects are part of an overall master plan, whether such project has been reviewed by the Corps of Engineers and any recommendations made as a result of such review, the extent to which a set-aside for maintenance would enhance the life of the project, the degree to which a local cost-share requirement would be consistent with local economic and fiscal capabilities, and may propose an incremental set-aside, not to exceed $2,000,000 per year, to remain available without fiscal year limitation, as an emergency fund in the event of natural or other disasters to supplement other assistance in the repair, replacement, or hardening of essential facilities: *Provided further,* That the cumulative amount set aside for such emergency fund may not exceed $10,000,000 at any time.

''(d) Within the amounts allocated for infrastructure pursuant to this section, and subject to the specific allocations made in subsection (c), additional contributions may be made, as set forth in appropriations Acts, to assist in the resettlement of Rongelap Atoll: *Provided,* That the total of all contributions from any Federal source after enactment of this Act may not exceed $32,000,000 and shall be contingent upon an agreement, satisfactory to the President, that such contributions are a full and final settlement of all obligations of the United States to assist in the resettlement of Rongelop Atoll and that such funds will be expended solely on resettlement activities and will be properly audited and accounted for. In order to provide such contributions in a timely manner, each Federal agency providing assistance or services, or conducting activities, in the Republic of the Marshall Islands, is authorized to make funds available through the Secretary of the Interior, to assist in the resettlement of Rongelap. Nothing in this subsection shall be construed to limit the provision of ex gratia assistance pursuant to section 105(c)(2) of the Compact of Free Association Act of 1985 (Public Law 99–239, 99 Stat. 1770, 1792) including for individuals choosing not to resettle at Rongelap, except that no such assistance for such individuals may be provided until the Secretary notifies the Congress that the full amount of all funds necessary for resettlement at Rongelap has been provided.''.

TITLE II—RELATED AGENCIES

DEPARTMENT OF AGRICULTURE

FOREST SERVICE

FOREST RESEARCH

For necessary expenses of forest research as authorized by law, $178,000,000, to remain available until September 30, 1997.

STATE AND PRIVATE FORESTRY

For necessary expenses of cooperating with, and providing technical and financial assistance to States, Territories, possessions, and others and for forest pest management activities, cooperative forestry and education and land conservation activities, $136,794,000, to remain available until expended, as authorized by law.

NATIONAL FOREST SYSTEM

For necessary expenses of the Forest Service, not otherwise provided for, for management, protection, improvement, and utilization of the National Forest System, for ecosystem planning, inventory, and monitoring, and for administrative expenses associated with the management of funds provided under the heads ''Forest Research'', ''State

and Private Forestry'', ''National Forest System'', ''Construction'', ''Fire Protection and Emergency Suppression'', and ''Land Acquisition'', $1,256,253,000, to remain available for obligation until September 30, 1997, and including 65 per centum of all monies received during the prior fiscal year as fees collected under the Land and Water Conservation Fund Act of 1965, as amended, in accordance with section 4 of the Act (16 U.S.C. 460l–6a(i)): *Provided*, That unobligated and unexpended balances in the National Forest System account at the end of fiscal year 1995, shall be merged with and made a part of the fiscal year 1996 National Forest System appropriation, and shall remain available for obligation until September 30, 1997: *Provided further*, That up to $5,000,000 of the funds provided herein for road maintenance shall be available for the planned obliteration of roads which are no longer needed.

WILDLAND FIRE MANAGEMENT

For necessary expenses for forest fire presuppression activities on National Forest System lands, for emergency fire suppression on or adjacent to National Forest System lands or other lands under fire protection agreement, and for emergency rehabilitation of burned over National Forest System lands, $385,485,000, to remain available until expended: *Provided*, That unexpended balances of amounts previously appropriated under any other headings for Forest Service fire activities may be transferred to and merged with this appropriation: *Provided further*, That such funds are available for repayment of advances from other appropriations accounts previously transferred for such purposes.

CONSTRUCTION

For necessary expenses of the Forest Service, not otherwise provided for, $163,500,000, to remain available until expended, for construction and acquisition of buildings and other facilities, and for construction and repair of forest roads and trails by the Forest Service as authorized by 16 U.S.C. 532–538 and 23 U.S.C. 101 and 205: *Provided*, That funds becoming available in fiscal year 1996 under the Act of March 4, 1913 (16 U.S.C. 501) shall be transferred to the General Fund of the Treasury of the United States: *Provided further*, That not to exceed $50,000,000, to remain available until expended, may be obligated for the construction of forest roads by timber purchasers: *Provided further*, That $2,500,000 of the funds appropriated herein shall be available for a grant to the ''Non-Profit Citizens for the Columbia Gorge Discovery Center'' for the construction of the Columbia Gorge Discovery Center: *Provided further*, That the Forest Service is authorized to grant the unobligated balance of funds appropriated in fiscal year 1995 for the construction of the Columbia Gorge Discovery Center to the ''Non-Profit Citizens for the Columbia Gorge Discovery Center'' to be used for the same purpose: *Provided further*, That the Forest Service is authorized to convey the land needed for the construction of the Columbia Gorge Discovery Center without cost to the ''Non-Profit Citizens for the Columbia Gorge Discovery Center'': *Provided further*, That notwithstanding any other provision of law, funds originally appropriated under this head in Public Law 101–512 for the Forest Service share of a new research facility at the University of Missouri, Columbia, shall be available for a grant to the University of Missouri, as the Federal share in the construction of the new facility: *Provided further*, That agreed upon lease of space in the new facility shall be provided to the Forest Service without charge for the life of the building.

LAND ACQUISITION

For expenses necessary to carry out the provisions of the Land and Water Conservation Fund Act of 1965, as amended (16 U.S.C. 460l–4–11), including administrative expenses, and for acquisition of land or waters, or interest therein, in accordance with statutory authority applicable to the Forest Service, $24,200,000, to be derived from the Land and Water Conservation Fund, to remain available until expended.

ACQUISITION OF LANDS FOR NATIONAL FORESTS SPECIAL ACTS

For acquisition of lands within the exterior boundaries of the Cache, Uinta, and Wasatch National Forests, Utah; the Toiyabe National Forest, Nevada; and the Angeles, San Bernardino, Sequoia, and Cleveland National Forests, California, as authorized by law, $1,069,000, to be derived from forest receipts.

ACQUISITION OF LANDS TO COMPLETE LAND EXCHANGES

For acquisition of lands, to be derived from funds deposited by State, county, or municipal governments, public school districts, or other public school authorities pursuant to the Act of December 4, 1967, as amended (16 U.S.C. 484a), to remain available until expended.

RANGE BETTERMENT FUND

For necessary expenses of range rehabilitation, protection, and improvement, 50 per centum of all moneys received during the prior fiscal year, as fees for grazing domestic livestock on lands in National Forests in the sixteen Western States, pursuant to section 401(b)(1) of Public Law 94–579, as amended, to remain available until expended, of which not to exceed 6 per centum shall be available for administrative expenses associated with on-the-ground range rehabilitation, protection, and improvements.

GIFTS, DONATIONS AND BEQUESTS FOR FOREST AND RANGELAND RESEARCH

For expenses authorized by 16 U.S.C. 1643(b), $92,000, to remain available until expended, to be derived from the fund established pursuant to the above Act.

ADMINISTRATIVE PROVISIONS, FOREST SERVICE

Appropriations to the Forest Service for the current fiscal year shall be available for: (a) purchase of not to exceed 183 passenger motor vehicles of which 32 will be used primarily for law enforcement purposes and of which 151 shall be for replacement; acquisition of 22 passenger motor vehicles from excess sources, and hire of such vehicles; operation and maintenance of aircraft, the purchase of not to exceed two for replacement only, and acquisition of 20 aircraft from excess sources; notwithstanding other provisions of law, existing aircraft being replaced may be sold, with proceeds derived or trade-in value used to offset the purchase price for the replacement aircraft; (b) services pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed $100,000 for employment under 5 U.S.C. 3109; (c) purchase, erection, and alteration of buildings and other public improvements (7 U.S.C. 2250); (d) acquisition of land, waters, and interests therein, pursuant to the Act of August 3, 1956 (7 U.S.C. 428a); (e) for expenses pursuant to the Volunteers in the National Forest Act of 1972 (16 U.S.C. 558a, 558d, 558a note); and (f) for debt collection contracts in accordance with 31 U.S.C. 3718(c).

None of the funds made available under this Act shall be obligated or expended to change the boundaries of any region, to abolish any region, to move or close any regional office for research, State and private forestry, or National Forest System administration of the Forest Service, Department of Agriculture, or to implement any reorganization, ''reinvention'' or other type of organizational restructuring of the Forest Service, other than the relocation of the Regional Office for Region 5 of the Forest Service from San Francisco to excess military property at Mare Island, Vallejo, California, without the consent of the House and Senate Committees on Appropriations and the Committee on Agriculture, Nutrition, and Forestry and the Committee on Energy and Natural Resources in the United States Senate and the Committee on Agriculture and the Committee on Resources in the United States House of Representatives.

Any appropriations or funds available to the Forest Service may be advanced to the Fire and Emergency Suppression appropriation and may be used for forest firefighting and the emergency rehabilitation of burned-over lands under its jurisdiction: *Provided*, That no funds shall be made available under this authority until funds appropriated to the ''Emergency Forest Service Firefighting Fund'' shall have been exhausted.

Any funds available to the Forest Service may be used for retrofitting Mare Island facilities to accommodate the relocation: *Provided*, That funds for the move must come from funds otherwise available to Region 5: *Provided further*, That any funds to be provided for such purposes shall only be available upon approval of the House and Senate Committees on Appropriations.

Funds appropriated to the Forest Service shall be available for assistance to or through the Agency for International Development and the Foreign Agricultural Service in connection with forest and rangeland research, technical information, and assistance in foreign countries, and shall be available to support forestry and related natural resource activities outside the United States and its territories and possessions, including technical assistance, education and training, and cooperation with United States and international organizations.

None of the funds made available to the Forest Service under this Act shall be subject to transfer under the provisions of section 702(b) of the Department of Agriculture Organic Act of 1944 (7 U.S.C. 2257) or 7 U.S.C. 147b unless the proposed transfer is approved in advance by the House and Senate Committees on Appropriations in compliance with the reprogramming procedures contained in House Report 103–551.

No funds appropriated to the Forest Service shall be transferred to the Working Capital Fund of the Department of Agriculture without the approval of the Chief of the Forest Service.

Notwithstanding any other provision of law, any appropriations or funds available to the Forest Service may be used to disseminate program information to private and public individuals and organizations through the use of nonmonetary items of nominal value and to provide nonmonetary awards of nominal value and to incur necessary expenses for the nonmonetary recognition of private individuals and organizations that make contributions to Forest Service programs.

Notwithstanding any other provision of law, money collected, in advance or otherwise, by the Forest Service under authority of section 101 of Public Law 93–153 (30 U.S.C. 185(1)) as reimbursement of administrative and other costs incurred in processing pipeline right-of-way or permit applications and for costs incurred in monitoring the construction, operation, maintenance, and termination of any pipeline and related facilities, may be used to reimburse the applicable appropriation to which such costs were originally charged.

Funds available to the Forest Service shall be available to conduct a program of not less than $1,000,000 for high priority projects within the scope of the approved budget which shall be carried out by the Youth Conservation Corps as authorized by the Act of August 13, 1970, as amended by Public Law 93–408.

None of the funds available in this Act shall be used for timber sale preparation using clearcutting in hardwood stands in excess of 25 percent of the fiscal year 1989 harvested volume in the Wayne National Forest, Ohio: *Provided,* That this limitation shall not apply to hardwood stands damaged by natural disaster: *Provided further,* That landscape architects shall be used to maintain a visually pleasing forest.

Any money collected from the States for fire suppression assistance rendered by the Forest Service on non-Federal lands not in the vicinity of National Forest System lands shall be used to reimburse the applicable appropriation and shall remain available until expended as the Secretary may direct in conducting activities authorized by 16 U.S.C. 2101 (note), 2101–2110, 1606, and 2111.

Of the funds available to the Forest Service, $1,500 is available to the Chief of the Forest Service for official reception and representation expenses.

Notwithstanding any other provision of law, the Forest Service is authorized to employ or otherwise contract with persons at regular rates of pay, as determined by the Service, to perform work occasioned by emergencies such as fires, storms, floods, earthquakes or any other unavoidable cause without regard to Sundays, Federal holidays, and the regular workweek.

To the greatest extent possible, and in accordance with the Final Amendment to the Shawnee National Forest Plan, none of the funds available in this Act shall be used for preparation of timber sales using clearcutting or other forms of even aged management in hardwood stands in the Shawnee National Forest, Illinois.

Funds appropriated to the Forest Service shall be available for interactions with and providing technical assistance to rural communities for sustainable rural development purposes.

Notwithstanding any other provision of law, eighty percent of the funds appropriated to the Forest Service in the National Forest System and Construction accounts and planned to be allocated to activities under the ''Jobs in the Woods'' program for projects on National Forest land in the State of Washington may be granted directly to the Washington State Department of Fish and Wildlife for accomplishment of planned projects. Twenty percent of said funds shall be retained by the Forest Service for planning and administering projects. Project selection and prioritization shall be accomplished by the Forest Service with such consultation with the State of Washington as the Forest Service deems appropriate.

For one year after enactment of this Act, the Secretary shall continue the current Tongass Land Management Plan (TLMP) and may accommodate commercial tourism (if an agreement is signed between the Forest Service and the Alaska Visitors' Association) except that during this period, the Secretary shall maintain at least the number of acres of suitable available and suitable scheduled timber lands, and Allowable Sale Quantity, as identified in the Preferred Alternative (Alternative P) in the Tongass Land and Resources Management Plan and Final Environmental Impact Statement (dated October 1992) as selected in the Record of Decision Review Draft #3–2/93.

Nothing in this section shall be interpreted to mandate clear-cutting or require the sale of timber and nothing in this section, including the ASQ identified in Alternative P, shall be construed to limit the Secretary's consideration of new information or prejudice future revision, amendment or modification of TLMP based upon sound, verifiable scientific data.

If the Forest Service determines in a Supplemental Evaluation to an Environmental Impact Statement that no additional analysis under the National Environmental Policy Act or section 810 of the Alaska National Interest Lands Conservation Act is necessary for any timber sale or offering which has been prepared for acceptance by, or award to, a purchaser after December 31, 1988, that has been subsequently determined by the Forest Service to be available for sale or offering to one or more other purchaser, the change of purchasers for whatever reason shall not be considered a significant new circumstance, and the Forest Service may offer or award such timber sale or offering to a different purchaser or offeree, notwithstanding any other provision of law. A determination by the Forest Service pursuant to this paragraph shall not be subject to judicial review.

None of the funds appropriated under this Act for the Forest Service shall be made available for the purpose of applying paint to rocks, or rock colorization: *Provided,* That notwithstanding any other provision of law, the Forest Service shall not require of any individual or entity, as part of any permitting process under its authority, or as a requirement of compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4231 et seq.), the painting or colorization of rocks.

DEPARTMENT OF ENERGY

FOSSIL ENERGY RESEARCH AND DEVELOPMENT

For necessary expenses in carrying out fossil energy research and development activities, under the authority of the Department of Energy Organization Act (Public Law 95–91), including the acquisition of interest, including defeasible and equitable interests in any real property or any facility or for plant or facility acquisition or expansion, and for promoting health and safety in mines and the mineral industry through research (30 U.S.C. 3, 861(b), and 951(a)), for conducting inquiries, technological investigations and research concerning the extraction, processing, use, and disposal of mineral substances without objectionable social and environmental costs (30 U.S.C. 3, 1602, and 1603), and for the development of methods for the disposal, control, prevention, and reclamation of waste products in the mining, minerals, metal, and mineral reclamation industries (30 U.S.C. 3 and 21a), $416,943,000, to remain available until expended: *Provided,* That no part of the sum herein made available shall be used for the field testing of nuclear explosives in the recovery of oil and gas.

ALTERNATIVE FUELS PRODUCTION
(INCLUDING TRANSFER OF FUNDS)

Monies received as investment income on the principal amount in the Great Plains Project Trust at the Norwest Bank of North Dakota, in such sums as are earned as of October 1, 1995, shall be deposited in this account and immediately transferred to the General Fund of the Treasury. Monies received as revenue sharing from the operation of the Great Plains Gasification Plant shall be immediately transferred to the General Fund of the Treasury.

NAVAL PETROLEUM AND OIL SHALE RESERVES

For necessary expenses in carrying out naval petroleum and oil shale reserve activities, $148,786,000, to remain available until expended: *Provided,* That the requirements of 10 U.S.C. 7430(b)(2)(B) shall not apply to fiscal year 1996: *Provided further,* That section 501 of Public Law 101–45 is hereby repealed.

ENERGY CONSERVATION

For necessary expenses in carrying out energy conservation activities, $553,137,000, to remain available until expended, including, notwithstanding any other provision of law, the excess amount for fiscal year 1996 determined under the provisions of section 3003(d) of Public Law 99–509 (15 U.S.C. 4502), and of which $16,000,000 shall be derived from available unobligated balances in the Biomass Energy Development account: *Provided,* That $140,696,000 shall be for use in energy conservation programs as defined in section 3008(3) of Public Law 99–509 (15 U.S.C. 4507) and shall not be available until excess amounts are determined under the provisions of section 3003(d) of Public Law 99–509 (15 U.S.C. 4502): *Provided further,* That notwithstanding section 3003(d)(2) of Public Law 99–509 such sums shall be allocated to the eligible programs as follows: $114,196,000 for the weatherization assistance program and $26,500,000 for the State energy conservation program.

ECONOMIC REGULATION

For necessary expenses in carrying out the activities of the Economic Regulatory Administration and the Office of Hearings and Appeals, $6,297,000, to remain available until expended.

STRATEGIC PETROLEUM RESERVE
(INCLUDING TRANSFER OF FUNDS)

For necessary expenses for Strategic Petroleum Reserve facility development and operations and program management activities pursuant to the Energy Policy and Conservation Act of 1975, as amended (42 U.S.C. 6201 et seq.), $287,000,000, to remain available until expended, of which $187,000,000 shall be derived by transfer of unobligated balances from the ''SPR petroleum account'' and $100,000,000 shall be derived by transfer from the ''SPR Decommissioning Fund'': *Provided,* That notwithstanding section 161 of the Energy Policy and Conservation Act, the Secretary shall draw down and sell up to seven million barrels of oil from the Strategic Petroleum Reserve: *Provided further,* That the proceeds from the sale shall be deposited into a special account in the Treasury, to be established and known as the ''SPR Decommissioning Fund'', and shall be available for the purpose of removal of oil from and decommissioning of the Weeks Island site and for other purposes related to the operations of the Strategic Petroleum Reserve.

SPR PETROLEUM ACCOUNT

Notwithstanding 42 U.S.C. 6240(d) the United States share of crude oil in Naval Petroleum Reserve Numbered 1 (Elk Hills) may be sold or otherwise disposed of to other than the Strategic Petroleum Reserve: *Provided,* That outlays in fiscal year 1996 resulting from the use of funds in this account shall not exceed $5,000,000.

ENERGY INFORMATION ADMINISTRATION

For necessary expenses in carrying out the activities of the Energy Information Administration, $72,266,000, to remain available until expended: *Provided,* That notwithstanding section 4(d) of the Service Contract Act of 1965 (41 U.S.C. 353(d)) or any other provision of law, funds appropriated under this heading hereafter may be used to enter into a contract for end use consumption surveys for a term not to exceed eight years: *Provided further,* That notwithstanding any other provision of law, hereafter the Manufacturing Energy Consumption Survey shall be conducted on a triennial basis.

ADMINISTRATIVE PROVISIONS, DEPARTMENT OF ENERGY

Appropriations under this Act for the current fiscal year shall be available for hire of passenger motor vehicles; hire, maintenance,

and operation of aircraft; purchase, repair, and cleaning of uniforms; and reimbursement to the General Services Administration for security guard services.

From appropriations under this Act, transfers of sums may be made to other agencies of the Government for the performance of work for which the appropriation is made.

None of the funds made available to the Department of Energy under this Act shall be used to implement or finance authorized price support or loan guarantee programs unless specific provision is made for such programs in an appropriations Act.

The Secretary is authorized to accept lands, buildings, equipment, and other contributions from public and private sources and to prosecute projects in cooperation with other agencies, Federal, State, private, or foreign: *Provided,* That revenues and other moneys received by or for the account of the Department of Energy or otherwise generated by sale of products in connection with projects of the Department appropriated under this Act may be retained by the Secretary of Energy, to be available until expended, and used only for plant construction, operation, costs, and payments to cost-sharing entities as provided in appropriate cost-sharing contracts or agreements: *Provided further,* That the remainder of revenues after the making of such payments shall be covered into the Treasury as miscellaneous receipts: *Provided further,* That any contract, agreement, or provision thereof entered into by the Secretary pursuant to this authority shall not be executed prior to the expiration of 30 calendar days (not including any day in which either House of Congress is not in session because of adjournment of more than three calendar days to a day certain) from the receipt by the Speaker of the House of Representatives and the President of the Senate of a full comprehensive report on such project, including the facts and circumstances relied upon in support of the proposed project.

No funds provided in this Act may be expended by the Department of Energy to prepare, issue, or process procurement documents for programs or projects for which appropriations have not been made.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

INDIAN HEALTH SERVICE

INDIAN HEALTH SERVICES

For expenses necessary to carry out the Act of August 5, 1954 (68 Stat. 674), the Indian Self-Determination Act, the Indian Health Care Improvement Act, and titles II and III of the Public Health Service Act with respect to the Indian Health Service, $1,747,842,000, together with payments received during the fiscal year pursuant to 42 U.S.C. 300aaa–2 for services furnished by the Indian Health Service: *Provided,* That funds made available to tribes and tribal organizations through contracts, grant agreements, or any other agreements or compacts authorized by the Indian Self-Determination and Education Assistance Act of 1975 (88 Stat. 2203; 25 U.S.C. 450), shall be deemed to be obligated at the time of the grant or contract award and thereafter shall remain available to the tribe or tribal organization without fiscal year limitation: *Provided further,* That $12,000,000 shall remain available until expended, for the Indian Catastrophic Health Emergency Fund: *Provided further,* That $350,564,000 for contract medical care shall remain available for obligation until September 30, 1997: *Provided further,* That of the funds provided, not less than $11,306,000 shall be used to carry out the loan repayment program under section 108 of the Indian Health Care Improvement Act, as amended: *Provided further,* That funds provided in this Act may be used for one-year contracts and grants which are to be performed in two fiscal years, so long as the total obligation is recorded in the year for which the funds are appropriated: *Provided further,* That the amounts collected by the Secretary of Health and Human Services under the authority of title IV of the Indian Health Care Improvement Act shall be available for two fiscal years after the fiscal year in which they were collected, for the purpose of achieving compliance with the applicable conditions and requirements of titles XVIII and XIX of the Social Security Act (exclusive of planning, design, or construction of new facilities): *Provided further,* That of the funds provided, $7,500,000 shall remain available until expended, for the Indian Self-Determination Fund, which shall be available for the transitional costs of initial or expanded tribal contracts, grants or cooperative agreements with the Indian Health Service under the provisions of the Indian Self-Determination Act: *Provided further,* That funding contained herein, and in any earlier appropriations Acts for scholarship programs under the Indian Health Care Improvement Act (25 U.S.C. 1613) shall remain available for obligation until September 30, 1997: *Provided further,* That amounts received by tribes and tribal organizations under title IV of the Indian Health Care Improvement Act, as amended, shall be reported and accounted for and available to the receiving tribes and tribal organizations until expended.

INDIAN HEALTH FACILITIES

For construction, repair, maintenance, improvement, and equipment of health and related auxiliary facilities, including quarters for personnel; preparation of plans, specifications, and drawings; acquisition of sites, purchase and erection of modular buildings, and purchases of trailers; and for provision of domestic and community sanitation facilities for Indians, as authorized by section 7 of the Act of August 5, 1954 (42 U.S.C. 2004a), the Indian Self-Determination Act and the Indian Health Care Improvement Act, and for expenses necessary to carry out the Act of August 5, 1954 (68 Stat. 674), the Indian Self-Determination Act, the Indian Health Care Improvement Act, and titles II and III of the Public Health Service Act with respect to environmental health and facilities support activities of the Indian Health Service, $238,958,000, to remain available until expended: *Provided,* That notwithstanding any other provision of law, funds appropriated for the planning, design, construction or renovation of health facilities for the benefit of an Indian tribe or tribes may be used to purchase land for sites to construct, improve, or enlarge health or related facilities.

ADMINISTRATIVE PROVISIONS, INDIAN HEALTH SERVICE

Appropriations in this Act to the Indian Health Service shall be available for services as authorized by 5 U.S.C. 3109 but at rates not to exceed the per diem rate equivalent to the maximum rate payable for senior-level positions under 5 U.S.C. 5376; hire of passenger motor vehicles and aircraft; purchase of medical equipment; purchase of reprints; purchase, renovation and erection of modular buildings and renovation of existing facilities; payments for telephone service in private residences in the field, when authorized under regulations approved by the Secretary; and for uniforms or allowances therefor as authorized by law (5 U.S.C. 5901–5902); and for expenses of attendance at meetings which are concerned with the functions or activities for which the appropriation is made or which will contribute to improved conduct, supervision, or management of those functions or activities: *Provided,* That in accordance with the provisions of the Indian Health Care Improvement Act, non-Indian patients may be extended health care at all tribally administered or Indian Health Service facilities, subject to charges, and the proceeds along with funds recovered under the Federal Medical Care Recovery Act (42 U.S.C. 2651–53) shall be credited to the account of the facility providing the service and shall be available without fiscal year limitation: *Provided further,* That notwithstanding any other law or regulation, funds transferred from the Department of Housing and Urban Development to the Indian Health Service shall be administered under Public Law 86–121 (the Indian Sanitation Facilities Act) and Public Law 93–638, as amended: *Provided further,* That funds appropriated to the Indian Health Service in this Act, except those used for administrative and program direction purposes, shall not be subject to limitations directed at curtailing Federal travel and transportation: *Provided further,* That the Indian Health Service shall neither bill nor charge those Indians who may have the economic means to pay unless and until such time as Congress has agreed upon a specific policy to do so and has directed the Indian Health Service to implement such a policy: *Provided further,* That, notwithstanding any other provision of law, funds previously or herein made available to a tribe or tribal organization through a contract, grant or agreement authorized by title I of the Indian Self-Determination and Education Assistance Act of 1975 (88 Stat. 2203; 25 U.S.C. 450), may be deobligated and reobligated to a self-governance funding agreement under title III of the Indian Self-Determination and Education Assistance Act of 1975 and thereafter shall remain available to the tribe or tribal organization without fiscal year limitation: *Provided further,* That none of the funds made available to the Indian Health Service in this Act shall be used to implement the final rule published in the Federal Register on September 16, 1987, by the Department of Health and Human Services, relating to eligibility for the health care services of the Indian Health Service until the Indian Health Service has submitted a budget request reflecting the increased costs associated with the proposed final rule, and such request has been included in an appropriations Act and enacted into law: *Provided further,* That funds made available in this Act are to be apportioned to the Indian Health Service as appropriated in this Act, and accounted for in the appropriation structure set forth in this Act: *Provided further,* That the appropriation structure for the Indian Health Service may not be altered without advance approval of the House and Senate Committees on Appropriations.

DEPARTMENT OF EDUCATION

OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

INDIAN EDUCATION

For necessary expenses to carry out, to the extent not otherwise provided, title IX, part A, subpart 1 of the Elementary and Secondary Education Act of 1965, as amended, and section 215 of the Department of Education Organization Act, $52,500,000.

OTHER RELATED AGENCIES

OFFICE OF NAVAJO AND HOPI INDIAN RELOCATION

SALARIES AND EXPENSES

For necessary expenses of the Office of Navajo and Hopi Indian Relocation as authorized by Public Law 93–531, $20,345,000, to remain available until expended: *Provided,* That funds provided in this or any other appropriations Act are to be used to relocate eligible individuals and groups including evictees from District 6, Hopi-partitioned lands residents, those in significantly substandard housing, and all others certified as

eligible and not included in the preceding categories: *Provided further,* That none of the funds contained in this or any other Act may be used by the Office of Navajo and Hopi Indian Relocation to evict any single Navajo or Navajo family who, as of November 30, 1985, was physically domiciled on the lands partitioned to the Hopi Tribe unless a new or replacement home is provided for such household: *Provided further,* That no relocatee will be provided with more than one new or replacement home: *Provided further,* That the Office shall relocate any certified eligible relocatees who have selected and received an approved homesite on the Navajo reservation or selected a replacement residence off the Navajo reservation or on the land acquired pursuant to 25 U.S.C. 640d–10.

INSTITUTE OF AMERICAN INDIAN AND ALASKA NATIVE CULTURE AND ARTS DEVELOPMENT

PAYMENT TO THE INSTITUTE

For payment to the Institute of American Indian and Alaska Native Culture and Arts Development, as authorized by title XV of Public Law 99–498 (20 U.S.C. 4401 et seq.), $5,500,000.

SMITHSONIAN INSTITUTION

SALARIES AND EXPENSES

For necessary expenses of the Smithsonian Institution, as authorized by law, including research in the fields of art, science, and history; development, preservation, and documentation of the National Collections; presentation of public exhibits and performances; collection, preparation, dissemination, and exchange of information and publications; conduct of education, training, and museum assistance programs; maintenance, alteration, operation, lease (for terms not to exceed thirty years), and protection of buildings, facilities, and approaches; not to exceed $100,000 for services as authorized by 5 U.S.C. 3109; up to 5 replacement passenger vehicles; purchase, rental, repair, and cleaning of uniforms for employees; $308,188,000, of which not to exceed $30,472,000 for the instrumentation program, collections acquisition, Museum Support Center equipment and move, exhibition reinstallation, the National Museum of the American Indian, the repatriation of skeletal remains program, research equipment, information management, and Latino programming shall remain available until expended and, including such funds as may be necessary to support American overseas research centers and a total of $125,000 for the Council of American Overseas Research Centers: *Provided,* That funds appropriated herein are available for advance payments to independent contractors performing research services or participating in official Smithsonian presentations.

CONSTRUCTION AND IMPROVEMENTS, NATIONAL ZOOLOGICAL PARK

For necessary expenses of planning, construction, remodeling, and equipping of buildings and facilities at the National Zoological Park, by contract or otherwise, $3,250,000, to remain available until expended.

REPAIR AND RESTORATION OF BUILDINGS

For necessary expenses of repair and restoration of buildings owned or occupied by the Smithsonian Institution, by contract or otherwise, as authorized by section 2 of the Act of August 22, 1949 (63 Stat. 623), including not to exceed $10,000 for services as authorized by 5 U.S.C. 3109, $33,954,000, to remain available until expended: *Provided,* That contracts awarded for environmental systems, protection systems, and exterior repair or restoration of buildings of the Smithsonian Institution may be negotiated with selected contractors and awarded on the basis of contractor qualifications as well as price.

CONSTRUCTION

For necessary expenses for construction, $27,700,000, to remain available until expended.

NATIONAL GALLERY OF ART

SALARIES AND EXPENSES

For the upkeep and operations of the National Gallery of Art, the protection and care of the works of art therein, and administrative expenses incident thereto, as authorized by the Act of March 24, 1937 (50 Stat. 51), as amended by the public resolution of April 13, 1939 (Public Resolution 9, Seventy-sixth Congress), including services as authorized by 5 U.S.C. 3109; payment in advance when authorized by the treasurer of the Gallery for membership in library, museum, and art associations or societies whose publications or services are available to members only, or to members at a price lower than to the general public; purchase, repair, and cleaning of uniforms for guards, and uniforms, or allowances therefor, for other employees as authorized by law (5 U.S.C. 5901–5902); purchase or rental of devices and services for protecting buildings and contents thereof, and maintenance, alteration, improvement, and repair of buildings, approaches, and grounds; and purchase of services for restoration and repair of works of art for the National Gallery of Art by contracts made, without advertising, with individuals, firms, or organizations at such rates or prices and under such terms and conditions as the Gallery may deem proper, $51,844,000, of which not to exceed $3,026,000 for the special exhibition program shall remain available until expended.

REPAIR, RESTORATION AND RENOVATION OF BUILDINGS

For necessary expenses of repair, restoration and renovation of buildings, grounds and facilities owned or occupied by the National Gallery of Art, by contract or otherwise, as authorized, $6,442,000, to remain available until expended: *Provided,* That contracts awarded for environmental systems, protection systems, and exterior repair or renovation of buildings of the National Gallery of Art may be negotiated with selected contractors and awarded on the basis of contractor qualifications as well as price.

JOHN F. KENNEDY CENTER FOR THE PERFORMING ARTS

OPERATIONS AND MAINTENANCE

For necessary expenses for the operation, maintenance and security of the John F. Kennedy Center for the Performing Arts, $10,323,000: *Provided,* That 40 U.S.C. 193n is hereby amended by striking the word ''and'' after the word ''Institution'' and inserting in lieu thereof a comma, and by inserting ''and the Trustees of the John F. Kennedy Center for the Performing Arts,'' after the word ''Art,''.

CONSTRUCTION

For necessary expenses of capital repair and rehabilitation of the existing features of the building and site of the John F. Kennedy Center for the Performing Arts, $8,983,000, to remain available until expended.

WOODROW WILSON INTERNATIONAL CENTER FOR SCHOLARS

SALARIES AND EXPENSES

For expenses necessary in carrying out the provisions of the Woodrow Wilson Memorial Act of 1968 (82 Stat. 1356) including hire of passenger vehicles and services as authorized by 5 U.S.C. 3109, $5,840,000.

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

NATIONAL ENDOWMENT FOR THE ARTS

GRANTS AND ADMINISTRATION

For necessary expenses to carry out the National Foundation on the Arts and the Humanities Act of 1965, as amended, $82,259,000, shall be available to the National Endowment for the Arts for the support of projects and productions in the arts through assistance to groups and individuals pursuant to section 5(c) of the Act, and for administering the functions of the Act, to remain available until September 30, 1997.

MATCHING GRANTS

To carry out the provisions of section 10(a)(2) of the National Foundation on the Arts and the Humanities Act of 1965, as amended, $17,235,000, to remain available until September 30, 1997, to the National Endowment for the Arts, of which $7,500,000 shall be available for purposes of section 5(p)(1): *Provided,* That this appropriation shall be available for obligation only in such amounts as may be equal to the total amounts of gifts, bequests, and devises of money, and other property accepted by the Chairman or by grantees of the Endowment under the provisions of section 10(a)(2), subsections 11(a)(2)(A) and 11(a)(3)(A) during the current and preceding fiscal years for which equal amounts have not previously been appropriated.

NATIONAL ENDOWMENT FOR THE HUMANITIES

GRANTS AND ADMINISTRATION

For necessary expenses to carry out the National Foundation on the Arts and the Humanities Act of 1965, as amended, $94,000,000, shall be available to the National Endowment for the Humanities for support of activities in the humanities, pursuant to section 7(c) of the Act, and for administering the functions of the Act, to remain available until September 30, 1997.

MATCHING GRANTS

To carry out the provisions of section 10(a)(2) of the National Foundation on the Arts and the Humanities Act of 1965, as amended, $16,000,000, to remain available until September 30, 1997, of which $10,000,000 shall be available to the National Endowment for the Humanities for the purposes of section 7(h): *Provided,* That this appropriation shall be available for obligation only in such amounts as may be equal to the total amounts of gifts, bequests, and devises of money, and other property accepted by the Chairman or by grantees of the Endowment under the provisions of subsections 11(a)(2)(B) and 11(a)(3)(B) during the current and preceding fiscal years for which equal amounts have not previously been appropriated.

INSTITUTE OF MUSEUM SERVICES

GRANTS AND ADMINISTRATION

For carrying out title II of the Arts, Humanities, and Cultural Affairs Act of 1976, as amended, $21,000,000, to remain available until September 30, 1997.

ADMINISTRATIVE PROVISIONS

None of the funds appropriated to the National Foundation on the Arts and the Humanities may be used to process any grant or contract documents which do not include the text of 18 U.S.C. 1913: *Provided,* That none of the funds appropriated to the National Foundation on the Arts and the Humanities may be used for official reception and representation expenses.

COMMISSION OF FINE ARTS

SALARIES AND EXPENSES

For expenses made necessary by the Act establishing a Commission of Fine Arts (40 U.S.C. 104), $834,000.

NATIONAL CAPITAL ARTS AND CULTURAL AFFAIRS

For necessary expenses as authorized by Public Law 99–190 (99 Stat. 1261; 20 U.S.C. 956(a)), as amended, $6,000,000.

ADVISORY COUNCIL ON HISTORIC PRESERVATION

SALARIES AND EXPENSES

For expenses necessary for the Advisory Council on Historic Preservation, $2,500,000.

NATIONAL CAPITAL PLANNING COMMISSION

SALARIES AND EXPENSES

For necessary expenses, as authorized by the National Capital Planning Act of 1952 (40 U.S.C. 71–71i), including services as authorized by 5 U.S.C. 3109, $5,090,000: *Provided,* That all appointed members will be compensated at a rate not to exceed the rate for Executive Schedule Level IV.

FRANKLIN DELANO ROOSEVELT MEMORIAL COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Franklin Delano Roosevelt Memorial Commission, established by the Act of August 11, 1955 (69 Stat. 694), as amended by Public Law 92–332 (86 Stat. 401), $147,000, to remain available until September 30, 1997.

PENNSYLVANIA AVENUE DEVELOPMENT CORPORATION

PUBLIC DEVELOPMENT

Funds made available under this heading in prior years shall be available for operating and administrative expenses and for the orderly closure of the Corporation, as well as operating and administrative expenses for the functions transferred to the General Services Administration.

UNITED STATES HOLOCAUST MEMORIAL COUNCIL

HOLOCAUST MEMORIAL COUNCIL

For expenses of the Holocaust Memorial Council, as authorized by Public Law 96–388, as amended, $28,707,000; of which $1,575,000 for the Museum's repair and rehabilitation program and $1,264,000 for the Museum's exhibition program shall remain available until expended.

TITLE III—GENERAL PROVISIONS

SEC. 301. The expenditure of any appropriation under this Act for any consulting service through procurement contract, pursuant to 5 U.S.C. 3109, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued pursuant to existing law.

SEC. 302. No part of any appropriation under this Act shall be available to the Secretary of the Interior or the Secretary of Agriculture for the leasing of oil and natural gas by noncompetitive bidding on publicly owned lands within the boundaries of the Shawnee National Forest, Illinois: *Provided,* That nothing herein is intended to inhibit or otherwise affect the sale, lease, or right to access to minerals owned by private individuals.

SEC. 303. No part of any appropriation contained in this Act shall be available for any activity or the publication or distribution of literature that in any way tends to promote public support or opposition to any legislative proposal on which congressional action is not complete.

SEC. 304. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 305. None of the funds provided in this Act to any department or agency shall be obligated or expended to provide a personal cook, chauffeur, or other personal servants to any officer or employee of such department or agency except as otherwise provided by law.

SEC. 306. No assessments may be levied against any program, budget activity, subactivity, or project funded by this Act unless notice of such assessments and the basis therefor are presented to the Committees on Appropriations and are approved by such Committees.

SEC. 307. (a) COMPLIANCE WITH BUY AMERICAN ACT.—None of the funds made available in this Act may be expended by an entity unless the entity agrees that in expending the funds the entity will comply with sections 2 through 4 of the Act of March 3, 1933 (41 U.S.C. 10a–10c; popularly known as the ''Buy American Act'').

(b) SENSE OF CONGRESS; REQUIREMENT REGARDING NOTICE.—

(1) PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS.—In the case of any equipment or product that may be authorized to be purchased with financial assistance provided using funds made available in this Act, it is the sense of the Congress that entities receiving the assistance should, in expending the assistance, purchase only American-made equipment and products.

(2) NOTICE TO RECIPIENTS OF ASSISTANCE.—In providing financial assistance using funds made available in this Act, the head of each Federal agency shall provide to each recipient of the assistance a notice describing the statement made in paragraph (1) by the Congress.

(c) PROHIBITION OF CONTRACTS WITH PERSONS FALSELY LABELING PRODUCTS AS MADE IN AMERICA.—If it has been finally determined by a court or Federal agency that any person intentionally affixed a label bearing a ''Made in America'' inscription, or any inscription with the same meaning, to any product sold in or shipped to the United States that is not made in the United States, the person shall be ineligible to receive any contract or subcontract made with funds made available in this Act, pursuant to the debarment, suspension, and ineligibility procedures described in sections 9.400 through 9.409 of title 48, Code of Federal Regulations.

SEC. 308. None of the funds in this Act may be used to plan, prepare, or offer for sale timber from trees classified as giant sequoia (sequoiadendron giganteum) which are located on National Forest System or Bureau of Land Management lands in a manner different than such sales were conducted in fiscal year 1995.

SEC. 309. None of the funds made available by this Act may be obligated or expended by the National Park Service to enter into or implement a concession contract which permits or requires the removal of the underground lunchroom at the Carlsbad Caverns National Park.

SEC. 310. Where the actual costs of construction projects under self-determination contracts, compacts, or grants, pursuant to Public Laws 93–638, 103–413, or 100–297, are less than the estimated costs thereof, use of the resulting excess funds shall be determined by the appropriate Secretary after consultation with the tribes.

SEC. 311. Notwithstanding Public Law 103–413, quarterly payments of funds to tribes and tribal organizations under annual funding agreements pursuant to section 108 of Public Law 93–638, as amended, may be made on the first business day following the first day of a fiscal quarter.

SEC. 312. None of the funds appropriated or otherwise made available by this Act may be used for the AmeriCorps program, unless the relevant agencies of the Department of the Interior and/or Agriculture follow appropriate reprogramming guidelines: *Provided,* That if no funds are provided for the AmeriCorps program by the VA–HUD and Independent Agencies fiscal year 1996 appropriations bill, then none of the funds appropriated or otherwise made available by this Act may be used for the AmeriCorps programs.

SEC. 313. (a) On or before April 1, 1996, the Pennsylvania Avenue Development Corporation shall—

(1) transfer and assign in accordance with this section all of its rights, title, and interest in and to all of the leases, covenants, agreements, and easements it has executed or will execute by March 31, 1996, in carrying out its powers and duties under the Pennsylvania Avenue Development Corporation Act (40 U.S.C. 871–885) and the Federal Triangle Development Act (40 U.S.C. 1101–1109) to the General Services Administration, National Capital Planning Commission, or the National Park Service; and

(2) except as provided by subsection (d), transfer all rights, title, and interest in and to all property, both real and personal, held in the name of the Pennsylvania Avenue Development Corporation to the General Services Administration.

(b) The responsibilities of the Pennsylvania Avenue Development Corporation transferred to the General Services Administration under subsection (a) include, but are not limited to, the following:

(1) Collection of revenue owed the Federal Government as a result of real estate sales or lease agreements entered into by the Pennsylvania Avenue Development Corporation and private parties, including, at a minimum, with respect to the following projects:

(A) The Willard Hotel property on Square 225.

(B) The Gallery Row project on Square 457.

(C) The Lansburgh's project on Square 431.

(D) The Market Square North project on Square 407.

(2) Collection of sale or lease revenue owed the Federal Government (if any) in the event two undeveloped sites owned by the Pennsylvania Avenue Development Corporation on Squares 457 and 406 are sold or leased prior to April 1, 1996.

(3) Application of collected revenue to repay United States Treasury debt incurred by the Pennsylvania Avenue Development Corporation in the course of acquiring real estate.

(4) Performing financial audits for projects in which the Pennsylvania Avenue Development Corporation has actual or potential revenue expectation, as identified in paragraphs (1) and (2), in accordance with procedures described in applicable sale or lease agreements.

(5) Disposition of real estate properties which are or become available for sale and lease or other uses.

(6) Payment of benefits in accordance with the Uniform Relocation Assistance and Real Property Acquisitions Policies Act of 1970 to which persons in the project area squares are entitled as a result of the Pennsylvania Avenue Development Corporation's acquisition of real estate.

(7) Carrying out the responsibilities of the Pennsylvania Avenue Development Corporation under the Federal Triangle Development Act (40 U.S.C. 1101–1109), including responsibilities for managing assets and liabilities of the Corporation under such Act.

(c) In carrying out the responsibilities of the Pennsylvania Avenue Development Corporation transferred under this section, the Administrator of the General Services Administration shall have the following powers:

(1) To acquire lands, improvements, and properties by purchase, lease or exchange, and to sell, lease, or otherwise dispose of real or personal property as necessary to complete the development plan developed under section 5 of the Pennsylvania Avenue Development Corporation Act of 1972 (40 U.S.C. 874) if a notice of intention to carry out such acquisition or disposal is first transmitted to

the Committee on Transportation and Infrastructure and the Committee on Appropriations of the House of Representatives and the Committee on Environment and Public Works and the Committee on Appropriations of the Senate and at least 60 days elapse after the date of such transmission.

(2) To modify from time to time the plan referred to in paragraph (1) if such modification is first transmitted to the Committee on Transportation and Infrastructure and the Committee on Appropriations of the House of Representatives and the Committee on Environment and Public Works and the Committee on Appropriations of the Senate and at least 60 days elapse after the date of such transmission.

(3) To maintain any existing Pennsylvania Avenue Development Corporation insurance programs.

(4) To enter into and perform such leases, contracts, or other transactions with any agency or instrumentality of the United States, the several States, or the District of Columbia or with any person, firm, association, or corporation as may be necessary to carry out the responsibilities of the Pennsylvania Avenue Development Corporation under the Federal Triangle Development Act (40 U.S.C. 1101–1109).

(5) To request the Council of the District of Columbia to close any alleys necessary for the completion of development in Square 457.

(6) To use all of the funds transferred from the Pennsylvania Avenue Development Corporation or income earned on Pennsylvania Avenue Development Corporation property to complete any pending development projects.

(d)(1)(A) On or before April 1, 1996, the Pennsylvania Avenue Development Corporation shall transfer all its right, title, and interest in and to the property described in subparagraph (B) to the National Park Service, Department of the Interior.

(B) The property referred to in subparagraph (A) is the property located within the Pennsylvania Avenue National Historic Site depicted on a map entitled ''Pennsylvania Avenue National Historic Park'', dated June 1, 1995, and numbered 840–82441, which shall be on file and available for public inspection in the offices of the National Park Service, Department of the Interior. The Pennsylvania Avenue National Historic Site includes the parks, plazas, sidewalks, special lighting, trees, sculpture, and memorials.

(2) Jurisdiction of Pennsylvania Avenue and all other roadways from curb to curb shall remain with the District of Columbia but vendors shall not be permitted to occupy street space except during temporary special events.

(3) The National Park Service shall be responsible for management, administration, maintenance, law enforcement, visitor services, resource protection, interpretation, and historic preservation at the Pennsylvania Avenue National Historic Site.

(4) The National Park Service may enter into contracts, cooperative agreements, or other transactions with any agency or instrumentality of the United States, the several States, or the District of Columbia or with any person, firm, association, or corporation as may be deemed necessary or appropriate for the conduct of special events, festivals, concerts, or other art and cultural programs at the Pennsylvania Avenue National Historic Site or may establish a nonprofit foundation to solicit funds for such activities.

(e) Notwithstanding any other provision of law, the responsibility for ensuring that development or redevelopment in the Pennsylvania Avenue area is carried out in accordance with the Pennsylvania Avenue Development Corporation Plan—1974, as amended, is transferred to the National Capital Planning Commission or its successor commencing April 1, 1996.

(f) SAVINGS PROVISIONS.—

(1) REGULATIONS.—Any regulations prescribed by the Corporation in connection with the Pennsylvania Avenue Development Corporation Act of 1972 (40 U.S.C. 871–885) and the Federal Triangle Development Act (40 U.S.C. 1101–1109) shall continue in effect until suspended by regulations prescribed by the Administrator of the General Services Administration.

(2) EXISTING RIGHTS, DUTIES, AND OBLIGATIONS NOT AFFECTED.—Subsection (a) shall not be construed as affecting the validity of any right, duty, or obligation of the United States or any other person arising under or pursuant to any contract, loan, or other instrument or agreement which was in effect on the day before the date of the transfers under subsection (a).

(3) CONTINUATION OF SUITS.—No action or other proceeding commenced by or against the Corporation in connection with administration of the Pennsylvania Avenue Development Corporation Act of 1972 (40 U.S.C. 871–885) and the Federal Triangle Development Act (40 U.S.C. 1101–1109) shall abate by reason of enactment and implementation of this Act, except that the General Services Administration shall be substituted for the Corporation as a party to any such action or proceeding.

(g) Section 3(b) of the Pennsylvania Avenue Development Corporation Act of 1972 (40 U.S.C. 872(b)) is amended as follows:

''(b) The Corporation shall be dissolved on or before April 1, 1996. Upon dissolution, assets, obligations, indebtedness, and all unobligated and unexpended balances of the Corporation shall be transferred in accordance with the Department of the Interior and Related Agencies Appropriations Act, 1996.''.

SEC. 314. (a) Except as provided in subsection (b), no part of any appropriation contained in this Act or any other Act shall be obligated or expended for the operation or implementation of the Interior Columbia Basin Ecosystem Management Project (hereinafter ''Project'').

(b) From the funds appropriated to the Forest Service and Bureau of Land Management: a sum of $4,000,000 is made available for the Executive Steering Committee of the Project to publish, and submit to the Congress, by May 31, 1996, an assessment of the National Forest System lands and lands administered by the Bureau of Land Management within the area encompassed by the Project. The assessment shall be accompanied by two draft Environmental Impact Statements that: are not decisional and not subject to judicial review; contain a range of alternatives, without the identification of a preferred alternative or management recommendation; and provide a methodology for conducting any cumulative effects analysis required by section 102(2) of the National Environmental Policy Act (42 U.S.C. 433(2)) in the preparation of amendments to resource management plans pursuant to subsection (c). The assessment shall incorporate all existing relevant scientific information including, but not limited to, information on landscape dynamics, forest and rangeland health conditions, fisheries, and watersheds and the implications of each as they relate to federal forest and rangeland health. The assessment and draft Environmental Impact Statements shall not be: the subject of consultation or conferencing pursuant to section 7 of the Endangered Species Act of 1973 (16 U.S.C. 1536); accompanied by any record of decision or other National Environmental Policy Act documentation; or applied or used to regulate non-federal lands. The Executive Steering Committee shall release the draft Environmental Impact Statements for a ninety day public comment period and include a summary of the public comments received in the Submission to Congress.

(c)(1) From the funds appropriated to the Forest Service and the Bureau of Land Management, based on the documents prepared pursuant to subsection (b) and any other guidance or policy issued prior to the date of enactment of this section, and in consultation with the affected Governor, and county commissioners, each Forest Supervisor and District Manager with responsibility for a national forest or a unit of land administered by the Bureau of Land Management (hereinafter ''forest'') within the area encompassed by the Project shall review the resource management plan (hereinafter ''plan'') for such forest and develop, by an amendment to such plan, a modification of or alternative to any policy which is applicable to such plan upon the date of enactment of this section (whether or not such policy has been added to such plan by amendment), including any policy which is, or is intended to be, of limited duration, and which the Project addresses, to meet the specific conditions of such forest. Each amendment shall: contain the modified or alternative policy developed pursuant to this paragraph, be directed solely to and affect only such plan; address the specific conditions of the forest to which the plan applies and the relationship of the modified or alternative policy to such conditions; and, to the maximum extent practicable, establish site-specific standards in lieu of imposing general standards applicable to multiple sites.

(2)(A) Each amendment prepared pursuant to paragraph (1) shall comply with any applicable requirements of section 102(2) of the National Environmental Policy Act, except that any cumulative effects analysis conducted in accordance with the methodology provided pursuant to subsection (b) shall be deemed to meet any requirements of such Act for such analysis.

(B) Any policy adopted in an amendment prepared pursuant to paragraph (1) which is a modification of or alternative to a policy referred to in paragraph (1) upon which consultation or conferencing has occurred pursuant to section 7 of the Endangered Species Act of 1973 shall not again be subject to the consultation or conferencing provisions of such section 7. Any other consultation or conferencing required by such section 7 shall be conducted separately on each amendment prepared pursuant to paragraph (1): *Provided*, That, except as provided in this subparagraph, no other consultation shall be undertaken on such amendments, or any project or activity which is consistent with an applicable amendment, on any policy referred to in paragraph (1), or on any portion of any plan related to such policy or the species to which such policy applies.

(3) Each amendment prepared pursuant to paragraph (1) shall be adopted on or before March 31, 1997, and no policy referred to in paragraph (1), or any provision of a plan or other planning document incorporating such policy, shall be effective in any forest subject to the Project on or after such date, or after an amendment to the plan which applies to such forest is adopted pursuant to this subsection, whichever occurs first.

(4) On the signing of a record of decision or equivalent document making an amendment for the Clearwater National Forest pursuant to paragraph (1), the requirement for revision referred to in this Stipulation of Dismissal dated September 13, 1993, applicable to such forest is deemed to be satisfied, and the interim management direction provisions contained in the Stipulation of Dismissal shall be of no further effect with respect to such forest.

SEC. 315. RECREATIONAL FEE DEMONSTRATION PROGRAM.—(a) The Secretary of the Interior (acting through the Bureau of Land Management, the National Park Service and the United States Fish and Wildlife Service) and the Secretary of Agriculture (acting through the Forest Service) shall each implement a fee program to demonstrate the feasibility of user-generated cost recovery for the operation and maintenance of recreation areas or sites and habitat enhancement projects on Federal lands.

(b) In carrying out the pilot program established pursuant to this section, the appropriate Secretary shall select from areas under the jurisdiction of each of the four agencies referred to in subsection (a) no fewer than 10, but as many as 50, areas, sites or projects for fee demonstration. For each such demonstration, the Secretary, notwithstanding any other provision of law—

(1) shall charge and collect fees for admission to the area or for the use of outdoor recreation sites, facilities, visitor centers, equipment, and services by individuals and groups, or any combination thereof;

(2) shall establish fees under this section based upon a variety of cost recovery and fair market valuation methods to provide a broad basis for feasibility testing;

(3) may contract, including provisions for reasonable commissions, with any public or private entity to provide visitor services, including reservations and information, and may accept services of volunteers to collect fees charged pursuant to paragraph (1);

(4) may encourage private investment and partnerships to enhance the delivery of quality customer services and resource enhancement, and provide appropriate recognition to such partners or investors; and

(5) may assess a fine of not more than $100 for any violation of the authority to collect fees for admission to the area or for the use of outdoor recreation sites, facilities, visitor centers, equipment, and services.

(c)(1) Amounts collected at each fee demonstration area, site or project shall be distributed as follows:

(A) Of the amount in excess of 104% of the amount collected in fiscal year 1995, and thereafter annually adjusted upward by 4%, eighty percent to a special account in the Treasury for use without further appropriation, by the agency which administers the site, to remain available for expenditures in accordance with paragraph (2)(A).

(B) Of the amount in excess of 104% of the amount collected in fiscal year 1995, and thereafter annually adjusted upward by 4%, twenty percent to a special account in the Treasury for use without further appropriation, by the agency which administers the site, to remain available for expenditure in accordance with paragraph (2)(B).

(C) For agencies other than the Fish and Wildlife Service, up to 15% of current year collections of each agency, but not greater than fee collection costs for that fiscal year, to remain available for expenditure without further appropriation in accordance with paragraph (2)(C).

(D) For agencies other than the Fish and Wildlife Service, the balance to the special account established pursuant to subparagraph (A) of section 4(i)(1) of the Land and Water Conservation Fund Act, as amended.

(E) For the Fish and Wildlife Service, the balance shall be distributed in accordance with section 201(c) of the Emergency Wetlands Resources Act.

(2)(A) Expenditures from site specific special funds shall be for further activities of the area, site or project from which funds are collected, and shall be accounted for separately.

(B) Expenditures from agency specific special funds shall be for use on an agency-wide basis and shall be accounted for separately.

(C) Expenditures from the fee collection support fund shall be used to cover fee collection costs in accordance with section 4(i)(1)(B) of the Land and Water Conservation Fund Act, as amended: *Provided*, That funds unexpended and unobligated at the end of the fiscal year shall not be deposited into the special account established pursuant to section 4(i)(1)(A) of said Act and shall remain available for expenditure without further appropriation.

(3) In order to increase the quality of the visitor experience at public recreational areas and enhance the protection of resources, amounts available for expenditure under this section may only be used for the area, site or project concerned, for backlogged repair and maintenance projects (including projects relating to health and safety) and for interpretation, signage, habitat or facility enhancement, resource preservation, annual operation (including fee collection), maintenance, and law enforcement relating to public use. The agencywide accounts may be used for the same purposes set forth in the preceding sentence, but for areas, sites or projects selected at the discretion of the respective agency head.

(d)(1) Amounts collected under this section shall not be taken into account for the purposes of the Act of May 23, 1908 and the Act of March 1, 1911 (16 U.S.C. 500), the Act of March 4, 1913 (16 U.S.C. 501), the Act of July 22, 1937 (7 U.S.C. 1012), the Act of August 8, 1937 and the Act of May 24, 1939 (43 U.S.C. 1181f et seq.), the Act of June 14, 1926 (43 U.S.C. 869–4), chapter 69 of title 31, United States Code, section 401 of the Act of June 15, 1935 (16 U.S.C. 715s), the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460l), and any other provision of law relating to revenue allocation.

(2) Fees charged pursuant to this section shall be in lieu of fees charged under any other provision of law.

(e) The Secretary of the Interior and the Secretary of Agriculture shall carry out this section without promulgating regulations.

(f) The authority to collect fees under this section shall commence on October 1, 1995, and end on September 30, 1998. Funds in accounts established shall remain available through September 30, 2001.

SEC. 316. Section 2001(a)(2) of Public Law 104–19 is amended as follows: Strike ''September 30, 1997'' and insert in lieu thereof ''December 31, 1996''.

SEC. 317. None of the funds made available in this Act may be used for any program, project, or activity when it is made known to the Federal entity or official to which the funds are made available that the program, project, or activity is not in compliance with any applicable Federal law relating to risk assessment, the protection of private property rights, or unfunded mandates.

SEC. 318. None of the funds provided in this Act may be made available for the Mississippi River Corridor Heritage Commission.

SEC. 319. GREAT BASIN NATIONAL PARK.—Section 3 of the Great Basin National Park Act of 1986 (16 U.S.C. 410mm–1) is amended—

(1) in the first sentence of subsection (e) by striking ''shall'' and inserting ''may''; and

(2) in subsection (f)—

(A) by striking ''At the request'' and inserting the following:

''(1) EXCHANGES.—At the request'';

(B) by striking ''grazing permits'' and inserting ''grazing permits and grazing leases''; and

(C) by adding after ''Federal lands.'' the following:

''(2) ACQUISITION BY DONATION.—

(A) IN GENERAL.—The Secretary may acquire by donation valid existing permits and grazing leases authorizing grazing on land in the park.

(B) TERMINATION.—The Secretary shall terminate a grazing permit or grazing lease acquired under subparagraph (A) so as to end grazing previously authorized by the permit or lease.''.

SEC. 320. None of the funds made available in this Act shall be used by the Department of Energy in implementing the Codes and Standards Program to propose, issue, or prescribe any new or amended standard: *Provided*, That this section shall expire on September 30, 1996: *Provided further*, That nothing in this section shall preclude the Federal Government from promulgating rules concerning energy efficiency standards for the construction of new federally-owned commercial and residential buildings.

SEC. 321. None of the funds made available in this Act may be used (1) to demolish the bridge between Jersey City, New Jersey, and Ellis Island; or (2) to prevent pedestrian use of such bridge, when it is made known to the Federal official having authority to obligate or expend such funds that such pedestrian use is consistent with generally accepted safety standards.

SEC. 322. (a) None of the funds appropriated or otherwise made available pursuant to this Act shall be obligated or expended to accept or process applications for a patent for any mining or mill site claim located under the general mining laws.

(b) The provisions of subsection (a) shall not apply if the Secretary of the Interior determines that, for the claim concerned: (1) a patent application was filed with the Secretary on or before September 30, 1994, and (2) all requirements established under sections 2325 and 2326 of the Revised Statutes (30 U.S.C. 29 and 30) for vein or lode claims and sections 2329, 2330, 2331, and 2333 of the Revised Statutes (30 U.S.C. 35, 36, and 37) for placer claims, and section 2337 of the Revised Statutes (30 U.S.C. 42) for mill site claims, as the case may be, were fully complied with by the applicant by that date.

(c) PROCESSING SCHEDULE.—For those applications for patents pursuant to subsection (b) which were filed with the Secretary of the Interior, prior to September 30, 1994, the Secretary of the Interior shall—

(1) Within three months of the enactment of this Act, file with the House and Senate Committees on Appropriations and the Committee on Resources of the House of Representatives and the Committee on Energy and Natural Resources of the United States Senate a plan which details how the Department of the Interior will make a final determination as to whether or not an applicant is entitled to a patent under the general mining laws on at least 90 percent of such applications within five years of the enactment of this Act and file reports annually thereafter with the same committees detailing actions taken by the Department of the Interior to carry out such plan; and

(2) Take such actions as may be necessary to carry out such plan.

(d) MINERAL EXAMINATIONS.—In order to process patent applications in a timely and responsible manner, upon the request of a patent applicant, the Secretary of the Interior shall allow the applicant to fund a qualified third-party contractor to be selected by the Bureau of Land Management to conduct a mineral examination of the mining claims or mill sites contained in a patent application as set forth in subsection (b). The Bureau of Land Management shall have the sole responsibility to choose and pay the third-party contractor in accordance with the standard procedures employed by the Bureau of Land Management in the retention of third-party contractors.

SEC. 323. None of the funds appropriated or otherwise made available by this Act may be used for the purposes of acquiring lands in

the counties of Lawrence, Monroe, or Washington, Ohio, for the Wayne National Forest.

SEC. 324. No part of any appropriation contained in this Act or any other Act shall be expended or obligated to fund the activities of the Office of Forestry and Economic Development after December 31, 1995.

SEC. 325. Amend section 2001(k) of Public Law 104–19 by striking ''in fiscal years 1995 and 1996'' in paragraph (1) and adding paragraph (4) to read:

''(4) TIMING AND CONDITIONS OF ALTERNATIVE VOLUME.—For any sale subject to paragraph (2) of this subsection, the Secretary concerned shall, and for any other sale subject to this subsection, the Secretary concerned may, within 45 days of the date of enactment of this paragraph, reach agreement with the purchaser to provide by a date agreed to by the purchaser, a volume, value and kind of timber satisfactory to the purchaser to substitute for all or a portion of the timber subject to the sale, which shall be subject to the original terms of the contract except as otherwise agreed, and shall be subject to paragraph (1). After the agreed date for providing alternative timber the purchaser may operate the original sale under the terms of paragraph (1) until the Secretary concerned designates and the purchaser accepts alternative timber under this paragraph. Any sale subject to this subsection shall be awarded and released and may be operated under the terms of paragraph (1) until completed and shall not count against current allowable sale quantities or timber sales to be offered under subsection (b) and (d).''

SEC. 326. (a) LAND EXCHANGE.—The Secretary of the Interior (hereinafter referred to as the ''Secretary'') is authorized to convey to the Boise Cascade Corporation (hereinafter referred to as the ''Corporation''), a corporation formed under the statutes of the State of Delaware, with its principal place of business at Boise, Idaho, title to approximately seven acres of land, more or less, located in sections 14 and 23, township 36 north, range 37 east, Willamette Meridian, Stevens County, Washington, further identified in the records of the Bureau of Reclamation, Department of the Interior, as Tract No. GC–19860, and to accept from the Corporation in exchange therefor, title to approximately one hundred and thirty-six acres of land located in section 19, township 37 north, range 38 east and section 33, township 38 north, range 37 east, Willamette Meridian, Stevens County, Washington, and further identified in the records of the Bureau of Reclamation, Department of the Interior, as Tract No. GC–19858 and Tract No. GC–19859, respectively.

(b) APPRAISAL.—The properties so exchanged either shall be approximately equal in fair market value or if they are not approximately equal, shall be equalized by the payment of cash to the Corporation or to the Secretary as required or in the event the value of the Corporation's lands is greater, the acreage may be reduced so that the fair market value is approximately equal: *Provided,* That the Secretary shall order appraisals made of the fair market value of each tract of land included in the exchange without consideration for improvements thereon: *Provided further,* That any cash payment received by the Secretary shall be covered in the Reclamation Fund and credited to the Columbia Basin project.

(c) ADMINISTRATIVE COSTS.—Costs of conducting the necessary land surveys, preparing the legal descriptions of the lands to be conveyed, performing the appraisals, and administrative costs incurred in completing the exchange shall be borne by the Corporation.

(d) LIABILITY FOR HAZARDOUS SUBSTANCES.—(1) The Secretary shall not acquire any lands under this Act if the Secretary determines that such lands, or any portion thereof, have become contaminated with hazardous substances (as defined in the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9601)).

(2) Notwithstanding any other provision of law, the United States shall have no responsibility or liability with respect to any hazardous wastes or other substances placed on any of the lands covered by this Act after their transfer to the ownership of any party, but nothing in this Act shall be construed as either diminishing or increasing any responsibility or liability of the United States based on the condition of such lands on the date of their transfer to the ownership of another party. The Corporation shall indemnify the United States for liabilities arising under the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9601), and the Resource Conservation Recovery Act (42 U.S.C. 6901 et seq.).

(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to carry out the purposes of this Act.

SEC. 327. TIMBER SALES PIPELINE RESTORATION FUNDS.—(a) The Secretary of Agriculture and the Secretary of the Interior shall each establish a Timber Sales Pipeline Restoration Fund (hereinafter ''Agriculture Fund'' and ''Interior Fund'' or ''Funds''). Any revenues received from sales released under section 2001(k) of the fiscal year 1995 Supplemental Appropriations for Disaster Assistance and Rescissions Act, minus the funds necessary to make payments to States or local governments under other law concerning the distribution of revenues derived from the affected lands, which are in excess of $37,500,000 (hereinafter ''excess revenues'') shall be deposited into the Funds. The distribution of excess revenues between the Agriculture Fund and Interior Fund shall be calculated by multiplying the total of excess revenues times a fraction with a denominator of the total revenues received from all sales released under such section 2001(k) and numerators of the total revenues received from such sales on lands within the National Forest System and the total revenues received from such sales on lands administered by the Bureau of Land Management, respectively: *Provided,* That revenues or portions thereof from sales released under such section 2001(k), minus the amounts necessary for State and local government payments and other necessary deposits, may be deposited into the Funds immediately upon receipt thereof and subsequently redistributed between the Funds or paid into the United States Treasury as miscellaneous receipts as may be required when the calculation of excess revenues is made.

(b)(1) From the funds deposited into the Agriculture Fund and into the Interior Fund pursuant to subsection (a)—

(A) seventy-five percent shall be available, without fiscal year limitation or further appropriation, for preparation of timber sales, other than salvage sales as defined in section 2001(a)(3) of the fiscal year 1995 Supplemental Appropriations for Disaster Assistance and Rescissions Act, which—

(i) are situated on lands within the National Forest System and lands administered by the Bureau of Land Management, respectively; and

(ii) are in addition to timber sales for which funds are otherwise available in this Act or other appropriations Acts; and

(B) twenty-five percent shall be available, without fiscal year limitation or further appropriation, to expend on the backlog of recreation projects on lands within the National Forest System and lands administered by the Bureau of Land Management, respectively.

(2) Expenditures under this subsection for preparation of timber sales may include expenditures for Forest Service activities within the forest land management budget line item and associated timber roads, and Bureau of Land Management activities within the Oregon and California grant lands account and the forestry management area account, as determined by the Secretary concerned.

(c) Revenues received from any timber sale prepared under subsection (b) or under this subsection, minus the amounts necessary for State and local government payments and other necessary deposits, shall be deposited into the Fund from which funds were expended on such sale. Such deposited revenues shall be available for preparation of additional timber sales and completion of additional recreation projects in accordance with the requirements set forth in subsection (b).

(d) The Secretary concerned shall terminate all payments into the Agriculture Fund or the Interior Fund, and pay any unobligated funds in the affected Fund into the United States Treasury as miscellaneous receipts, whenever the Secretary concerned makes a finding, published in the Federal Register, that sales sufficient to achieve the total allowable sales quantity of the National Forest System for the Forest Service or the allowable sales level for the Oregon and California grant lands for the Bureau of Land Management, respectively, have been prepared.

(e) Any timber sales prepared and recreation projects completed under this section shall comply with all applicable environmental and natural resource laws and regulations.

(f) The Secretary concerned shall report annually to the Committees on Appropriations of the United States Senate and the House of Representatives on expenditures made from the Fund for timber sales and recreation projects, revenues received into the Fund from timber sales, and timber sale preparation and recreation project work undertaken during the previous year and projected for the next year under the Fund. Such information shall be provided for each Forest Service region and Bureau of Land Management State office.

(g) The authority of this section shall terminate upon the termination of both Funds in accordance with the provisions of subsection (d).

SEC. 328. Of the funds provided to the National Endowment for the Arts:

(a) The Chairperson shall only award a grant to an individual if such grant is awarded to such individual for a literature fellowship, National Heritage Fellowship, or American Jazz Masters Fellowship.

(b) The Chairperson shall establish procedures to ensure that no funding provided through a grant, except a grant made to a State or regional group, may be used to make a grant to any other organization or individual to conduct activity independent of the direct grant recipient. Nothing in this subsection shall prohibit payments made in exchange for goods and services.

(c) No grant shall be used for seasonal support to a group, unless the application is specific to the contents of the season, including identified programs and/or projects.

SEC. 329. DELAY IN IMPLEMENTATION OF THE ADMINISTRATION'S RANGELAND REFORM PROGRAM.—None of the funds made available under this or any other Act may be used to implement or enforce the final rule published by the Secretary of the Interior on February 22, 1995 (60 Fed. Reg. 9894), making amendments to parts 4, 1780, and 4100 of title 43, Code of Federal Regulations, to take effect August 21, 1995, until November 21, 1995.

None of the funds made available under this or any other Act may be used to publish proposed or enforce final regulations governing the management of livestock grazing on lands administered by the Forest Service until November 21, 1995.

SEC. 330. Section 1864 of title 18, United States Code, is amended—

(1) in subsection (b)—

(A) in paragraph (2), by striking ''twenty'' and inserting ''40'';

(B) in paragraph (3), by striking ''ten'' and inserting ''20'';

(C) in paragraph (4), by striking ''if damage exceeding $10,000 to the property of any individual results,'' and inserting ''if damage to the property of any individual results or if avoidance costs have been incurred exceeding $10,000, in the aggregate,''; and

(D) in paragraph (4), by striking ''ten'' and inserting ''20'';

(2) in subsection (c) by striking ''ten'' and inserting ''20'';

(3) in subsection (d), by—

(A) striking ''and'' at the end of paragraph (2);

(B) striking the period at the end of paragraph (3) and inserting ''; and''; and

(C) adding at the end the following:

''(4) the term 'avoidance costs' means costs incurred by any individual for the purpose of—

''(A) detecting a hazardous or injurious device; or

''(B) preventing death, serious bodily injury, bodily injury, or property damage likely to result from the use of a hazardous or injurious device in violation of subsection (a).''; and

(4) by adding at the end thereof the following:

''(e) Any person injured as the result of a violation of subsection (a) may commence a civil action on his own behalf against any person who is alleged to be in violation of subsection (a). The district courts shall have jurisdiction, without regard to the amount in controversy or the citizenship of the parties, in such civil actions. The court may award, in addition to monetary damages for any injury resulting from an alleged violation of subsection (a), costs of litigation, including reasonable attorney and expert witness fees, to any prevailing or substantially prevailing party, whenever the court determines such award is appropriate.''.

SEC. 331. (a) PURPOSES OF NATIONAL ENDOWMENT FOR THE ARTS.—Section 2 of the National Foundation on the Arts and the Humanities Act of 1965, as amended (20 U.S.C. 951), sets out findings and purposes for which the National Endowment for the Arts was established, among which are—

(1) ''The arts and humanities belong to all the people of the United States'';

(2) ''The arts and humanities reflect the high place accorded by the American people . . . to the fostering of mutual respect for the diverse beliefs and values of all persons and groups'';

(3) ''Public funding of the arts and humanities is subject to the conditions that traditionally govern the use of public money [and] such funding should contribute to public support and confidence in the use of taxpayer funds''; and

(4) ''Public funds provided by the Federal Government must ultimately serve public purposes the Congress defines''.

(b) ADDITIONAL CONGRESSIONAL FINDINGS.—Congress further finds and declares that the use of scarce funds, which have been taken from all taxpayers of the United States, to promote, disseminate, sponsor, or produce any material or performance that—

(1) denigrates the religious objects or religious beliefs of the adherents of a particular religion, or

(2) depicts or describes, in a patently offensive way, sexual or excretory activities or organs,

is contrary to the express purposes of the National Foundation on the Arts and the Humanities Act of 1965, as amended.

(c) PROHIBITION ON FUNDING THAT IS NOT CONSISTENT WITH THE PURPOSES OF THE ACT.—Notwithstanding any other provision of law, none of the scarce funds which have been taken from all taxpayers of the United States and made available under this Act to the National Endowment for the Arts may be used to promote, disseminate, sponsor, or produce any material or performance that—

(1) denigrates the religious objects or religious beliefs of the adherents of a particular religion, or

(2) depicts or describes, in a patently offensive way, sexual or excretory activities or organs,

and this prohibition shall be strictly applied without regard to the content or viewpoint of the material or performance.

(d) SECTION NOT TO AFFECT OTHER WORKS.—Nothing in this section shall be construed to affect in any way the freedom of any artist or performer to create any material or performance using funds which have not been made available under this Act to the National Endowment for the Arts.

SEC. 332. For purposes related to the closure of the Bureau of Mines, funds made available to the United States Geological Survey, the United States Bureau of Mines, and the Bureau of Land Management shall be available for transfer, with the approval of the Secretary of the Interior, among the following accounts: United States Geological Survey, Surveys, investigations, and research; Bureau of Mines, Mines and minerals; and Bureau of Land Management, Management of lands and resources. The Secretary of Energy shall reimburse the Secretary of the Interior, in an amount to be determined by the Director of the Office of Management and Budget, for the expenses of the transferred functions between October 1, 1995 and the effective date of the transfers of function. Such transfers shall be subject to the reprogramming guidelines of the House and Senate Committees on Appropriations.

SEC. 333. No funds appropriated under this or any other Act shall be used to review or modify sourcing areas previously approved under section 490(c)(3) of the Forest Resources Conservation and Shortage Relief Act of 1990 (Public Law 101–382) or to enforce or implement Federal regulations 36 CFR part 223 promulgated on September 8, 1995. The regulations and interim rules in effect prior to September 8, 1995 (36 CFR 223.48, 36 CFR 223.87, 36 CFR 223 Subpart D, 36 CFR 223 Subpart F, and 36 CFR 261.6) shall remain in effect. The Secretary of Agriculture or the Secretary of the Interior shall not adopt any policies concerning Public Law 101–382 or existing regulations that would restrain domestic transportation or processing of timber from private lands or impose additional accountability requirements on any timber. The Secretary of Commerce shall extend until September 30, 1996, the order issued under section 491(b)(2)(A) of Public Law 101–382 and shall issue an order under section 491(b)(2)(B) of such law that will be effective October 1, 1996.

SEC. 334. The National Park Service, in accordance with the Memorandum of Agreement between the United States National Park Service and the City of Vancouver dated November 4, 1994, shall permit general aviation on its portion of Pearson Field in Vancouver, Washington until the year 2022, during which time a plan and method for transitioning from general aviation aircraft to historic aircraft shall be completed; such transition to be accomplished by that date. This action shall not be construed to limit the authority of the Federal Aviation Administration over air traffic control or aviation activities at Pearson Field or limit operations and airspace of Portland International Airport.

SEC. 335. The United States Forest Service approval of Alternative site 2 (ALT 2), issued on December 6, 1993, is hereby authorized and approved and shall be deemed to be consistent with, and permissible under, the terms of Public Law 100–696 (the Arizona-Idaho Conservation Act of 1988).

SEC. 336. Obligations for travel expenses in fiscal year 1996, for each appropriation account in this Act, may not exceed 90 percentum of fiscal year 1995 obligations for administrative travel and for travel by supervisory and non-career personnel and may not exceed 100 percentum of fiscal year 1995 obligations for program-essential travel.

SEC. 337. The number of employees detailed to and within Departmental Management in the Department of the Interior may not exceed the number of employees detailed to and within the Office of the Secretary in fiscal year 1995.

SEC. 338. Upon enactment of this Act, all funds obligated in fiscal year 1996 under ''Salaries and expenses'', Pennsylvania Avenue Development Corporation are to be offset by unobligated balances made available under this Act under the account ''Public development'', Pennsylvania Avenue Development Corporation and all funds obligated in fiscal year 1996 under ''International forestry'', Forest Service are to be offset by funds made available under this Act under the account ''National forest system'', Forest Service.

SEC. 339. (a) Notwithstanding any other provision of law, in order to avoid or minimize the need for involuntary separations due to a reduction in force, reorganizations, transfer of function, or other similar action, the Secretary of the Smithsonian Institution may pay, or authorize the payment of, voluntary separation incentive payments to Smithsonian Institution employees who separate from Federal service voluntarily during fiscal years 1996 and 1997 (whether by retirement or resignation).

(b) A voluntary separation incentive payment—

(1) shall be paid in a lump sum after the employee's separation in an amount to be determined by the Secretary, but shall not exceed $25,000;

(2) shall not be a basis for payment, and shall not be included in the computation, of any other type of benefit; and

(3) shall be paid from appropriations available for the payment of the basic pay of the employee.

(c)(1) An employee who has received a voluntary separation incentive payment under this section and accepts employment with any agency or instrumentality of the United States within 5 years after the date of the separation on which the payment is based shall be required to repay the entire amount of the incentive payment to the Smithsonian Institution.

(2) The repayment required by paragraph (1) may be waived only by the Secretary.

(3) For purposes of paragraph (1) (but not paragraph (2)), the term ''employment'' includes employment under a personal services contract with the United States.

(d) In addition to any other payments which it is required to make under subchapter III of chapter 83 of title 5, United States Code, the Smithsonian shall remit to the Office of Personnel Management for deposit in the Treasury of the United States to the credit of the Civil Service Retirement and Disability Fund an amount equal to 15

percent of the final basic pay of each employee of the Smithsonian to whom a voluntary separation incentive payment has been paid.

This Act may be cited as the ''Department of the Interior and Related Agencies Appropriations Act, 1996''.

(c) Such amounts as may be necessary for programs, projects or activities provided for in the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 1996, at a rate of operations and to the extent and in the manner provided for, the provisions of such Act to be effective as if it had been enacted into law as the regular appropriations Act, as follows:

AN ACT

Making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 1996, and for other purposes.

TITLE I—DEPARTMENT OF LABOR

EMPLOYMENT AND TRAINING ADMINISTRATION

TRAINING AND EMPLOYMENT SERVICES

For expenses necessary to carry into effect the Job Training Partnership Act, as amended, including the purchase and hire of passenger motor vehicles, the construction, alteration, and repair of buildings and other facilities, and the purchase of real property for training centers as authorized by the Job Training Partnership Act; title II of the Civil Rights Act of 1991; the Women in Apprenticeship and Nontraditional Occupations Act; National Skill Standards Act of 1994; and the School-to-Work Opportunities Act; $3,108,978,000 plus reimbursements, of which $2,891,759,000 is available for obligation for the period July 1, 1996 through June 30, 1997; of which $121,467,000 is available for the period July 1, 1996 through June 30, 1999 for necessary expenses of construction, rehabilitation, and acquisition of Job Corps centers; and of which $95,000,000 shall be available from July 1, 1996 through September 30, 1997, for carrying out activities of the School-to-Work Opportunities Act: *Provided,* That $52,502,000 shall be for carrying out section 401 of the Job Training Partnership Act, $69,285,000 shall be for carrying out section 402 of such Act, $7,300,000 shall be for carrying out section 441 of such Act, $8,000,000 shall be for all activities conducted by and through the National Occupational Information Coordinating Committee under such Act, $745,700,000 shall be for carrying out title II, part A of such Act, $126,672,000 shall be for carrying out title II, part C of such Act and $5,000,000 shall be for employment-related activities of the 1996 Paralympic Games: *Provided further,* That no funds from any other appropriation shall be used to provide meal services at or for Job Corps centers: *Provided further,* That notwithstanding any other provision of law, the Secretary of Labor may waive any of the requirements contained in sections 4, 104, 105, 107, 108, 121, 164, 204, 253, 254, 264, 301, 311, 313, 314, and 315 of the Job Training Partnership Act in order to assist States in improving State workforce development systems, pursuant to a request submitted by a State that has prior to the date of enactment of this Act executed a Memorandum of Understanding with the United States requiring such State to meet agreed upon outcomes: *Provided further,* That funds used from this Act to carry out title III of the Job Training Partnership Act shall not be subject to the limitation contained in subsection (b) of section 315 of such Act; that the waiver allowing a reduction in the cost limitation relating to retraining services described in subsection (a)(2) of such section 315 may be granted with respect to funds from this Act if a substate grantee demonstrates to the Governor that such waiver is appropriate due to the availability of low-cost retraining services, is necessary to facilitate the provision of needs-related payments to accompany long-term training, or is necessary to facilitate the provision of appropriate basic readjustment services and that funds used from this Act to carry out the Secretary's discretionary grants under part B of such title III may be used to provide needs-related payments to participants who, in lieu of meeting the requirements relating to enrollment in training under section 314(e) of such Act, are enrolled in training by the end of the sixth week after funds have been awarded: *Provided further,* That service delivery areas may transfer funding provided herein under authority of title II–C of the Job Training Partnership Act to the program authorized by title II–B of that Act, if such transfer is approved by the Governor: *Provided further,* That service delivery areas and substate areas may transfer funding provided herein under authority of title II and title III of the Job Training Partnership Act between the programs authorized by those titles of the Act, if such transfer is approved by the Governor: *Provided further,* That, notwithstanding any other provision of law, any proceeds from the sale of Job Corps Center facilities shall be retained by the Secretary of Labor to carry out the Job Corps program.

COMMUNITY SERVICE EMPLOYMENT FOR OLDER AMERICANS

To carry out the activities for national grants or contracts with public agencies and public or private nonprofit organizations under paragraph (1)(A) of section 506(a) of title V of the Older Americans Act of 1965, as amended, or to carry out older worker activities as subsequently authorized, $227,500,000.

To carry out the activities for grants to States under paragraph (3) of section 506(a) of title V of the Older Americans Act of 1965, as amended, or to carry out older worker activities as subsequently authorized, $122,500,000.

FEDERAL UNEMPLOYMENT BENEFITS AND ALLOWANCES

For payments during the current fiscal year of trade adjustment benefit payments and allowances under part I, and for training, for allowances for job search and relocation, and for related State administrative expenses under part II, subchapters B and D, chapter 2, title II of the Trade Act of 1974, as amended, $346,100,000, together with such amounts as may be necessary to be charged to the subsequent appropriation for payments for any period subsequent to September 15 of the current year.

STATE UNEMPLOYMENT INSURANCE AND EMPLOYMENT SERVICE OPERATIONS

For activities authorized by the Act of June 6, 1933, as amended (29 U.S.C. 49–49l–1; 39 U.S.C. 3202(a)(1)(E)); title III of the Social Security Act, as amended (42 U.S.C. 502–504); necessary administrative expenses for carrying out 5 U.S.C. 8501–8523, and sections 225, 231–235, 243–244, and 250(d)(1), 250(d)(3), title II of the Trade Act of 1974, as amended; as authorized by section 7c of the Act of June 6, 1933, as amended, necessary administrative expenses under sections 101(a)(15)(H), 212(a)(5)(A), (m) (2) and (3), (n)(1), and 218(g) (1), (2), and (3), and 258(c) of the Immigration and Nationality Act, as amended (8 U.S.C. 1101 et seq.); necessary administrative expenses to carry out section 221(a) of the Immigration Act of 1990, $117,328,000, together with not to exceed $3,104,194,000 (including not to exceed $1,653,000 which may be used for amortization payments to States which had independent retirement plans in their State employment service agencies prior to 1980, and including not to exceed $2,000,000 which may be obligated in contracts with non-State entities for activities such as occupational and test research activities which benefit the Federal-State Employment Service System), which may be expended from the Employment Security Administration account in the Unemployment Trust Fund, and of which the sums available in the allocation for activities authorized by title III of the Social Security Act, as amended (42 U.S.C. 502–504), and the sums available in the allocation for necessary administrative expenses for carrying out 5 U.S.C. 8501–8523, shall be available for obligation by the States through December 31, 1996, except that funds used for automation acquisitions shall be available for obligation by States through September 30, 1998; and of which $115,452,000, together with not to exceed $738,283,000 of the amount which may be expended from said trust fund shall be available for obligation for the period July 1, 1996, through June 30, 1997, to fund activities under the Act of June 6, 1933, as amended, including the cost of penalty mail made available to States in lieu of allotments for such purpose, and of which $216,333,000 shall be available only to the extent necessary for additional State allocations to administer unemployment compensation laws to finance increases in the number of unemployment insurance claims filed and claims paid or changes in a State law: *Provided,* That to the extent that the Average Weekly Insured Unemployment (AWIU) for fiscal year 1996 is projected by the Department of Labor to exceed 2.785 million, an additional $28,600,000 shall be available for obligation for every 100,000 increase in the AWIU level (including a pro rata amount for any increment less than 100,000) from the Employment Security Administration Account of the Unemployment Trust Fund: *Provided further,* That funds appropriated in this Act which are used to establish a national one-stop career center network may be obligated in contracts, grants or agreements with non-State entities: *Provided further,* That funds appropriated under this Act for activities authorized under the Wagner-Peyser Act, as amended, and title III of the Social Security Act, may be used by the States to fund integrated Employment Service and Unemployment Insurance automation efforts, notwithstanding cost allocation principles prescribed under Office of Management and Budget Circular A–87.

ADVANCES TO THE UNEMPLOYMENT TRUST FUND AND OTHER FUNDS

For repayable advances to the Unemployment Trust Fund as authorized by sections 905(d) and 1203 of the Social Security Act, as amended, and to the Black Lung Disability Trust Fund as authorized by section 9501(c)(1) of the Internal Revenue Code of 1954, as amended; and for nonrepayable advances to the Unemployment Trust Fund as authorized by section 8509 of title 5, United States Code, and section 104(d) of Public Law 102–164, and section 5 of Public Law 103–6, and to the ''Federal unemployment benefits and allowances'' account, to remain available until September 30, 1997, $369,000,000.

In addition, for making repayable advances to the Black Lung Disability Trust Fund in the current fiscal year after September 15, 1996, for costs incurred by the Black Lung Disability Trust Fund in the current fiscal year, such sums as may be necessary.

ADVANCES TO THE EMPLOYMENT SECURITY ADMINISTRATION ACCOUNT OF THE UNEMPLOYMENT TRUST FUND

(RESCISSION)

Amounts remaining unobligated under this heading as of September 30, 1995, are hereby rescinded.

PAYMENTS TO THE UNEMPLOYMENT TRUST FUND AND OTHER FUNDS

(RESCISSION)

Of the amounts remaining unobligated under this heading as of September 30, 1995, $250,000,000 are hereby rescinded.

PROGRAM ADMINISTRATION

For expenses of administering employment and training programs and for carrying out section 908 of the Social Security Act, $83,054,000, together with not to exceed $40,793,000, which may be expended from the Employment Security Administration account in the Unemployment Trust Fund.

PENSION AND WELFARE BENEFITS ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses for Pension and Welfare Benefits Administration, $65,198,000.

PENSION BENEFIT GUARANTY CORPORATION

PENSION BENEFIT GUARANTY CORPORATION FUND

The Pension Benefit Guaranty Corporation is authorized to make such expenditures, including financial assistance authorized by section 104 of Public Law 96–364, within limits of funds and borrowing authority available to such Corporation, and in accord with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act, as amended (31 U.S.C. 9104), as may be necessary in carrying out the program through September 30, 1996, for such Corporation: *Provided,* That not to exceed $10,603,000 shall be available for administrative expenses of the Corporation: *Provided further,* That expenses of such Corporation in connection with the collection of premiums, the termination of pension plans, for the acquisition, protection or management, and investment of trust assets, and for benefits administration services shall be considered as non-administrative expenses for the purposes hereof, and excluded from the above limitation.

EMPLOYMENT STANDARDS ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses for the Employment Standards Administration, including reimbursement to State, Federal, and local agencies and their employees for inspection services rendered, $254,756,000, together with $978,000 which may be expended from the Special Fund in accordance with sections 39(c) and 44(j) of the Longshore and Harbor Workers' Compensation Act: *Provided,* That the Secretary of Labor is authorized to accept, retain, and spend, until expended, in the name of the Department of Labor, all sums of money ordered to be paid to the Secretary of Labor, in accordance with the terms of the Consent Judgment in Civil Action No. 91–0027 of the United States District Court for the District of the Northern Mariana Islands (May 21, 1992): *Provided further,* That the Secretary of Labor is authorized to establish and, in accordance with 31 U.S.C. 3302, collect and deposit in the Treasury fees for processing applications and issuing certificates under sections 11(d) and 14 of the Fair Labor Standards Act of 1938, as amended (29 U.S.C. 211(d) and 214) and for processing applications and issuing registrations under Title I of the Migrant and Seasonal Agricultural Worker Protection Act, 29 U.S.C. 1801 et seq.

SPECIAL BENEFITS

(INCLUDING TRANSFER OF FUNDS)

For the payment of compensation, benefits, and expenses (except administrative expenses) accruing during the current or any prior fiscal year authorized by title 5, chapter 81 of the United States Code; continuation of benefits as provided for under the head ''Civilian War Benefits'' in the Federal Security Agency Appropriation Act, 1947; the Employees' Compensation Commission Appropriation Act, 1944; and sections 4(c) and 5(f) of the War Claims Act of 1948 (50 U.S.C. App. 2012); and 50 per centum of the additional compensation and benefits required by section 10(h) of the Longshore and Harbor Workers' Compensation Act, as amended, $218,000,000 together with such amounts as may be necessary to be charged to the subsequent year appropriation for the payment of compensation and other benefits for any period subsequent to August 15 of the current year: *Provided,* That such sums as are necessary may be used under section 8104 of title 5, United States Code, by the Secretary to reimburse an employer, who is not the employer at the time of injury, for portions of the salary of a reemployed, disabled beneficiary: *Provided further,* That balances of reimbursements unobligated on September 30, 1995, shall remain available until expended for the payment of compensation, benefits, and expenses: *Provided further,* That in addition there shall be transferred to this appropriation from the Postal Service and from any other corporation or instrumentality required under section 8147(c) of title 5, United States Code, to pay an amount for its fair share of the cost of administration, such sums as the Secretary of Labor determines to be the cost of administration for employees of such fair share entities through September 30, 1996: *Provided further,* That of those funds transferred to this account from the fair share entities to pay the cost of administration, $19,383,000 shall be made available to the Secretary of Labor for expenditures relating to capital improvements in support of Federal Employees' Compensation Act administration, and the balance of such funds shall be paid into the Treasury as miscellaneous receipts: *Provided further,* That the Secretary may require that any person filing a notice of injury or a claim for benefits under Subchapter 5, U.S.C., chapter 81, or under subchapter 33, U.S.C. 901, et seq. (the Longshore and Harbor Workers' Compensation Act, as amended), provide as part of such notice and claim, such identifying information (including Social Security account number) as such regulations may prescribe.

BLACK LUNG DISABILITY TRUST FUND

(INCLUDING TRANSFER OF FUNDS)

For payments from the Black Lung Disability Trust Fund, $996,763,000, of which $949,494,000 shall be available until September 30, 1997, for payment of all benefits as authorized by section 9501(d) (1), (2), (4), and (7), of the Internal Revenue Code of 1954, as amended, and interest on advances as authorized by section 9501(c)(2) of that Act, and of which $27,350,000 shall be available for transfer to Employment Standards Administration, Salaries and Expenses, and $19,621,000 for transfer to Departmental Management, Salaries and Expenses, and $298,000 for transfer to Departmental Management, Office of Inspector General, for expenses of operation and administration of the Black Lung Benefits program as authorized by section 9501(d)(5)(A) of that Act: *Provided,* That in addition, such amounts as may be necessary may be charged to the subsequent year appropriation for the payment of compensation, interest, or other benefits for any period subsequent to August 15 of the current year: *Provided further,* That in addition such amounts shall be paid from this fund into miscellaneous receipts as the Secretary of the Treasury determines to be the administrative expenses of the Department of the Treasury for administering the fund during the current fiscal year, as authorized by section 9501(d)(5)(B) of that Act.

OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses for the Occupational Safety and Health Administration, $280,000,000 including not to exceed $65,319,000 which shall be the maximum amount available for grants to States under section 23(g) of the Occupational Safety and Health Act, which grants shall be no less than fifty percent of the costs of State occupational safety and health programs required to be incurred under plans approved by the Secretary under section 18 of the Occupational Safety and Health Act of 1970; and, in addition, notwithstanding 31 U.S.C. 3302, the Occupational Safety and Health Administration may retain up to $750,000 per fiscal year of training institute course tuition fees, otherwise authorized by law to be collected, and may utilize such sums for occupational safety and health training and education grants: *Provided,* That none of the funds appropriated under this paragraph shall be obligated or expended to prescribe, issue, administer, or enforce any standard, rule, regulation, or order under the Occupational Safety and Health Act of 1970 which is applicable to any person who is engaged in a farming operation which does not maintain a temporary labor camp and employs ten or fewer employees: *Provided further,* That no funds appropriated under this paragraph shall be obligated or expended to administer or enforce any standard, rule, regulation, or order under the Occupational Safety and Health Act of 1970 with respect to any employer of ten or fewer employees who is included within a category having an occupational injury lost workday case rate, at the most precise Standard Industrial Classification Code for which such data are published, less than the national average rate as such rates are most recently published by the Secretary, acting through the Bureau of Labor Statistics, in accordance with section 24 of that Act (29 U.S.C. 673), except—

(1) to provide, as authorized by such Act, consultation, technical assistance, educational and training services, and to conduct surveys and studies;

(2) to conduct an inspection or investigation in response to an employee complaint, to issue a citation for violations found during such inspection, and to assess a penalty for violations which are not corrected within a reasonable abatement period and for any willful violations found;

(3) to take any action authorized by such Act with respect to imminent dangers;

(4) to take any action authorized by such Act with respect to health hazards;

(5) to take any action authorized by such Act with respect to a report of an employment accident which is fatal to one or more employees or which results in hospitalization of two or more employees, and to take any action pursuant to such investigation authorized by such Act; and

(6) to take any action authorized by such Act with respect to complaints of discrimination against employees for exercising rights under such Act:

Provided further, That the foregoing proviso shall not apply to any person who is engaged in a farming operation which does not maintain a temporary labor camp and employs ten or fewer employees.

MINE SAFETY AND HEALTH ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses for the Mine Safety and Health Administration, $196,673,000, including purchase and bestowal of certificates and trophies in connection with mine rescue and first-aid work, and the hire of passenger motor vehicles; the Secretary is authorized

to accept lands, buildings, equipment, and other contributions from public and private sources and to prosecute projects in cooperation with other agencies, Federal, State, or private; the Mine Safety and Health Administration is authorized to promote health and safety education and training in the mining community through cooperative programs with States, industry, and safety associations; and any funds available to the Department may be used, with the approval of the Secretary, to provide for the costs of mine rescue and survival operations in the event of a major disaster: *Provided,* That none of the funds appropriated under this paragraph shall be obligated or expended to carry out section 115 of the Federal Mine Safety and Health Act of 1977 or to carry out that portion of section 104(g)(1) of such Act relating to the enforcement of any training requirements, with respect to shell dredging, or with respect to any sand, gravel, surface stone, surface clay, colloidal phosphate, or surface limestone mine.

BUREAU OF LABOR STATISTICS

SALARIES AND EXPENSES

For necessary expenses for the Bureau of Labor Statistics, including advances or reimbursements to State, Federal, and local agencies and their employees for services rendered, $292,462,000, of which $11,549,000 shall be for expenses of revising the Consumer Price Index and shall remain available until September 30, 1997, together with not to exceed $49,997,000, which may be expended from the Employment Security Administration account in the Unemployment Trust Fund.

DEPARTMENTAL MANAGEMENT

SALARIES AND EXPENSES

For necessary expenses for Departmental Management, including the hire of three sedans, and including up to $4,358,000 for the President's Committee on Employment of People With Disabilities, $135,997,000; together with not to exceed $303,000, which may be expended from the Employment Security Administration account in the Unemployment Trust Fund.

WORKING CAPITAL FUND

The language under this heading in Public Law 85–67, as amended, is further amended by adding the following before the last period: '': *Provided further,* That within the Working Capital Fund, there is established an Investment in Reinvention Fund (IRF), which shall be available to invest in projects of the Department designed to produce measurable improvements in agency efficiency and significant taxpayer savings. Notwithstanding any other provision of law, the Secretary of Labor may retain up to $3,900,000 of the unobligated balances in the Department's annual Salaries and Expenses accounts as of September 30, 1995, and transfer those amounts to the IRF to provide the initial capital for the IRF, to remain available until expended, to make loans to agencies of the Department for projects designed to enhance productivity and generate cost savings. Such loans shall be repaid to the IRF no later than September 30 of the fiscal year following the fiscal year in which the project is completed. Such repayments shall be deposited in the IRF, to be available without further appropriation action.''

ASSISTANT SECRETARY FOR VETERANS EMPLOYMENT AND TRAINING

Not to exceed $170,390,000 may be derived from the Employment Security Administration account in the Unemployment Trust Fund to carry out the provisions of 38 U.S.C. 4100–4110A and 4321–4327, and Public Law 103–353, and which shall be available for obligation by the States through December 31, 1996.

OFFICE OF INSPECTOR GENERAL

For salaries and expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, $44,426,000, together with not to exceed $3,615,000, which may be expended from the Employment Security Administration account in the Unemployment Trust Fund.

GENERAL PROVISIONS

SEC. 101. None of the funds appropriated in this title for the Job Corps shall be used to pay the compensation of an individual, either as direct costs or any proration as an indirect cost, at a rate in excess of $125,000.

SEC. 102. Section 427(c) of the Job Training Partnership Act, as amended, is repealed.

(TRANSFER OF FUNDS)

SEC. 103. Not to exceed 1 percent of any appropriation made available for the current fiscal year for the Department of Labor in this Act may be transferred between such appropriations, but no such appropriation shall be increased by more than 3 percent by any such transfers: *Provided,* That the Appropriations Committees of both Houses of Congress are notified at least fifteen days in advance of any transfers.

SEC. 104. None of the funds made available in this Act may be used by the Occupational Safety and Health Administration directly or through section 23(g) of the Occupational Safety and Health Act for the development, promulgation or issuance of any proposed or final standard or guideline regarding ergonomic protection or recording and reporting occupational injuries and illnesses directly related thereto.

This title may be cited as the ''Department of Labor Appropriations Act, 1996''.

TITLE II—DEPARTMENT OF HEALTH AND HUMAN SERVICES

HEALTH RESOURCES AND SERVICES ADMINISTRATION

HEALTH RESOURCES AND SERVICES

For carrying out titles II, III, VII, VIII, X, XVI, XIX, and XXVI of the Public Health Service Act, section 427(a) of the Federal Coal Mine Health and Safety Act, title V of the Social Security Act, the Health Care Quality Improvement Act of 1986, as amended, and Public Law 101–527, $3,052,752,000, of which $379,500,000 shall be for part A of title XXVI of the Public Health Service Act and $250,147,000 shall be for part B of title XXVI (including $52,000,000 which shall be available only for section 2616) of the Public Health Service Act, and of which $411,000 shall remain available until expended for interest subsidies on loan guarantees made prior to fiscal year 1981 under part B of title VII of the Public Health Service Act: *Provided,* That the Division of Federal Occupational Health may utilize personal services contracting to employ professional management/administrative, and occupational health professionals: *Provided further,* That of the funds made available under this heading, $858,000 shall be available until expended for facilities renovations at the Gillis W. Long Hansen's Disease Center: *Provided further,* That in addition to fees authorized by section 427(b) of the Health Care Quality Improvement Act of 1986, fees shall be collected for the full disclosure of information under the Act sufficient to recover the full costs of operating the National Practitioner Data Bank, and shall remain available until expended to carry out that Act: *Provided further,* That no more than $5,000,000 is available for carrying out the provisions of Public Law 102–501, as amended: *Provided further,* That of the funds made available under this heading, $193,349,000 shall be for the program under title X of the Public Health Service Act to provide for voluntary family planning projects: *Provided further,* That amounts provided to said projects under such title shall not be expended for abortions, that all pregnancy counseling shall be nondirective, and that such amounts shall not be expended for any activity (including the publication or distribution of literature) that in any way tends to promote public support or opposition to any legislative proposal or candidate for public office: *Provided further,* That notwithstanding any other provision of law, funds made available under this heading may be used to continue operating the Council on Graduate Medical Education established by section 301 of Public Law 102–408: *Provided further,* That funds made available under this heading for activities authorized by part A of title XXVI of the Public Health Service Act are available only for those metropolitan areas previously funded under Public Law 103–333 or with a cumulative total of more than 2,000 cases of AIDS, as reported to the Centers for Disease Control and Prevention as of March 31, 1995, and have a population of 500,000 or more.

MEDICAL FACILITIES GUARANTEE AND LOAN FUND

FEDERAL INTEREST SUBSIDIES FOR MEDICAL FACILITIES

For carrying out subsections (d) and (e) of section 1602 of the Public Health Service Act, $8,000,000, together with any amounts received by the Secretary in connection with loans and loan guarantees under title VI of the Public Health Service Act, to be available without fiscal year limitation for the payment of interest subsidies. During the fiscal year, no commitments for direct loans or loan guarantees shall be made.

HEALTH EDUCATION ASSISTANCE LOANS PROGRAM

For the cost of guaranteed loans, such sums as may be necessary to carry out the purpose of the program, as authorized by title VII of the Public Health Service Act, as amended: *Provided,* That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further,* That these funds are available to subsidize gross obligations for the total loan principal any part of which is to be guaranteed at not to exceed $210,000,000. In addition, for administrative expenses to carry out the guaranteed loan program, $2,688,000.

VACCINE INJURY COMPENSATION PROGRAM TRUST FUND

For payments from the Vaccine Injury Compensation Program Trust Fund, such sums as may be necessary for claims associated with vaccine-related injury or death with respect to vaccines administered after September 30, 1988, pursuant to subtitle 2 of title XXI of the Public Health Service Act, to remain available until expended: *Provided,* That for necessary administrative expenses, not to exceed $3,000,000 shall be available from the Trust Fund to the Secretary of Health and Human Services.

VACCINE INJURY COMPENSATION

For payment of claims resolved by the United States Court of Federal Claims related to the administration of vaccines before October 1, 1988, $110,000,000, to remain available until expended.

CENTERS FOR DISEASE CONTROL AND PREVENTION

DISEASE CONTROL, RESEARCH, AND TRAINING

(RESCISSION)

Of the amounts made available under this heading in Public Law 103–333, Public Law 103–112, and Public Law 102–394 for immunization activities, $53,000,000 are hereby rescinded: *Provided,* That the Director may redirect the total amount made available

under authority of Public Law 101–502, dated November 3, 1990, to activities the Director may so designate: *Provided further,* That the Congress is to be notified promptly of any such transfer.

SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES ADMINISTRATION

SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES

For carrying out titles V and XIX of the Public Health Service Act with respect to substance abuse and mental health services, the Protection and Advocacy for Mentally Ill Individuals Act of 1986, and section 301 of the Public Health Service Act with respect to program management, $1,883,715,000.

RETIREMENT PAY AND MEDICAL BENEFITS FOR COMMISSIONED OFFICERS

For retirement pay and medical benefits of Public Health Service Commissioned Officers as authorized by law, and for payments under the Retired Serviceman's Family Protection Plan and Survivor Benefit Plan and for medical care of dependents and retired personnel under the Dependents' Medical Care Act (10 U.S.C. ch. 55), and for payments pursuant to section 229(b) of the Social Security Act (42 U.S.C. 429(b)), such amounts as may be required during the current fiscal year.

AGENCY FOR HEALTH CARE POLICY AND RESEARCH

HEALTH CARE POLICY AND RESEARCH

For carrying out titles III and IX of the Public Health Service Act, and part A of title XI of the Social Security Act, $94,186,000; in addition, amounts received from Freedom of Information Act fees, reimbursable and interagency agreements, and the sale of data tapes shall be credited to this appropriation and shall remain available until expended: *Provided,* That the amount made available pursuant to section 926(b) of the Public Health Service Act shall not exceed $31,124,000.

HEALTH CARE FINANCING ADMINISTRATION

GRANTS TO STATES FOR MEDICAID

For carrying out, except as otherwise provided, titles XI and XIX of the Social Security Act, $55,094,355,000, to remain available until expended.

For making, after May 31, 1996, payments to States under title XIX of the Social Security Act for the last quarter of fiscal year 1996 for unanticipated costs, incurred for the current fiscal year, such sums as may be necessary.

For making payments to States under title XIX of the Social Security Act for the first quarter of fiscal year 1997, $26,155,350,000, to remain available until expended.

Payment under title XIX may be made for any quarter with respect to a State plan or plan amendment in effect during such quarter, if submitted in or prior to such quarter and approved in that or any subsequent quarter.

PAYMENTS TO HEALTH CARE TRUST FUNDS

For payment to the Federal Hospital Insurance and the Federal Supplementary Medical Insurance Trust Funds, as provided under sections 217(g) and 1844 of the Social Security Act, sections 103(c) and 111(d) of the Social Security Amendments of 1965, section 278(d) of Public Law 97–248, and for administrative expenses incurred pursuant to section 201(g) of the Social Security Act, $63,313,000,000.

PROGRAM MANAGEMENT

For carrying out, except as otherwise provided, titles XI, XVIII, and XIX of the Social Security Act, and title XIII of the Public Health Service Act, the Clinical Laboratory Improvement Amendments of 1988, and section 4005(e) of Public Law 100–203, not to exceed $1,734,810,000, together with all funds collected in accordance with section 353 of the Public Health Service Act, the latter funds to remain available until expended; together with such sums as may be collected from authorized user fees and the sale of data, which shall remain available until expended; the $1,734,810,000, to be transferred to this appropriation as authorized by section 201(g) of the Social Security Act, from the Federal Hospital Insurance and the Federal Supplementary Medical Insurance Trust Funds: *Provided,* That all funds derived in accordance with 31 U.S.C. 9701 from organizations established under title XIII of the Public Health Service Act are to be credited to this appropriation.

HEALTH MAINTENANCE ORGANIZATION LOAN AND LOAN GUARANTEE FUND

For carrying out subsections (d) and (e) of section 1308 of the Public Health Service Act, any amounts received by the Secretary in connection with loans and loan guarantees under title XIII of the Public Health Service Act, to be available without fiscal year limitation for the payment of outstanding obligations. During fiscal year 1996, no commitments for direct loans or loan guarantees shall be made.

ADMINISTRATION FOR CHILDREN AND FAMILIES

FAMILY SUPPORT PAYMENTS TO STATES

For making payments to States or other non-Federal entities, except as otherwise provided, under titles I, IV–A (other than section 402(g)(6)) and D, X, XI, XIV, and XVI of the Social Security Act, and the Act of July 5, 1960 (24 U.S.C. ch. 9), $13,614,307,000, to remain available until expended.

For making, after May 31 of the current fiscal year, payments to States or other non-Federal entities under titles I, IV–A and D, X, XI, XIV, and XVI of the Social Security Act, for the last three months of the current year for unanticipated costs, incurred for the current fiscal year, such sums as may be necessary.

For making payments to States or other non-Federal entities under titles I, IV–A (other than section 402(g)(6)) and D, X, XI, XIV, and XVI of the Social Security Act and the Act of July 5, 1960 (24 U.S.C. ch. 9) for the first quarter of fiscal year 1997, $4,800,000,000, to remain available until expended.

JOB OPPORTUNITIES AND BASIC SKILLS

For carrying out aid to families with dependent children work programs, as authorized by part F of title IV of the Social Security Act, $1,000,000,000.

LOW INCOME HOME ENERGY ASSISTANCE

(RESCISSION)

Of the funds made available beginning on October 1, 1995 under this heading in Public Law 103–333, $100,000,000 are hereby rescinded.

REFUGEE AND ENTRANT ASSISTANCE

For making payments for refugee and entrant assistance activities authorized by title IV of the Immigration and Nationality Act and section 501 of the Refugee Education Assistance Act of 1980 (Public Law 96–422), $397,872,000: *Provided,* That funds appropriated pursuant to section 414(a) of the Immigration and Nationality Act under Public Law 103–112 for fiscal year 1994 shall be available for the costs of assistance provided and other activities conducted in such year and in fiscal years 1995 and 1996.

CHILD CARE AND DEVELOPMENT BLOCK GRANT

For carrying out sections 658A through 658R of the Omnibus Budget Reconciliation Act of 1981 (The Child Care and Development Block Grant Act of 1990), $934,642,000, which shall be available for obligation under the same statutory terms and conditions applicable in the prior fiscal year.

SOCIAL SERVICES BLOCK GRANT

For making grants to States pursuant to section 2002 of the Social Security Act, $2,520,000,000: *Provided,* That notwithstanding section 2003(c) of such Act, the amount specified for allocation under such section for fiscal year 1996 shall be $2,520,000,000.

CHILDREN AND FAMILIES SERVICES PROGRAMS

For carrying out, except as otherwise provided, the Runaway and Homeless Youth Act, the Developmental Disabilities Assistance and Bill of Rights Act, the Head Start Act, the Child Abuse Prevention and Treatment Act, the Family Violence Prevention and Services Act, the Native American Programs Act of 1974, title II of Public Law 95–266 (adoption opportunities), the Temporary Child Care for Children with Disabilities and Crisis Nurseries Act of 1986, the Abandoned Infants Assistance Act of 1988, and part B(1) of title IV of the Social Security Act; for making payments under the Community Services Block Grant Act ($435,463,000); and for necessary administrative expenses to carry out said Acts and titles I, IV, X, XI, XIV, XVI, and XX of the Social Security Act, the Act of July 5, 1960 (24 U.S.C. ch. 9), the Omnibus Budget Reconciliation Act of 1981, title IV of the Immigration and Nationality Act, section 501 of the Refugee Education Assistance Act of 1980, and section 126 and titles IV and V of Public Law 100–485, $4,694,222,000: *Provided,* That to the extent Community Services Block Grant funds are distributed as grant funds by a State to an eligible entity as provided under the Act, and have not been expended by such entity, they shall remain with such entity for carryover into the next fiscal year for expenditure by such entity consistent with program purposes.

In addition, $21,358,000, to be derived from the Violent Crime Reduction Trust Fund, for carrying out sections 40155, 40211, 40241, and 40251 of Public Law 103–322.

FAMILY PRESERVATION AND SUPPORT

For carrying out section 430 of the Social Security Act, $225,000,000.

PAYMENTS TO STATES FOR FOSTER CARE AND ADOPTION ASSISTANCE

For making payments to States or other non-Federal entities, under title IV–E of the Social Security Act, $4,322,238,000.

ADMINISTRATION ON AGING

AGING SERVICES PROGRAMS

For carrying out, to the extent not otherwise provided, the Older Americans Act of 1965, as amended, $801,232,000.

OFFICE OF THE SECRETARY

GENERAL DEPARTMENTAL MANAGEMENT

For necessary expenses, not otherwise provided, for general departmental management, including hire of six medium sedans, and for carrying out titles III, XVII, and XX of the Public Health Service Act, $136,499,000, together with $6,628,000, to be transferred and expended as authorized by section 201(g)(1) of the Social Security Act from the Hospital Insurance Trust Fund and the Supplemental Medical Insurance Trust Fund: *Provided,* That of the funds made available under this heading for carrying out title XVII of the Public Health Service Act, $7,500,000 shall be available until expended for extramural construction.

OFFICE OF INSPECTOR GENERAL

For expenses necessary for the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, $29,956,000, together with not to exceed $1,000,000, to be transferred and expended as authorized by section 201(g)(1) of the Social Security Act from the Hospital Insurance Trust Fund and the Supplemental Medical Insurance Trust Fund.

OFFICE FOR CIVIL RIGHTS

For expenses necessary for the Office for Civil Rights, $16,153,000, together with not to exceed $3,314,000, to be transferred and expended as authorized by section 201(g)(1) of the Social Security Act from the Hospital Insurance Trust Fund and the Supplemental Medical Insurance Trust Fund.

POLICY RESEARCH

For carrying out, to the extent not otherwise provided, research studies under section 1110 of the Social Security Act, $9,000,000.

GENERAL PROVISIONS

SEC. 201. Funds appropriated in this title shall be available for not to exceed $37,000 for official reception and representation expenses when specifically approved by the Secretary.

SEC. 202. The Secretary shall make available through assignment not more than 60 employees of the Public Health Service to assist in child survival activities and to work in AIDS programs through and with funds provided by the Agency for International Development, the United Nations International Children's Emergency Fund or the World Health Organization.

SEC. 203. None of the funds appropriated under this Act may be used to implement section 399L(b) of the Public Health Service Act or section 1503 of the National Institutes of Health Revitalization Act of 1993, Public Law 103–43.

SEC. 204. None of the funds made available by this Act may be used to withhold payment to any State under the Child Abuse Prevention and Treatment Act by reason of a determination that the State is not in compliance with section 1340.2(d)(2)(ii) of title 45 of the Code of Federal Regulations. This provision expires upon the date of enactment of the reauthorization of the Child Abuse Prevention and Treatment Act or upon September 30, 1996, whichever occurs first.

SEC. 205. None of the funds appropriated in this or any other Act for the National Institutes of Health and the Substance Abuse and Mental Health Services Administration shall be used to pay the salary of an individual, through a grant or other extramural mechanism, at a rate in excess of $125,000 per year.

SEC. 206. Taps and other assessments made by any office located in the Department of Health and Human Services shall be treated as a reprogramming of funds except that this provision shall not apply to assessments required by authorizing legislation, or related to working capital funds or other fee-for-service activities. None of the funds appropriated in this Act may be expended pursuant to section 241 of the Public Health Service Act, except for funds specifically provided for in this Act, prior to the Secretary's preparation and submission of a report to the Committee on Appropriations of the Senate and of the House detailing the planned uses of such funds.

(TRANSFER OF FUNDS)

SEC. 207. Of the funds appropriated or otherwise made available for the Department of Health and Human Services, General Departmental Management, for fiscal year 1996, the Secretary of Health and Human Services shall transfer to the Office of the Inspector General such sums as may be necessary for any expenses with respect to the provision of security protection for the Secretary of Health and Human Services.

SEC. 208. None of the funds appropriated in this Act may be obligated or expended for the Federal Council on Aging under the Older Americans Act or the Advisory Board on Child Abuse and Neglect under the Child Abuse Prevention and Treatment Act.

(TRANSFER OF FUNDS)

SEC. 209. Not to exceed 1 percent of any appropriation made available for the current fiscal year for the Department of Health and Human Services in this Act may be transferred between such appropriations, but no such appropriation shall be increased by more than 3 percent by any such transfers: *Provided,* That the Appropriations Committees of both Houses of Congress are notified at least fifteen days in advance of any transfers.

SEC. 210. Of the funds provided for the account heading ''Disease Control, Research, and Training'' in Public Law 104–91, $31,642,000, to be derived from the Violent Crime Reduction Trust Fund, is hereby available for carrying out sections 40151, 40261, and 40293 of Public Law 103–322 notwithstanding any provision of Public Law 104–91.

(TRANSFER OF FUNDS)

SEC. 211. The Director of the National Institutes of Health may transfer funds made available for the National Institutes of Health under Public Law 104–91 between the Institutes, Centers, and the National Library of Medicine to carry out the purposes of part D of title XXIII of the Public Health Service Act, provided that no appropriation may be decreased by more than 2 percent by any such transfers and that the Congress is promptly notified of the transfer.

SEC. 212. In fiscal year 1996, the National Library of Medicine may enter into personal services contracts for the provision of services in facilities owned, operated, or constructed under the jurisdiction of the National Institutes of Health.

SEC. 213. Notwithstanding section 106 of Public Law 104–91, appropriations for the National Institutes of Health and the Centers for Disease Control and Prevention shall be available for fiscal year 1996 as specified in section 101 of Public Law 104–91.

This title may be cited as the ''Department of Health and Human Services Appropriations Act, 1996''.

TITLE III—DEPARTMENT OF EDUCATION

EDUCATION REFORM

For carrying out activities authorized by titles II and III of the School-to-Work Opportunities Act, $95,000,000 which shall become available on July 1, 1996, and remain available through September 30, 1997.

EDUCATION FOR THE DISADVANTAGED

For carrying out title I of the Elementary and Secondary Education Act of 1965, and section 418A of the Higher Education Act, $6,049,113,000, of which $6,032,774,000 shall become available on July 1, 1996 and shall remain available through September 30, 1997: *Provided,* That $4,949,505,000 shall be available for basic grants under section 1124, which shall be allocated without regard to section 1124(d): *Provided further,* That up to $3,500,000 of these funds shall be available to the Secretary on October 1, 1995 and shall remain available through September 30, 1997, to obtain updated local-educational-agency-level census poverty data from the Bureau of the Census: *Provided further,* That $549,945,000 shall be available for concentration grants under section 1124(A) and $3,370,000 shall be available for evaluations under section 1501: *Provided further,* That no funds shall be reserved under section 1003(a) of said Act.

IMPACT AID

For carrying out programs of financial assistance to federally affected schools authorized by title VIII of the Elementary and Secondary Education Act of 1965, $693,000,000, of which $583,011,000 shall be for basic support payments under section 8003(b), $40,000,000 shall be for payments for children with disabilities under section 8003(d), $50,000,000, to remain available until expended, shall be for payments under section 8003(f), $5,000,000 shall be for construction under section 8007, and $14,989,000 shall be for Federal property payments under section 8002.

SCHOOL IMPROVEMENT PROGRAMS

For carrying out school improvement activities authorized by titles II, IV–A–1, V–A, VI, section 7203, and titles IX, X and XIII of the Elementary and Secondary Education Act of 1965; the Stewart B. McKinney Homeless Assistance Act; and the Civil Rights Act of 1964; $946,227,000 of which $773,000,000 shall become available on July 1, 1996, and remain available through September 30, 1997: *Provided,* That of the amount appropriated, $275,000,000 shall be for Eisenhower professional development State grants under title II–B and $275,000,000 shall be for innovative education program strategies State grants under title VI–A: *Provided further,* That not less than $3,000,000 shall be for innovative programs under section 5111.

BILINGUAL AND IMMIGRANT EDUCATION

For carrying out, to the extent not otherwise provided, bilingual and immigrant education activities authorized by title VII of the Elementary and Secondary Education Act, $150,000,000 of which $50,000,000 shall be for immigrant education programs authorized by part C: *Provided,* That State educational agencies may use all, or any part of, their part C allocation for competitive grants to local educational agencies: *Provided further,* That the Department of Education should only support instructional programs which ensure that students completely master English in a timely fashion (a period of three to five years) while meeting rigorous achievement standards in the academic content areas: *Provided further,* That no funds shall be available for subpart 3 of part A.

SPECIAL EDUCATION

For carrying out parts B, C, D, E, F, G, and H and section 610(j)(2)(C) of the Individuals with Disabilities Education Act, $3,245,447,000, of which $3,000,000,000 shall become available for obligation on July 1, 1996, and shall remain available through September 30, 1997.

REHABILITATION SERVICES AND DISABILITY RESEARCH

For carrying out, to the extent not otherwise provided, the Rehabilitation Act of 1973, the Technology-Related Assistance for Individuals with Disabilities Act, and the Helen Keller National Center Act, as amended, $2,452,620,000, of which $4,500,000 shall be for employment-related activities of the 1996 Paralympic Games.

SPECIAL INSTITUTIONS FOR PERSONS WITH DISABILITIES

AMERICAN PRINTING HOUSE FOR THE BLIND

For carrying out the Act of March 3, 1879, as amended (20 U.S.C. 101 et seq.), $6,680,000.

NATIONAL TECHNICAL INSTITUTE FOR THE DEAF

For the National Technical Institute for the Deaf under titles I and II of the Education of the Deaf Act of 1986 (20 U.S.C. 4301 et seq.), $42,180,000: *Provided,* That from the amount available, the Institute may at its discretion use funds for the endowment program as authorized under section 207.

GALLAUDET UNIVERSITY

For the Kendall Demonstration Elementary School, the Model Secondary School for the Deaf, and the partial support of Gallaudet University under titles I and II of the Education of the Deaf Act of 1986 (20 U.S.C. 4301 et seq.), $77,629,000: *Provided,* That from the amount available, the University may at its discretion use funds for the endowment program as authorized under section 207.

VOCATIONAL AND ADULT EDUCATION

For carrying out, to the extent not otherwise provided, the Carl D. Perkins Vocational and Applied Technology Education

Act, the Adult Education Act, and the National Literacy Act of 1991, $1,257,134,000, of which $4,869,000 shall be for the National Institute for Literacy; and of which $1,254,215,000 shall become available on July 1, 1996 and shall remain available through September 30, 1997: *Provided*, That of the amounts made available under the Carl D. Perkins Vocational and Applied Technology Education Act, $5,000,000 shall be for national programs under title IV without regard to section 451 and $350,000 shall be for evaluations under section 346(b) of the Act.

STUDENT FINANCIAL ASSISTANCE

For carrying out subparts 1 and 3 of part A, part C, and part E of title IV of the Higher Education Act of 1965, as amended, $6,643,246,000, which shall remain available through September 30, 1997: *Provided*, That notwithstanding section 401(a)(1) of the Act, there shall be not to exceed 3,650,000 Pell Grant recipients in award year 1995–1996.

The maximum Pell Grant for which a student shall be eligible during award year 1996–1997 shall be $2,440: *Provided*, That notwithstanding section 401(g) of the Act, as amended, if the Secretary determines, prior to publication of the payment schedule for award year 1996–1997, that the $5,423,331,000 included within this appropriation for Pell Grant awards for award year 1996–1997, and any funds available from the fiscal year 1995 appropriation for Pell Grant awards, are insufficient to satisfy fully all such awards for which students are eligible, as calculated under section 401(b) of the Act, the amount paid for each such award shall be reduced by either a fixed or variable percentage, or by a fixed dollar amount, as determined in accordance with a schedule of reductions established by the Secretary for this purpose.

FEDERAL FAMILY EDUCATION LOAN PROGRAM ACCOUNT

For Federal administrative expenses to carry out guaranteed student loans authorized by title IV, part B, of the Higher Education Act, as amended, $30,066,000.

HIGHER EDUCATION

For carrying out, to the extent not otherwise provided, parts A and B of title III, without regard to section 360(a)(1)(B)(ii), and part A of title IV, part E of title V, parts A, B, and C of title VI, title VII, title IX, part A and subpart 1 of part B of title X, part A of title XI of the Higher Education Act of 1965, as amended, Public Law 102–423 and the Mutual Educational and Cultural Exchange Act of 1961; $836,964,000, of which $16,712,000 for interest subsidies under title VII of the Higher Education Act, as amended, shall remain available until expended.

HOWARD UNIVERSITY

For partial support of Howard University (20 U.S.C. 121 et seq.), $174,671,000.

HIGHER EDUCATION FACILITIES LOANS

The Secretary is hereby authorized to make such expenditures, within the limits of funds available under this heading and in accord with law, and to make such contracts and commitments without regard to fiscal year limitation, as provided by section 104 of the Government Corporation Control Act (31 U.S.C. 9104), as may be necessary in carrying out the program for the current fiscal year.

COLLEGE HOUSING AND ACADEMIC FACILITIES LOANS PROGRAM

For administrative expenses to carry out the existing direct loan program of college housing and academic facilities loans entered into pursuant to title VII, part C, of the Higher Education Act, as amended, $700,000.

COLLEGE HOUSING LOANS

Pursuant to title VII, part C of the Higher Education Act, as amended, for necessary expenses of the college housing loans program, previously carried out under title IV of the Housing Act of 1950, the Secretary shall make expenditures and enter into contracts without regard to fiscal year limitation using loan repayments and other resources available to this account. Any unobligated balances becoming available from fixed fees paid into this account pursuant to 12 U.S.C. 1749d, relating to payment of costs for inspections and site visits, shall be available for the operating expenses of this account.

HISTORICALLY BLACK COLLEGE AND UNIVERSITY CAPITAL FINANCING, PROGRAM ACCOUNT

The total amount of bonds insured pursuant to section 724 of title VII, part B of the Higher Education Act shall not exceed $357,000,000, and the cost, as defined in section 502 of the Congressional Budget Act of 1974, of such bonds shall not exceed zero.

For administrative expenses to carry out the Historically Black College and University Capital Financing Program entered into pursuant to title VII, part B of the Higher Education Act, as amended, $166,000.

EDUCATION RESEARCH, STATISTICS, AND IMPROVEMENT

For carrying out activities authorized by the Educational Research, Development, Dissemination, and Improvement Act; the National Education Statistics Act; section 2102, parts A, B, C, and D of title III, parts A, B, I, K, and section 10601 of title X, part C of title XIII of the Elementary and Secondary Education Act of 1965, as amended, and section 601 of Public Law 103–227, $328,268,000: *Provided*, That $4,000,000 shall be for section 10601 of the Elementary and Secondary Education Act: *Provided further*, That $25,000,000 shall be for section 3136 (K–12 technology learning challenges) of the Elementary and Secondary Education Act: *Provided further*, That none of the funds appropriated in this paragraph may be obligated or expended for the Goals 2000 Community Partnerships Program.

LIBRARIES

For carrying out, to the extent not otherwise provided, titles I, II, and III of the Library Services and Construction Act, and title II–B of the Higher Education Act, $131,505,000, of which $16,369,000 shall be used to carry out the provisions of title II of the Library Services and Construction Act and shall remain available until expended.

DEPARTMENTAL MANAGEMENT

PROGRAM ADMINISTRATION

For carrying out, to the extent not otherwise provided, the Department of Education Organization Act, including rental of conference rooms in the District of Columbia and hire of two passenger motor vehicles, $327,319,000.

OFFICE FOR CIVIL RIGHTS

For expenses necessary for the Office for Civil Rights, as authorized by section 203 of the Department of Education Organization Act, $55,451,000.

OFFICE OF THE INSPECTOR GENERAL

For expenses necessary for the Office of the Inspector General, as authorized by section 212 of the Department of Education Organization Act, $28,654,000.

HEADQUARTERS RENOVATION

For necessary expenses for the renovation of the Department of Education headquarters building, $7,000,000, to remain available until September 30, 1998.

GENERAL PROVISIONS

SEC. 301. No funds appropriated in this Act may be used for the transportation of students or teachers (or for the purchase of equipment for such transportation) in order to overcome racial imbalance in any school or school system, or for the transportation of students or teachers (or for the purchase of equipment for such transportation) in order to carry out a plan of racial desegregation of any school or school system.

SEC. 302. None of the funds contained in this Act shall be used to require, directly or indirectly, the transportation of any student to a school other than the school which is nearest the student's home, except for a student requiring special education, to the school offering such special education, in order to comply with title VI of the Civil Rights Act of 1964. For the purpose of this section an indirect requirement of transportation of students includes the transportation of students to carry out a plan involving the reorganization of the grade structure of schools, the pairing of schools, or the clustering of schools, or any combination of grade restructuring, pairing or clustering. The prohibition described in this section does not include the establishment of magnet schools.

SEC. 303. No funds appropriated under this Act may be used to prevent the implementation of programs of voluntary prayer and meditation in the public schools.

SEC. 304. No funds appropriated under this Act shall be made available for opportunity to learn standards or strategies.

SEC. 305. Notwithstanding any other provision of law, funds available under section 458 of the Higher Education Act shall not exceed $260,000,000 for fiscal year 1996. The Department of Education shall use such funds as follows: (i) $100,000,000 for the indirect administrative expenses of the loan programs under part B and part D of the Higher Education Act; (ii) $95,000,000 for administrative cost allowances owed to guaranty agencies for fiscal year 1995 estimated at $95,000,000; and (iii) administrative cost allowances to guaranty agencies, to be paid quarterly, calculated on the basis of 0.85 percent of the total principal amount of loans upon which insurance was issued on or after October 1, 1995 by such guaranty agency. Receipt of such funds and uses of such funds by guaranty agencies shall be in accordance with section 428(f) of the Higher Education Act.

Notwithstanding any other provision of law, for fiscal year 1996 there shall be available to the Secretary from funds not otherwise appropriated, funds to be obligated for subsidy costs for the William D. Ford Direct Loan Program which represent the estimated long-term cost to the Federal Government of direct administrative expenses calculated on a net present value basis.

Notwithstanding section 458 of the Higher Education Act, the Secretary may not use funds available under that section or any other section for subsequent fiscal years for administrative expenses of the William D. Ford Direct Loan Program. The Secretary may not require the return of guaranty agency reserve funds during fiscal year 1996, except after consultation with both the chairman and ranking member of the House Economic and Educational Opportunities Committee and the Senate Labor and Human Resources Committee. Any reserve funds recovered by the Secretary shall be returned to the Treasury of the United States for purposes of reducing the Federal debt.

No funds available to the Secretary may be used for (1) marketing, advertising or promotion of the William D. Ford Direct Loan Program, or for the hiring of advertising agencies or other third parties to provide advertising services, or (2) payment of administrative fees relating to the William D. Ford Direct Loan Program to institutions of higher education, or (3) for purposes of conducting an evaluation of the William D. Ford Direct Loan Program except as administered

by the Advisory Committee on Student Financial Assistance.

Notwithstanding any other provision of law, for academic year 1996–1997 and for each succeeding academic year, loans made under part D of the Higher Education Act, including Federal Direct Consolidation Loans, shall represent not more than 40 percent of the new student loan volume for such year, except that the Secretary shall not enter into an agreement with an eligible institution that has not applied and been accepted for participation in the direct loan program on or before September 30, 1995.

SEC. 306. None of the funds appropriated in this Act may be obligated or expended to carry out sections 727, 932, and 1002 of the Higher Education Act of 1965, section 621(b) of Public Law 101–589, the President's Advisory Commission on Educational Excellence for Hispanic Americans, and the President's Board of Advisors on Historically Black Colleges and Universities.

(TRANSFER OF FUNDS)

SEC. 307. Not to exceed 1 percent of any appropriation made available for the current fiscal year for the Department of Education in this Act may be transferred between such appropriations, but no such appropriation shall be increased by more than 3 percent by any such transfers: *Provided*, That the Appropriations Committees of both Houses of Congress are notified at least fifteen days in advance of any transfers.

This title may be cited as the ''Department of Education Appropriations Act, 1996''.

TITLE IV—RELATED AGENCIES

ARMED FORCES RETIREMENT HOME

For expenses necessary for the Armed Forces Retirement Home to operate and maintain the United States Soldiers' and Airmen's Home and the United States Naval Home, to be paid from funds available in the Armed Forces Retirement Home Trust Fund, $55,971,000, of which $1,954,000 shall remain available until expended for construction and renovation of the physical plants at the United States Soldiers' and Airmen's Home and the United States Naval Home: *Provided*, That this appropriation shall not be available for the payment of hospitalization of members of the Soldiers' and Airmen's Home in United States Army hospitals at rates in excess of those prescribed by the Secretary of the Army upon recommendation of the Board of Commissioners and the Surgeon General of the Army.

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

DOMESTIC VOLUNTEER SERVICE PROGRAMS, OPERATING EXPENSES

For expenses necessary for the Corporation for National and Community Service to carry out the provisions of the Domestic Volunteer Service Act of 1973, as amended, $196,270,000.

CORPORATION FOR PUBLIC BROADCASTING

For payment to the Corporation for Public Broadcasting, as authorized by the Communications Act of 1934, an amount which shall be available within limitations specified by that Act, for the fiscal year 1998, $250,000,000: *Provided*, That no funds made available to the Corporation for Public Broadcasting by this Act shall be used to pay for receptions, parties, or similar forms of entertainment for Government officials or employees: *Provided further*, That none of the funds contained in this paragraph shall be available or used to aid or support any program or activity from which any person is excluded, or is denied benefits, or is discriminated against, on the basis of race, color, national origin, religion, or sex.

FEDERAL MEDIATION AND CONCILIATION SERVICE

SALARIES AND EXPENSES

For expenses necessary for the Federal Mediation and Conciliation Service to carry out the functions vested in it by the Labor Management Relations Act, 1947 (29 U.S.C. 171–180, 182–183), including hire of passenger motor vehicles; and for expenses necessary for the Labor-Management Cooperation Act of 1978 (29 U.S.C. 175a); and for expenses necessary for the Service to carry out the functions vested in it by the Civil Service Reform Act, Public Law 95–454 (5 U.S.C. chapter 71), $32,896,000 including $1,500,000, to remain available through September 30, 1997, for activities authorized by the Labor Management Cooperation Act of 1978 (29 U.S.C. 175a): *Provided*, That notwithstanding 31 U.S.C. 3302, fees charged for special training activities up to full-cost recovery shall be credited to and merged with this account, and shall remain available until expended: *Provided further*, That the Director of the Service is authorized to accept on behalf of the United States gifts of services and real, personal, or other property in the aid of any projects or functions within the Director's jurisdiction.

FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION

SALARIES AND EXPENSES

For expenses necessary for the Federal Mine Safety and Health Review Commission (30 U.S.C. 801 et seq.), $6,200,000.

NATIONAL COMMISSION ON LIBRARIES AND INFORMATION SCIENCE

SALARIES AND EXPENSES

For necessary expenses for the National Commission on Libraries and Information Science, established by the Act of July 20, 1970 (Public Law 91–345, as amended by Public Law 102–95), $829,000.

NATIONAL COUNCIL ON DISABILITY

SALARIES AND EXPENSES

For expenses necessary for the National Council on Disability as authorized by title IV of the Rehabilitation Act of 1973, as amended, $1,793,000.

NATIONAL EDUCATION GOALS PANEL

For expenses necessary for the National Education Goals Panel, as authorized by title II, part A of the Goals 2000: Educate America Act, $1,000,000.

NATIONAL LABOR RELATIONS BOARD

SALARIES AND EXPENSES

For expenses necessary for the National Labor Relations Board to carry out the functions vested in it by the Labor-Management Relations Act, 1947, as amended (29 U.S.C. 141–167), and other laws, $167,245,000: *Provided*, That no part of this appropriation shall be available to organize or assist in organizing agricultural laborers or used in connection with investigations, hearings, directives, or orders concerning bargaining units composed of agricultural laborers as referred to in section 2(3) of the Act of July 5, 1935 (29 U.S.C. 152), and as amended by the Labor-Management Relations Act, 1947, as amended, and as defined in section 3(f) of the Act of June 25, 1938 (29 U.S.C. 203), and including in said definition employees engaged in the maintenance and operation of ditches, canals, reservoirs, and waterways when maintained or operated on a mutual, nonprofit basis and at least 95 per centum of the water stored or supplied thereby is used for farming purposes: *Provided further*, That no part of this appropriation may be used by the National Labor Relations Board to petition a United States district court for temporary relief or a restraining order as described under section 10(j) of the National Labor Relations Act unless there is a reasonable likelihood of success on the merits of the complaint that an unfair labor practice has occurred, there is a possibility of irreparable harm if such relief is not granted, a balancing of hardships favors injunctive relief, and harm to the public interest stemming from injunctive relief is tolerable in light of the benefits achieved by such relief.

NATIONAL MEDIATION BOARD

SALARIES AND EXPENSES

For expenses necessary to carry out the provisions of the Railway Labor Act, as amended (45 U.S.C. 151–188), including emergency boards appointed by the President, $7,837,000.

OCCUPATIONAL SAFETY AND HEALTH REVIEW COMMISSION

SALARIES AND EXPENSES

For expenses necessary for the Occupational Safety and Health Review Commission (29 U.S.C. 661), $8,100,000.

PHYSICIAN PAYMENT REVIEW COMMISSION

SALARIES AND EXPENSES

For expenses necessary to carry out section 1845(a) of the Social Security Act, $2,923,000, to be transferred to this appropriation from the Federal Supplementary Medical Insurance Trust Fund.

PROSPECTIVE PAYMENT ASSESSMENT COMMISSION

SALARIES AND EXPENSES

For expenses necessary to carry out section 1886(e) of the Social Security Act, $3,267,000, to be transferred to this appropriation from the Federal Hospital Insurance and the Federal Supplementary Medical Insurance Trust Funds.

SOCIAL SECURITY ADMINISTRATION

PAYMENTS TO SOCIAL SECURITY TRUST FUNDS

For payment to the Federal Old-Age and Survivors Insurance and the Federal Disability Insurance trust funds, as provided under sections 201(m), 228(g), and 1131(b)(2) of the Social Security Act, $22,641,000.

In addition, to reimburse these trust funds for administrative expenses to carry out sections 9704 and 9706 of the Internal Revenue Code of 1986, $10,000,000, to remain available until expended.

SPECIAL BENEFITS FOR DISABLED COAL MINERS

For carrying out title IV of the Federal Mine Safety and Health Act of 1977, $485,396,000, to remain available until expended.

For making, after July 31 of the current fiscal year, benefit payments to individuals under title IV of the Federal Mine Safety and Health Act of 1977, for costs incurred in the current fiscal year, such amounts as may be necessary.

For making benefit payments under title IV of the Federal Mine Safety and Health Act of 1977 for the first quarter of fiscal year 1997, $170,000,000, to remain available until expended.

SUPPLEMENTAL SECURITY INCOME PROGRAM

For carrying out titles XI and XVI of the Social Security Act, section 401 of Public Law 92–603, section 212 of Public Law 93–66, as amended, and section 405 of Public Law 95–216, including payment to the Social Security trust funds for administrative expenses incurred pursuant to section 201(g)(1) of the Social Security Act, $18,753,834,000, to remain available until expended: *Provided*, That any portion of the funds provided to a State in the current fiscal year and not obligated by the State during that year shall be returned to the Treasury.

For making, after June 15 of the current fiscal year, benefit payments to individuals under title XVI of the Social Security Act, for unanticipated costs incurred for the current fiscal year, such sums as may be necessary.

For carrying out title XVI of the Social Security Act for the first quarter of fiscal year 1997, $9,260,000,000, to remain available until expended.

LIMITATION ON ADMINISTRATIVE EXPENSES

For necessary expenses, including the hire of two medium size passenger motor vehicles, and not to exceed $10,000 for official reception and representation expenses, not more than $5,164,268,000 may be expended, as authorized by section 201(g)(1) of the Social Security Act or as necessary to carry out sections 9704 and 9706 of the Internal Revenue Code of 1986 from any one or all of the trust funds referred to therein: *Provided,* That reimbursement to the trust funds under this heading for administrative expenses to carry out sections 9704 and 9706 of the Internal Revenue Code of 1986 shall be made, with interest, not later than September 30, 1997.

In addition to funding already available under this heading, and subject to the same terms and conditions, $407,000,000, for disability caseload processing.

In addition to funding already available under this heading, and subject to the same terms and conditions, $228,000,000, which shall remain available until expended, to invest in a state-of-the-art computing network, including related equipment and administrative expenses associated solely with this network, for the Social Security Administration and the State Disability Determination Services, may be expended from any or all of the trust funds as authorized by section 201(g)(1) of the Social Security Act.

OFFICE OF INSPECTOR GENERAL

For expenses necessary for the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, $4,816,000, together with not to exceed $21,076,000, to be transferred and expended as authorized by section 201(g)(1) of the Social Security Act from the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund.

RAILROAD RETIREMENT BOARD

DUAL BENEFITS PAYMENTS ACCOUNT

For payment to the Dual Benefits Payments Account, authorized under section 15(d) of the Railroad Retirement Act of 1974, $239,000,000, which shall include amounts becoming available in fiscal year 1996 pursuant to section 224(c)(1)(B) of Public Law 98–76; and in addition, an amount, not to exceed 2 percent of the amount provided herein, shall be available proportional to the amount by which the product of recipients and the average benefit received exceeds $239,000,000: *Provided,* That the total amount provided herein shall be credited in 12 approximately equal amounts on the first day of each month in the fiscal year.

FEDERAL PAYMENTS TO THE RAILROAD RETIREMENT ACCOUNTS

For payment to the accounts established in the Treasury for the payment of benefits under the Railroad Retirement Act for interest earned on unnegotiated checks, $300,000, to remain available through September 30, 1997, which shall be the maximum amount available for payment pursuant to section 417 of Public Law 98–76.

LIMITATION ON ADMINISTRATION

For necessary expenses for the Railroad Retirement Board, $73,561,000, to be derived from the railroad retirement accounts.

LIMITATION ON RAILROAD UNEMPLOYMENT INSURANCE ADMINISTRATION FUND

For further expenses necessary for the Railroad Retirement Board, for administration of the Railroad Unemployment Insurance Act, not less than $17,255,000 shall be apportioned for fiscal year 1996 from moneys credited to the railroad unemployment insurance administration fund.

SPECIAL MANAGEMENT IMPROVEMENT FUND

To effect management improvements, including the reduction of backlogs, accuracy of taxation accounting, and debt collection, $659,000, to be derived from the railroad retirement accounts and railroad unemployment insurance account: *Provided,* That these funds shall supplement, not supplant, existing resources devoted to such operations and improvements.

LIMITATION ON THE OFFICE OF INSPECTOR GENERAL

For expenses necessary for the Office of Inspector General for audit, investigatory and review activities, as authorized by the Inspector General Act of 1978, as amended, not more than $5,673,000, to be derived from the railroad retirement accounts and railroad unemployment insurance account.

UNITED STATES INSTITUTE OF PEACE

OPERATING EXPENSES

For necessary expenses of the United States Institute of Peace as authorized in the United States Institute of Peace Act, $11,500,000.

TITLE V—GENERAL PROVISIONS

SEC. 501. The Secretaries of Labor, Health and Human Services, and Education are authorized to transfer unexpended balances of prior appropriations to accounts corresponding to current appropriations provided in this Act: *Provided,* That such transferred balances are used for the same purpose, and for the same periods of time, for which they were originally appropriated.

SEC. 502. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 503. (a) No part of any appropriation contained in this Act shall be used, other than for normal and recognized executive-legislative relationships, for publicity or propaganda purposes, for the preparation, distribution, or use of any kit, pamphlet, booklet, publication, radio, television, or film presentation designed to support or defeat legislation pending before the Congress, except in presentation to the Congress itself.

(b) No part of any appropriation contained in this Act shall be used to pay the salary or expenses of any grant or contract recipient, or agent acting for such recipient, related to any activity designed to influence legislation or appropriations pending before the Congress.

SEC. 504. The Secretaries of Labor and Education are each authorized to make available not to exceed $15,000 from funds available for salaries and expenses under titles I and III, respectively, for official reception and representation expenses; the Director of the Federal Mediation and Conciliation Service is authorized to make available for official reception and representation expenses not to exceed $2,500 from the funds available for ''Salaries and expenses, Federal Mediation and Conciliation Service''; and the Chairman of the National Mediation Board is authorized to make available for official reception and representation expenses not to exceed $2,500 from funds available for ''Salaries and expenses, National Mediation Board''.

SEC. 505. Notwithstanding any other provision of this Act, no funds appropriated under this Act shall be used to carry out any program of distributing sterile needles for the hypodermic injection of any illegal drug unless the Secretary of Health and Human Services determines that such programs are effective in preventing the spread of HIV and do not encourage the use of illegal drugs.

SEC. 506. (a) PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS.—It is the sense of the Congress that, to the greatest extent practicable, all equipment and products purchased with funds made available in this Act should be American-made.

(b) NOTICE REQUIREMENT.—In providing financial assistance to, or entering into any contract with, any entity using funds made available in this Act, the head of each Federal agency, to the greatest extent practicable, shall provide to such entity a notice describing the statement made in subsection (a) by the Congress.

SEC. 507. When issuing statements, press releases, requests for proposals, bid solicitations and other documents describing projects or programs funded in whole or in part with Federal money, all grantees receiving Federal funds, including but not limited to State and local governments and recipients of Federal research grants, shall clearly state (1) the percentage of the total costs of the program or project which will be financed with Federal money, (2) the dollar amount of Federal funds for the project or program, and (3) percentage and dollar amount of the total costs of the project or program that will be financed by nongovernmental sources.

SEC. 508. None of the funds appropriated under this Act shall be expended for any abortion except when it is made known to the Federal entity or official to which funds are appropriated under this Act that such procedure is necessary to save the life of the mother or that the pregnancy is the result of an act of rape or incest.

SEC. 509. Effective October 1, 1993, and applicable thereafter, and notwithstanding any other law, each State is and remains free not to fund abortions to the extent that the State in its sole discretion deems appropriate, except where the life of the mother would be endangered if the fetus were carried to term.

SEC. 510. Notwithstanding any other provision of law—

(1) no amount may be transferred from an appropriation account for the Departments of Labor, Health and Human Services, and Education except as authorized in this or any subsequent appropriation act, or in the Act establishing the program or activity for which funds are contained in this Act;

(2) no department, agency, or other entity, other than the one responsible for administering the program or activity for which an appropriation is made in this Act, may exercise authority for the timing of the obligation and expenditure of such appropriation, or for the purposes for which it is obligated and expended, except to the extent and in the manner otherwise provided in sections 1512 and 1513 of title 31, United States Code; and

(3) no funds provided under this Act shall be available for the salary (or any part thereof) of an employee who is reassigned on a temporary detail basis to another position in the employing agency or department or in any other agency or department, unless the detail is independently approved by the head of the employing department or agency.

SEC. 511. LIMITATION ON USE OF FUNDS.—None of the funds made available in this Act may be used for the expenses of an electronic benefit transfer (EBT) task force.

SEC. 512. None of the funds made available in this Act may be used to enforce the requirements of section 428(b)(1)(U)(iii) of the Higher Education Act of 1965 with respect to any lender when it is made known to the Federal official having authority to obligate or expend such funds that the lender has a loan portfolio under part B of title IV of such Act that is equal to or less than $5,000,000.

SEC. 513. None of the funds made available in this Act may be used for Pell Grants

under subpart 1 of part A of title IV of the Higher Education Act of 1965 to students attending an institution of higher education that is ineligible to participate in a loan program under such title as a result of a default determination under section 435(a)(2) of such Act, unless such institution has a participation rate index (as defined at 34 CFR 668.17) that is less than or equal to 0.0375.

SEC. 514. (a) HIGH COST TRAINING EXCEPTION.—Section 428H(d)(2) of the Higher Education Act of 1965 (20 U.S.C. 1078–8(d)(2)) is amended by striking out the period at the end thereof and inserting in lieu thereof a semicolon and the following: ''except in cases where the Secretary determines that a higher amount is warranted in order to carry out the purpose of this part with respect to students engaged in specialized training requiring exceptionally high costs of education, but the annual insurable limit per student shall not be deemed to be exceeded by a line of credit under which actual payments by the lender to the borrower will not be made in any years in excess of the annual limit.''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall be effective for loans made to cover the cost of instruction for periods of enrollment beginning on or after July 1, 1996.

SEC. 515. None of the funds made available in this Act may be used to carry out any Federal program, or to provide financial assistance to any State, when it is made known to the Federal official having authority to obligate or expend such funds that—

(1) such Federal program or State subject any health care entity to discrimination on the basis that—

(A) the entity refuses to undergo training in the performance of induced abortions, to provide such training, to perform such abortions, or to provide referrals for such abortions;

(B) the entity refuses to make arrangements for any of the activities specified in subparagraph (A); or

(C) the entity attends (or attended) a postgraduate physician training program, or any other program of training in the health professions, that does not (or did not) require or provide training in the performance of induced abortions, or make arrangements for the provision of such training; or

(2) in granting a legal status to a health care entity (including a license or certificate), or in providing to the entity financial assistance, a service, or another benefit, such Federal program or State require that the entity be an accredited postgraduate physician training program, or that the entity have completed or be attending such a program, if the applicable standards for accreditation of the program include the standard that the program must require or provide training in the performance of induced abortions, or make arrangements for the provision of such training.

EXTENSION OF PERIOD OF HOME HEALTH AGENCY RECERTIFICATION SURVEYS

SEC. 516. Section 1891(c)(2)(A) of the Social Security Act (42 U.S.C. 1395bbb(c)(2)(A)) is amended—

(1) by striking ''15 months'' and inserting ''36 months'', and

(2) by striking the second sentence and inserting the following: ''The Secretary shall establish a frequency for surveys of home health agencies within this 36-month interval commensurate with the need to assure the delivery of quality home health services.''.

TITLE VI—ADDITIONAL APPROPRIATIONS

SEC. 601. In addition to amounts otherwise provided in this Act, the following amounts are hereby appropriated as specified for the following appropriation accounts: Health Care Financing Administration, ''Program Management'', $396,000,000; Office of the Secretary, ''Office of Inspector General'', $43,000,000; and Social Security Administration, ''Limitation on Administrative Expenses'', $111,000,000.

SEC. 602. Appropriations and funds made available pursuant to section 601 of this Act shall be available until enactment into law of a subsequent appropriation for fiscal year 1996 for any project or activity provided for in section 601.

This Act may be cited as the ''Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 1996''.

(d) Such amounts as may be necessary for programs, projects or activities provided for in the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1996, at a rate of operations and to the extent and in the manner provided for, the provisions of such Act to be effective as if it had been enacted into law as the regular appropriations Act, as follows:

AN ACT

Making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 1996, and for other purposes.

TITLE I

DEPARTMENT OF VETERANS AFFAIRS

VETERANS BENEFITS ADMINISTRATION

COMPENSATION AND PENSIONS

(INCLUDING TRANSFER OF FUNDS)

For the payment of compensation benefits to or on behalf of veterans as authorized by law (38 U.S.C. 107, chapters 11, 13, 51, 53, 55, and 61); pension benefits to or on behalf of veterans as authorized by law (38 U.S.C. chapters 15, 51, 53, 55, and 61; 92 Stat. 2508); and burial benefits, emergency and other officers' retirement pay, adjusted-service credits and certificates, payment of premiums due on commercial life insurance policies guaranteed under the provisions of Article IV of the Soldiers' and Sailors' Civil Relief Act of 1940, as amended, and for other benefits as authorized by law (38 U.S.C. 107, 1312, 1977, and 2106, chapters 23, 51, 53, 55, and 61; 50 U.S.C. App. 540–548; 43 Stat. 122, 123; 45 Stat. 735; 76 Stat. 1198); $18,331,561,000, to remain available until expended: *Provided*, That not to exceed $25,180,000 of the amount appropriated shall be reimbursed to ''General operating expenses'' and ''Medical care'' for necessary expenses in implementing those provisions authorized in the Omnibus Budget Reconciliation Act of 1990, and in the Veterans' Benefits Act of 1992 (38 U.S.C. chapters 51, 53, and 55), the funding source for which is specifically provided as the ''Compensation and pensions'' appropriation: *Provided further*, That such sums as may be earned on an actual qualifying patient basis, shall be reimbursed to ''Medical facilities revolving fund'' to augment the funding of individual medical facilities for nursing home care provided to pensioners as authorized by the Veterans' Benefits Act of 1992 (38 U.S.C. chapter 55): *Provided further*, That $12,000,000 previously transferred from ''Compensation and pensions'' to ''Medical facilities revolving fund'' shall be transferred to this heading.

READJUSTMENT BENEFITS

For the payment of readjustment and rehabilitation benefits to or on behalf of veterans as authorized by law (38 U.S.C. chapters 21, 30, 31, 34, 35, 36, 39, 51, 53, 55, and 61), $1,345,300,000, to remain available until expended: *Provided*, That funds shall be available to pay any court order, court award or any compromise settlement arising from litigation involving the vocational training program authorized by section 18 of Public Law 98–77, as amended.

VETERANS INSURANCE AND INDEMNITIES

For military and naval insurance, national service life insurance, servicemen's indemnities, service-disabled veterans insurance, and veterans mortgage life insurance as authorized by law (38 U.S.C. chapter 19; 70 Stat. 887; 72 Stat. 487), $24,890,000, to remain available until expended.

GUARANTY AND INDEMNITY PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For the cost of direct and guaranteed loans, such sums as may be necessary to carry out the purpose of the program, as authorized by 38 U.S.C. chapter 37, as amended: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended.

In addition, for administrative expenses to carry out the direct and guaranteed loan programs, $65,226,000, which may be transferred to and merged with the appropriation for ''General operating expenses''.

LOAN GUARANTY PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For the cost of direct and guaranteed loans, such sums as may be necessary to carry out the purpose of the program, as authorized by 38 U.S.C. chapter 37, as amended: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended.

In addition, for administrative expenses to carry out the direct and guaranteed loan programs, $52,138,000, which may be transferred to and merged with the appropriation for ''General operating expenses''.

DIRECT LOAN PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For the cost of direct loans, such sums as may be necessary to carry out the purpose of the program, as authorized by 38 U.S.C. chapter 37, as amended: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: *Provided further*, That during 1996, within the resources available, not to exceed $300,000 in gross obligations for direct loans are authorized for specially adapted housing loans (38 U.S.C. chapter 37).

In addition, for administrative expenses to carry out the direct loan program, $459,000, which may be transferred to and merged with the appropriation for ''General operating expenses''.

EDUCATION LOAN FUND PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For the cost of direct loans, $1,000, as authorized by 38 U.S.C. 3698, as amended: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: *Provided further*, That these funds are available to subsidize gross obligations for the principal amount of direct loans not to exceed $4,000.

In addition, for administrative expenses necessary to carry out the direct loan program, $195,000, which may be transferred to and merged with the appropriation for ''General operating expenses''.

VOCATIONAL REHABILITATION LOANS PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For the cost of direct loans, $54,000, as authorized by 38 U.S.C. chapter 31, as amended:

Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: *Provided further,* That these funds are available to subsidize gross obligations for the principal amount of direct loans not to exceed $1,964,000.

In addition, for administrative expenses necessary to carry out the direct loan program, $377,000, which may be transferred to and merged with the appropriation for ''General operating expenses''.

NATIVE AMERICAN VETERAN HOUSING LOAN PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For administrative expenses to carry out the direct loan program authorized by 38 U.S.C. chapter 37, subchapter V, as amended, $205,000, which may be transferred to and merged with the appropriation for ''General operating expenses''.

VETERANS HEALTH ADMINISTRATION

MEDICAL CARE

For necessary expenses for the maintenance and operation of hospitals, nursing homes, and domiciliary facilities; for furnishing, as authorized by law, inpatient and outpatient care and treatment to beneficiaries of the Department of Veterans Affairs, including care and treatment in facilities not under the jurisdiction of the Department of Veterans Affairs, and furnishing recreational facilities, supplies, and equipment; funeral, burial, and other expenses incidental thereto for beneficiaries receiving care in Department of Veterans Affairs facilities; administrative expenses in support of planning, design, project management, real property acquisition and disposition, construction and renovation of any facility under the jurisdiction or for the use of the Department of Veterans Affairs; oversight, engineering and architectural activities not charged to project cost; repairing, altering, improving or providing facilities in the several hospitals and homes under the jurisdiction of the Department of Veterans Affairs, not otherwise provided for, either by contract or by the hire of temporary employees and purchase of materials; uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901–5902); aid to State homes as authorized by law (38 U.S.C. 1741); and not to exceed $8,000,000 to fund cost comparison studies as referred to in 38 U.S.C. 8110(a)(5); $16,564,000,000, plus reimbursements: *Provided,* That of the funds made available under this heading, $789,000,000 is for the equipment and land and structures object classifications only, which amount shall not become available for obligation until August 1, 1996, and shall remain available for obligation until September 30, 1997.

MEDICAL AND PROSTHETIC RESEARCH

For necessary expenses in carrying out programs of medical and prosthetic research and development as authorized by law (38 U.S.C. chapter 73), to remain available until September 30, 1997, $257,000,000, plus reimbursements.

MEDICAL ADMINISTRATION AND MISCELLANEOUS OPERATING EXPENSES

For necessary expenses in the administration of the medical, hospital, nursing home, domiciliary, construction, supply, and research activities, as authorized by law; administrative expenses in support of planning, design, project management, architectural, engineering, real property acquisition and disposition, construction and renovation of any facility under the jurisdiction or for the use of the Department of Veterans Affairs, including site acquisition; engineering and architectural activities not charged to project cost; and research and development in building construction technology; $63,602,000, plus reimbursements.

TRANSITIONAL HOUSING LOAN PROGRAM

(INCLUDING TRANSFER OF FUNDS)

For the cost of direct loans, $7,000, as authorized by Public Law 102–54, section 8, which shall be transferred from the ''General post fund'': *Provided,* That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: *Provided further,* That these funds are available to subsidize gross obligations for the principal amount of direct loans not to exceed $70,000. In addition, for administrative expenses to carry out the direct loan program, $54,000, which shall be transferred from the ''General post fund'', as authorized by Public Law 102–54, section 8.

DEPARTMENTAL ADMINISTRATION

GENERAL OPERATING EXPENSES

For necessary operating expenses of the Department of Veterans Affairs, not otherwise provided for, including uniforms or allowances therefor, as authorized by law; not to exceed $25,000 for official reception and representation expenses; hire of passenger motor vehicles; and reimbursement of the General Services Administration for security guard services, and the Department of Defense for the cost of overseas employee mail; $848,143,000: *Provided,* That of the amount appropriated and any other funds made available from any other source for activities funded under this heading, except reimbursements, not to exceed $214,109,000 shall be available for General Administration; including not to exceed (1) $2,766,000 for personnel compensation and benefits and $50,000 for travel in the Office of the Secretary, (2) $4,397,000 for personnel compensation and benefits and $75,000 for travel in the Office of the Assistant Secretary for Policy and Planning, (3) $1,980,000 for personnel compensation and benefits and $33,000 for travel in the Office of the Assistant Secretary for Congressional Affairs, and (4) $3,740,000 for personnel compensation and benefits and $100,000 for travel in the Office of Assistant Secretary for Public and Intergovernmental Affairs: *Provided further,* That during fiscal year 1996, notwithstanding any other provision of law, the number of individuals employed by the Department of Veterans Affairs (1) in other than ''career appointee'' positions in the Senior Executive Service shall not exceed 6, and (2) in schedule C positions shall not exceed 11: *Provided further,* That not to exceed $6,000,000 of the amount appropriated shall be available for administrative expenses to carry out the direct and guaranteed loan programs under the Loan Guaranty Program Account: *Provided further,* That funds under this heading shall be available to administer the Service Members Occupational Conversion and Training Act: *Provided further,* That none of the funds under this heading may be obligated or expended for the acquisition of automated data processing equipment and services for Department of Veterans Affairs regional offices to support Stage III of the automated data equipment modernization program of the Veterans Benefits Administration.

NATIONAL CEMETERY SYSTEM

For necessary expenses for the maintenance and operation of the National Cemetery System not otherwise provided for, including uniforms or allowances therefor, as authorized by law; cemeterial expenses as authorized by law; purchase of three passenger motor vehicles, for use in cemeterial operations; and hire of passenger motor vehicles, $72,604,000.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, $30,900,000.

CONSTRUCTION, MAJOR PROJECTS

(INCLUDING TRANSFER OF FUNDS)

For constructing, altering, extending and improving any of the facilities under the jurisdiction or for the use of the Department of Veterans Affairs, or for any of the purposes set forth in sections 316, 2404, 2406, 8102, 8103, 8106, 8108, 8109, 8110, and 8122 of title 38, United States Code, including planning, architectural and engineering services, maintenance or guarantee period services costs associated with equipment guarantees provided under the project, services of claims analysts, offsite utility and storm drainage system construction costs, and site acquisition, where the estimated cost of a project is $3,000,000 or more or where funds for a project were made available in a previous major project appropriation, $136,155,000, to remain available until expended: *Provided,* That except for advance planning of projects funded through the advance planning fund and the design of projects funded through the design fund, none of these funds shall be used for any project which has not been considered and approved by the Congress in the budgetary process: *Provided further,* That funds provided in this appropriation for fiscal year 1996, for each approved project shall be obligated (1) by the awarding of a construction documents contract by September 30, 1996, and (2) by the awarding of a construction contract by September 30, 1997: *Provided further,* That the Secretary shall promptly report in writing to the Comptroller General and to the Committees on Appropriations any approved major construction project in which obligations are not incurred within the time limitations established above; and the Comptroller General shall review the report in accordance with the procedures established by section 1015 of the Impoundment Control Act of 1974 (title X of Public Law 93–344): *Provided further,* That no funds from any other account except the ''Parking revolving fund'', may be obligated for constructing, altering, extending, or improving a project which was approved in the budget process and funded in this account until one year after substantial completion and beneficial occupancy by the Department of Veterans Affairs of the project or any part thereof with respect to that part only: *Provided further,* That of the funds made available under this heading in Public Law 103–327, $7,000,000 shall be transferred to the ''Parking revolving fund''.

CONSTRUCTION, MINOR PROJECTS

For constructing, altering, extending, and improving any of the facilities under the jurisdiction or for the use of the Department of Veterans Affairs, including planning, architectural and engineering services, maintenance or guarantee period services costs associated with equipment guarantees provided under the project, services of claims analysts, offsite utility and storm drainage system construction costs, and site acquisition, or for any of the purposes set forth in sections 316, 2404, 2406, 8102, 8103, 8106, 8108, 8109, 8110, and 8122 of title 38, United States Code, where the estimated cost of a project is less than $3,000,000, $190,000,000, to remain available until expended, along with unobligated balances of previous ''Construction, minor projects'' appropriations which are hereby made available for any project where the estimated cost is less than $3,000,000: *Provided,* That funds in this account shall be available for (1) repairs to any of the nonmedical facilities under the jurisdiction or for the use of the Department of Veterans Affairs which are necessary because of loss or damage caused by any natural disaster or catastrophe, and (2) temporary measures

necessary to prevent or to minimize further loss by such causes.

PARKING REVOLVING FUND

For the parking revolving fund as authorized by law (38 U.S.C. 8109), income from fees collected, to remain available until expended. Resources of this fund shall be available for all expenses authorized by 38 U.S.C. 8109 except operations and maintenance costs which will be funded from ''Medical care''.

GRANTS FOR CONSTRUCTION OF STATE EXTENDED CARE FACILITIES

For grants to assist the several States to acquire or construct State nursing home and domiciliary facilities and to remodel, modify or alter existing hospital, nursing home and domiciliary facilities in State homes, for furnishing care to veterans as authorized by law (38 U.S.C. 8131–8137), $47,397,000, to remain available until expended.

GRANTS FOR THE CONSTRUCTION OF STATE VETERANS CEMETERIES

For grants to aid States in establishing, expanding, or improving State veteran cemeteries as authorized by law (38 U.S.C. 2408), $1,000,000, to remain available until September 30, 1998.

ADMINISTRATIVE PROVISIONS

(INCLUDING TRANSFER OF FUNDS)

SEC. 101. Any appropriation for 1996 for ''Compensation and pensions'', ''Readjustment benefits'', and ''Veterans insurance and indemnities'' may be transferred to any other of the mentioned appropriations.

SEC. 102. Appropriations available to the Department of Veterans Affairs for 1996 for salaries and expenses shall be available for services as authorized by 5 U.S.C. 3109.

SEC. 103. No part of the appropriations in this Act for the Department of Veterans Affairs (except the appropriations for ''Construction, major projects'', ''Construction, minor projects'', and the ''Parking revolving fund'') shall be available for the purchase of any site for or toward the construction of any new hospital or home.

SEC. 104. No part of the foregoing appropriations shall be available for hospitalization or examination of any persons except beneficiaries entitled under the laws bestowing such benefits to veterans, unless reimbursement of cost is made to the appropriation at such rates as may be fixed by the Secretary of Veterans Affairs.

SEC. 105. Appropriations available to the Department of Veterans Affairs for fiscal year 1996 for ''Compensation and pensions'', ''Readjustment benefits'', and ''Veterans insurance and indemnities'' shall be available for payment of prior year accrued obligations required to be recorded by law against the corresponding prior year accounts within the last quarter of fiscal year 1995.

SEC. 106. Appropriations accounts available to the Department of Veterans Affairs for fiscal year 1996 shall be available to pay prior year obligations of corresponding prior year appropriations accounts resulting from title X of the Competitive Equality Banking Act, Public Law 100–86, except that if such obligations are from trust fund accounts they shall be payable from ''Compensation and pensions''.

SEC. 107. Notwithstanding any other provision of law, the Secretary of Veterans Affairs is authorized to transfer, without compensation or reimbursement, the jurisdiction and control of a parcel of land consisting of approximately 6.3 acres, located on the south edge of the Department of Veterans Affairs Medical and Regional Office Center, Wichita, Kansas, including buildings Nos. 8 and 30 and other improvements thereon, to the Secretary of Transportation for the purpose of expanding and modernizing United States Highway 54: *Provided,* That if necessary, the exact acreage and legal description of the real property transferred shall be determined by a survey satisfactory to the Secretary of Veterans Affairs and the Secretary of Transportation shall bear the cost of such survey: *Provided further,* That the Secretary of Transportation shall be responsible for all costs associated with the transferred land and improvements thereon, and compliance with all existing statutes and regulations: *Provided further,* That the Secretary of Veterans Affairs and the Secretary of Transportation may require such additional terms and conditions as each Secretary considers appropriate to effectuate this transfer of land.

TITLE II

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

HOUSING PROGRAMS

ANNUAL CONTRIBUTIONS FOR ASSISTED HOUSING

For assistance under the United States Housing Act of 1937, as amended (''the Act'' herein) (42 U.S.C. 1437), not otherwise provided for, $10,155,795,000, to remain available until expended: *Provided,* That of the total amount provided under this head, $160,000,000 shall be for the development or acquisition cost of public housing for Indian families, including amounts for housing under the mutual help homeownership opportunity program under section 202 of the Act (42 U.S.C. 1437bb): *Provided further,* That of the total amount provided under this head, $2,500,000,000 shall be for modernization of existing public housing projects pursuant to section 14 of the Act (42 U.S.C. 1437l), including up to $20,000,000 for the inspection of public housing units, contract expertise, and training and technical assistance, directly or indirectly, under grants, contracts, or cooperative agreements, to assist in the oversight and management of public and Indian housing (whether or not the housing is being modernized with assistance under this proviso) or tenant-based assistance, including, but not limited to, an annual resident survey, data collection and analysis, training and technical assistance by or to officials and employees of the Department and of public housing agencies and to residents in connection with the public and Indian housing program: *Provided further,* That of the total amount provided under this head, $400,000,000 shall be for rental subsidy contracts under the section 8 existing housing certificate program and the housing voucher program under section 8 of the Act, except that such amounts shall be used only for units necessary to provide housing assistance for residents to be relocated from existing federally subsidized or assisted housing, for replacement housing for units demolished or disposed of (including units to be disposed of pursuant to a homeownership program under section 5(h) or title III of the United States Housing Act of 1937) from the public housing inventory, for funds related to litigation settlements, for the conversion of section 23 projects to assistance under section 8, for public housing agencies to implement allocation plans approved by the Secretary for designated housing, for funds to carry out the family unification program, and for the relocation of witnesses in connection with efforts to combat crime in public and assisted housing pursuant to a request from a law enforcement or prosecution agency: *Provided further,* That of the total amount provided under this head, $4,350,862,000 shall be for assistance under the United States Housing Act of 1937 (42 U.S.C. 1437) for use in connection with expiring or terminating section 8 subsidy contracts, such amounts shall be merged with all remaining obligated and unobligated balances heretofore appropriated under the heading ''Renewal of expiring section 8 subsidy contracts'': *Provided further,* That notwithstanding any other provision of law, assistance reserved under the two preceding provisos may be used in connection with any provision of Federal law enacted in this Act or after the enactment of this Act that authorizes the use of rental assistance amounts in connection with such terminated or expired contracts: *Provided further,* That the Secretary may determine not to apply section 8(o)(6)(B) of the Act to housing vouchers during fiscal year 1996: *Provided further,* That of the total amount provided under this head, $610,575,000 shall be for amendments to section 8 contracts other than contracts for projects developed under section 202 of the Housing Act of 1959, as amended; and $261,000,000 shall be for section 8 assistance and rehabilitation grants for property disposition: *Provided further,* That 50 per centum of the amounts of budget authority, or in lieu thereof 50 per centum of the cash amounts associated with such budget authority, that are recaptured from projects described in section 1012(a) of the Stewart B. McKinney Homeless Assistance Amendments Act of 1988 (Public Law 100–628, 102 Stat. 3224, 3268) shall be rescinded, or in the case of cash, shall be remitted to the Treasury, and such amounts of budget authority or cash recaptured and not rescinded or remitted to the Treasury shall be used by State housing finance agencies or local governments or local housing agencies with projects approved by the Secretary of Housing and Urban Development for which settlement occurred after January 1, 1992, in accordance with such section: *Provided further,* That of the total amount provided under this head, $171,000,000 shall be for housing opportunities for persons with AIDS under title VIII, subtitle D of the Cranston-Gonzalez National Affordable Housing Act; and $65,000,000 shall be for the lead-based paint hazard reduction program as authorized under sections 1011 and 1053 of the Residential Lead-Based Hazard Reduction Act of 1992: *Provided further,* That the Secretary may make up to $5,000,000 of any amount recaptured in this account available for the development of performance and financial systems.

Of the total amount provided under this head, $624,000,000, plus amounts recaptured from interest reduction payment contracts for section 236 projects whose owners prepay their mortgages during fiscal year 1996 (which amounts shall be transferred and merged with this account), shall be for use in conjunction with properties that are eligible for assistance under the Low Income Housing Preservation and Resident Homeownership Act of 1990 (LIHPRHA) or the Emergency Low-Income Housing Preservation Act of 1987 (ELIHPA): *Provided,* That prior to July 1, 1996, funding to carry out plans of action shall be limited to sales of projects to non-profit organizations, tenant-sponsored organizations, and other priority purchasers: *Provided further,* That of the amount made available by this paragraph, up to $10,000,000 shall be available for preservation technical assistance grants pursuant to section 253 of the Housing and Community Development Act of 1987, as amended: *Provided further,* That with respect to amounts made available by this paragraph, after July 1, 1996, if the Secretary determines that the demand for funding may exceed amounts available for such funding, the Secretary (1) may determine priorities for distributing available funds, including giving priority funding to tenants displaced due to mortgage prepayment and to projects that have not yet been

funded but which have approved plans of action; and (2) may impose a temporary moratorium on applications by potential recipients of such funding: *Provided further,* That an owner of eligible low-income housing may prepay the mortgage or request voluntary terminaton of a mortgage insurance contract, so long as said owner agrees not to raise rents for sixty days after such prepayment: *Provided further,* That an owner of eligible low-income housing who has not timely filed a second notice under section 216(d) prior to the effective date of this Act may file such notice by March 1, 1996: *Provided further,* That such developments have been determined to have preservation equity at least equal to the lesser of $5,000 per unit or $500,000 per project or the equivalent of eight times the most recently published fair market rent for the area in which the project is located as the appropriate unit size for all of the units in the eligible project: *Provided further,* That the Secretary may modify the regulatory agreement to permit owners and priority purchasers to retain rental income in excess of the basic rental charge in projects assisted under section 236 of the National Housing Act, for the purpose of preserving the low and moderate income character of the housing: *Provided further,* That the Secretary may give priority to funding and processing the following projects provided that the funding is obligated not later than August 1, 1996: (1) projects with approved plans of action to retain the housing that file a modified plan of action no later than July 1, 1996 to transfer the housing; (2) projects with approved plans of action that are subject to a repayment or settlement agreement that was executed between the owner and the Secretary prior to September 1, 1995; (3) projects for which submissions were delayed as a result of their location in areas that were designated as a Federal disaster area in a Presidential Disaster Declaration; and (4) projects whose processing was, in fact or in practical effect, suspended, deferred, or interrupted for a period of twelve months or more because of differing interpretations, by the Secretary and an owner or by the Secretary and a State or local rent regulatory agency, concerning the timing of filing eligibility or the effect of a presumptively applicable State or local rent control law or regulation on the determination of preservation value under section 213 of LIHPRHA, as amended, if the owner of such project filed notice of intent to extend the low-income affordability restrictions of the housing, or transfer to a qualified purchaser who would extend such restrictions, on or before November 1, 1993: *Provided further,* That eligible low-income housing shall include properties meeting the requirements of this paragraph with mortgages that are held by a State agency as a result of a sale by the Secretary without insurance, which immediately before the sale would have been eligible low-income housing under LIHPRHA: *Provided further,* That notwithstanding any other provision of law, subject to the availability of appropriated funds, each unassisted low-income family residing in the housing on the date of prepayment or voluntary termination, and whose rent, as a result of a rent increase occurring no later than one year after the date of the prepayment, exceeds 30 percent of adjusted income, shall be offered tenant-based assistance in accordance with section 8 or any successor program, under which the family shall pay no less for rent than it paid on such date: *Provided further,* That any family receiving tenant-based assistance under the preceding proviso may elect (1) to remain in the unit of the housing and if the rent exceeds the fair market rent or payment standard, as applicable, the rent shall be deemed to be the applicable standard, so long as the administering public housing agency finds that the rent is reasonable in comparison with rents charged for comparable unassisted housing units in the market or (2) to move from the housing and the rent will be subject to the fair market rent of the payment standard, as applicable, under existing program rules and procedures: *Provided further,* That up to $10,000,000 of the amount made available by this paragraph may be used at the discretion of the Secretary to reimburse owners of eligible properties for which plans of action were submitted prior to the effective date of this Act, but were not executed for lack of available funds, with such reimbursement available only for documented costs directly applicable to the preparation of the plan of action as determined by the Secretary, and shall be made available on terms and conditions to be established by the Secretary: *Provided further,* That, notwithstanding any other provision of law, effective October 1, 1996, the Secretary shall suspend further processing of preservation applications which do not have approved plans of action.

Of the total amount provided under this head, $780,190,000 shall be for capital advances, including amendments to capital advance contracts, for housing for the elderly, as authorized by section 202 of the Housing Act of 1959, as amended, and for project rental assistance, and amendments to contracts for project rental assistance, for supportive housing for the elderly under section 202(c)(2) of the Housing Act of 1959; and $233,168,000 shall be for capital advances, including amendments to capital advance contracts, for supportive housing for persons with disabilities, as authorized by section 811 of the Cranston-Gonzalez National Affordable Housing Act; and for project rental assistance, and amendments to contracts for project rental assistance, for supportive housing for persons with disabilities as authorized by section 811 of the Cranston-Gonzalez National Affordable Housing Act: *Provided,* That the Secretary may designate up to 25 percent of the amounts earmarked under this paragraph for section 811 of the Cranston-Gonzalez National Affordable Housing Act for tenant-based assistance, as authorized under that section, which assistance is five-years in duration: *Provided further,* That the Secretary may waive any provision of section 202 of the Housing Act of 1959 and section 811 of the National Affordable Housing Act (including the provisions governing the terms and conditions of project rental assistance) that the Secretary determines is not necessary to achieve the objectives of these programs, or that otherwise impedes the ability to develop, operate or administer projects assisted under these programs, and may make provision for alternative conditions or terms where appropriate.

PUBLIC HOUSING DEMOLITION, SITE REVITALIZATION, AND REPLACEMENT HOUSING GRANTS

For grants to public housing agencies for the purposes of enabling the demolition of obsolete public housing projects or portions thereof, the revitalization (where appropriate) of sites (including remaining public housing units) on which such projects are located, replacement housing which will avoid or lessen concentrations of very low-income families, and tenant-based assistance in accordance with section 8 of the United States Housing Act of 1937 for the purpose of providing replacement housing and assisting tenants to be displaced by the demolition, $280,000,000, to remain available until expended: *Provided,* That the Secretary of Housing and Urban Development shall award such funds to public housing agencies by a competition which includes among other relevant criteria the local and national impact of the proposed demolition and revitalization activities and the extent to which the public housing agency could undertake such activities without the additional assistance to be provided hereunder: *Provided further,* That eligible expenditures hereunder shall be those expenditures eligible under section 8 and section 14 of the United States Housing Act of 1937 (42 U.S.C. 1437f and l): *Provided further,* That the Secretary may impose such conditions and requirements as the Secretary deems appropriate to effectuate the purposes of this paragraph: *Provided further,* That the Secretary may require an agency selected to receive funding to make arrangements satisfactory to the Secretary for use of an entity other than the agency to carry out this program where the Secretary determines that such action will help to effectuate the purpose of this paragraph: *Provided further,* That in the event an agency selected to receive funding does not proceed expeditiously as determined by the Secretary, the Secretary shall withdraw any funding made available pursuant to this paragraph that has not been obligated by the agency and distribute such funds to one or more other eligible agencies, or to other entities capable of proceeding expeditiously in the same locality with the original program: *Provided further,* That of the foregoing $280,000,000, the Secretary may use up to .67 per centum for technical assistance, to be provided directly or indirectly by grants, contracts or cooperative agreements, including training and cost of necessary travel for participants in such training, by or to officials and employees of the Department and of public housing agencies and to residents: *Provided further,* That any replacement housing provided with assistance under this head shall be subject to section 18(f) of the United States Housing Act of 1937, as amended by section 201(b)(2) of this Act.

FLEXIBLE SUBSIDY FUND

(INCLUDING TRANSFER OF FUNDS)

From the fund established by section 236(g) of the National Housing Act, as amended, all uncommitted balances of excess rental charges as of September 30, 1995, and any collections during fiscal year 1996 shall be transferred, as authorized under such section, to the fund authorized under section 201(j) of the Housing and Community Development Amendments of 1978, as amended.

RENTAL HOUSING ASSISTANCE

(RESCISSION)

The limitation otherwise applicable to the maximum payments that may be required in any fiscal year by all contracts entered into under section 236 of the National Housing Act (12 U.S.C. 1715z–1) is reduced in fiscal year 1996 by not more than $2,000,000 in uncommitted balances of authorizations provided for this purpose in appropriations Acts: *Provided,* That up to $163,000,000 of recaptured section 236 budget authority resulting from the prepayment of mortgages subsidized under section 236 of the National Housing Act (12 U.S.C. 1715z–1) shall be rescinded in fiscal year 1996.

PAYMENTS FOR OPERATION OF LOW-INCOME HOUSING PROJECTS

For payments to public housing agencies and Indian housing authorities for operating subsidies for low-income housing projects as authorized by section 9 of the United States Housing Act of 1937, as amended (42 U.S.C. 1437g), $2,800,000,000.

DRUG ELIMINATION GRANTS FOR LOW-INCOME HOUSING

For grants to public and Indian housing agencies for use in eliminating crime in public housing projects authorized by 42 U.S.C. 11901–11908, for grants for federally assisted

low-income housing authorized by 42 U.S.C. 11909, and for drug information clearinghouse services authorized by 42 U.S.C. 11921–11925, $290,000,000, to remain available until expended, of which $10,000,000 shall be for grants, technical assistance, contracts and other assistance training, program assessment, and execution for or on behalf of public housing agencies and resident organizations (including the cost of necessary travel for participants in such training) and of which $2,500,000 shall be used in connection with efforts to combat violent crime in public and assisted housing under the Operation Safe Home program administered by the Inspector General of the Department of Housing and Urban Development: *Provided,* That the term ''drug-related crime'', as defined in 42 U.S.C. 11905(2), shall also include other types of crime as determined by the Secretary.

HOME INVESTMENT PARTNERSHIPS PROGRAM

For the HOME investment partnerships program, as authorized under title II of the Cranston-Gonzalez National Affordable Housing Act (Public Law 101–625), as amended, $1,400,000,000, to remain available until expended.

INDIAN HOUSING LOAN GUARANTEE FUND PROGRAM ACCOUNT

For the cost of guaranteed loans, $3,000,000, as authorized by section 184 of the Housing and Community Development Act of 1992 (106 Stat. 3739): *Provided,* That such costs, including the costs of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: *Provided further,* That these funds are available to subsidize total loan principal, any part of which is to be guaranteed, not to exceed $36,900,000.

HOMELESS ASSISTANCE

HOMELESS ASSISTANCE GRANTS

For the emergency shelter grants program (as authorized under subtitle B of title IV of the Stewart B. McKinney Homeless Assistance Act (Public Law 100–77), as amended); the supportive housing program (as authorized under subtitle C of title IV of such Act); the section 8 moderate rehabilitation single room occupancy program (as authorized under the United States Housing Act of 1937, as amended) to assist homeless individuals pursuant to section 441 of the Stewart B. McKinney Homeless Assistance Act; and the shelter plus care program (as authorized under subtitle F of title IV of such Act), $823,000,000, to remain available until expended.

COMMUNITY PLANNING AND DEVELOPMENT

COMMUNITY DEVELOPMENT GRANTS

(INCLUDING TRANSFER OF FUNDS)

For grants to States and units of general local government and for related expenses, not otherwise provided for, necessary for carrying out a community development grants program as authorized by title I of the Housing and Community Development Act of 1974, as amended (42 U.S.C. 5301), $4,600,000,000, to remain available until September 30, 1998: *Provided,* That $50,000,000 shall be available for grants to Indian tribes pursuant to section 106(a)(1) of the Housing and Community Development Act of 1974, as amended (42 U.S.C. 5301), $2,000,000 shall be available as a grant to the Housing Assistance Council, $1,000,000 shall be available as a grant to the National American Indian Housing Council, and $27,000,000 shall be available for ''special purpose grants'' pursuant to section 107 of such Act: *Provided further,* That not to exceed 20 per centum of any grant made with funds appropriated herein (other than a grant made available under the preceding proviso to the Housing Assistance Council or the National American Indian Housing Council, or a grant using funds under section 107(b)(3) of the Housing and Community Development Act of 1974) shall be expended for ''Planning and Management Development'' and ''Administration'' as defined in regulations promulgated by the Department of Housing and Urban Development: *Provided further,* That section 105(a)(25) of such Act, as added by section 907(b)(1) of the Cranston-Gonzalez National Affordable Housing Act, shall continue to be effective after September 30, 1995, notwithstanding section 907(b)(2) of such Act: *Provided further,* That section 916 of the Cranston-Gonzalez National Affordable Housing Act shall apply with respect to fiscal year 1996, notwithstanding section 916(f) of that Act.

Of the amount provided under this heading, the Secretary of Housing and Urban Development may use up to $53,000,000 for grants to public housing agencies (including Indian housing authorities), nonprofit corporations, and other appropriate entities for a supportive services program to assist residents of public and assisted housing, former residents of such housing receiving tenant-based assistance under section 8 of such Act (42 U.S.C. 1437f), and other low-income families and individuals to become self-sufficient: *Provided,* That the program shall provide supportive services, principally for the benefit of public housing residents, to the elderly and the disabled, and to families with children where the head of the household would benefit from the receipt of supportive services and is working, seeking work, or is preparing for work by participating in job training or educational programs: *Provided further,* That the supportive services shall include congregate services for the elderly and disabled, service coordinators, and coordinated educational, training, and other supportive services, including academic skills training, job search assistance, assistance related to retaining employment, vocational and entrepreneurship development and support programs, transportation, and child care: *Provided further,* That the Secretary shall require applicants to demonstrate firm commitments of funding or services from other sources: *Provided further,* That the Secretary shall select public and Indian housing agencies to receive assistance under this head on a competitive basis, taking into account the quality of the proposed program (including any innovative approaches), the extent of the proposed coordination of supportive services, the extent of commitments of funding or services from other sources, the extent to which the proposed program includes reasonably achievable, quantifiable goals for measuring performance under the program over a three-year period, the extent of success an agency has had in carrying out other comparable initiatives, and other appropriate criteria established by the Secretary.

Of the amount made available under this heading, notwithstanding any other provision of law, $12,000,000 shall be available for contracts, grants, and other assistance, other than loans, not otherwise provided for, for providing counseling and advice to tenants and homeowners both current and prospective, with respect to property maintenance, financial management, and such other matters as may be appropriate to assist them in improving their housing conditions and meeting the responsibilities of tenancy or homeownership, including provisions for training and for support of voluntary agencies and services as authorized by section 106 of the Housing and Urban Development Act of 1968, as amended, notwithstanding section 106(c)(9) and section 106(d)(13) of such Act.

Of the amount made available under this heading, notwithstanding any other provision of law, $15,000,000 shall be available for the tenant opportunity program.

Of the amount made available under this heading, notwithstanding any other provision of law, $20,000,000 shall be available for youthbuild program activities authorized by subtitle D of title IV of the Cranston-Gonzalez National Affordable Housing Act, as amended, and such activities shall be an eligible activity with respect to any funds made available under this heading.

For the cost of guaranteed loans, $31,750,000, as authorized by section 108 of the Housing and Community Development Act of 1974: *Provided,* That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: *Provided further,* That these funds are available to subsidize total loan principal, any part of which is to be guaranteed, not to exceed $1,500,000,000: *Provided further,* That the Secretary of Housing and Urban Development may make guarantees not to exceed the immediately foregoing amount notwithstanding the aggregate limitation on guarantees set forth in section 108(k) of the Housing and Community Development Act of 1974. In addition, for administrative expenses to carry out the guaranteed loan program, $675,000 which shall be transferred to and merged with the appropriation for departmental salaries and expenses.

The amount made available for fiscal year 1995 for a special purpose grant for the renovation of the central terminal in Buffalo, New York, shall be made available for the central terminal and for other public facilities in Buffalo, New York.

POLICY DEVELOPMENT AND RESEARCH

RESEARCH AND TECHNOLOGY

For contracts, grants, and necessary expenses of programs of research and studies relating to housing and urban problems, not otherwise provided for, as authorized by title V of the Housing and Urban Development Act of 1970, as amended (12 U.S.C. 1701z–1 et seq.), including carrying out the functions of the Secretary under section 1(a)(1)(i) of Reorganization Plan No. 2 of 1968, $34,000,000, to remain available until September 30, 1997.

FAIR HOUSING AND EQUAL OPPORTUNITY

FAIR HOUSING ACTIVITIES

For contracts, grants, and other assistance, not otherwise provided for, as authorized by title VIII of the Civil Rights Act of 1968, as amended by the Fair Housing Amendments Act of 1988, and for contracts with qualified fair housing enforcement organizations, as authorized by section 561 of the Housing and Community Development Act of 1987, as amended by the Housing and Community Development Act of 1992, $30,000,000, to remain available until September 30, 1997.

MANAGEMENT AND ADMINISTRATION

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For necessary administrative and nonadministrative expenses of the Department of Housing and Urban Development, not otherwise provided for, including not to exceed $7,000 for official reception and representation expenses, $962,558,000, of which $532,782,000 shall be provided from the various funds of the Federal Housing Administration, and $9,101,000 shall be provided from funds of the Government National Mortgage Association, and $675,000 shall be provided from the Community Development Grants Program account.

OFFICE OF INSPECTOR GENERAL

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as

amended, $47,850,000, of which $11,283,000 shall be transferred from the various funds of the Federal Housing Administration.

OFFICE OF FEDERAL HOUSING ENTERPRISE OVERSIGHT

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For carrying out the Federal Housing Enterprise Financial Safety and Soundness Act of 1992, $14,895,000, to remain available until expended, from the Federal Housing Enterprise Oversight Fund: *Provided,* That such amounts shall be collected by the Director as authorized by section 1316 (a) and (b) of such Act, and deposited in the Fund under section 1316(f) of such Act.

FEDERAL HOUSING ADMINISTRATION

FHA—MUTUAL MORTGAGE INSURANCE PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

During fiscal year 1996, commitments to guarantee loans to carry out the purposes of section 203(b) of the National Housing Act, as amended, shall not exceed a loan principal of $110,000,000,000: *Provided,* That during fiscal year 1996, the Secretary shall sell assigned mortgage notes having an unpaid principal balance of up to $4,000,000,000, which notes were originally insured under section 203(b) of the National Housing Act: *Provided further,* That the Secretary may use any negative subsidy amounts from the sale of such assigned mortgage notes during fiscal year 1996 for the disposition of properties or notes under this heading.

During fiscal year 1996, obligations to make direct loans to carry out the purposes of section 204(g) of the National Housing Act, as amended, shall not exceed $200,000,000: *Provided,* That the foregoing amount shall be for loans to nonprofit and governmental entities in connection with sales of single family real properties owned by the Secretary and formerly insured under section 203 of such Act.

For administrative expenses necessary to carry out the guaranteed and direct loan program, $341,595,000, to be derived from the FHA-mutual mortgage insurance guaranteed loans receipt account, of which not to exceed $334,483,000 shall be transferred to the appropriation for departmental salaries and expenses; and of which not to exceed $7,112,000 shall be transferred to the appropriation for the Office of Inspector General.

FHA—GENERAL AND SPECIAL RISK PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For the cost of guaranteed loans, as authorized by sections 238 and 519 of the National Housing Act (12 U.S.C. 1715z–3 and 1735c), including the cost of modifying such loans, $85,000,000, to remain available until expended: *Provided,* That such costs shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: *Provided further,* That these funds are available to subsidize total loan principal any part of which is to be guaranteed of not to exceed $17,400,000,000: *Provided further,* That during fiscal year 1996, the Secretary shall sell assigned notes having an unpaid principal balance of up to $4,000,000,000, which notes were originally obligations of the funds established under sections 238 and 519 of the National Housing Act: *Provided further,* That the Secretary may use any negative subsidy amounts from the sale of such assigned mortgage notes during fiscal year 1996, in addition to amounts otherwise provided, for the disposition of properties or notes under this heading (including the credit subsidy for the guarantee of loans or the reduction of positive credit subsidy amounts that would otherwise be required for the sale of such properties or notes), and for any other purpose under this heading: *Provided further,* That any amounts made available in any prior appropriation Act for the cost (as such term is defined in section 502 of the Congressional Budget Act of 1974) of guaranteed loans that are obligations of the funds established under section 238 or 519 of the National Housing Act that have not been obligated or that are deobligated shall be available to the Secretary of Housing and Urban Development in connection with the making of such guarantees and shall remain available until expended, notwithstanding the expiration of any period of availability otherwise applicable to such amounts.

Gross obligations for the principal amount of direct loans, as authorized by sections 204(g), 207(l), 238(a), and 519(a) of the National Housing Act, shall not exceed $120,000,000; of which not to exceed $100,000,000 shall be for bridge financing in connection with the sale of multifamily real properties owned by the Secretary and formerly insured under such Act; and of which not to exceed $20,000,000 shall be for loans to nonprofit and governmental entities in connection with the sale of single-family real properties owned by the Secretary and formerly insured under such Act.

In addition, for administrative expenses necessary to carry out the guaranteed and direct loan programs, $202,470,000, of which $198,299,000 shall be transferred to the appropriation for departmental salaries and expenses; and of which $4,171,000 shall be transferred to the appropriation for the Office of Inspector General.

GOVERNMENT NATIONAL MORTGAGE ASSOCIATION

GUARANTEES OF MORTGAGE-BACKED SECURITIES LOAN GUARANTEE PROGRAM ACCOUNT

(INCLUDES TRANSFER OF FUNDS)

During fiscal year 1996, new commitments to issue guarantees to carry out the purposes of section 306 of the National Housing Act, as amended (12 U.S.C. 1721(g)), shall not exceed $110,000,000,000.

For administrative expenses necessary to carry out the guaranteed mortgage-backed securities program, $9,101,000, to be derived from the GNMA—guarantees of mortgage-backed securities guaranteed loan receipt account, of which not to exceed $9,101,000 shall be transferred to the appropriation for departmental salaries and expenses.

ADMINISTRATIVE PROVISIONS

(INCLUDING TRANSFER OF FUNDS)

EXTEND ADMINISTRATIVE PROVISIONS FROM THE RESCISSION ACT

SEC. 201. (a) PUBLIC AND INDIAN HOUSING MODERNIZATION.—

(1) EXPANSION OF USE OF MODERNIZATION FUNDING.—Subsection 14(q) of the United States Housing Act of 1937 is amended to read as follows:

''(q)(1) In addition to the purposes enumerated in subsections (a) and (b), a public housing agency may use modernization assistance provided under section 14, and development assistance provided under section 5(a) that was not allocated, as determined by the Secretary, for priority replacement housing, for any eligible activity authorized by this section, by section 5, or by applicable Appropriations Acts for a public housing agency, including the demolition, rehabilitation, revitalization, and replacement of existing units and projects and, for up to 10 percent of its allocation of such funds in any fiscal year, for any operating subsidy purpose authorized in section 9. Except for assistance used for operating subsidy purposes under the preceding sentence, assistance provided to a public housing agency under this section shall principally be used for the physical improvement or replacement of public housing and for associated management improvements, except as otherwise approved by the Secretary. Public housing units assisted under this paragraph shall be eligible for operating subsidies, unless the Secretary determines that such units or projects have not received sufficient assistance under this Act or do not meet other requirements of this Act.

''(2) A public housing agency may provide assistance to developments that include units for other than very low-income families ('mixed income developments'), in the form of a grant, loan, operating assistance, or other form of investment which may be made to—

''(A) a partnership, a limited liability company, or other legal entity in which the public housing agency or its affiliate is a general partner, managing member, or otherwise participates in the activities of such entity; or

''(B) any entity which grants to the public housing agency the option to purchase the development within 20 years after initial occupancy in accordance with section 42(i)(7) of the Internal Revenue Code of 1986, as amended. Units shall be made available in such developments for periods of not less than 20 years, by master contract or by individual lease, for occupancy by low-income families referred from time to time by the public housing agency. The number of such units shall be:

''(i) in the same proportion to the total number of units in such development that the total financial commitment provided by the public housing agency bears to the value of the total financial commitment in the development, or

''(ii) not be less than the number of units that could have been developed under the conventional public housing program with the assistance involved, or

''(iii) as may otherwise be approved by the Secretary.

''(3) A mixed income development may elect to have all units subject only to the applicable local real estate taxes, notwithstanding that the low-income units assisted by public housing funds would otherwise be subject to section 6(d) of the Housing Act of 1937.

''(4) If an entity that owns or operates a mixed-income project under this subsection enters into a contract with a public housing agency, the terms of which obligate the entity to operate and maintain a specified number of units in the project as public housing units in accordance with the requirements of this Act for the period required by law, such contractual terms may provide that, if, as a result of a reduction in appropriations under section 9, or any other change in applicable law, the public housing agency is unable to fulfill its contractual obligations with respect to those public housing units, that entity may deviate, under procedures and requirements developed through regulations by the Secretary, from otherwise applicable restrictions under this Act regarding rents, income eligibility, and other areas of public housing management with respect to a portion or all of those public housing units, to the extent necessary to preserve the viability of those units while maintaining the low-income character of the units, to the maximum extent practicable.''.

(2) APPLICABILITY.—Section 14(q) of the United States Housing Act of 1937, as amended by subsection (a) of this section, shall be effective only with respect to assistance provided from funds made available for fiscal year 1996 or any preceding fiscal year.

(3) APPLICABILITY TO IHAS.—In accordance with section 201(b)(2) of the United States Housing Act of 1937, the amendment made by

this subsection shall apply to public housing developed or operated pursuant to a contract between the Secretary of Housing and Urban Development and an Indian housing authority.

(b) ONE-FOR-ONE REPLACEMENT OF PUBLIC AND INDIAN HOUSING.—

(1) EXTENDED AUTHORITY.—Section 1002(d) of Public Law 104–19 is amended to read as follows:

''(d) Subsections (a), (b), and (c) shall be effective for applications for the demolition, disposition, or conversion to homeownership of public housing approved by the Secretary, and other consolidation and relocation activities of public housing agencies undertaken, on, before, or after September 30, 1995 and before September 30, 1996.''.

(2) Section 18(f) of the United States Housing Act of 1937 is amended by adding at the end the following new sentence:

''No one may rely on the preceding sentence as the basis for reconsidering a final order of a court issued, or a settlement approved by, a court.''.

(3) APPLICABILITY.—In accordance with section 201(b)(2) of the United States Housing Act of 1937, the amendments made by this subsection and by sections 1002 (a), (b), and (c) of Public Law 104–19 shall apply to public housing developed or operated pursuant to a contract between the Secretary of Housing and Urban Development and an Indian housing authority.

CONVERSION OF CERTAIN PUBLIC HOUSING TO VOUCHERS

SEC. 202. (a) IDENTIFICATION OF UNITS.—Each public housing agency shall identify any public housing developments—

(1) that are on the same or contiguous sites;

(2) that total more than—

(A) 300 dwelling units; or

(B) in the case of high-rise family buildings or substantially vacant buildings; 300 dwelling units;

(3) that have a vacancy rate of at least 10 percent for dwelling units not in funded, on schedule modernization programs;

(4) identified as distressed housing that the public housing agency cannot assure the long-term viability as public housing through reasonable revitalization, density reduction, or achievement of a broader range of household income; and

(5) for which the estimated cost of continued operation and modernization of the developments as public housing exceeds the cost of providing tenant-based assistance under section 8 of the United States Housing Act of 1937 for all families in occupancy, based on appropriate indicators of cost (such as the percentage of total development cost required for modernization).

(b) IMPLEMENTATION AND ENFORCEMENT.—

(1) STANDARDS FOR IMPLEMENTATION.—The Secretary shall establish standards to permit implementation of this section in fiscal year 1996.

(2) CONSULTATION.—Each public housing agency shall consult with the applicable public housing tenants and the unit of general local government in identifying any public housing developments under subsection (a).

(3) FAILURE OF PHAS TO COMPLY WITH SUBSECTION (a).—Where the Secretary determines that—

(A) a public housing agency has failed under subsection (a) to identify public housing developments for removal from the inventory of the agency in a timely manner;

(B) a public housing agency has failed to identify one or more public housing developments which the Secretary determines should have been identified under subsection (a); or

(C) one or more of the developments identified by the public housing agency pursuant to subsection (a) should not, in the determination of the Secretary, have been identified under that subsection;

the Secretary may designate the developments to be removed from the inventory of the public housing agency pursuant to this section.

(c) REMOVAL OF UNITS FROM THE INVENTORIES OF PUBLIC HOUSING AGENCIES.—

(1) Each public housing agency shall develop and carry out a plan in conjunction with the Secretary for the removal of public housing units identified under subsection (a) or subsection (b)(3), over a period of up to five years, from the inventory of the public housing agency and the annual contributions contract. The plan shall be approved by the relevant local official as not inconsistent with the Comprehensive Housing Affordability Strategy under title I of the Housing and Community Development Act of 1992, including a description of any disposition and demolition plan for the public housing units.

(2) The Secretary may extend the deadline in paragraph (1) for up to an additional five years where the Secretary makes a determination that the deadline is impracticable.

(3) The Secretary shall take appropriate actions to ensure removal of developments identified under subsection (a) or subsection (b)(3) from the inventory of a public housing agency, if the public housing agency fails to adequately develop a plan under paragraph (1), or fails to adequately implement such plan in accordance with the terms of the plan.

(4) To the extent approved in appropriations Acts, the Secretary may establish requirements and provide funding under the Urban Revitalization Demonstration program for demolition and disposition of public housing under this section.

(5) Notwithstanding any other provision of law, if a development is removed from the inventory of a public housing agency and the annual contributions contract pursuant to paragraph (1), the Secretary may authorize or direct the transfer of—

(A) in the case of an agency receiving assistance under the comprehensive improvement assistance program, any amounts obligated by the Secretary for the modernization of such development pursuant to section 14 of the United States Housing Act of 1937;

(B) in the case of an agency receiving public and Indian housing modernization assistance by formula pursuant to section 14 of the United States Housing Act of 1937, any amounts provided to the agency which are attributable pursuant to the formula for allocating such assistance to the development removed from the inventory of that agency; and

(C) in the case of an agency receiving assistance for the major reconstruction of obsolete projects, any amounts obligated by the Secretary for the major reconstruction of the development pursuant to section 5 of such Act,

to the tenant-based assistance program or appropriate site revitalization of such agency.

(6) CESSATION OF UNNECESSARY SPENDING.—Notwithstanding any other provision of law, if, in the determination of the Secretary, a development meets or is likely to meet the criteria set forth in subsection (a), the Secretary may direct the public housing agency to cease additional spending in connection with the development, except to the extent that additional spending is necessary to ensure decent, safe, and sanitary housing until the Secretary determines or approves an appropriate course of action with respect to such development under this section.

(d) CONVERSION TO TENANT-BASED ASSISTANCE.—

(1) The Secretary shall make authority available to a public housing agency to provide tenant-based assistance pursuant to section 8 to families residing in any development that is removed from the inventory of the public housing agency and the annual contributions contract pursuant to subsection (b).

(2) Each conversion plan under subsection (c) shall—

(A) require the agency to notify families residing in the development, consistent with any guidelines issued by the Secretary governing such notifications, that the development shall be removed from the inventory of the public housing agency and the families shall receive tenant-based or project-based assistance, and to provide any necessary counseling for families; and

(B) ensure that all tenants affected by a determination under this section that a development shall be removed from the inventory of a public housing agency shall be offered tenant-based or project-based assistance and shall be relocated, as necessary, to other decent, safe, sanitary, and affordable housing which is, to the maximum extent practicable, housing of their choice.

(e) IN GENERAL.—

(1) The Secretary may require a public housing agency to provide such information as the Secretary considers necessary for the administration of this section.

(2) As used in this section, the term ''development'' shall refer to a project or projects, or to portions of a project or projects, as appropriate.

(3) Section 18 of the United States Housing Act of 1937 shall not apply to the demolition of developments removed from the inventory of the public housing agency under this section.

STREAMLINING SECTION 8 TENANT-BASED ASSISTANCE

SEC. 203. (a) ''TAKE-ONE, TAKE-ALL''.—Section 8(t) of the United States Housing Act of 1937 is hereby repealed.

(b) EXEMPTION FROM NOTICE REQUIREMENTS FOR THE CERTIFICATE AND VOUCHER PROGRAMS.—Section 8(c) of such Act is amended—

(1) in paragraph (8), by inserting after ''section'' the following: ''(other than a contract for assistance under the certificate or voucher program)''; and

(2) in the first sentence of paragraph (9), by striking ''(but not less than 90 days in the case of housing certificates or vouchers under subsection (b) or (o))'' and inserting '', other than a contract under the certificate or voucher program''.

(c) ENDLESS LEASE.—Section 8(d)(1)(B) of such Act is amended—

(1) in clause (ii), by inserting ''during the term of the lease,'' after ''(ii)''; and

(2) in clause (iii), by striking ''provide that'' and inserting ''during the term of the lease,''.

(d) APPLICABILITY.—The provisions of this section shall be effective for fiscal year 1996 only.

PUBLIC HOUSING/SECTION 8 MOVING TO WORK DEMONSTRATION

SEC. 204. (a) PURPOSE.—The purpose of this demonstration is to give public housing agencies and the Secretary of Housing and Urban Development the flexibility to design and test various approaches for providing and administering housing assistance that: reduce cost and achieve greater cost effectiveness in Federal expenditures; give incentives to families with children where the head of household is working, seeking work, or is preparing for work by participating in

job training, educational programs, or programs that assist people to obtain employment and become economically self-sufficient; and increase housing choices for low-income families.

(b) PROGRAM AUTHORITY.—The Secretary of Housing and Urban Development shall conduct a demonstration program under this section beginning in fiscal year 1996 under which up to 30 public housing agencies (including Indian housing authorities) administering the public or Indian housing program and the section 8 housing assistance payments program, administering a total number of public housing units not in excess of 25,000, may be selected by the Secretary to participate. The Secretary shall provide training and technical assistance during the demonstration and conduct detailed evaluations of up to 15 such agencies in an effort to identify replicable program models promoting the purpose of the demonstration. Under the demonstration, notwithstanding any provision of the United States Housing Act of 1937 except as provided in subsection (e), an agency may combine operating assistance provided under section 9 of the United States Housing Act of 1937, modernization assistance provided under section 14 of such Act, and assistance provided under section 8 of such Act for the certificate and voucher programs, to provide housing assistance for low-income families, as defined in section 3(b)(2) of the United States Housing Act of 1937, and services to facilitate the transition to work on such terms and conditions as the agency may propose and the Secretary may approve.

(c) APPLICATION.—An application to participate in the demonstration—

(1) shall request authority to combine assistance under sections 8, 9, and 14 of the United States Housing Act of 1937;

(2) shall be submitted only after the public housing agency provides for citizen participation through a public hearing and, if appropriate, other means;

(3) shall include a plan developed by the agency that takes into account comments from the public hearing and any other public comments on the proposed program, and comments from current and prospective residents who would be affected, and that includes criteria for—

(A) families to be assisted, which shall require that at least 75 percent of the families assisted by participating demonstration public housing authorities shall be very low-income families, as defined in section 3(b)(2) of the United States Housing Act of 1937, and at least 50 percent of the families selected shall have incomes that do not exceed 30 percent of the median family income for the area, as determined by the Secretary with adjustments for smaller and larger families, except that the Secretary may establish income ceilings higher or lower than 30 percent of the median for the area on the basis of the Secretary's findings that such variations are necessary because of unusually high or low family income;

(B) establishing a reasonable rent policy, which shall be designed to encourage employment and self-sufficiency by participating families, consistent with the purpose of this demonstration, such as by excluding some or all of a family's earned income for purposes of determining rent;

(C) continuing to assist substantially the same total number of eligible low-income families as would have been served had the amounts not been combined;

(D) maintaining a comparable mix of families (by family size) as would have been provided had the amounts not been used under the demonstration; and

(E) assuring that housing assisted under the demonstration program meets housing quality standards established or approved by the Secretary; and

(4) may request assistance for training and technical assistance to assist with design of the demonstration and to participate in a detailed evaluation.

(d) SELECTION.—In selecting among applications, the Secretary shall take into account the potential of each agency to plan and carry out a program under the demonstration, the relative performance by an agency under the public housing management assessment program under section 6(j) of the United States Housing Act of 1937, and other appropriate factors as determined by the Secretary.

(e) APPLICABILITY OF 1937 ACT PROVISIONS.—

(1) Section 18 of the United States Housing Act of 1937 shall continue to apply to public housing notwithstanding any use of the housing under this demonstration.

(2) Section 12 of such Act shall apply to housing assisted under the demonstration, other than housing assisted solely due to occupancy by families receiving tenant-based assistance.

(f) EFFECT ON SECTION 8, OPERATING SUBSIDIES, AND COMPREHENSIVE GRANT PROGRAM ALLOCATIONS.—The amount of assistance received under section 8, section 9, or pursuant to section 14 by a public housing agency participating in the demonstration under this part shall not be diminished by its participation.

(g) RECORDS, REPORTS, AND AUDITS.—

(1) KEEPING OF RECORDS.—Each agency shall keep such records as the Secretary may prescribe as reasonably necessary to disclose the amounts and the disposition of amounts under this demonstration, to ensure compliance with the requirements of this section, and to measure performance.

(2) REPORTS.—Each agency shall submit to the Secretary a report, or series of reports, in a form and at a time specified by the Secretary. Each report shall—

(A) document the use of funds made available under this section;

(B) provide such data as the Secretary may request to assist the Secretary in assessing the demonstration; and

(C) describe and analyze the effect of assisted activities in addressing the objectives of this part.

(3) ACCESS TO DOCUMENTS BY THE SECRETARY.—The Secretary shall have access for the purpose of audit and examination to any books, documents, papers, and records that are pertinent to assistance in connection with, and the requirements of, this section.

(4) ACCESS TO DOCUMENTS BY THE COMPTROLLER GENERAL.—The Comptroller General of the United States, or any of the duly authorized representatives of the Comptroller General, shall have access for the purpose of audit and examination to any books, documents, papers, and records that are pertinent to assistance in connection with, and the requirements of, this section.

(h) EVALUATION AND REPORT.—

(1) CONSULTATION WITH PHA AND FAMILY REPRESENTATIVES.—In making assessments throughout the demonstration, the Secretary shall consult with representatives of public housing agencies and residents.

(2) REPORT TO CONGRESS.—Not later than 180 days after the end of the third year of the demonstration, the Secretary shall submit to the Congress a report evaluating the programs carried out under the demonstration. The report shall also include findings and recommendations for any appropriate legislative action.

(i) FUNDING FOR TECHNICAL ASSISTANCE AND EVALUATION.—From amounts appropriated for assistance under section 14 of the United States Housing Act of 1937 for fiscal years 1996, 1997, and 1998, the Secretary may use up to a total of $5,000,000—

(1) to provide, directly or by contract, training and technical assistance—

(A) to public housing agencies that express an interest to apply for training and technical assistance pursuant to subsection (c)(4), to assist them in designing programs to be proposed for the demonstration; and

(B) to up to 10 agencies selected to receive training and technical assistance pursuant to subsection (c)(4), to assist them in implementing the approved program; and

(2) to conduct detailed evaluations of the activities of the public housing agencies under paragraph (1)(B), directly or by contract.

EXTENSION OF MULTIFAMILY HOUSING FINANCE PROGRAM

SEC. 205. (a) The first sentence of section 542(b)(5) of the Housing and Community Development Act of 1992 (12 U.S.C. 1707 note) is amended by striking ''on not more than 15,000 units over fiscal years 1993 and 1994'' and inserting ''on not more than 7,500 units during fiscal year 1996''.

(b) The first sentence of section 542(c)(4) of the Housing and Community Development Act of 1992 (12 U.S.C. 1707 note) is amended by striking ''on not to exceed 30,000 units over fiscal years 1993, 1994, and 1995'' and inserting ''on not more than 10,000 units during fiscal year 1996''.

FORECLOSURE OF HUD-HELD MORTGAGES THROUGH THIRD PARTIES

SEC. 206. During fiscal year 1996, the Secretary of Housing and Urban Development may delegate to one or more entities the authority to carry out some or all of the functions and responsibilities of the Secretary in connection with the foreclosure of mortgages held by the Secretary under the National Housing Act.

RESTRUCTURING OF THE HUD MULTIFAMILY MORTGAGE PORTFOLIO THROUGH STATE HOUSING FINANCE AGENCIES.

SEC. 207. During fiscal year 1996, the Secretary of Housing and Urban Development may sell or otherwise transfer multifamily mortgages held by the Secretary under the National Housing Act to a State housing finance agency in connection with a program authorized under section 542 (b) or (c) of the Housing and Community Development Act of 1992 without regard to the unit limitations in section 542(b)(5) or 542(c)(4) of such Act.

TRANSFER OF SECTION 8 AUTHORITY

SEC. 208. Section 8 of the United States Housing Act of 1937 is amended by adding the following new subsection at the end:

''(bb) TRANSFER OF BUDGET AUTHORITY.—If an assistance contract under this section, other than a contract for tenant-based assistance, is terminated or is not renewed, or if the contract expires, the Secretary shall, in order to provide continued assistance to eligible families, including eligible families receiving the benefit of the project-based assistance at the time of the termination, transfer any budget authority remaining in the contract to another contract. The transfer shall be under such terms as the Secretary may prescribe.''.

DOCUMENTATION OF MULTIFAMILY REFINANCINGS

SEC. 209. Notwithstanding the 16th paragraph under the item relating to ''administrative provisions'' in title II of the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1995 (Public Law 103–327; 108 Stat. 2316), the amendments to section 223(a)(7) of the National Housing Act made by the 15th paragraph of such Act shall be effective during fiscal year 1996 and thereafter.

FHA MULTIFAMILY DEMONSTRATION AUTHORITY

SEC. 210. (a) On and after October 1, 1995, and before October 1, 1997, the Secretary of Housing and Urban Development shall initiate a demonstration program with respect to multifamily projects whose owners agree to participate and whose mortgages are insured under the National Housing Act and that are assisted under section 8 of the United States Housing Act of 1937 and whose present section 8 rents are, in the aggregate, in excess of the fair market rent of the locality in which the project is located. These programs shall be designed to test the feasibility and desirability of the goal of ensuring, to the maximum extent practicable, that the debt service and operating expenses, including adequate reserves, attributable to such multifamily projects can be supported with or without mortgage insurance under the National Housing Act and with or without above-market rents and utilizing project-based assistance or, with the consent of the property owner, tenant-based assistance, while taking into account the need for assistance of low- and very low-income families in such projects. In carrying out this demonstration, the Secretary may use arrangements with third parties, under which the Secretary may provide for the assumption by the third parties (by delegation, contract, or otherwise) of some or all of the functions, obligations, and benefits of the Secretary.

(1) GOALS.—The Secretary of Housing and Urban Development shall carry out the demonstration programs under this section in a manner that—

(A) will protect the financial interests of the Federal Government;

(B) will result in significant discretionary cost savings through debt restructuring and subsidy reduction; and

(C) will, in the least costly fashion, address the goals of—

(i) maintaining existing housing stock in a decent, safe, and sanitary condition;

(ii) minimizing the involuntary displacement of tenants;

(iii) restructuring the mortgages of such projects in a manner that is consistent with local housing market conditions;

(iv) supporting fair housing strategies;

(v) minimizing any adverse income tax impact on property owners; and

(vi) minimizing any adverse impact on residential neighborhoods.

In determining the manner in which a mortgage is to be restructured or the subsidy reduced, the Secretary may balance competing goals relating to individual projects in a manner that will further the purposes of this section.

(2) DEMONSTRATION APPROACHES.—In carrying out the demonstration programs, subject to the appropriation in subsection (f), the Secretary may use one or more of the following approaches:

(A) Joint venture arrangements with third parties, under which the Secretary may provide for the assumption by the third parties (by delegation, contract, or otherwise) of some or all of the functions, obligations, and benefits of the Secretary.

(B) Subsidization of the debt service of the project to a level that can be paid by an owner receiving an unsubsidized market rent.

(C) Renewal of existing project-based assistance contracts where the Secretary shall approve proposed initial rent levels that do not exceed the greater of 120 percent of fair market rents or comparable market rents for the relevant metropolitan market area or at rent levels under a budget-based approach.

(D) Nonrenewal of expiring existing project-based assistance contracts and providing tenant-based assistance to previously assisted households.

(b) For purposes of carrying out demonstration programs under subsection (a)—

(1) the Secretary may manage and dispose of multifamily properties owned by the Secretary as of October 1, 1995 and multifamily mortgages held by the Secretary as of October 1, 1995 for properties assisted under section 8 with rents above 110 percent of fair market rents without regard to any other provision of law; and

(2) the Secretary may delegate to one or more entities the authority to carry out some or all of the functions and responsibilities of the Secretary in connection with the foreclosure of mortgages held by the Secretary under the National Housing Act.

(c) For purposes of carrying out demonstration programs under subsection (a), subject to such third party consents (if any) as are necessary including but not limited to (i) consent by the Government National Mortgage Association where it owns a mortgage insured by the Secretary; (ii) consent by an issuer under the mortgage-backed securities program of the Association, subject to the responsibilities of the issuer to its security holders and the Association under such program; and (iii) parties to any contractual agreement which the Secretary proposes to modify or discontinue, and subject to the appropriation in subsection (c), the Secretary or one or more third parties designated by the Secretary may take the following actions:

(1) Notwithstanding any other provision of law, and subject to the agreement of the project owner, the Secretary or third party may remove, relinquish, extinguish, modify, or agree to the removal of any mortgage, regulatory agreement, project-based assistance contract, use agreement, or restriction that had been imposed or required by the Secretary, including restrictions on distributions of income which the Secretary or third party determines would interfere with the ability of the project to operate without above market rents. The Secretary or third party may require an owner of a property assisted under the section 8 new construction/substantial rehabilitation program to apply any accumulated residual receipts toward effecting the purposes of this section.

(2) Notwithstanding any other provision of law, the Secretary of Housing and Urban Development may enter into contracts to purchase reinsurance, or enter into participations or otherwise transfer economic interest in contracts of insurance or in the premiums paid, or due to be paid, on such insurance to third parties, on such terms and conditions as the Secretary may determine.

(3) The Secretary may offer project-based assistance with rents at or below fair market rents for the locality in which the project is located and may negotiate such other terms as are acceptable to the Secretary and the project owner.

(4) The Secretary may offer to pay all or a portion of the project's debt service, including payments monthly from the appropriate Insurance Fund, for the full remaining term of the insured mortgage.

(5) Notwithstanding any other provision of law, the Secretary may forgive and cancel any FHA-insured mortgage debt that a demonstration program property cannot carry at market rents while bearing full operating costs.

(6) For demonstration program properties that cannot carry full operating costs (excluding debt service) at market rents, the Secretary may approve project-based rents sufficient to carry such full operating costs and may offer to pay the full debt service in the manner provided in paragraph (4).

(d) COMMUNITY AND TENANT INPUT.—In carrying out this section, the Secretary shall develop procedures to provide appropriate and timely notice to officials of the unit of general local government affected, the community in which the project is situated, and the tenants of the project.

(e) LIMITATION ON DEMONSTRATION AUTHORITY.—The Secretary may carry out demonstration programs under this section with respect to mortgages not to exceed 15,000 units. The demonstration authorized under this section shall not be expanded until the reports required under subsection (g) are submitted to the Congress.

(f) APPROPRIATION.—For the cost of modifying loans held or guaranteed by the Federal Housing Administration, as authorized by this subsection (a)(2) and subsection (c), $30,000,000, to remain available until September 30, 1997: *Provided*, That such costs shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended.

(g) REPORT TO CONGRESS.—The Secretary shall submit to the Congress every six months after the date of enactment of this Act a report describing and assessing the programs carried out under the demonstrations. The Secretary shall also submit a final report to the Congress not later than six months after the end of the demonstrations. The reports shall include findings and recommendations for any legislative action appropriate. The reports shall also include a description of the status of each multifamily housing project selected for the demonstrations under this section. The final report may include—

(1) the size of the projects;

(2) the geographic locations of the projects, by State and region;

(3) the physical and financial condition of the projects;

(4) the occupancy profile of the projects, including the income, family size, race, and ethnic origin of current tenants, and the rents paid by such tenants;

(5) a description of actions undertaken pursuant to this section, including a description of the effectiveness of such actions and any impediments to the transfer or sale of multifamily housing projects;

(6) a description of the extent to which the demonstrations under this section have displaced tenants of multifamily housing projects;

(7) a description of any of the functions performed in connection with this section that are transferred or contracted out to public or private entities or to States;

(8) a description of the impact to which the demonstrations under this section have affected the localities and communities where the selected multifamily housing projects are located; and

(9) a description of the extent to which the demonstrations under this section have affected the owners of multifamily housing projects.

ASSESSMENT COLLECTION DATES FOR OFFICE OF FEDERAL HOUSING ENTERPRISE OVERSIGHT

SEC. 211. Section 1316(b) of the Housing and Community Development Act of 1992 (12 U.S.C. 4516(b)) is amended by striking paragraph (2) and inserting the following new paragraph:

''(2) TIMING OF PAYMENT.—The annual assessment shall be payable semiannually for each fiscal year, on October 1 and April 1.''.

MERGER LANGUAGE FOR ASSISTANCE FOR THE RENEWAL OF EXPIRING SECTION 8 SUBSIDY CONTRACTS AND ANNUAL CONTRIBUTIONS FOR ASSISTED HOUSING

SEC. 212. All remaining obligated and unobligated balances in the Renewal of Expiring Section 8 Subsidy Contracts account on September 30, 1995, shall immediately thereafter

be transferred to and merged with the obligated and unobligated balances, respectively, of the Annual Contributions for Assisted Housing account.

DEBT FORGIVENESS

SEC. 213. (a) The Secretary of Housing and Urban Development shall cancel the indebtedness of the Hubbard Hospital Authority of Hubbard, Texas, relating to the public facilities loan for Project Number PFL–TEX–215, issued under title II of the Housing Amendments of 1955. Such hospital authority is relieved of all liability to the Government for the outstanding principal balance on such loan, for the amount of accrued interest on such loan, and for any fees and charges payable in connection with such loan.

(b) The Secretary of Housing and Urban Development shall cancel the indebtedness of the Groveton Texas Hospital Authority relating to the public facilities loan for Project Number TEX–41–PFL0162, issued under title II of the Housing Amendments of 1955. Such hospital authority is relieved of all liability to the Government for the outstanding principal balance on such loan, for the amount of accrued interest on such loan, and for any fees and charges payable in connection with such loan.

(c) The Secretary of Housing and Urban Development shall cancel the indebtedness of the Hepzibah Public Service District of Hepzibah, West Virginia, relating to the public facilities loan for Project Number WV–46–PFL0031, issued under title II of the Housing Amendments of 1955. Such public service district is relieved of all liability to the Government for the outstanding principal balance on such loan, for the amount of accrued interest on such loan, and for any fees and charges payable in connection with such loan.

(d) The Secretary of Housing and Urban Development shall cancel indebtedness of Sheehan Memorial Hospital of Buffalo, New York, relating to the Federal Housing Administration insurance for Project Number 014–13002 issued under section 242 of the National Housing Act. Such hospital is relieved of all liability to the Government for the outstanding principal balance on such loan, for the amount of accrued interest on such loan, and for any fees and charges payable in connection with such loan.

CLARIFICATIONS

SEC. 214. For purposes of Federal law, the Paul Mirabile Center in San Diego, California, including areas within such Center that are devoted to the delivery of supportive services, has been determined to satisfy the ''continuum of care'' requirements of the Department of Housing and Urban Development, and shall be treated as—

(a) consisting solely of residential units that (i) contain sleeping accommodations and kitchen and bathroom facilities, (ii) are located in a building that is used exclusively to facilitate the transition of homeless individuals (within the meaning of section 103 of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C. 11302), as in effect on December 19, 1989) to independent living within 24 months, (iii) are suitable for occupancy, with each cubicle constituting a separate bedroom and residential unit, (iv) are used on other than a transient basis, and (v) shall be originally placed in service on November 1, 1995; and

(b) property that is entirely residential rental property, namely, a project for residential rental property.

EMPLOYMENT LIMITATIONS

SEC. 215. (a) By the end of fiscal year 1996 the Department of Housing and Urban Development shall employ no more than seven Assistant Secretaries, notwithstanding section 4(a) of the Department of Housing and Urban Development Act.

(b) By the end of fiscal year 1996 the Department of Housing and Urban Development shall employ no more than 77 schedule C and 20 non-career senior executive service employees.

USE OF FUNDS

SEC. 216. (a) Of the $93,400,000 earmarked in Public Law 101–144 (103 Stat. 850), as amended by Public Law 101–302 (104 Stat. 237), for special projects and purposes, any amounts remaining of the $500,000 made available to Bethlehem House in Highland, California, for site planning and loan acquisition shall instead be made available to the County of San Bernardino in California to assist with the expansion of the Los Padrinos Gang Intervention Program and the Unity Home Domestic Violence Shelter.

(b) The amount made available for fiscal year 1995 for the removal of asbestos from an abandoned public school building in Toledo, Ohio shall be made available for the renovation and rehabilitation of an industrial building at the University of Toledo in Toledo, Ohio.

LEAD-BASED PAINT ABATEMENT

SEC. 217. (a) Section 1011 of Title X—Residential Lead-Based Paint Hazard Reduction Act of 1992 is amended as follows: Strike ''priority housing'' wherever it appears in said section and insert ''housing''.

(b) Section 1011(a) shall be amended as follows: At the end of the subsection after the period, insert: ''Grants shall only be made under this section to provide assistance for housing which meets the following criteria—

''(1) for grants made to assist rental housing, at least 50 percent of the units must be occupied by or made available to families with incomes at or below 50 percent of the area median income level and the remaining units shall be occupied or made available to families with incomes at or below 80 percent of the area median income level, and in all cases the landlord shall give priority in renting units assisted under this section, for not less than 3 years following the completion of lead abatement activities, to families with a child under the age of six years, except that buildings with five or more units may have 20 percent of the units occupied by families with incomes above 80 percent of area median income level;

''(2) for grants made to assist housing owned by owner-occupants, all units assisted with grants under this section shall be the principal residence of families with income at or below 80 percent of the area median income level, and not less than 90 percent of the units assisted with grants under this section shall be occupied by a child under the age of six years or shall be units where a child under the age of six years spends a significant amount of time visiting; and

''(3) notwithstanding paragraphs (1) and (2), Round II grantees who receive assistance under this section may use such assistance for priority housing.''.

EXTENSION PERIOD FOR SHARING UTILITY COST SAVINGS WITH PHAS

SEC. 218. Section 9(a)(3)(B)(i) of the United States Housing Act of 1937 is amended by striking ''for a period not to exceed 6 years''.

MORTGAGE NOTE SALES

SEC. 219. The first sentence of section 221(g)(4)(C)(viii) of the National Housing Act is amended by striking ''September 30, 1995'' and inserting in lieu thereof ''September 30, 1996''.

REPEAL OF FROST-LELAND

SEC. 220. Section 415 of the Department of Housing and Urban Development—Independent Agencies Appropriations Act, 1988 (Public Law 100–202; 101 Stat. 1329–213) is repealed.

FHA SINGLE-FAMILY ASSIGNMENT PROGRAM REFORM

SEC. 221. Section 230(d) of the National Housing Act is amended by striking ''the Departments'' and all that follows through ''1996'' and inserting ''The Balanced Budget Downpayment Act, I''.

SPENDING LIMITATIONS

SEC. 222. (a) None of the funds in this Act may be used by the Secretary to impose any sanction, or penalty because of the enactment of any State or local law or regulation declaring English as the official language.

(b) No part of any appropriation contained in this Act shall be used for lobbying activities as prohibited by law.

TRANSFER OF FUNCTIONS TO THE DEPARTMENT OF JUSTICE

SEC. 223. All functions, activities and responsibilities of the Secretary of Housing and Urban Development relating to title VIII of the Civil Rights Act of 1968, as amended by the Fair Housing Amendments Act of 1988, and the Fair Housing Act, including any rights guaranteed under the Fair Housing Act (including any functions relating to the Fair Housing Initiatives program under section 561 of the Housing and Community Development Act of 1987), are hereby transferred to the Attorney General of the United States effective April 1, 1997: *Provided*, That none of the aforementioned authority or responsibility for enforcement of the Fair Housing Act shall be transferred to the Attorney General until adequate personnel and resources allocated to such activity at the Department of Housing and Urban Development are transferred to the Department of Justice.

SEC. 224. None of the funds provided in this Act may be used during fiscal year 1996 to investigate or prosecute under the Fair Housing Act (42 U.S.C. 3601, et seq.) any otherwise lawful activity engaged in by one or more persons, including the filing or maintaining of non-frivolous legal action, that is engaged in solely for the purposes of achieving or preventing action by a Government official, entity, or court of competent jurisdiction.

SEC. 225. None of the funds provided in this Act many be used to take any enforcement action with respect to a complaint of discrimination under the Fair Housing Act (42 U.S.C. 3601, et seq.) on the basis of familial status and which involves an occupancy standard established by the housing provider except to the extent that it is found that there has been discrimination in contravention of the standards provided in the March 20, 1991 Memorandum from the General Counsel of the Department of Housing and Urban Development to all Regional Counsel or until such time that HUD issues a final rule in accordance with section 553 of title 5, United States Code.

CDBG ELIGIBLE ACTIVITIES

SEC. 226. Section 105(a) of the Housing and Community Development Act of 1974 (42 U.S.C. 5305(a)) is amended—

(1) in paragraph (4)—

(A) by inserting ''reconstruction,'' after ''removal,''; and

(B) by striking ''acquisition for rehabilitation, and rehabilitation'' and inserting ''acquisition for reconstruction or rehabilitation, and reconstruction or rehabilitation'';

(2) in paragraph (13), by striking ''and'' at the end;

(3) by striking paragraph (19);

(4) in paragraph (24), by striking ''and'' at the end;

(5) in paragraph (25), by striking the period at the end and inserting ''; and'';

(6) by redesignating paragraphs (20) through (25) as paragraphs (19) through (24), respectively; and

(7) by redesignating paragraph (21) (as added by section 1012(f)(3) of the Housing and Community Development Act of 1992) as paragraph (25).

TITLE III

INDEPENDENT AGENCIES

AMERICAN BATTLE MONUMENTS COMMISSION

SALARIES AND EXPENSES

For necessary expenses, not otherwise provided for, of the American Battle Monuments Commission, including the acquisition of land or interest in land in foreign countries; purchases and repair of uniforms for caretakers of national cemeteries and monuments outside of the United States and its territories and possessions; rent of office and garage space in foreign countries; purchase (one for replacement only) and hire of passenger motor vehicles; and insurance of official motor vehicles in foreign countries, when required by law of such countries; $20,265,000, to remain available until expended: *Provided,* That where station allowance has been authorized by the Department of the Army for officers of the Army serving the Army at certain foreign stations, the same allowance shall be authorized for officers of the Armed Forces assigned to the Commission while serving at the same foreign stations, and this appropriation is hereby made available for the payment of such allowance: *Provided further,* That when traveling on business of the Commission, officers of the Armed Forces serving as members or as Secretary of the Commission may be reimbursed for expenses as provided for civilian members of the Commission: *Provided further,* That the Commission shall reimburse other Government agencies, including the Armed Forces, for salary, pay, and allowances of personnel assigned to it.

CONSUMER PRODUCT SAFETY COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Consumer Product Safety Commission, including hire of passenger motor vehicles, services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the rate for GS–18, purchase of nominal awards to recognize non-Federal officials' contributions to Commission activities, and not to exceed $500 for official reception and representation expenses, $40,000,000.

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

NATIONAL AND COMMUNITY SERVICE PROGRAMS OPERATING EXPENSES

For necessary expenses for the Corporation for National and Community Service in carrying out the orderly termination of programs, activities, and initiatives under the National and Community Service Act of 1990, as amended (Public Law 103–82), $15,000,000: *Provided,* That such amount shall be utilized to resolve all responsibilities and obligations in connection with said Corporation and the Corporation's Office of Inspector General: *Provided further,* That such amount shall cease to be available for obligation upon the date of implementation of title IV of this Act, and any portion of such amount obligated before such date shall be charged against the appropriation made under this heading in title IV of this Act.

COURT OF VETERANS APPEALS

SALARIES AND EXPENSES

For necessary expenses for the operation of the United States Court of Veterans Appeals as authorized by 38 U.S.C. sections 7251–7292, $9,000,000, of which not to exceed $678,000, to remain available until September 30, 1997, shall be available for the purpose of providing financial assistance as described, and in accordance with the process and reporting procedures set forth, under this head in Public Law 102–229.

DEPARTMENT OF DEFENSE—CIVIL

CEMETERIAL EXPENSES, ARMY

SALARIES AND EXPENSES

For necessary expenses, as authorized by law, for maintenance, operation, and improvement of Arlington National Cemetery and Soldiers' and Airmen's Home National Cemetery, and not to exceed $1,000 for official reception and representation expenses; $11,946,000, to remain available until expended.

ENVIRONMENTAL PROTECTION AGENCY

SCIENCE AND TECHNOLOGY

For science and technology, including research and development activities, which shall include research and development activities under the Comprehensive Environmental Response, Compensation and Liability Act of 1980 (CERCLA), as amended; necessary expenses for personnel and related costs and travel expenses, including uniforms, or allowances therefore, as authorized by 5 U.S.C. 5901–5902; services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the rate for GS–18; procurement of laboratory equipment and supplies; other operating expenses in support of research and development; construction, alteration, repair, rehabilitation and renovation of facilities, not to exceed $75,000 per project; $525,000,000, which shall remain available until September 30, 1997.

ENVIRONMENTAL PROGRAMS AND MANAGEMENT

For environmental programs and management, including necessary expenses, not otherwise provided for, for personnel and related costs and travel expenses, including uniforms, or allowances therefore, as authorized by 5 U.S.C. 5901–5902; services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the rate for GS–18; hire of passenger motor vehicles; hire, maintenance, and operation of aircraft; purchase of reprints; library memberships in societies or associations which issue publications to members only or at a price to members lower than to subscribers who are not members; construction, alteration, repair, rehabilitation, and renovation of facilities, not to exceed $75,000 per project; and not to exceed $6,000 for official reception and representation expenses; $1,550,300,000, which shall remain available until September 30, 1997: *Provided,* That, notwithstanding any other provision of law, for this fiscal year and hereafter, an industrial discharger that is a pharmaceutical manufacturing facility and discharged to the Kalamazoo Water Reclamation Plant (an advanced wastewater treatment plant with activated carbon) prior to the date of enactment of this Act may be exempted from categorical pretreatment standards under section 307(b) of the Federal Water Pollution Control Act, as amended, if the following conditions are met:

(1) The owner or operator of the Kalamazoo Water Reclamation Plant applies to the State of Michigan for an exemption for such industrial discharger.

(2) The State or Administrator, as applicable, approves such exemption request based upon a determination that the Kalamazoo Water Reclamation Plant will provide treatment and pollution removal equivalent to or better than that which would be required through a combination of pretreatment by such industrial discharger and treatment by the Kalamazoo Water Reclamation Plant in the absence of the exemption.

(3) Compliance with paragraph (2) is addressed by the provisions and conditions of a permit issued to the Kalamazoo Water Reclamation Plant under section 402 of such Act, and there exists an operative financial contract between the City of Kalamazoo and the industrial user and an approved local pretreatment program, including a joint monitoring program and local controls to prevent against interference and pass through.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, and for construction, alteration, repair, rehabilitation, and renovation of facilities, not to exceed $75,000 per project, $28,500,000.

BUILDINGS AND FACILITIES

For construction, repair, improvement, extension, alteration, and purchase of fixed equipment or facilities of, or use by, the Environmental Protection Agency, $60,000,000, to remain available until expended: *Provided,* That notwithstanding any other provision of law, the Environmental Protection Agency (EPA) shall: (1) transfer all real property acquired in Bay City, Michigan, for the creation of the Center for Ecology, Research and Training (CERT) to the City of Bay City or other local public or municipal entity; and (2) make a grant in fiscal year 1996 to the recipient of the property of not less than $3,000,000 from funds previously appropriated for the CERT project for the purposes of environmental remediation and rehabilitation of real property included in the boundaries of the CERT project: *Provided further,* That the disposition of property shall be by donation or no-cost transfer and shall be made to the City of Bay City, Michigan or other local public or municipal entity: *Provided further,* That notwithstanding any other provision of law, EPA shall have the authority to demolish or dispose of any improvements on such real property, or to donate, sell, or transfer any personal property or improvements on such real property to members of the general public, by auction or public sale, and to apply any funds received to costs related to the transfer of the real property authorized hereunder.

HAZARDOUS SUBSTANCE SUPERFUND

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses to carry out the Comprehensive Environmental Response, Compensation and Liability Act of 1980 (CERCLA), as amended, including sections 111 (c)(3), (c)(5), (c)(6), and (e)(4) (42 U.S.C. 9611), and for construction, alteration, repair, rehabilitation, and renovation of facilities, not to exceed $75,000 per project; not to exceed $1,163,400,000, to remain available until expended, consisting of $913,400,000 as authorized by section 517(a) of the Superfund Amendments and Reauthorization Act of 1986 (SARA), as amended by Public Law 101–508, and $250,000,000 as a payment from general revenues to the Hazardous Substance Superfund as authorized by section 517(b) of SARA, as amended by Public Law 101–508: *Provided,* That funds appropriated under this heading may be allocated to other Federal agencies in accordance with section 111(a) of CERCLA: *Provided further,* That $11,000,000 of the funds appropriated under this heading shall be transferred to the Office of Inspector General appropriation to remain available until September 30, 1996: *Provided further,* That notwithstanding section 111(m) of CERCLA or any other provision of law, not to exceed $59,000,000 of the funds appropriated under this heading shall be available to the Agency for Toxic Substances and Disease Registry to carry out activities described in sections 104(i), 111(c)(4), and 111(c)(14) of CERCLA and section 118(f) of the

Superfund Amendments and Reauthorization Act of 1986: *Provided further,* That none of the funds appropriated under this heading shall be available for the Agency for Toxic Substances and Disease Registry to issue in excess of 40 toxicological profiles pursuant to section 104(i) of CERCLA during fiscal year 1996: *Provided further,* That none of the funds made available under this heading may be used by the Environmental Protection Agency to propose for listing or to list any additional facilities on the National Priorities List established by section 105 of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), as amended (42 U.S.C. 9605), unless the Administrator receives a written request to propose for listing or to list a facility from the Governor of the State in which the facility is located, or unless legislation to reauthorize CERCLA is enacted.

LEAKING UNDERGROUND STORAGE TANK TRUST FUND

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses to carry out leaking underground storage tank cleanup activities authorized by section 205 of the Superfund Amendments and Reauthorization Act of 1986, and for construction, alteration, repair, rehabilitation, and renovation of facilities, not to exceed $75,000 per project, $45,827,000, to remain available until expended: *Provided,* That no more than $7,000,000 shall be available for administrative expenses: *Provided further,* That $500,000 shall be transferred to the Office of Inspector General appropriation to remain available until September 30, 1996.

OIL SPILL RESPONSE

(INCLUDING TRANSFER OF FUNDS)

For expenses necessary to carry out the Environmental Protection Agency's responsibilities under the Oil Pollution Act of 1990, $15,000,000, to be derived from the Oil Spill Liability trust fund, and to remain available until expended: *Provided,* That not more than $8,000,000 of these funds shall be available for administrative expenses.

STATE AND TRIBAL ASSISTANCE GRANTS

For environmental programs and infrastructure assistance, including capitalization grants for State revolving funds and performance partnership grants, $2,323,000,000, to remain available until expended, of which $1,400,000,000 shall be for making capitalization grants for State revolving funds to support water infrastructure financing; $100,000,000 for architectural, engineering, design, construction and related activities in connection with the construction of high priority water and wastewater facilities in the area of the United States-Mexico Border, after consultation with the appropriate border commission; $50,000,000 for grants to the State of Texas, which shall be matched by an equal amount of State funds from State resources, for the purpose of improving wastewater treatment for colonias; $15,000,000 for grants to the State of Alaska, subject to an appropriate cost share as determined by the Administrator, to address wastewater infrastructure needs of rural and Alaska Native villages; and $100,000,000 for making grants for the construction of wastewater treatment facilities and the development of groundwater in accordance with the terms and conditions specified for such grants in the Conference Report accompanying this Act (H.R. 2099): *Provided,* That beginning in fiscal year 1996 and each fiscal year thereafter, and notwithstanding any other provision of law, the Administrator is authorized to make grants annually from funds appropriated under this heading, subject to such terms and conditions as the Administrator shall establish, to any State or federally recognized Indian tribe for multimedia or single media pollution prevention, control and abatement and related environmental activities at the request of the Governor or other appropriate State official or the tribe: *Provided further,* That from funds appropriated under this heading, the Administrator may make grants to federally recognized Indian governments for the development of multimedia environmental programs: *Provided further,* That of the $1,400,000,000 for capitalization grants for State revolving funds to support water infrastructure financing, $275,000,000 shall be for drinking water State revolving funds, but if no drinking water State revolving fund legislation is enacted by June 1, 1996, these funds shall immediately be available for making capitalization grants under title VI of the Federal Water Pollution Control Act, as amended: *Provided further,* That of the funds made available in Public Law 103–327 and in Public Law 103–124 for capitalization grants for State revolving funds to support water infrastructure financing, $225,000,000 shall be made available for capitalization grants for State revolving funds under title VI of the Federal Water Pollution Control Act, as amended, if no drinking water State revolving fund legislation is enacted by June 1, 1996: *Provided further,* That of the funds made available under this heading for capitalization grants for State Revolving Funds under title VI of the Federal Water Pollution Control Act, as amended, $50,000,000 shall be for wastewater treatment in impoverished communities pursuant to section 102(d) of H.R. 961 as approved by the United States House of Representatives on May 16, 1995: *Provided further,* That of the funds appropriated in the Construction Grants and Water Infrastructure/State Revolving Funds accounts since the appropriation for the fiscal year ending September 30, 1992, and hereafter, for making grants for wastewater treatment works construction projects, portions may be provided by the recipients to States for managing construction grant activities, on condition that the States agree to reimburse the recipients from State funding sources: *Provided further,* That the funds made available in Public Law 103–327 for a grant to the City of Mt. Arlington, New Jersey, in accordance with House Report 103–715, shall be available for a grant to that city for water and sewer improvements.

ADMINISTRATIVE PROVISIONS

SEC. 301. None of the funds provided in this Act may be used within the Environmental Protection Agency for any final action by the Administrator or her delegate for signing and publishing for promulgation of a rule concerning any new standard for radon in drinking water.

SEC. 302. None of the funds provided in this Act may be used during fiscal year 1996 to sign, promulgate, implement or enforce the requirement proposed as ''Regulation of Fuels and Fuel Additives: Individual Foreign Refinery Baseline Requirements for Reformulated Gasoline'' at volume 59 of the Federal Register at pages 22800 through 22814.

SEC. 303. None of the funds appropriated to the Environmental Protection Agency for fiscal year 1996 may be used to implement section 404(c) of the Federal Water Pollution Control Act, as amended. No pending action by the Environmental Protection Agency to implement section 404(c) with respect to an individual permit shall remain in effect after the date of enactment of this Act.

SEC. 304. None of the funds appropriated under this Act may be used to implement the requirements of section 186(b)(2), section 187(b) or section 211(m) of the Clean Air Act (42 U.S.C. 7512(b)(2), 7512a(b), or 7545(m)) with respect to any moderate nonattainment area in which the average daily winter temperature is below 0 degrees Fahrenheit. The preceding sentence shall not be interpreted to preclude assistance from the Environmental Protection Agency to the State of Alaska to make progress toward meeting the carbon monoxide standard in such areas and to resolve remaining issues regarding the use of oxygenated fuels in such areas.

EXECUTIVE OFFICE OF THE PRESIDENT

OFFICE OF SCIENCE AND TECHNOLOGY POLICY

For necessary expenses of the Office of Science and Technology Policy, in carrying out the purposes of the National Science and Technology Policy, Organization, and Priorities Act of 1976 (42 U.S.C. 6601 and 6671), hire of passenger motor vehicles, services as authorized by 5 U.S.C. 3109, not to exceed $2,500 for official reception and representation expenses, and rental of conference rooms in the District of Columbia, $4,981,000: *Provided,* That the Office of Science and Technology Policy shall reimburse other agencies for not less than one-half of the personnel compensation costs of individuals detailed to it.

COUNCIL ON ENVIRONMENTAL QUALITY AND OFFICE OF ENVIRONMENTAL QUALITY

For necessary expenses to continue functions assigned to the Council on Environmental Quality and Office of Environmental Quality pursuant to the National Environmental Policy Act of 1969, the Environmental Improvement Act of 1970 and Reorganization Plan No. 1 of 1977, $1,500,000.

FEDERAL EMERGENCY MANAGEMENT AGENCY

DISASTER RELIEF

For necessary expenses in carrying out the functions of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), $222,000,000, to remain available until expended.

DISASTER ASSISTANCE DIRECT LOAN PROGRAM ACCOUNT

For the cost of direct loans, $2,155,000, as authorized by section 319 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.): *Provided,* That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: *Provided further,* That these funds are available to subsidize gross obligations for the principal amount of direct loans not to exceed $25,000,000.

In addition, for administrative expenses to carry out the direct loan program, $95,000.

SALARIES AND EXPENSES

For necessary expenses, not otherwise provided for, including hire and purchase of motor vehicles (31 U.S.C. 1343); uniforms, or allowances therefor, as authorized by 5 U.S.C. 5901–5902; services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the rate for GS–18; expenses of attendance of cooperating officials and individuals at meetings concerned with the work of emergency preparedness; transportation in connection with the continuity of Government programs to the same extent and in the same manner as permitted the Secretary of a Military Department under 10 U.S.C. 2632; and not to exceed $2,500 for official reception and representation expenses; $168,900,000.

OFFICE OF THE INSPECTOR GENERAL

For necessary expenses of the Office of the Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, $4,673,000.

EMERGENCY MANAGEMENT PLANNING AND ASSISTANCE

For necessary expenses, not otherwise provided for, to carry out activities under the National Flood Insurance Act of 1968, as

amended, and the Flood Disaster Protection Act of 1973, as amended (42 U.S.C. 4001 et seq.), the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), the Earthquake Hazards Reduction Act of 1977, as amended (42 U.S.C. 7701 et seq.), the Federal Fire Prevention and Control Act of 1974, as amended (15 U.S.C. 2201 et seq.), the Defense Production Act of 1950, as amended (50 U.S.C. App. 2061 et seq.), sections 107 and 303 of the National Security Act of 1947, as amended (50 U.S.C. 404–405), and Reorganization Plan No. 3 of 1978, $203,044,000.

EMERGENCY FOOD AND SHELTER PROGRAM

There is hereby appropriated $100,000,000 to the Federal Emergency Management Agency to carry out an emergency food and shelter program pursuant to title III of Public Law 100–77, as amended: *Provided,* That total administrative costs shall not exceed three and one-half per centum of the total appropriation.

NATIONAL FLOOD INSURANCE FUND

For activities under the National Flood Insurance Act of 1968, the Flood Disaster Protection Act of 1973, and the National Flood Insurance Reform Act of 1994, not to exceed $20,562,000 for salaries and expenses associated with flood mitigation and flood insurance operations, and not to exceed $70,464,000 for flood mitigation, including up to $12,000,000 for expenses under section 1366 of the National Flood Insurance Act of 1968, as amended, which amount shall be available until September 30, 1997. In fiscal year 1996, no funds in excess of (1) $47,000,000 for operating expenses, (2) $292,526,000 for agents' commissions and taxes, and (3) $3,500,000 for interest on Treasury borrowings shall be available from the National Flood Insurance Fund without prior notice to the Committees on Appropriations.

ADMINISTRATIVE PROVISION

The Director of the Federal Emergency Management Agency shall promulgate through rulemaking a methodology for assessment and collection of fees to be assessed and collected beginning in fiscal year 1996 applicable to persons subject to the Federal Emergency Management Agency's radiological emergency preparedness regulations. The aggregate charges assessed pursuant to this section during fiscal year 1996 shall approximate, but not be less than, 100 per centum of the amounts anticipated by the Federal Emergency Management Agency to be obligated for its radiological emergency preparedness program for such fiscal year. The methodology for assessment and collection of fees shall be fair and equitable, and shall reflect the full amount of costs of providing radiological emergency planning, preparedness, response and associated services. Such fees will be assessed in a manner that reflects the use of agency resources for classes of regulated persons and the administrative costs of collecting such fees. Fees received pursuant to this section shall be deposited in the general fund of the Treasury as offsetting receipts. Assessment and collection of such fees are only authorized during fiscal year 1996.

GENERAL SERVICES ADMINISTRATION

CONSUMER INFORMATION CENTER

For necessary expenses of the Consumer Information Center, including services authorized by 5 U.S.C. 3109, $2,061,000, to be deposited into the Consumer Information Center Fund: *Provided,* That the appropriations, revenues and collections deposited into the fund shall be available for necessary expenses of Consumer Information Center activities in the aggregate amount of $7,500,000. Administrative expenses of the Consumer Information Center in fiscal year 1996 shall not exceed $2,602,000. Appropriations, revenues, and collections accruing to this fund during fiscal year 1996 in excess of $7,500,000 shall remain in the fund and shall not be available for expenditure except as authorized in appropriations Acts.

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

HUMAN SPACE FLIGHT

For necessary expenses, not otherwise provided for, in the conduct and support of human space flight research and development activities, including research; development; operations; services; maintenance; construction of facilities including repair, rehabilitation, and modification of real and personal property, and acquisition or condemnation of real property, as authorized by law; space flight, spacecraft control and communications activities including operations, production, and services; and purchase, lease, charter, maintenance, and operation of mission and administrative aircraft; $5,456,600,000, to remain available until September 30, 1997.

SCIENCE, AERONAUTICS AND TECHNOLOGY

For necessary expenses, not otherwise provided for, for the conduct and support of science, aeronautics, and technology research and development activities, including research; development; operations; services; maintenance; construction of facilities including repair, rehabilitation and modification of real and personal property, and acquisition or condemnation of real property, as authorized by law; space flight, spacecraft control and communications activities including operations, production, and services; and purchase, lease, charter, maintenance, and operation of mission and administrative aircraft; $5,845,900,000, to remain available until September 30, 1997.

MISSION SUPPORT

For necessary expenses, not otherwise provided for, in carrying out mission support for human space flight programs and science, aeronautical, and technology programs, including research operations and support; space communications activities including operations, production, and services; maintenance; construction of facilities including repair, rehabilitation, and modification of facilities, minor construction of new facilities and additions to existing facilities, facility planning and design, environmental compliance and restoration, and acquisition or condemnation of real property, as authorized by law; program management; personnel and related costs, including uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901–5902); travel expenses; purchase, lease, charter, maintenance, and operation of mission and administrative aircraft; not to exceed $35,000 for official reception and representation expenses; and purchase (not to exceed thirty-three for replacement only) and hire of passenger motor vehicles; $2,502,200,000, to remain available until September 30, 1997.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of the Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, $16,000,000.

ADMINISTRATIVE PROVISIONS

(INCLUDING TRANSFER OF FUNDS)

Notwithstanding the limitation on the availability of funds appropriated for ''Human space flight'', ''Science, aeronautics and technology'', or ''Mission support'' by this appropriations Act, when any activity has been initiated by the incurrence of obligations for construction of facilities as authorized by law, the amount available for such activity shall remain available until expended. This provision does not apply to the amounts appropriated in ''Mission support'' pursuant to the authorization for repair, rehabilitation and modification of facilities, minor construction of new facilities and additions to existing facilities, and facility planning and design.

Notwithstanding the limitation on the availability of funds appropriated for ''Human space flight'', ''Science, aeronautics and technology'', or ''Mission support'' by this appropriations Act, the amounts appropriated for construction of facilities shall remain available until September 30, 1998.

Notwithstanding the limitation on the availability of funds appropriated for ''Mission support'' and ''Office of Inspector General'', amounts made available by this Act for personnel and related costs and travel expenses of the National Aeronautics and Space Administration shall remain available until September 30, 1996 and may be used to enter into contracts for training, investigations, cost associated with personnel relocation, and for other services, to be provided during the next fiscal year.

The unexpired balances of prior appropriations to NASA for activities for which funds are provided under this Act may be transferred to the new account established for the appropriation that provides funds for such activity under this Act. Balances so transferred may be merged with funds in the newly established account and thereafter may be accounted for as one fund to be available for the same purposes and under the same terms and conditions.

Upon the determination by the Administrator that such action is necessary, the Administrator may, with the approval of the Office of Management and Budget, transfer not to exceed $50,000,000 of funds made available in this Act to the National Aeronautics and Space Administration between such appropriations or any subdivision thereof, to be merged with and to be available for the same purposes, and for the same time period, as the appropriation to which transferred: *Provided,* That such authority to transfer may not be used unless for higher priority items, based on unforeseen requirements, than those for which originally appropriated: *Provided further,* That the Administrator of the National Aeronautics and Space Administration shall notify the Congress promptly of all transfers made pursuant to this authority.

NATIONAL CREDIT UNION ADMINISTRATION

CENTRAL LIQUIDITY FACILITY

During fiscal year 1996, gross obligations of the Central Liquidity Facility for the principal amount of new direct loans to member credit unions as authorized by the National Credit Union Central Liquidity Facility Act (12 U.S.C. 1795) shall not exceed $600,000,000: *Provided,* That administrative expenses of the Central Liquidity Facility in fiscal year 1996 shall not exceed $560,000.

NATIONAL SCIENCE FOUNDATION

RESEARCH AND RELATED ACTIVITIES

For necessary expenses in carrying out the purposes of the National Science Foundation Act of 1950, as amended (42 U.S.C. 1861–1875), and the Act to establish a National Medal of Science (42 U.S.C. 1880–1881); services as authorized by 5 U.S.C. 3109; maintenance and operation of aircraft and purchase of flight services for research support; acquisition of aircraft; $2,274,000,000, of which not to exceed $235,000,000 shall remain available until expended for Polar research and operations support, and for reimbursement to other Federal agencies for operational and science support and logistical and other related activities for the United States Antarctic program; the balance to remain available until

September 30, 1997: *Provided,* That receipts for scientific support services and materials furnished by the National Research Centers and other National Science Foundation supported research facilities may be credited to this appropriation: *Provided further,* That to the extent that the amount appropriated is less than the total amount authorized to be appropriated for included program activities, all amounts, including floors and ceilings, specified in the authorizing Act for those program activities or their subactivities shall be reduced proportionally.

MAJOR RESEARCH EQUIPMENT

For necessary expenses in carrying out major construction projects, and related expenses, pursuant to the purposes of the National Science Foundation Act of 1950, as amended (42 U.S.C. 1861–1875), $70,000,000, to remain available until expended.

ACADEMIC RESEARCH INFRASTRUCTURE

For necessary expenses in carrying out an academic research infrastructure program pursuant to the purposes of the National Science Foundation Act of 1950, as amended (42 U.S.C. 1861–1875), including services as authorized by 5 U.S.C. 3109 and rental of conference rooms in the District of Columbia, $100,000,000, to remain available until September 30, 1997.

EDUCATION AND HUMAN RESOURCES

For necessary expenses in carrying out science and engineering education and human resources programs and activities pursuant to the purposes of the National Science Foundation Act of 1950, as amended (42 U.S.C. 1861–1875), including services as authorized by 5 U.S.C. 3109 and rental of conference rooms in the District of Columbia, $599,000,000, to remain available until September 30, 1997: *Provided,* That to the extent that the amount of this appropriation is less than the total amount authorized to be appropriated for included program activities, all amounts, including floors and ceilings, specified in the authorizing Act for those program activities or their subactivities shall be reduced proportionally.

SALARIES AND EXPENSES

For necessary salaries and expenses in carrying out the purposes of the National Science Foundation Act of 1950, as amended (42 U.S.C. 1861–1875); services authorized by 5 U.S.C. 3109; hire of passenger motor vehicles; not to exceed $9,000 for official reception and representation expenses; uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901–5902); rental of conference rooms in the District of Columbia; reimbursement of the General Services Administration for security guard services; $127,310,000: *Provided,* That contracts may be entered into under salaries and expenses in fiscal year 1996 for maintenance and operation of facilities, and for other services, to be provided during the next fiscal year.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, $4,490,000, to remain available until September 30, 1997.

NATIONAL SCIENCE FOUNDATION HEADQUARTERS RELOCATION

For necessary support of the relocation of the National Science Foundation, $5,200,000: *Provided,* That these funds shall be used to reimburse the General Services Administration for services and related acquisitions in support of relocating the National Science Foundation.

NEIGHBORHOOD REINVESTMENT CORPORATION

PAYMENT TO THE NEIGHBORHOOD REINVESTMENT CORPORATION

For payment to the Neighborhood Reinvestment Corporation for use in neighborhood reinvestment activities, as authorized by the Neighborhood Reinvestment Corporation Act (42 U.S.C. 8101–8107), $38,667,000.

SELECTIVE SERVICE SYSTEM

SALARIES AND EXPENSES

For necessary expenses of the Selective Service System, including expenses of attendance at meetings and of training for uniformed personnel assigned to the Selective Service System, as authorized by law (5 U.S.C. 4101–4118) for civilian employees; and not to exceed $1,000 for official reception and representation expenses; $22,930,000: *Provided,* That during the current fiscal year, the President may exempt this appropriation from the provisions of 31 U.S.C. 1341, whenever he deems such action to be necessary in the interest of national defense: *Provided further,* That none of the funds appropriated by the Act may be expended for or in connection with the induction of any person into the Armed Forces of the United States.

TITLE IV
CORPORATIONS

Corporations and agencies of the Department of Housing and Urban Development which are subject to the Government Corporation Control Act, as amended, are hereby authorized to make such expenditures, within the limits of funds and borrowing authority available to each such corporation or agency and in accord with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Act as may be necessary in carrying out the programs set forth in the budget for 1996 for such corporation or agency except as hereinafter provided: *Provided,* That collections of these corporations and agencies may be used for new loan or mortgage purchase commitments only to the extent expressly provided for in this Act (unless such loans are in support of other forms of assistance provided for in this or prior appropriations Acts), except that this proviso shall not apply to the mortgage insurance or guaranty operations of these corporations, or where loans or mortgage purchases are necessary to protect the financial interest of the United States Government.

RESOLUTION TRUST CORPORATION

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, $11,400,000.

TITLE V
GENERAL PROVISIONS

SEC. 501. Where appropriations in titles I, II, and III of this Act are expendable for travel expenses and no specific limitation has been placed thereon, the expenditures for such travel expenses may not exceed the amounts set forth therefor in the budget estimates submitted for the appropriations: *Provided,* That this section shall not apply to travel performed by uncompensated officials of local boards and appeal boards of the Selective Service System; to travel performed directly in connection with care and treatment of medical beneficiaries of the Department of Veterans Affairs; to travel performed in connection with major disasters or emergencies declared or determined by the President under the provisions of the Robert T. Stafford Disaster Relief and Emergency Assistance Act; to travel performed by the Offices of Inspector General in connection with audits and investigations; or to payments to interagency motor pools where separately set forth in the budget schedules: *Provided further,* That if appropriations in titles I, II, and III exceed the amounts set forth in budget estimates initially submitted for such appropriations, the expenditures for travel may correspondingly exceed the amounts therefor set forth in the estimates in the same proportion.

SEC. 502. Appropriations and funds available for the administrative expenses of the Department of Housing and Urban Development and the Selective Service System shall be available in the current fiscal year for purchase of uniforms, or allowances therefor, as authorized by law (5 U.S.C. 5901–5902); hire of passenger motor vehicles; and services as authorized by 5 U.S.C. 3109.

SEC. 503. Funds of the Department of Housing and Urban Development subject to the Government Corporation Control Act or section 402 of the Housing Act of 1950 shall be available, without regard to the limitations on administrative expenses, for legal services on a contract or fee basis, and for utilizing and making payment for services and facilities of Federal National Mortgage Association, Government National Mortgage Association, Federal Home Loan Mortgage Corporation, Federal Financing Bank, Resolution Trust Corporation, Federal Reserve banks or any member thereof, Federal Home Loan banks, and any insured bank within the meaning of the Federal Deposit Insurance Corporation Act, as amended (12 U.S.C. 1811–1831).

SEC. 504. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 505. No funds appropriated by this Act may be expended—

(1) pursuant to a certification of an officer or employee of the United States unless—

(A) such certification is accompanied by, or is part of, a voucher or abstract which describes the payee or payees and the items or services for which such expenditure is being made, or

(B) the expenditure of funds pursuant to such certification, and without such a voucher or abstract, is specifically authorized by law; and

(2) unless such expenditure is subject to audit by the General Accounting Office or is specifically exempt by law from such audit.

SEC. 506. None of the funds provided in this Act to any department or agency may be expended for the transportation of any officer or employee of such department or agency between his domicile and his place of employment, with the exception of any officer or employee authorized such transportation under title 31, United States Code, section 1344.

SEC. 507. None of the funds provided in this Act may be used for payment, through grants or contracts, to recipients that do not share in the cost of conducting research resulting from proposals not specifically solicited by the Government: *Provided,* That the extent of cost sharing by the recipient shall reflect the mutuality of interest of the grantee or contractor and the Government in the research.

SEC. 508. None of the funds provided in this Act may be used, directly or through grants, to pay or to provide reimbursement for payment of the salary of a consultant (whether retained by the Federal Government or a grantee) at more than the daily equivalent of the rate paid for Level IV of the Executive Schedule, unless specifically authorized by law.

SEC. 509. None of the funds in this Act shall be used to pay the expenses of, or otherwise compensate, non-Federal parties intervening in regulatory or adjudicatory proceedings. Nothing herein affects the authority of the Consumer Product Safety Commission pursuant to section 7 of the Consumer Product Safety Act (15 U.S.C. 2056 et seq.).

SEC. 510. Except as otherwise provided under existing law or under an existing Executive order issued pursuant to an existing

law, the obligation or expenditure of any appropriation under this Act for contracts for any consulting service shall be limited to contracts which are (1) a matter of public record and available for public inspection, and (2) thereafter included in a publicly available list of all contracts entered into within twenty-four months prior to the date on which the list is made available to the public and of all contracts on which performance has not been completed by such date. The list required by the preceding sentence shall be updated quarterly and shall include a narrative description of the work to be performed under each such contract.

SEC. 511. Except as otherwise provided by law, no part of any appropriation contained in this Act shall be obligated or expended by any executive agency, as referred to in the Office of Federal Procurement Policy Act (41 U.S.C. 401 et seq.) for a contract for services unless such executive agency (1) has awarded and entered into such contract in full compliance with such Act and the regulations promulgated thereunder, and (2) requires any report prepared pursuant to such contract, including plans, evaluations, studies, analyses and manuals, and any report prepared by the agency which is substantially derived from or substantially includes any report prepared pursuant to such contract, to contain information concerning (A) the contract pursuant to which the report was prepared, and (B) the contractor who prepared the report pursuant to such contract.

SEC. 512. Except as otherwise provided in section 506, none of the funds provided in this Act to any department or agency shall be obligated or expended to provide a personal cook, chauffeur, or other personal servants to any officer or employee of such department or agency.

SEC. 513. None of the funds provided in this Act to any department or agency shall be obligated or expended to procure passenger automobiles as defined in 15 U.S.C. 2001 with an EPA estimated miles per gallon average of less than 22 miles per gallon.

SEC. 514. Such sums as may be necessary for fiscal year 1996 pay raises for programs funded by this Act shall be absorbed within the levels appropriated in this Act.

SEC. 515. None of the funds appropriated in title I of this Act shall be used to enter into any new lease of real property if the estimated annual rental is more than $300,000 unless the Secretary submits, in writing, a report to the Committees on Appropriations of the Congress and a period of 30 days has expired following the date on which the report is received by the Committees on Appropriations.

SEC. 516. (a) PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS.—It is the sense of the Congress that, to the greatest extent practicable, all equipment and products purchased with funds made available in this Act should be American-made.

(b) NOTICE REQUIREMENT.—In providing financial assistance to, or entering into any contract with, any entity using funds made available in this Act, the head of each Federal agency, to the greatest extent practicable, shall provide to such entity a notice describing the statement made in subsection (a) by the Congress.

SEC. 517. None of the funds appropriated in this Act may be used to implement any cap on reimbursements to grantees for indirect costs, except as published in Office of Management and Budget Circular A–21.

SEC. 518. None of the funds made available in this Act may be used for any program, project, or activity, when it is made known to the Federal entity or official to which the funds are made available that the program, project, or activity is not in compliance with any Federal law relating to risk assessment, the protection of private property rights, or unfunded mandates.

SEC. 519. In fiscal year 1996, the Director of the Federal Emergency Management Agency shall sell the disaster housing inventory of mobile homes and trailers, and the proceeds thereof shall be deposited in the Treasury.

SEC. 520. Such funds as may be necessary to carry out the orderly termination of the Office of Consumer Affairs shall be made available from funds appropriated to the Department of Health and Human Services for fiscal year 1996.

This Act may be cited as the ''Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1996''.

SEC. 102. Unless otherwise provided for in this title of this Act or in the applicable appropriations Act, appropriations and funds made available and authority granted pursuant to this title of this Act shall be available until (a) the enactment into law of an appropriation for any project or activity provided for in this title of this Act, or (b) the enactment into law of the applicable appropriations Act by both Houses without any provision for such project or activity, or (c) September 30, 1996, whichever first occurs.

SEC. 103. Appropriations made and authority granted pursuant to this title of this Act shall cover all obligations or expenditures incurred for any program, project, or activity during the period for which funds or authority for such project or activity are available under this title of this Act.

SEC. 104. Expenditures made pursuant to this title of this Act shall be charged to the applicable appropriation, fund, or authorization whenever a bill in which such applicable appropriation, fund, or authorization is contained is enacted into law.

SEC. 105. Upon enactment of this Act, the following provisions of Public Law 104–99, Public Law 104–92, and Public Law 104–91 that would continue to have effect after March 15, 1996, are superseded: section 101 of Public Law 104–92; section 101(a) of Public Law 104–91, as amended, except the paragraphs dealing with funding of National Institutes of Health activities and Centers for Disease Control and Prevention activities, and except for the general provisions enacted in the amendment to Public Law 104–91 included in Public Law 104–99; and sections 123, 124, and 201 of Public Law 104–99.

SEC. 106. Section 119 of Public Law 104–99 is hereby repealed.

SEC. 107. Title I of Public Law 104–52 is hereby amended by deleting '', not to exceed $1,406,000,'' under the heading ''CUSTOMS SERVICES AT SMALL AIRPORTS''.

SEC. 108. Title I of Public Law 104–52 is hereby amended by adding the following new section under the heading ''ADMINISTRATIVE PROVISIONS—INTERNAL REVENUE SERVICE'':

''SEC. 3. The funds provided in this Act shall be used to provide a level of service, staffing, and funding for Taxpayer Services Division operations which is not less than that provided in fiscal year 1995.''.

SEC. 109. Title III of Public Law 104–52 is hereby amended by adding the following proviso before the last period under the heading ''OFFICE OF NATIONAL DRUG CONTROL POLICY, SALARIES AND EXPENSES'': '': *Provided,* That of the amounts available to the Counter-Drug Technology Assessment Center, no less than $1,000,000 shall be dedicated to conferences on model state drug laws''.

SEC. 110. Subsection (b) of section 347 of Public Law 104–50 is hereby amended by inserting after ''(4) section 7204, relating to antidiscrimination;'' the following: ''(5) chapter 71, relating to labor-management relations;'' and by renumbering items (5), (6), and (7) as items (6), (7), and (8) respectively.

SEC. 111. EXPORTATION OF DRUGS AND DEVICES.

(a) REFERENCE.—Whenever in this section (other than subsection (f)) an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Federal Food, Drug, and Cosmetic Act.

(b) SECTION 801(d).—Section 801(d) (21 U.S.C. 381(d)) is amended by adding at the end the following:

''(3) No component, part, or accessory of a drug (including a biological product or a drug in bulk form), device, food, or food additive shall be excluded from importation into the United States under subsection (a), if such component, part, or accessory will be incorporated into the drug, device, food, or food additive that will be exported from the United States in accordance with subsection (e)(1) or section 802 or section 351(h) of the Public Health Service Act. A person shall maintain a record of the import and export of such drug, device, food, or food additive.''.

(c) SECTION 801(e)(1).—Section 801(e)(1) (21 U.S.C. 381(e)(1)) is amended—

(1) by amending the matter preceding subparagraph (A) to read as follows:

''(e)(1) A food, drug (including a biological product), device, or cosmetic intended for export shall not be deemed to be adulterated or misbranded, to be in violation of section 404, 505, or 512, or to be an unlicensed biological product under section 351 of the Public Health Service Act if—''; and

(2) by striking the second sentence.

(d) SECTION 801(e)(2).—Section 801(e)(2) (21 U.S.C. 381(e)(2)) is amended to read as follows:

''(2) Any person who exports a drug or device under this subsection or section 802 may request that the Secretary certify in writing that the export is legal upon a showing that the requirements for the export of such drug or device have been satisfied. The Secretary shall issue such a written export certification within 10 days of the receipt of a request for such certification. A fee for such certification may be charged but shall not exceed $100 for each. The fees shall be retained by the agency to be used to cover expenses.

(e) SECTION 802.—Section 802 (21 U.S.C. 382) is amended to read as follows:

''SEC. 802. (a) A drug (including a biological product) intended for human or animal use or a device intended for human use—

''(1) which, in the case of a drug—

''(A)(i) requires approval by the Secretary under section 505 or section 512 before it may be introduced or delivered for introduction into interstate commerce; or

''(ii) requires licensing by the Secretary under section 351 of the Public Health Service Act or by the Secretary of Agriculture under the Act of March 4, 1913 (known as the Virus-Serum Toxin Act) before it may be introduced or delivered for introduction into interstate commerce; and

''(B) does not have such approval or license, which is not exempt from such sections or Act, and which is introduced or delivered for introduction into interstate commerce, or

''(2) which, in the case of a device—

''(A) does not comply with an applicable requirement under section 514 or 515,

''(B) is exempt from section 514 or 515 under section 520(g), or

''(C) is a banned device under section 516,

may only be exported under subsection (b) or (c).

''(b) Except as otherwise provided in this section, a drug (including a biological product) or device, referred to in subsection (a), may be exported to any country, if the drug or device complies with the laws in any of the following—

''(1) Australia, Canada, Israel, Japan. New Zealand, Switzerland, or South Africa; or

''(2) a country in the European Union or a country in the European Economic Area (the

countries in the European Union and the European Free Trade Association and where such drug, device, food or food additive is exported for the purpose of marketing, the drug, device, food or food additive has valid marketing authorization by the appropriate approval authority from the country in which it shall be marketed.

''(c)(1) A person who intends to export an unapproved drug (including a biological product) or device not eligible for export under subsection (b) shall submit to the Secretary a notification of intent to export which shall—

''(A) identify the drug or device to be exported and the intended use of the product in the county to which it is to be exported; and

''(B) contain a certification by such person that such person will export the drug or device only to a country where the drug or device is permitted for general use, investigational research, or non-clinical experimental research.

''(2) Within 45 days of the receipt under paragraph (1) of a notification of an intent to export, the Secretary shall issue to the person who submitted such notice an order denying the request for export if—

''(A) the notification does not meet the requirements of paragraph (1); or

''(B) the proposed intended use of the exported drug or device poses an imminent hazard to the health of individuals, taking into account the risks of not using the product in diagnosis or treatment, and the finding of such hazard is based upon credible scientific evidence.

If the Secretary does not respond to such a notice within 45 days of its receipt, the person who submitted such notice may proceed with the export of the drug or device covered by such notice.

''(3) if the Secretary denies a request for export of a drug or device under paragraph (2), the Secretary shall immediately prohibit the export of the drug or device and afford such person an opportunity for an informal hearing on the denial. If the denial is based upon a finding of imminent hazard, such informal hearing shall be before the Commissioner and the Secretary may not delegate the authority of the Commissioner.

''(d) A drug or device intended for formulation, filling, packaging, labeling, or other processing in anticipation of market authorization in any country described in subsection (b) may be exported in accordance with the laws of that country.''.

(f) PARTIALLY PROCESSED BIOLOGICAL PRODUCTS.—Subsection (h) of section 351 of the Public Health Service Act (42 U.S.C. 262) is amended to read as follows:

''(h) A partially-processed biological product which—

''(1) is not in a form applicable to the prevention, treatment, or cure of diseases or injuries of man;

''(2) is not intended for sale in the United States; and

''(3) is intended for further manufacture into final dosage form outside the United States,

shall be subject to no restriction on the export of the product under this Act or the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321 et seq.) if the product meets the requirements of section 801(e)(1) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 381(e)(1)).''.

TITLE II

EMERGENCY PEACEKEEPING APPROPRIATIONS

CHAPTER I

DEPARTMENT OF STATE

ADMINISTRATION OF FOREIGN AFFAIRS

DIPLOMATIC AND CONSULAR PROGRAMS

For an additional amount for ''Diplomatic and Consular Programs'' to provide for administrative expenses related to activities in Bosnia and Herzegovina, $2,000,000, notwithstanding section 15 of the State Department Basic Authorities Act of 1956: *Provided,* That the entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

RELATED AGENCIES

UNITED STATES INFORMATION AGENCY

SALARIES AND EXPENSES

For an additional amount for ''Salaries and Expenses'', $1,000,000, to remain available until expended, to be used for United States Information Agency activities in Bosnia and Herzegovina, notwithstanding section 701 of the United States Information and Educational Exchange Act of 1948: *Provided,* That the entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

CHAPTER II

FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS

FUNDS APPROPRIATED TO THE PRESIDENT

AGENCY FOR INTERNATIONAL DEVELOPMENT

ASSISTANCE FOR EASTERN EUROPE AND THE BALTIC STATES

(INCLUDING TRANSFERS OF FUNDS)

For an additional amount for ''Assistance for Eastern Europe and the Baltic States'' for Bosnia and Herzegovina, including demining assistance, $197,000,000, to remain available until December 31, 1996: *Provided,* That of the funds appropriated under this heading by this Act that are made available for the economic revitalization program in Bosnia and Herzegovina, not less than 75 percent shall be obligated and expended for programs, projects, and activities, within the sector assigned to American forces of the military Implementation Force (IFOR) established by the North Atlantic Council pursuant to the General Framework Agreement for Peace in Bosnia and Herzegovina: *Provided further,* That none of the funds appropriated under this heading by this Act shall be made available for the construction of new housing or residences in Bosnia and Herzegovina: *Provided further,* That not to exceed $5,000,000 of the funds appropriated under this heading in Public Law 104–107 may be transferred to ''Debt Restructuring'' to be made available only for the cost, as defined in section 502 of the Congressional Budget Act of 1974, of modifying direct loans and loan guarantees, notwithstanding any other provision of law: *Provided further,* That $5,000,000 shall be transferred to ''Foreign Military Financing Program'' for demining activities for Bosnia and Herzegovina: *Provided further,* That $2,000,000 of the funds appropriated under this heading in Public Law 104–107 shall be transferred to ''Operating Expenses of the Agency for International Development'' for administrative expenses: *Provided further,* That the additional amount appropriated herein is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further,* That, notwithstanding any other provision of law including any provision of Public Law 104–107, funds appropriated under this heading by this Act that are made available for economic revitalization shall not be available for obligation and expenditure unless the President determines and certifies to the Congress that the Government of the Federation of Bosnia and Herzegovina has substantially complied with article III of Annex 1–A of the General Framework Agreement for Peace in Bosnia and Herzegovina concerning the withdrawal of foreign forces, including advisers, freedom fighters, trainers, volunteers, and personnel from neighboring and other nations: *Provided further,* That with regard to funds appropriated under this heading by this Act (and local currencies generated by such funds) that are made available for economic revitalization, the Administrator of the Agency for International Development shall provide written approval for grants and loans prior to the obligation and expenditure of funds for such purposes: *Provided further,* That with regard to funds appropriated under this heading by this Act (and local currencies generated by such funds) that are made available for economic revitalization, the Administrator of the Agency for International Development shall provide written approval for the use of funds that have been returned or repaid to any lending facility and grantee under the economic revitalization program prior to the use of such returned or repaid funds.

MILITARY ASSISTANCE

FOREIGN MILITARY FINANCING PROGRAM

For an additional amount for ''Foreign Military Financing Program'' for grants for Jordan pursuant to section 23 of the Arms Export Control Act, $70,000,000: *Provided,* That such funds may be used for Jordan to finance transfers by lease of defense articles under chapter 6 of such Act.

EXPORT AND INVESTMENT ASSISTANCE

EXPORT-IMPORT BANK OF THE UNITED STATES

SUBSIDY APPROPRIATION

(RESCISSION)

Of the unobligated balances available under this heading, $41,000,000 are rescinded.

CHAPTER III

DEPARTMENT OF DEFENSE

MILITARY CONSTRUCTION

For an additional amount for ''North Atlantic Treaty Organization Security Investment Program'', $37,500,000 to remain available until expended: *Provided,* That the Secretary of Defense may make additional contributions for the North Atlantic Treaty Organization as provided in section 2806 of title 10, United States Code: *Provided further,* That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

CHAPTER IV

DEPARTMENT OF DEFENSE—MILITARY

MILITARY PERSONNEL

MILITARY PERSONNEL, ARMY

For an additional amount for ''Military Personnel, Army'', $262,200,000, *Provided,* That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

MILITARY PERSONNEL, NAVY

For an additional amount for ''Military Personnel, Navy'', $11,800,000: *Provided,* That

such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

MILITARY PERSONNEL, MARINE CORPS

For an additional amount for ''Military Personnel, Marine Corps'', $2,700,000: *Provided,* That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

MILITARY PERSONNEL, AIR FORCE

For an additional amount for ''Military Personnel, Air Force'', $33,700,000: *Provided,* That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

OPERATION AND MAINTENANCE

OPERATION AND MAINTENANCE, ARMY

For an additional amount for ''Operation and Maintenance, Army'', $235,200,000: *Provided,* That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

OPERATION AND MAINTENANCE, MARINE CORPS

For an additional amount for ''Operation and Maintenance, Marine Corps'', $900,000: *Provided,* That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

OPERATION AND MAINTENANCE, AIR FORCE

For an additional amount for ''Operation and Maintenance, Air Force'', $130,200,000: *Provided,* That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

OPERATION AND MAINTENANCE, DEFENSE-WIDE

For an additional amount for ''Operation and Maintenance, Defense-Wide'', $79,800,000: *Provided,* That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

PROCUREMENT

OTHER PROCUREMENT, AIR FORCE

For an additional amount for ''Other Procurement, Air Force'', $26,000,000: *Provided,* That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

RESCISSIONS

PROCUREMENT

MISSILE PROCUREMENT, AIR FORCE

(RESCISSION)

Of the funds made available under this heading in Public Law 103–335, $310,000,000 are rescinded.

OTHER PROCUREMENT, AIR FORCE

(RESCISSION)

Of the funds made available under this heading in Public Law 103–335, $265,000,000 are rescinded.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY

(RESCISSION)

Of the funds made available under this heading in Public Law 104–61, $9,750,000 are rescinded: *Provided,* That this reduction shall be applied proportionally to each budget activity, activity group and subactivity group and each program, project, and activity within this appropriation account.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY

(RESCISSION)

Of the funds made available under this heading in Public Law 104–61, $17,500,000 are rescinded: *Provided,* That this reduction shall be applied proportionally to each budget activity, activity group and subactivity group and each program, project, and activity within this appropriation account.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE

(RESCISSIONS)

Of the funds made available under this heading in Public Law 103–335, $245,000,000 are rescinded.

Of the funds made available under this heading in Public Law 104–61, $22,450,000 are rescinded: *Provided,* That this reduction shall be applied proportionally to each budget activity, activity group and subactivity group and each program, project, and activity within this appropriation account.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE

(RESCISSION)

Of the funds made available under this heading in Public Law 104–61, $20,300,000 are rescinded: *Provided,* That this reduction shall be applied proportionally to each budget activity, activity group and subactivity group and each program, project, and activity within this appropriation account: *Provided further,* That no reduction may be taken against the funds made available to the Department of Defense for Ballistic Missile Defense.

GENERAL PROVISIONS—THIS CHAPTER

(TRANSFER OF FUNDS)

SEC. 2001. Section 8005 of the Department of Defense Appropriations Act, 1996 (Public Law 104–61), is amended by striking out ''$2,400,000,000'' and inserting in lieu thereof ''$3,400,000,000''.

CHAPTER V

GENERAL PROVISIONS—THIS TITLE

SEC. 2002. No part of any appropriation contained in this title shall remain available for obligation beyond the current fiscal years unless expressly so provided herein.

TITLE III

EMERGENCY SUPPLEMENTAL APPROPRIATIONS

CHAPTER I

DEPARTMENT OF AGRICULTURE

NATURAL RESOURCES CONSERVATION SERVICE

WATERSHED AND FLOOD PREVENTION OPERATIONS

For an additional amount for ''Watershed and flood prevention operations'' to repair damage to waterways and watersheds resulting from flooding in the Pacific Northwest, Northeast blizzards and floods, and other natural disasters, $73,200,000, to remain available until expended: *Provided,* That the entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

CONSOLIDATED FARM SERVICE AGENCY

EMERGENCY CONSERVATION PROGRAM

For an additional amount for ''Emergency conservation program'' for expenses resulting from flooding in the Pacific Northwest, Northeast blizzards and floods, and other natural disasters, $24,800,000, to remain available until expended: *Provided,* That the entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

EMERGENCY LIVESTOCK FEED ASSISTANCE PROGRAM

Notwithstanding any other provision of law, for expenses resulting from flooding in the Pacific Northwest and other natural disasters, not to exceed $10,000,000 of Commodity Credit Corporation funds shall be available until expended for implementation of cost sharing under provisions consistent with the Emergency Livestock Feed Assistance Program: *Provided,* That the entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

RURAL HOUSING AND COMMUNITY DEVELOPMENT SERVICE

RURAL HOUSING INSURANCE FUND PROGRAM ACCOUNT

For an additional amount for ''Rural housing insurance fund program account'' for the additional cost of direct loans, including the cost of modifying loans as defined in section 502 of the Congressional Budget Act of 1974, for emergency expenses resulting from flooding in the Pacific Northwest, Northeast blizzards and floods, Hurricane Marilyn, and other natural disasters, to be available from funds in the rural housing insurance fund as follows: $6,500,000 for section 502 direct loans and section 504 housing repair loans, to remain available until expended: *Provided,* That the entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

VERY LOW-INCOME HOUSING REPAIR GRANTS

For an additional amount for ''Very low-income housing repair grants'' under section 504 of the Housing Act of 1949, as amended, for emergency expenses resulting from flooding in the Pacific Northwest, Northeast blizzards and floods, Hurricane Marilyn, and other natural disasters, $1,100,000, to remain available until expended: *Provided,* That the entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

RURAL UTILITIES SERVICE

EMERGENCY COMMUNITY WATER ASSISTANCE PROGRAM

For an additional amount for ''Emergency community water assistance program'' for emergency expenses resulting from flooding in the Pacific Northwest, Northeast blizzards and floods, and other natural disasters, $5,000,000, to remain available until expended, for the cost of emergency community water assistance grants, as authorized by 7 U.S.C. 1926b: *Provided,* That the entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

RURAL UTILITIES ASSISTANCE PROGRAM

For an additional amount for ''Rural utilities assistance program'' for the additional cost of direct loans and grants, including the cost of modifying loans as defined in section 502 of the Congressional Budget Act of 1974, for emergency expenses resulting from flooding in the Pacific Northwest, Northeast blizzards and floods, and other natural disasters,

$6,000,000, to remain available until expended: *Provided,* That the entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

CHAPTER II

SMALL BUSINESS ADMINISTRATION

DISASTER LOANS PROGRAM ACCOUNT

For an additional amount for ''Disaster Loans Program Account'' for the cost of direct loans authorized by section 7(b) of the Small Business Act, as amended, $72,300,000, to remain available until expended: *Provided,* That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further,* That the entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

For an additional amount for administrative expenses directly related to carrying out the disaster loan program, $27,700,000, to remain available until expended: *Provided,* That these funds shall be available only upon notification to the Committees on Appropriations of the House of Representatives and the Senate in accordance with standard reprogramming procedures: *Provided further,* That the entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

CHAPTER III

DEPARTMENT OF DEFENSE—CIVIL

DEPARTMENT OF THE ARMY

CORPS OF ENGINEERS—CIVIL

OPERATION AND MAINTENANCE, GENERAL

For an additional amount for ''Operation and Maintenance, General'', for the Northeast and Northwest floods of 1996, $30,000,000, to remain available until expended: *Provided,* That the entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

FLOOD CONTROL AND COASTAL EMERGENCIES

For an additional amount for ''Flood Control and Coastal Emergencies'', for the Northeast and Northwest floods of 1996 and other disasters, and to replenish funds transferred pursuant to Public Law 84–99, $135,000,000, to remain available until expended: *Provided,* That the entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(D)(2)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

DEPARTMENT OF THE INTERIOR

BUREAU OF RECLAMATION

CONSTRUCTION PROGRAM

For an additional amount for ''Construction Program'', $9,000,000, to remain available until expended: *Provided,* That the entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(D)(2)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

DEPARTMENT OF ENERGY

POWER MARKETING ADMINISTRATIONS

CONSTRUCTION, REHABILITATION, OPERATION AND MAINTENANCE, WESTERN AREA POWER ADMINISTRATION

(TRANSFER OF FUNDS)

$5,500,000 of funds appropriated under this heading in the Energy and Water Development Appropriations Act, 1995 (Public Law 103–316), shall be transferred to the appropriation account ''Operation and Maintenance, Alaska Power Administration'', to remain available until expended, only for necessary termination expenses.

CHAPTER IV

DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT

CONSTRUCTION AND ACCESS

For an additional amount for ''Construction and Access'', $4,242,000, to remain available until expended, to repair roads, culverts, bridges, facilities, fish and wildlife protective structures, and recreation sites damaged by the Pacific Northwest floods and other natural disasters: *Provided,* That Congress hereby designates this amount as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

OREGON AND CALIFORNIA GRANT LANDS

For an additional amount for ''Oregon and California Grant Lands'', $19,548,000, to remain available until expended, to repair roads, culverts, bridges, facilities, fish and wildlife protective structures, and recreation sites damaged by the Pacific Northwest floods and other natural disasters: *Provided,* That Congress hereby designates this amount as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

UNITED STATES FISH AND WILDLIFE SERVICE

CONSTRUCTION

For an additional amount for ''Construction'', $20,505,000, to remain available until expended, to make repairs necessitated by hurricanes, floods and other natural disasters: *Provided,* That Congress hereby designates this amount as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

NATIONAL PARK SERVICE

CONSTRUCTION

For an additional amount for ''Construction'', $33,601,000, to remain available until expended, to make repairs necessitated by hurricanes, floods and other natural disasters: *Provided,* That Congress hereby designates this amount as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

UNITED STATES GEOLOGICAL SURVEY

SURVEYS, INVESTIGATIONS, AND RESEARCH

For an additional amount for ''Surveys, Investigations, and Research'', $1,176,000, to remain available until September 30, 1997, for expenses necessitated by hurricanes, floods and other natural disasters: *Provided,* That Congress hereby designates this amount as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

BUREAU OF INDIAN AFFAIRS

OPERATION OF INDIAN PROGRAMS

For an additional amount for ''Operation of Indian Programs'', $500,000, to remain available until September 30, 1997, for emergency operations and repairs necessitated by winter floods: *Provided,* That Congress hereby designates this amount as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

CONSTRUCTION

For an additional amount for ''Construction'', $9,428,000, to remain available until expended, for emergency repairs necessitated by floods in the Pacific Northwest and other natural disasters: *Provided,* That Congress hereby designates this amount as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

TERRITORIAL AND INTERNATIONAL AFFAIRS

ASSISTANCE TO TERRITORIES

For an additional amount for ''Assistance to Territories'', $2,000,000, to remain available until expended, for recovery efforts necessitated by Hurricane Marilyn: *Provided,* That Congress hereby designates this amount as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

DEPARTMENT OF AGRICULTURE

FOREST SERVICE

NATIONAL FOREST SYSTEM

For an additional amount for ''National Forest System'', $20,000,000, to remain available until September 30, 1997, for expenses necessitated by floods and other natural disasters: *Provided,* That Congress hereby designates this amount as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

CONSTRUCTION

For an additional amount for ''Construction'', $60,000,000, to remain available until expended, for expenses necessitated by floods and other natural disasters: *Provided,* That Congress hereby designates this amount as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further,* That $20,000,000 of this amount shall be available only to the extent an official budget request, for a specific dollar amount, that includes designation of the entire amount of the request as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.

CHAPTER V

DEPARTMENT OF TRANSPORTATION

FEDERAL HIGHWAY ADMINISTRATION

FEDERAL-AID HIGHWAYS

(HIGHWAY TRUST FUND)

For the Emergency Fund authorized by section 125 of title 23, United States Code, to cover expenses arising from the January 1996 flooding in the Mid-Atlantic, Northeast, and Northwest States, and other disasters, $267,000,000, to be derived from the Highway Trust Fund and to remain available until expended: *Provided,* That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

DEPARTMENT OF TRANSPORTATION

FEDERAL TRANSIT ADMINISTRATION

MASS TRANSIT CAPITAL ACCOUNT

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(HIGHWAY TRUST FUND)

For an additional amount for payment of obligations incurred in carrying out 49 U.S.C. 5338(b) administered by the Federal Transit Administration, $375,000,000, to be derived from the Highway Trust Fund and to remain available until expended.

OTHER INDEPENDENT AGENCIES

PANAMA CANAL COMMISSION

PANAMA CANAL REVOLVING FUND

For an additional amount for administrative expenses, $2,000,000, to be derived from the Panama Canal Revolving Fund.

CHAPTER VI

FEDERAL EMERGENCY MANAGEMENT AGENCY

DISASTER RELIEF

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for ''Disaster Relief'', $150,000,000, to remain available until expended, which, in whole or in part, may be transferred to the Disaster Assistance Direct Loan Program Account for the cost of direct loans as authorized under section 417 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.): *Provided further,* That such transfer may be made to subsidize gross obligations for the principal amount of direct loans not to exceed $170,000,000 under section 417 of the Stafford Act: *Provided further,* That any such transfer of funds shall be made only upon certification by the Director of the Federal Emergency Management Agency that all requirements of section 417 of the Stafford Act will be complied with: *Provided further,* That the entire amount of this appropriation shall be available only to the extent that an official budget request for a specific dollar amount, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to Congress: *Provided further,* That the entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

CHAPTER VII

GENERAL PROVISIONS—THIS TITLE

SEC. 3002. No part of any appropriation contained in this title shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

TITLE IV

CONTINGENT SUPPLEMENTAL APPROPRIATIONS

CHAPTER I

DEPARTMENT OF COMMERCE

NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY

INDUSTRIAL TECHNOLOGY SERVICES

For an additional amount for the Advanced Technology Program, $100,000,000, to remain available until expended: *Provided,* That amounts made available under this heading may be used only for the purpose of providing continuation grants for projects awarded in fiscal year 1994 and prior years and related administrative expenses: *Provided further,* That none of the funds made available under this heading may be used for the purpose of carrying out additional program competitions under the Advanced Technology Program.

DEPARTMENT OF STATE

INTERNATIONAL ORGANIZATIONS AND CONFERENCES

CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

For an additional amount for ''Contributions to International Organizations'', $158,000,000, subject to the same terms and conditions as provided in the Department of State and Related Agencies Appropriations Act, 1996: *Provided,* That 50 percent of the funds appropriated in this paragraph shall be withheld from obligation and expenditure unless the Secretary of State certifies that the United Nations has taken no action that would cause the United Nations to exceed its no-growth budget for the biennium 1996–1997 adopted in December, 1995.

CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING ACTIVITIES

For an additional amount for ''Contributions for International Peacekeeping Activities'', $200,000,000, subject to the same terms and conditions as provided in the Department of State and Related Agencies Appropriations Act, 1996.

CHAPTER II

DEPARTMENT OF LABOR

EMPLOYMENT AND TRAINING ADMINISTRATION

TRAINING AND EMPLOYMENT SERVICES

For an additional amount for ''Training and Employment Services'', $111,800,000, of which $84,300,000 for title II, part A, of the Job Training Partnership Act shall be available for obligation for the period July 1, 1996 through June 30, 1997 and $27,500,000 for the School-to-Work Opportunities Act shall be available for obligation for the period July 1, 1996, through September 30, 1997.

STATE UNEMPLOYMENT INSURANCE AND EMPLOYMENT SERVICE OPERATIONS

For an additional amount for ''State Unemployment Insurance and Employment Service Operations'', $33,000,000 to be available for obligation for the period July 1, 1996 through June 30, 1997.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES ADMINISTRATION

SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES

For an additional amount for ''Substance Abuse and Mental Health Services'', $100,000,000 for carrying out title XIX of the Public Health Service Act with respect to substance abuse services.

DEPARTMENT OF EDUCATION

EDUCATION REFORM

For an additional amount for ''Education Reform'', $389,500,000 for carrying out activities authorized by the Goals 2000: Educate America Act and titles II and III of the School-to-Work Opportunities Act which shall become available on July 1, 1996 and remain available through September 30, 1997: *Provided,* That none of the funds appropriated under this heading shall be obligated or expended to carry out section 304(a)(2)(A) of the Goals 2000: Educate America Act.

EDUCATION FOR THE DISADVANTAGED

For an additional amount for ''Education for the Disadvantaged'', $961,000,000 for carrying out title I of the Elementary and Secondary Education Act of 1965 which shall become available on July 1, 1996 and remain available through September 30, 1997: *Provided,* That $461,000,000 shall be available for basic grants under section 1124, which shall be allocated without regard to section 1124(d): *Provided further,* That $500,000,000 shall be available for concentration grants under section 1124(A): *Provided further,* That no funds shall be reserved under section 1003(a).

SCHOOL IMPROVEMENT PROGRAMS

For an additional amount for ''School Improvement Programs'', $12,000,000 for carrying out title X of the Elementary and Secondary Education Act of 1965.

EDUCATION RESEARCH, STATISTICS, AND IMPROVEMENT

For an additional amount for ''Education Research, Statistics, and Improvement'', $23,000,000 for carrying out section 3136 (K–12 technology learning challenges) of the Elementary and Secondary Education Act of 1965.

CHAPTER III

DEPARTMENT OF VETERANS AFFAIRS

DEPARTMENTAL ADMINISTRATION

CONSTRUCTION, MAJOR PROJECTS

For an additional amount for ''Construction, Major Projects'', $70,100,000, to remain available until expended.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

HOUSING PROGRAMS

ANNUAL CONTRIBUTIONS FOR ASSISTED HOUSING

For an additional amount for ''Annual Contributions for Assisted Housing'', $150,000,000, to remain available until expended: *Provided,* That of the total amount provided, $75,000,000 shall be made available, as authorized by section 202 of the Housing Act of 1959; and $75,000,000 shall be for supportive housing for persons with disabilities, as authorized by section 811 of the Cranston-Gonzalez National Affordable Housing Act.

PUBLIC HOUSING DEMOLITION, SITE REVITALIZATION, AND REPLACEMENT HOUSING GRANTS

For an additional amount for ''Public Housing Demolition, Site Revitalization, and Replacement Housing Grants'', $220,000,000, to remain available until expended.

PAYMENTS FOR OPERATION OF LOW-INCOME HOUSING PROJECTS

For an additional amount for ''Payments for Operation of Low-Income Housing Projects'', $50,000,000.

COMMUNITY PLANNING AND DEVELOPMENT

COMMUNITY DEVELOPMENT GRANTS

Of the amount provided under this heading in title I of this Act, $80,000,000 shall be available for Economic Development Initiative grants as authorized by section 108(q) of the Housing and Community Development Act of 1974, as amended, on a competitive basis.

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

NATIONAL AND COMMUNITY SERVICE PROGRAMS OPERATING EXPENSES

(INCLUDING TRANSFER OF FUNDS)

Upon the implementation of title IV of this Act, notwithstanding the language under this heading in title I of this Act or any other provision of law, effective October 1, 1995, and throughout the remainder of fiscal year 1996, appropriations made available to the Corporation for National and Community Services are in toto as provided for in title IV of this Act as follows:

For necessary expenses for the Corporation for National and Community Service (referred to in the matter under this heading as the ''Corporation'') in carrying out programs, activities, and initiatives under the National and Community Service Act of 1990 (referred to in the matter under this heading as the ''Act'') (42 U.S.C. 12501 et seq.), $383,500,000, of which $234,000,000 shall be available for obligation from September 1, 1996, through September 30, 1997: *Provided,* That not more than $25,000,000 shall be available for administrative expenses authorized under section 501(a)(4) of the Act (42 U.S.C. 12681(a)(4)): *Provided further,* That not more than $2,500 shall be for official reception and representation expenses: *Provided further,* That not more than $59,000,000, to remain available without fiscal year limitation, shall be transferred to the National Service Trust account for educational awards authorized under subtitle D of title I of the Act (42 U.S.C. 12601 et seq.): *Provided further,* That not more than $175,000,000 of the amount provided under this heading shall be available for grants under the National Service Trust program authorized under subtitle C of title I of the Act (42 U.S.C. 12571 et seq.)

(relating to activities including the AmeriCorps program): *Provided further,* That not more than $3,500,000 of the funds made available under this heading shall be made available for the Points of Light Foundation for activities authorized under title III of the Act (42 U.S.C. 12661 et seq.): *Provided further,* That not more than $40,000,000 of the funds made available under this heading may be used to administer, reimburse, or support any national service program authorized under section 121(d)(2) of such Act (42 U.S.C. 12581(d)(2)), and none of such funds shall be available for national service programs run by Federal agencies authorized under section 121(b) of such Act (42 U.S.C. 12581(b)): *Provided further,* That, to the maximum extent feasible, funds appropriated in the preceding proviso shall be provided in a manner that is consistent with the recommendations of peer review panels in order to assure that priority is given to programs that demonstrate quality, innovation, replicability, and sustainability: *Provided further,* That not more than $18,000,000 of the funds made available under this heading shall be available for the National Civilian Community Corps authorized under subtitle E of title I of the Act (42 U.S.C. 12611 et seq.): *Provided further,* That not more than $43,000,000 shall be available for school-based and community-based service-learning programs authorized under subtitle B of title I of the Act (42 U.S.C. 12521 et seq.): *Provided further,* That not more than $15,000,000 shall be available for quality and innovation activities authorized under subtitle H of title I of the Act (42 U.S.C. 12653 et seq.): *Provided further,* That not more than $5,000,000 shall be available for audits and other evaluations authorized under section 179 of the Act (42 U.S.C. 12639), of which up to $500,000 shall be available for a study by the National Academy of Public Administration on the structure, organization, and management of the Corporation and activities supported by the Corporation, including an assessment of the quality, innovation, replicability and sustainability without Federal funds of such activities, and the Federal and non-Federal cost of supporting participants in community service activities: *Provided further,* That no funds from any other appropriation, or from funds otherwise made available to the Corporation, shall be used to pay for personnel compensation and benefits, travel, or any other administrative expense for the Board of Directors, the Office of the Chief Executive Officer, the Office of the Managing Director, the Office of the Chief Financial Officer, the Office of National and Community Service Programs, the Civilian Community Corps, or any field office or staff of the Corporation working on the National and Community Service or National Civilian Community Corps programs: *Provided further,* That to the maximum extent practicable, the Corporation shall increase significantly the level of matching funds and in-kind contributions provided by the private sector, shall expand significantly the number of educational awards provided under subtitle D of title I, and shall reduce the total Federal cost per participant in all programs.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out provisions of the Inspector General Act of 1978, $2,000,000.

ENVIRONMENTAL PROTECTION AGENCY

ENVIRONMENTAL PROGRAMS AND MANAGEMENT

For an additional amount for ''Environmental Programs and Management'', $150,000,000, to remain available until September 30, 1997: *Provided,* That up to $40,000,000 of this amount shall be available for enforcement activities under this heading.

BUILDING AND FACILITIES

For an additional amount for ''Buildings and Facilities'', $50,000,000 for the construction of a new consolidated research facility at Research Triangle Park, North Carolina, to remain available until expended: *Provided,* That notwithstanding any other provision of law, the Environmental Protection Agency is authorized to establish and construct a consolidated research facility at Research Triangle Park, North Carolina, at a maximum total construction cost of $232,000,000, and to obligate such monies as are made available by this Act, and hereafter, for this purpose.

HAZARDOUS SUBSTANCE SUPERFUND

For an additional amount for ''Hazardous Substance Superfund'', $100,000,000, to remain available until expended.

STATE AND TRIBAL ASSISTANCE GRANTS

For an additional amount for ''State and Tribal Assistance Grants'', $3,500,000, to remain available until expended for a grant for water distribution systems in the South Buffalo/Kittaning, Pennsylvania area.

EXECUTIVE OFFICE OF THE PRESIDENT

COUNCIL ON ENVIRONMENTAL QUALITY AND OFFICE OF ENVIRONMENTAL QUALITY

For an additional amount for ''Council on Environmental Quality and Office of Environmental Quality'', $500,000, subject to the same terms and conditions as provided under this heading in title I of this Act.

NATIONAL SCIENCE FOUNDATION

RESEARCH AND RELATED ACTIVITIES

For an additional amount for ''Research and Related Activities'', $40,000,000, to remain available until September 30, 1997.

DEPARTMENT OF THE TREASURY

COMMUNITY DEVELOPMENT FINANCIAL INSTITUTIONS FUND

PROGRAM ACCOUNT

For grants, loans, and technical assistance to qualifying community development financial institutions, and administrative expenses of the Fund, $25,000,000, to remain available until September 30, 1997: *Provided,* That of the funds made available under this heading not to exceed $4,000,000 may be used for the cost of direct loans, and not to exceed $400,000 may be used for administrative expenses to carry out the direct loan program: *Provided further,* That the cost of direct loans, including the cost of modifying such loans, shall be defined as in section 502 of the Congressional Budget Act of 1974: *Provided further,* That such funds are available to subsidize gross obligation of the principal amount of direct loans not to exceed $15,800,000: *Provided further,* That none of these funds shall be used to supplement existing resources provided to the Department for activities such as external affairs, general counsel, administration, finance, or office of inspector general: *Provided further,* That none of these funds shall be available for expenses of an Administrator as defined in section 104 of the Community Development Banking and Financial Institutions Act of 1994 (CDBFI Act): *Provided further,* That the number of staff funded under this heading shall not exceed 10 full-time equivalents: *Provided further,* That notwithstanding any other provision of law, for purposes of administering the Community Development Financial Institutions Fund, the Secretary of the Treasury shall have all powers and rights of the Administrator of the CDBFI Act and the Fund shall be within the Department of the Treasury.

CHAPTER IV

GENERAL PROVISIONS—THIS TITLE

SEC. 4001. No part of any appropriation contained in this title shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 4002. Amounts appropriated in this title are available for obligation only if and when reconciliation legislation is enacted that expressly makes available for obligation these amounts and that (1) makes available or causes to be made available to the Committees on Appropriations of the House and Senate increased budget authority and outlays for fiscal year 1996 under the provisions of section 302(a) or 602(a) of the Congressional Budget Act of 1974 in at least the amounts included in this title, (2) credits to or causes to be credited to the budget authority and outlays for fiscal year 1996 of the Committees on Appropriations of the House and Senate under the provisions of section 302(a) or 602(a) of the Congressional Budget Act of 1974 offsetting savings or receipts in at least the amounts included in this title, or (3) includes any combination of increased budget authority and outlays or crediting of offsetting savings or receipts to the spending authority for fiscal year 1996 of the Committees on Appropriations of the House and Senate under the provisions of section 302(a) or 602(a) of the Congressional Budget Act of 1974 in at least the amounts included in this title. Any amounts appropriated in this title that have not been made available for obligation by the end of the fiscal year 1996 are hereby rescinded.

This Act may be cited as the ''Balanced Budget Down Payment Act, II.''

The CHAIRMAN. No further amendment is in order except the amendments printed in House Report 104–474 which may be offered only in the order printed in the report and by the Member designated in the report, shall be considered as read, shall not be subject to amendment except as specified in the report, and shall not be subject to a demand for division of the question. Debate time for each amendment shall be equally divided and controlled by the proponent and an opponent of the amendment.

It is now in order to consider amendment No. 1 printed in House Report 104–474.

AMENDMENT OFFERED BY MRS. LOWEY

Mrs. LOWEY. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mrs. LOWEY:

Page 372, strike section 509 (relating to State discretion to not fund abortions under Medicaid).

The CHAIRMAN. Pursuant to the rule, the gentlewoman from New York [Mrs. LOWEY] and a Member opposed each will be recognized for 10 minutes.

The Chair recognizes the gentlewoman from New York [Mrs. LOWEY].

Mrs. LOWEY. Mr. Chairman, I ask unanimous consent to divide my time equally with the gentleman from Pennsylvania [Mr. GREENWOOD], and that he be permitted to control that time.

The CHAIRMAN. Is there objection to the request of the gentlewoman from New York?

There was no objection.

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

Mr. Chairman, I rise today to strike the extreme provision in this bill that

would allow States to deny Medicaid-funded abortions to victims of rape and incest. I understand that there may be some confusion about what this amendment does, so let me be very clear. This amendment preserves current law by leaving the underlying Hyde amendment in place.

It is this bill that changes current law by giving States the right not to fund abortions in the case of rape and incest. Quite simply, this bill gives States the green light to eliminate Medicaid funding of abortions for the most vulnerable members of our society, impoverished victims of rape and incest. This provision callously victimizes victims and subjects women who have been raped to further indignity. It is draconian and it is unfair.

Let me be very clear, this provision has nothing to do with States' rights. The States right argument is just a smoke screen. This is not about the rights of States. It is about the rights of women, the right to choose.

The Medicaid statute does not give States the right to pick and choose which procedures they will cover and which they will not. A State's participation in Medicaid is voluntary, but once a State chooses to participate, it must comply with Federal statutory and regulatory requirements.

Time after time, in case after case, the Federal courts have ruled that States must fund abortions in cases of rape and incest. Since 1993, Federal courts in 13 States have rejected challenges brought by States that did not want to comply with the rape and incest language. There is not a single case in which a court has sided with States that did not want to comply.

It is very simple. Under current law, States must fund Medicaid abortion in the case of rape, incest, and life of the pregnant woman. Just so we are clear, this is not just the way the Clinton administration has interpreted the law, it is the law, and it has been interpreted by the courts.

This provision does not clarify existing law as its proponents claim. It overturns existing law. Mr. Chairman, American women have watched in horror as this extreme Congress has eroded their rights. This will be the 22d vote we have taken on the abortion issue, a new record, and of all these votes, of all the restrictions this Congress has imposed on American women, this one is the most cruel.

This bill says to rape victims, you must have your rapist's child. It tells incest victims, you must have your father's child.

This Congress must not turn its back on American women in their hour of greatest need. Let us have the decency to ensure that impoverished victims of rape and incest will have the right to choose. I urge support for the Lowey-Greenwood-Morella amendment.

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

The CHAIRMAN. Is there a Member in opposition to the amendment?

Mr. ISTOOK. Mr. Chairman, I am opposed to the amendment.

The CHAIRMAN. The gentleman from Oklahoma [Mr. ISTOOK] is recognized for 10 minutes.

Mr. ISTOOK. Mr. Chairman, I yield myself 1½ minutes.

Mr. Chairman, I was surprised to hear the statements of Bill Clinton and AL GORE attacked as extremist. For when Bill Clinton was Governor of Arkansas, he sent this letter in which he said he supported a constitutional amendment for the people of Arkansas to say abortion should not be funded with public money unless the life of the mother were at risk, and he wrote in the letter, ''I am opposed to abortion and to government funding of abortions.''

AL GORE voted repeatedly for the same type of amendment that is in the bill that the gentlewoman from New York [Mrs. LOWEY] seeks to strike. When he was a Senator in 1987, he wrote, ''During my 11 years in Congress, I have consistently opposed Federal funding for abortion.''

Why is this now being attacked as extremist? We have had this vote before. We voted on this identical issue, this identical language, in August. Some people are not willing to abide by that decision and they are out here to try again.

But 36 States have had their State laws overturned by a Clinton administration directive misinterpreting what Congress has done, and there is no other remedy to uphold the States which have provisions in their statutes and their constitutions against using public money for abortion except to save the life of the mother.

The language which we desire to keep in the bill is the language that simply says if they wish to fund those rape and incest abortions, they may do so. If they do not wish to do so, they are not compelled to do so. I ask a ''no'' vote on the motion to strike.

Mr. GREENWOOD. Mr. Chairman, I yield 1 minute to the gentlewoman from Maryland [Mrs. MORELLA].

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

Mr. Chairman, I urge my colleagues to vote for our amendment.

Let me clarify just what we are doing here—we are simply confirming the interpretation of the 1993 Hyde language regarding Medicaid funding for rape and incest only. That language requires States to provide Medicaid abortion coverage in rape and incest cases. This interpretation has been upheld in each and every Federal court that has considered the issue—including Federal courts in 13 States.

The States rights plank is a facade; make no mistake about it. This is about Medicaid funding in cases of rape and incest only—in 1994, Federal funding covered only two abortions. These circumstances are very tragic and rare—but they are the result of violent, brutal crimes against women.

We cannot all call for an end to violence against women in one breath and then in the next breath, vote to prevent victims of rape and incest, brutally violent crimes, to lose their rights to end such pregnancies.

I urge my colleagues to vote for the Lowey-Greenwood-Morella amendment.

Mrs. LOWEY. Mr. Chairman, I yield 30 seconds to the gentlewoman from Connecticut [Ms. DELAURO].

Ms. DELAURO. Mr. Chairman, the crimes of rape and incest are not about abortion, they are about violence and brutality. The language in this continuing resolution is cruel and it is senseless punishment for thousands of women who are victims of rape and incest.

I only wish that this body would spend as much time working to prevent sexual assault, domestic violence, and tougher criminal prosecution of rapists as they do on the issue of choice. We should consider ways in which we can heal young girls and women who fall victim to these horrifying acts with the same ferociousness and vigilance as this body attacks a woman's right to choose.

Mr. ISTOOK. Mr. Chairman, I yield 1½ minutes to the gentleman from New Jersey [Mr. SMITH].

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

Mr. Chairman, I rise in strong opposition to the Lowey amendment, which strikes language in the bill that protects States from being forced to alter their State laws or constitutions to pay for abortions. We defeated this motion last August and I urge defeat of it again today.

At least 12 States have been sued by the abortionists because of the administration's twisted interpretations of the 1993 Hyde amendment, which Members should recall allowed but did not require taxpayer funding for abortions in cases of rape and incest. A dozen more States acquiesced rather than face litigation from the abortion industry.

The Clinton order has had some disastrous consequences in some States. For example, in Arkansas the people voted and approved a State constitutional amendment endorsed by then Gov. Bill Clinton to prohibit State funding of abortion except to save the life of the mother. A Federal judge, however, has set aside the entire constitutional amendment because in the view of the judge it conflicts with Federal law, thus ordering that State to pay for abortions on demand.

I do not think anybody wants to be part of that, having that State being forced to underwrite and subsidize the cost for all abortions. The Clinton order has also invalidated the State laws of Iowa, Minnesota, Pennsylvania, Virginia, Wisconsin, and Wyoming that contained a requirement that rape or incest be reported to a law enforcement agency. I happen to believe that that is

a modest request when the death of the baby is being procured. We should be trying to apprehend and hopefully prosecute these people who commit these heinous crimes of rape, rather than let them get off the hook in terms of the reporting requirement.

□ 1500

I would hope all States that have any kind of rape or incest would have that kind of requirement. These have been nullified by the Clinton order.

Mr. GREENWOOD. Mr. Chairman, I yield 1 minute to the gentleman from Delaware [Mr. CASTLE].

Mr. CASTLE. Mr. Chairman, it has been argued this is not an abortion issue, and it is true that the law today allows for abortion in cases of rape or incest. People argue it is a States rights issue. Let us take a look at that. If you are poor, a very poor woman in the middle of a large State, let us say Oklahoma, and you have a State law which does not allow you to get an abortion, if you have gone through rape or incest, it means that individual must live with having that child, having to raise that child in that society. If you are in another State, say Kansas, which does allow for that abortion to take place in cases of rape or incest, it means that they would be allowed to have an abortion. Is that fair to that poor woman in the first State, in the State of Oklahoma, in that particular instance? I think the answer is no.

This is not a matter of States rights. This is a matter of the rights of the individual woman, the poor defenseless woman, to be able to live her life as she pleases, and I believe we need to support this amendment. It comes down to the issue of fairness.

I urge everyone to support the amendment.

Mrs. LOWEY. Mr. Chairman, I yield 1 minute to the gentlewoman from California [Ms. WATERS].

Ms. WATERS. Mr. Chairman, to force a woman who has been raped, violated, brutalized, to carry a pregnancy to term is unconscionable.

This amendment is consistent with Hyde. To punish a poor woman simply because she is poor is absolutely the kind of public policy that we do not want to support.

I would urge my colleagues in the name of fairness to support this amendment. It is only fair that we say to the States, do not make a woman suffer more, do not make a woman who has been violated in the worst way suffer more by carrying a pregnancy to term.

I ask for an ''aye'' vote on this amendment.

Mr. ISTOOK. Mr. Chairman, I yield 1½ minutes to the gentlewoman from Nevada [Mrs. VUCANOVICH], a very respected Member of this House.

Mrs. VUCANOVICH. Mr. Chairman, I wish to address the issue of State sovereignty. The Hyde amendment of 1993 allowed Federal reimbursement for Medicaid abortions in cases of rape and incest. The Clinton administration, however, has twisted the original intent of this amendment by forcing States to use Medicaid funds to pay for such procedures. In many cases, States are forced to violate their own constitutions or lose Federal Medicaid funding. We in the 104th Congress have labored mightily to restrain the power of the Federal Government and return power to the States. Let us not stand idly by while one of the most basic principles of State sovereignty is threatened.

I call upon the President of the United States to respect the wishes of millions of Americans who oppose the use of their tax dollars to destroy innocent human life. I urge my fellow Members of Congress to support the omnibus appropriations bill and oppose the Lowey amendment. Colleagues, you are to decide the important questions upon which rest the happiness and liberty of millions yet unborn. Act worthy of yourselves.

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

Mr. Chairman, this is not about States rights. This is about State funds.

We offered an amendment to this provision that would have, in fact, provided 100 percent Federal funds to take care of this small handful of abortions, and that offer was rejected by the proponents of this measure.

What this is about is what becomes of young girls after they are sexually abused by their fathers and their stepfathers and become pregnant. What this is about is what becomes of women after they are brutally raped and become pregnant.

Now, the authors of this provision do not believe that abortion is an appropriate response to becoming pregnant as a result of rape or incest, and I respect their right to hold that view.

I also suspect, though, that the decision comes more easily to the authors because they are not the victims of these unspeakable crimes and it is not they who are forced to give birth to the children of their assailants.

This vote is about who makes the decision in these tragic circumstances, the politicians or the victims. Eighty-four percent of Americans believe that this decision belongs in the hands of the victims and not the politicians.

I would submit that any of us who put the term ''Representative'' before our names in this body have a duty to represent the 84 percent of the Americans who hold that view and support this amendment.

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

Mr. ISTOOK. Mr. Chairman, I yield 2 minutes to the gentleman from Colorado [Mr. ALLARD], which, because its people have twice voted not to fund abortions except in the case of life of the mother, may have to lose $700 million a year in Federal funding unless we defeat this motion and keep this language in the bill.

Mr. ALLARD. Mr. Chairman, I oppose the Lowey amendment and rise in support of the Istook language guaranteeing States the right to determine appropriate restrictions on the use of Medicaid funds for abortion.

Recently, the State of Colorado was denied this right in Federal court, presenting a substantial problem for our State. The Colorado Constitution prohibits the use of public funds for abortions, unless the life of the mother is threatened. Therefore, the State is put in the position of violating our State constitution or discontinuing the use of Medicaid funds.

At a time when we are shifting power back to the States, we should guarantee States the right to place restrictions on the use of Medicaid funds for abortion. This is particularly appropriate in light of the Federal-State matching grant nature of Medicaid. The Istook language simply reiterates Congress' intent in the Hyde amendment.

Colorado is not the only State that challenges the Clinton administration's interpretation of the Hyde amendment. The States of Alabama, Arizona, Arkansas, Delaware, Florida, Georgia, Illinois, Indiana, Kansas, Kentucky, Louisiana, Maine, Michigan, Mississippi, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Mexico, North Dakota, Ohio, Oklahoma, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, and Utah also prohibit the use of Medicaid funds for abortion in all cases except when the life of the mother is endangered.

The funds involved are taxpayer dollars, and the people of Colorado and other States should determine whether Federal abortion funding restrictions are adequate or need to be strengthened.

Mrs. LOWEY. Mr. Chairman, I yield such time as she may consume to the gentlewoman from New York [Mrs. MALONEY].

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

Mrs. MALONEY. Mr. Chairman, I call on colleagues to support the Lowey amendment.

This amendment attempts to correct ruthless public policy contained in this bill.

For poor women, this bill would make fathers out of rapists.

If this is the new majority's idea of family values, then count me out.

I think an overwhelming majority of the American people believe our government should help crime victims, not leave them to their own devices, especially with such horrible crimes as rape and incest.

My Republican colleagues bristle when we use the word ''extreme.''

But there is no other word to describe this policy.

Support the Lowey amendment.

Mr. ISTOOK. Mr. Chairman, I yield 20 seconds to the gentleman from Arkansas [Mr. HUTCHINSON].

Mr. HUTCHINSON. Mr. Chairman, it is interesting, back on March 30, 1993,

George Stephanopolos, said the President's proposal would try to preserve flexibility of the States to make these tough decisions, but, in fact, they issued an Executive order that resulted in the striking of a constitutional provision in our Arkansas Constitution, voted on by the people of the State of Arkansas, stripped because of a bureaucrat's order out of Washington, DC. That is wrong. That is why we need this provision.

Mr. ISTOOK. Mr. Chairman, I yield 20 seconds to the gentleman from Arkansas [Mr. DICKEY].

Mr. DICKEY. Mr. Chairman, lives are at stake. There is no question about it. We in Arkansas have approved a constitutional amendment where we said we could not use Federal funds or State funds to take the lives of innocent children who are not represented in this discussion and who we need to protect.

Mr. ISTOOK. Mr. Chairman, I yield 45 seconds to the gentleman from Florida [Mr. WELDON], a freshman Member.

Mr. WELDON of Florida. Mr. Chairman, we are debating a continuing resolution that will keep the Government open through the rest of the year.

Unfortunately, some have chosen to complicate this bill by offering an amendment to strike the Istook language. The Istook language allows States to make the decision as to whether they will use the State portion of their Medicare funding to pay for abortions in the case of rape or incest.

Mr. Chairman, not only does the Istook amendment protect States rights, but specifically a particular State. We have already heard today the impact this will have on the State of Colorado.

I strongly urge all of my colleagues to vote ''no'' on this Lowey amendment and support the original Istook language.

Mr. ISTOOK. Mr. Chairman, I yield 30 seconds to my fellow colleague, the gentleman from Oklahoma [Mr. LARGENT], from the First Congressional District.

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

I listened to the passionate but wrongheaded arguments for this Lowey amendment, and I rise in strong opposition to that argument. It is not a compelling argument.

Folks, understand that the children that are being destroyed through the funding of abortions are not the perpetrators of the crime of rape and incest. They are the innocent, and by voting against this amendment we provide the protection that they need in the sanctity the womb.

I urge a ''no'' vote on the Lowey amendment.

Mr. ISTOOK. Mr. Chairman, I yield 1½ minutes to the great gentleman from, Illinois [Mr. HYDE], well known and esteemed in this body.

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

Mr. HYDE. Mr. Chairman, we have just been called extremists, and list me in the front ranks of the extreme, if by earning that appellation I can defend the innocent unborn.

It seems to me 1½ million abortions every year is pretty extreme. The U.S. Supreme Court has held in a Georgia case that you may not execute the rapist. The words of the court were that is a disproportionate penalty for the crime; disproportionate, do not execute the rapist, but you can execute the unborn in the womb.

Nobody says a rape victim has an easy matter of it. That is tragic, and it is heart-rending.

But why visit on the innocent unborn life execution that the court will not let you do to the rapist? That is a tragedy, and it calls for love and compassion and help, and we ought to provide that, but do not add insult to injury by executing the most innocent of human beings, an unborn child.

I do not think we should be proud of the fact that we have a million and a half abortions. But most of the people arguing for the Lowey amendment I find supported the partial-birth abortion process. That is what is extreme. That is the edge of the envelope.

If you want to protect human life, if you think abortions ought to be safe, legal, and rare, as the President says, how are you making them rare by forcing States to pay for them when the States do not want to and their laws do not want them to and even their constitution forbids it? That is extreme.

□ 1515

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

The CHAIRMAN. The gentleman from Massachusetts [Mr. TORKILDSEN] is recognized for 1½ minutes.

Mr. TORKILDSEN. Mr. Chairman, I thank the gentleman from Pennsylvania for yielding me time.

Mr. Chairman, I rise in strong support of the Lowey-Greenwood-Morella motion to strike. As Yogi Berra said, it is deja vu all over again. This House is once again debating one of the most personal decisions any woman could ever have to make in this country, and this House really should not be interfering in that process.

The Medicaid statute is crystal clear on the issue. Once a State elects to participate in the Medicaid Program, all necessary medical services must be covered. That is very clear and to the point.

A rape is reported in our country every 5 minutes. It is a very sad statistic. Fortunately, most of these rapes do not result in pregnancies. But on the times that they do, when the woman is a victim of a crime, why make things worse with the adoption of the language that is in this bill?

We should be voting to strike. We should be voting to keep our own motto of keeping government out of people's lives, and allowing people to make decisions that affect them more than any other individual.

I urge all Members to vote for the motion to strike, and vote to put some sanity back in this most personal of decisions.

Mrs. LOWEY. Mr. Chairman, I yield 45 seconds to the gentleman from Illinois [Mr. DURBIN].

Mr. DURBIN. Mr. Chairman, I wish those who take this floor and so casually dismiss the rights of victims of rape and incest could have sat with me across a table at a home for abused children to meet two 17-year-old young women who had been victims of rape and incest, their young lives shattered by the violent and vicious crimes they had been subjected to.

I pray to God that a young woman in that situation would have the strength to carry her baby and put it up for adoption. But neither the gentleman from Oklahoma [Mr. ISTOOK] nor any member of the Republican majority has the right to say that she must do so under all circumstances. That is mean, it is extreme, it is wrong. We must be sensitive to the fact that many people, young women in particular, face shattering experiences because of these violent, vicious crimes. To take away their right to terminate that pregnancy early on, their right to choose, is wrong. This a decision for a woman, her doctor, and her conscience.

The CHAIRMAN. The Chair wishes to inform the gentleman from Pennsylvania [Mr. GREENWOOD] that he has 15 seconds remaining.

Mr. GREENWOOD. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, let me just close by asking the Members of this body to consider what weighs in the balance: The fertilized egg on the one hand, and, on the other hand, the lives of victims of the most unspeakable crimes. Who should make the decision in this instance? A Solomonic decision should be made by the victim.

The CHAIRMAN. The gentleman from Oklahoma [Mr. ISTOOK] has 1½ minutes remaining, and is entitled to close.

Mr. ISTOOK. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, we are not here to talk about whether someone, no matter where they live, will have the ability to obtain an abortion under any circumstances. We are here solely on the question of whether taxpayers in different States will be compelled to use taxpayers' money to pay for abortions or whether the States can decide for themselves in a case of rape or incest if taxpayer money is to be used.

Thirty-six States, through their people, many through public votes, have made the decision they do not wish taxpayer money to be used in those circumstances. I stand here on behalf of the people of those 36 States that do not want to be dictated to from Washington, that want to be able to make those decisions.

So, Mr. Chairman, the people in the States of Alabama, Arizona, Arkansas, Colorado, Delaware, Florida, Georgia, Illinois, Indiana, Kansas, Kentucky, Louisiana, Maine, Michigan, Mississippi, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Mexico, North Dakota, Ohio, Oklahoma, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Utah, Iowa, Minnesota, Pennsylvania, Virginia, Wisconsin, and Wyoming, say they should not be dictated to from Washington. If you are from one of those States and you vote for this motion to strike, you have voted to overturn the decision of your State. You have voted against the decision made by your people. If you are from any other State, it does not matter; this amendment does not affect you. But Members from those States should vote against the amendment, against the motion to strike, and uphold the authority of their people to determine where their tax money will be spent.

Mr. FAZIO of California. Mr. Chairman, I rise in support of the Lowey amendment that deletes the Istook abortion riders that are included in this continuing resolution. These riders would not allow State to fund abortions via Medicaid in cases of rape and incest. In addition, the riders contain a provision that will reverse the policy that resident training programs for OB–GYN's include education about abortion techniques.

Policies that force rape and incest victims to continue a resulting pregnancy to term threaten the health of the most vulnerable women. A Medicaid-eligible woman facing a pregnancy caused by rape and incest must be permitted to protect her health and to exercise her fundamental right to choose in whatever State she calls home.

Under the guise of State's rights, the callous and discriminatory effect of the Istook riders will cause additional suffering for women who must already overcome poverty and sexual violence.

In States that have funded coverage for abortion under the extreme circumstances of rape or incest, very few abortions have been funded.

Women who have been raped often face additional victimization caused by the insensitivity of the police, medical personnel, and the criminal justice system. Now the sponsors of this rider want to allow States to force these women to continue these pregnancies and bear children against the will of the affected women.

These riders are another example of legislation that, if considered on its own merits, would not pass muster. We should send a clean CR to the President, not one loaded down with questionable public policy like this. These policy riders are bad public policy. I urge my colleagues to support the Lowey amendment to strike the Istook riders.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I rise in support of the Lowey amendment to H.R. 3019 that would delete the provision of the bill that allows States to eliminate Medicaid funding of abortions for victims of rape and incest.

The proponents of the provision argue that it gives the States the right to choose which abortion procedures it will fund, when this issue has already been settled by the Federal courts. The courts have held that the States participating in Medicaid must provide funding for abortions in case of rape and incest. I support this amendment because States should not be given the options of providing coverage of these services under the guise of States rights.

As a woman, a mother, and Member of Congress, I strongly believe that anyone faced with making the decision to abort a fetus conceived during rape or incest has a tremendous burden to bear—but it is the woman's decision that must be made solely by her and in consultation with her family and physician. The Federal Government should have nothing to do with it.

Consider the story of an 18-year-old high school senior from St. Paul, MN. Kristine G. became pregnant for the first time as a result of a date rape, which she did not report because the family of the man who raped her threatened her life. In addition, her attacker was a gang member and she feared for her life. Should she be denied the opportunity to get an abortion?

To be a poor woman in America is difficult enough, to be raped and then denied access to medical services to end an unwanted pregnancy is the greatest injustice I can imagine. The majority of the American people believe that Medicaid funding of abortions for victims of rape and incest is appropriate.

In 1993 Congress revised the Hyde amendment to title XIX funding for Medicaid Program making their intention clear that it should cover all "medically necessary services." I cannot imagine a service more necessary than an abortion for a victim of rape or incest.

I urge my colleagues to stand up for American women. I urge my colleagues to do the right thing and vote in favor of this amendment.

Mr. BEREUTER. Mr. Chairman, this Member rises today in opposition to the amendment by the gentlewoman from New York [Mrs. LOWEY] that would strike the language in the bill that clarifies the congressional intent regarding the interpretation of the Hyde amendment.

This Member was one of the first Members of Congress to speak against the 1993 Clinton administration directive that required States to fund Medicaid abortions in cases of rape or incest. This directive is an unjustified and incorrect interpretation of the law and of congressional intent. It is certainly not the intent of Congress to mandate States to fund Medicaid abortions in the case of rape or incest, regardless of State law. The 1993 Hyde amendment to public law is clearly not a mandate, but an enlargement on the limitation on the use of Federal funds, allowing States to use Medicaid funds to finance abortions in the case of rape or incest and of course to save the life on an indigent mother. The language in the bill we are considering today, once and for all, clarifies the original congressional intent in statute.

Mr. Chairman, this Member urges his colleagues to oppose the Lowey amendment.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from New York [Ms. LOWEY].

The question was taken; and the Chairman announced that the noes appeared to have it.

RECORDED VOTE

Mrs. LOWEY. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 198, noes 222, not voting 11, as follows:

[Roll No. 51]

AYES—198

Abercrombie
Ackerman
Andrews
Baesler
Baldacci
Barrett (WI)
Bass
Becerra
Beilenson
Bentsen
Berman
Bilbray
Bishop
Blute
Boehlert
Bono
Boucher
Brown (CA)
Brown (FL)
Brown (OH)
Campbell
Cardin
Castle
Clayton
Clement
Clyburn
Coleman
Collins (IL)
Condit
Conyers
Coyne
Cramer
DeFazio
DeLauro
Dellums
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Dunn
Durbin
Edwards
Ehrlich
Engel
Eshoo
Evans
Farr
Fattah
Fawell
Fazio
Fields (LA)
Filner
Flake
Foglietta
Foley
Fowler
Fox
Frank (MA)
Franks (CT)
Franks (NJ)
Frelinghuysen
Frost
Furse
Ganske
Gejdenson
Gephardt
Gibbons
Gilchrest
Gilman
Gonzalez
Gordon
Greenwood
Gunderson
Gutierrez
Harman
Hefner
Hilliard
Hinchey
Horn
Houghton
Hoyer
Jackson (IL)
Jackson-Lee (TX)
Jacobs
Jefferson
Johnson (CT)
Johnson, E. B.
Johnston
Kaptur
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kleczka
Klug
Kolbe
Lantos
Lazio
Leach
Levin
Lewis (GA)
Lincoln
LoBiondo
Lofgren
Longley
Lowey
Luther
Maloney
Markey
Martinez
Martini
Matsui
McCarthy
McDermott
McHale
McKinney
McNulty
Meehan
Meek
Menendez
Metcalf
Meyers
Miller (CA)
Minge
Mink
Moakley
Molinari
Moran
Morella
Nadler
Neal
Obey
Olver
Owens
Pallone
Pastor
Payne (NJ)
Payne (VA)
Pelosi
Peterson (FL)
Pickett
Pomeroy
Porter
Pryce
Ramstad
Rangel
Reed
Richardson
Rivers
Rose
Roukema
Roybal-Allard
Rush
Sabo
Sanders
Sawyer
Saxton
Schroeder
Schumer
Scott
Serrano
Shaw
Shays
Sisisky
Skaggs
Slaughter
Spratt
Stark
Studds
Tanner
Thomas
Thompson
Thornton
Thurman
Torkildsen
Torres
Torricelli
Towns
Traficant
Upton
Velazquez
Vento
Visclosky
Ward
Waters
Watt (NC)
Waxman
White
Williams
Wilson
Wise
Woolsey
Wynn
Yates
Zeliff
Zimmer

NOES—222

Allard
Archer
Armey
Bachus
Baker (CA)
Baker (LA)
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bateman
Bereuter
Bevill
Bilirakis
Bliley
Boehner
Bonilla
Bonior
Borski
Brewster
Browder
Brownback
Bryant (TN)
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Chabot
Chambliss
Chenoweth
Christensen
Chrysler
Clinger
Coble
Coburn

Collins (GA)	Hutchinson	Poshard
Combest	Hyde	Quillen
Cooley	Inglis	Quinn
Costello	Istook	Radanovich
Cox	Johnson, Sam	Rahall
Crane	Jones	Regula
Crapo	Kanjorski	Riggs
Cremeans	Kasich	Roberts
Cubin	Kildee	Roemer
Cunningham	Kim	Rogers
Danner	King	Rohrabacher
Davis	Kingston	Ros-Lehtinen
de la Garza	Klink	Roth
Deal	Knollenberg	Royce
DeLay	LaFalce	Salmon
Diaz-Balart	LaHood	Sanford
Dickey	Largent	Scarborough
Doolittle	Latham	Schaefer
Dornan	LaTourette	Schiff
Doyle	Laughlin	Seastrand
Dreier	Lewis (CA)	Sensenbrenner
Duncan	Lewis (KY)	Shadegg
Ehlers	Lightfoot	Shuster
Emerson	Linder	Skeen
English	Lipinski	Skelton
Ensign	Livingston	Smith (MI)
Everett	Lucas	Smith (NJ)
Fields (TX)	Manton	Smith (TX)
Flanagan	Manzullo	Smith (WA)
Forbes	Mascara	Solomon
Frisa	McCollum	Souder
Funderburk	McCrery	Spence
Gallegly	McDade	Stearns
Gekas	McHugh	Stenholm
Geren	McInnis	Stockman
Gillmor	McIntosh	Stump
Goodlatte	McKeon	Stupak
Goodling	Mica	Talent
Goss	Miller (FL)	Tate
Graham	Mollohan	Tauzin
Gutknecht	Montgomery	Taylor (MS)
Hall (OH)	Moorhead	Taylor (NC)
Hall (TX)	Murtha	Tejeda
Hamilton	Myrick	Thornberry
Hancock	Nethercutt	Tiahrt
Hansen	Neumann	Volkmer
Hastert	Ney	Vucanovich
Hastings (FL)	Norwood	Waldholtz
Hastings (WA)	Nussle	Walker
Hayworth	Oberstar	Walsh
Hefley	Ortiz	Wamp
Heineman	Orton	Watts (OK)
Herger	Oxley	Weldon (FL)
Hilleary	Packard	Weldon (PA)
Hobson	Parker	Weller
Hoekstra	Paxon	Whitfield
Hoke	Peterson (MN)	Wicker
Holden	Petri	Wolf
Hostettler	Pombo	Young (AK)
Hunter	Portman	Young (FL)

NOT VOTING—11

Bryant (TX)	Ewing	Johnson (SD)
Chapman	Ford	Myers
Clay	Green	Stokes
Collins (MI)	Hayes	

□ 1538

Mr. COOLEY changed his vote from ''aye'' to ''no.''

Messrs. THORNTON, MOAKLEY, CRAMER, and LONGLEY changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. EWING. Mr. Chairman, on Rollcall No. 51, I was unavoidably detained. Had I been present, I would have voted "no."

The CHAIRMAN. The Committee will rise informally in order that the House may receive a message.

MESSAGE FROM THE PRESIDENT

The SPEAKER pro tempore [Mr. LINDER] assumed the chair.

The SPEAKER pro tempore. The Chair will receive a message.

SUNDRY MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the House by Mr. Edwin Thomas, one of his secretaries.

The SPEAKER pro tempore. The Committee will resume its sitting.

BALANCED BUDGET DOWN PAYMENT ACT, II

The Committee resumed its sitting.

The CHAIRMAN. It is now in order to consider amendment No. 2 printed in House Report 104–1474.

AMENDMENT OFFERED BY MR. ISTOOK

Mr. ISTOOK. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. ISTOOK: At the end of the bill (preceding the short title), add the following new title:

TITLE V—DISCLOSURE OF LOBBYING ACTIVITIES BY FEDERAL GRANTEES

DISCLOSURE OF LOBBYING ACTIVITIES BY FEDERAL GRANTEES

SEC. 5001. (a) DISCLOSURE REQUIREMENTS.—Not later than December 31 of each year, each organization receiving a Federal grant shall provide (via either electronic or paper medium) to each Federal entity that awarded or administered its grant an annual report for the previous Federal fiscal year, certified by the organization's chief executive officer of equivalent person of authority, setting forth—

(1) the organization's name and grantee identification number;

(2) the amount or value of each grant (including all administrative and overhead costs awarded), and the description of each such grant and the name of the Federal agency awarding such grant; and

(3) a good faith estimate of the organization's actual expenses on lobbying activities in the most recent taxable year.

(b) EXEMPTIONS.—This section shall not apply to an individual or a State, local, or Indian tribal government.

(c) DEFINITIONS.—For purposes of this section:

(1) FEDERAL GRANT.—The term ''Federal grant'' means money or real property that is paid or provided by the Federal Government to any organization. Such term does not include (A) any assistance described in section 6302(2) of title 31, United States Code; (B) any amount paid under a procurement contract described in section 6303(1) of such title; or (C) and payment or assistance described in clause (ii), (iii), (iv), or (vii) of section 6501(4)(C) of such title.

(2) LOBBYING ACTIVITY.—The term ''lobbying activity'' means any activity that is either (A) a lobbying activity within the meaning of section 3 of the Lobbying Disclosure Act of 1995; or (B) an activity influencing legislation within the meaning of section 4911 of the Internal Revenue Code of 1986. Such term shall also include advocating the election or defeat of any candidate for public office, or the passage or non-passage of any ballot proposition.

(D) PUBLIC ACCOUNTABILITY.—

(1) PUBLIC AVAILABILITY OF LOBBYING DISCLOSURE FORMS.—Each Federal entity awarding a Federal grant shall make publicly available the grant application, and any annual report provided under subsection (a) by the organization receiving the grant.

(2) ACCESSIBILITY TO PUBLIC.—The public's access to the documents identified in paragraph (1) shall be facilitated by the Federal entity by—

(A) placement of such documents in the Federal entity's public document reading room;

(B) expediting any requests under section 552 of title 5, United States Code (the Freedom of Information Act), ahead of any requests for other information pending at such Federal entity; and

(C) submitting to the Bureau of the Census a report (standardized by the Office of Management and Budget) setting forth the information provided in such documents, which the Bureau of the Census shall make available to the public through the Internet.

(3) WITHHOLDING PROHIBITED.—Records described in paragraph (1) shall not be subject to withholding, except under the exemption set forth in subsection (b)(7)(A) of section 552 of title 5, United States Code.

(4) FEES PROHIBITED.—No fees for searching for or copying such documents shall be charged to the public.

(e) CONSTRUCTION.—No provision of this section may be construed to affect whether any organization is exempt from, or subject to, tax under the Internal Revenue Code of 1986.

(f) REGULATIONS.—The Director of the Office of Management and Budget shall issue any regulations necessary to carry out this section.

(g) EFFECTIVE DATE.—

(1) IN GENERAL.—This section shall take effect January 1, 1996, and apply thereafter.

(2) PRIOR ACTIVITAIES NOT TAKEN INTO ACCOUNT.—In applying this section, only expenditures made after December 31, 1995, in taxable years ending after such date shall be taken into account.

(3) ANNUALIZATION FOR PARTIAL TAXABLE YEARS.—in the case of a taxable year that ends after December 31, 1995, and begins before January 1, 1996, each of the dollar amounts applicable under this section shall be proportionally reduced to reflect the portion of such taxable year after December 31, 1995.

The CHAIRMAN. Pursuant to the rule, the gentleman from Oklahoma [Mr. ISTOOK] is recognized for 10 minutes, and a Member opposed, the gentleman from Colorado [Mr. SKAGGS], is recognized for 10 minutes.

The Chair recognizes the gentleman from Oklahoma [Mr. ISTOOK].

Mr. ISTOOK. Mr. Chairman, I yield myself 1½ minutes.

Mr. Chairman, the amendment that is at the desk is a very simple disclosure amendment. It specifies that recipients of grants from the taxpayers, groups that have asked for and received taxpayers' money in the form of grants, should simply make an annual disclosure of the total amount that they have spent in that year on lobbying. It is not a detailed disclosure, it is not a restriction of any sort on how their money is spent, it is not a restriction of any sort on eligibility. It simply says that once a year they shall disclose the total amount they have spent on lobbying.

POINT OF ORDER

Mr. TAYLOR of Mississippi. Mr. Chairman, I have a point of order.

The CHAIRMAN. The gentleman will state his point of order.

Mr. TAYLOR of Mississippi. Mr. Chairman, I do not even know what the

gentleman's lapel button reads, but there is a House rule against speaking while wearing a button other than a Member's button.

The CHAIRMAN. The gentleman from Oklahoma [Mr. ISTOOK] is responding by taking his button off, and the Chair thanks the gentleman from Mississippi for raising the point of order.

□ 1545

Mr. ISTOOK. Mr. Chairman, we have had debate previously in this Chamber about the activity of different groups that receive Federal taxpayer's money, sometimes in hundreds of millions or tens of millions of dollars, and their lobbying activity. Previously this body voted, on two different occasions, passing legislation that would put some commonsense limitations on the scope of lobbying by groups dependent upon the taxpayer's money. The Senate also had a similar vote, adopting that in principle as well.

This amendment, however, Mr. Chairman, does not go that far. It simply says that groups that are recipients of taxpayers' money will make a disclosure of the total amount once a year that they have spent on lobbying. That will certainly help both sides in that debate, Mr. Chairman. Some have said oh, they are not doing big time lobbying. Others have said, yes, they are. But the problem is we have never required them to report that, along with the other information grant recipients report. This will give us the information so that both sides may consider this issue based upon the facts. I urge its adoption.

Mr. SKAGGS. Mr. Chairman, I yield myself 2¼ minutes.

Mr. Chairman, I will stipulate at the outset this particular rendition of this redtape-filled, burdensome, bureaucratic reporting requirement on America's charities is less bad than the last time we had this debate, but it does not make it good. To the contrary, this will impose a scheme that will force charities and nonprofit and many businesses, small businesses included, to keep a whole new set of records about the activities of their employees and volunteers and their expenditures in order to file a whole new set of annual reports to the Federal Government, to Washington, letting us know what they may be doing to try to influence legislation by their city councils, by their county commissions, by their State legislatures, if they happen to get some Federal money by way of a grant.

What in the world are we doing, Mr. Chairman? What is the evil here? Who are the bad guys? What is the problem? It is already illegal to use Federal grant moneys to lobby. That law works very well. There have been no demonstrated problems. What is this amendment about? What will the impacts be? Let me just give a couple of examples.

The Red Cross of America, trying to get the county that it may be operating in to develop an emergency preparedness plan, will have to keep track of the activities involved with that, so it can be part of this report. The YMCA in your local community that gets a child care grant, that is trying to get a citizen council to pass an ordinance about child care, will have to keep track of its activities in order to be accounted for in the reports required under this amendment.

The State chapter of Mothers Against Drunk Driving, trying to toughen DUI laws, will have to keep track of all of that so as to be able to report under this amendment. Even, if Members can believe it, the local electrical contractor getting an SBA technical grant will have to keep track of its donations in connection with a referendum about a local recreation district in order to be able to report under the requirements imposed under this amendment.

What in the world are we doing? The current law works just fine. We have a hard time figuring out why the folks that want to bring us less burdensome regulation from Washington, less paperwork, would indulge in this kind of activity.

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

Mr. SKAGGS. I yield to the gentlewoman from New Jersey.

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

Mrs. ROUKEMA. Mr. Chairman, I thank the gentleman. I just want to echo the gentleman's comments and associate myself with the gentleman's remarks. I would say, For heaven's sakes, I thought we had a bipartisan agreement, led by my Republican Party, that said the era of big government was over. Here we have not a simple disclosure; it is a Big Brother regulatory morass, and it does not even pass the commonsense test.

This puts mindless bureaucracy in a position to demand reports from the YMCA, your local church, the Red Cross, the charity groups helping provide meals for senior citizens.

This is also completely contradictory to our stated and loudly proclaimed purpose of encouraging the private sector and the charities to shoulder a great share of welfare costs.

Again lets get back to reality and vote ''no'' on this senseless bureaucratic, big government intrusion.

Mr. ISTOOK. Mr. Chairman, I yield myself 20 seconds.

Mr. Chairman, I would certainly invite anyone that has been misled that somehow this is some sort of regulatory scheme, frankly, to read the bill. The only thing it requires is a listing of a good faith estimate of the total amount they spent on lobbying that year. I think it is kind of silly if somebody is thinking that this is a regulatory scheme. It is very plain and simple disclosure.

Mr. Chairman, I yield 1½ minutes to the gentleman from Minnesota [Mr. GUTKNECHT].

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

First of all, I want to respond to the gentleman from Colorado [Mr. SKAGGS]. He has said that the law that we have today is working fine. As far as we know, Mr. Chairman, there has never been enforcement under this law. As a matter of fact, in testimony before our subcommittee, we heard of examples of groups receiving as much as 96 percent of their money from the Federal Government in various grants. And what do they do with most of that money? They turn right around, come back here, and lobby for more.

This is pernicious, Mr. Chairman. It needs to stop. As a matter of fact, our estimates are, it could be as little as $200 million. It could be into the billions of dollars.

All this little amendment does is require disclosure. This is a sunshine amendment. Members have probably heard this said before, that the single most important antiseptic sometimes is just a little sunshine. Only those who have something to hide fear sunshine. This is a good amendment. It ought to have unanimous support. We ought to find out exactly how much taxpayer money is flowing through some of these special interest groups and being used to lobby for more taxpayer money. It is a good amendment. We ought to have unanimous support.

Mr. SKAGGS. Mr. Chairman, I yield 2 minutes to the gentleman from Massachusetts [Mr. FRANK].

Mr. FRANK of Massachusetts. Mr. Chairman, I have noticed a very consistent lack of consistency on the Republican side. This bill carries it out. We are worried that people will get Federal money and use it to lobby us, so we have to ask them to report it, except we exempt the vast majority of recipients. Contractors are exempted from this.

Members will remember that the U.S. Senate, in a rare demonstration of an ability to pass legislation, made a mistake last year, because they passed a version of this and they included contractors, and Blue Cross went into cardiac arrest. Fortunately, they waived their own rules so they could be treated. But they then got into the CR, in a very inappropriate legislative way, an amendment to that bill, and contractors are not covered, and they are not covered here.

If people want to lobby us to build a B–2 and get more money, this bill does not touch them. If people want to lobby us to build the space station or to raise provider payments or do anything like that, this bill does not touch them. Apparently, the new Republican view is if you are engaged in charity, you are suspect.

We hear a lot on that side about how the private, voluntary sector should do more, but they are treated as suspects, because if you are in the private, voluntary sector and you get Federal funds lawfully to carry out a program,

we are going to check up on you. But if you are a contractor and you are going to get money and then lobby for more, if you are a housing developer, if you are an aircraft contractor, if you are a medical provider, if you are an HMO, you will get money and not be reporting. What is the difference? The difference is that the people who do not report get an enormously greater amount of money than the people who do report.

This looks at the gnats and ignores the camels. By the way, the tobacco companies are probably also included in the exemption, while we are at it. So you penalize the voluntary sector, who you otherwise like. When it comes to shifting important jobs from the Federal Government, you are all for the voluntary sector. But here you discriminate against them, because if this were not a problem, you would not have given it to Blue Cross when they came for an exemption and you would not continue to exempt the private contractors.

Mr. ISTOOK. Mr. Chairman, I yield 1 minute to the gentlewoman from Idaho [Mrs. CHENOWETH].

Mrs. CHENOWETH. Mr. Chairman, I want to say that the gentleman from Massachusetts [Mr. FRANK] is a great debater, but he is greatly wrong on one point. That is that on Federal contractors, the rules governing Federal contractors are about a foot thick. So they exist under their own special rules.

Mr. Chairman, I do rise in strong support of the Istook amendment. This amendment, Mr. Chairman, is a simple disclosure requirement. In a free society, the people have the right to know that their tax dollars may be going to organizations that then lobby the Federal Government. The amendment offered by the gentleman from Oklahoma would go a long way in extending that basic right. I urge my colleagues to vote yes on the Istook amendment.

Mr. SKAGGS. Mr. Chairman, I yield 30 seconds to the gentlewoman from New York [Ms. SLAUGHTER].

Ms. SLAUGHTER. Mr. Chairman, if the purpose for this amendment today is to find out how much Federal money is being used to lobby by nonprofit groups, I can give the answer right now. Zero. It has been against the law here for years. The IRS has never had a single complaint. We brought this up at committee meeting after committee meeting, because we debate this thing once a week, almost.

The truth of the matter is that the only thing anybody could ever come up with even a hint of a notion that somebody had misused money, was that the beer wholesalers were mad at the Mother Against Drunk Driving. This amendment tries to demonize the Girl Scouts, the Boy Scouts, the Salvation Army, the Red Cross, Catholic charities, and all other groups out there who are doing work for the Federal Government. It is absolutely nonsense that we waste our time on this.

Mr. ISTOOK. Mr. Chairman, I yield myself 15 seconds.

Mr. Chairman, contrary to what may have been represented to the gentlewoman from New York, many nonprofit groups are major lobbyists. They are required to make a disclosure of that through an IRS regulation, which is adopted here. Many of their disclosures reveal that they spend substantial funds. But this is talking about Federal grantees, what they spend on lobbying.

Mr. Chairman, I yield 1 minute to the gentleman from Maryland [Mr. EHRLICH].

Mr. EHRLICH. Mr. Chairman, it is always interesting to hear the spin on this one. We hear so much spin on this one, Mr. Chairman. When you are acting in your capacity as a Federal grantee, you are covered under this amendment. When you are not, regardless of your profit or nonprofit status, everybody knows that. We have debated that on the floor may times.

Mr. Chairman, this is full disclosure. Full disclosure is good government. It is very interesting to hear arguments against full disclosure and good government coming from the other side. This just makes common sense. It is the first step in the right direction. I rise in enthusiastic support for the Istook amendment.

Mr. SKAGGS. Mr. Chairman, I yield one-half minute to the gentleman from New York [Mr. HOUGHTON].

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

Mr. HOUGHTON. Mr. Chairman, I would like to talk against this amendment. I have been in the foundation field all my life. I frankly feel this is a smokescreen to curtail their activities. There is not a single shred of evidence from the GAO, the Inspector General, any of the accounting offices, or the IRS to say that any Federal money has been used for lobbying, period.

Mr. ISTOOK. Mr. Chairman, I yield 1 minute to the gentleman from Arizona, Mr. J.D. HAYWORTH.

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

Mr. Chairman, I rise in strong support of this amendment. It is interesting, as my colleague, the gentleman from Maryland, noted, the juxtaposition that has gone on here. In previous days when we have debated this issue, statements from the other side have been that this was an effort to restrict free speech.

Mr. Chairman, free speech is not free when you and I are paying for it, when the taxpayers of this country repeatedly are called upon to let folks come up here and lobby, and take that money and lobby for more and more money. The fact is, this is a very simple requirement, simply calling for disclosure; not itemization not red tape nothing of the sort.

The fact is we know this lobbying has gone on. We know taxpayers' dollars have gone for this, and this must stop, or at the very least, as this amendment says, it should be accounted for and simply disclosed. My colleague, the gentleman from Minnesota, said it eloquently. Sunshine is the best disinfectant. Let us let the sunshine in and have disclosure of these funds.

Mr. SKAGGS. Mr. Chairman, I yield ½ minute to the gentlewoman from Florida [Mrs. MEEK].

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

Mrs. MEEK of Florida. Mr. Chairman, I rise in strong opposition to this amendment. As I have told my good friend, the gentleman from Oklahoma [Mr. ISTOOK], this amendment discriminates against charities. It puts the reporting burden on charities getting Federal grants, but it does not put the same burden on businesses getting Federal grants. From that, you can make your decision on that.

Why should one group, the charities, which help so many people, be hurt by this amendment, and the other people who are getting Federal contracts are not? It is not fair. Vote against it.

Mr. Chairman, this amendment discriminates against charities. It puts a reporting burden on charities getting Federal grants but does not put the same burden on businesses getting Federal contracts.

In his "Dear Colleague," Mr. ISTOOK says we should support his amendment because, "there is no data kept that covers all federal grantees' lobbying." I ask the gentleman from Oklahoma whether there are data on lobbying by those who receive Federal contracts?

He knows the answer is "no." If he is really interested in sunshine, why not have it fall on everyone.

Stop picking on our charities.

□ 1600

Mr. ISTOOK. Mr. Chairman, I would like to inquire as to remaining time.

The CHAIRMAN. The gentleman from Oklahoma [Mr. ISTOOK] has 3¾ minutes remaining, and the gentleman from Colorado [Mr. SKAGGS] has 4¼ minutes remaining.

The Chair informs the Members that the gentleman from Colorado, Mr. STAGGS, representing the committee's position, is entitled to close debate.

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

Mr. SKAGGS. Mr. Chairman, I yield 1 minute to the gentleman from Wisconsin [Mr. OBEY], the ranking member of the Committee on Appropriations.

Mr. OBEY. Mr. Chairman, I would simply say again, you cannot now use Federal dollars to lobby the Federal Government. That is existing law. All the Istook proposition says is that to the Red Cross, the Boy Scouts, the Farmers' Union, Alzheimer's Association, Girl Scouts, the Epilepsy Foundation, churches and charities, you have got to go through this paperwork joke. It says to the giant contractors who spend billions of dollars in contracts with the Federal Government, no Washington ink is exempt. You do not have to worry about it, big boys.

Mr. Chairman, I think the selectivity of this amendment is pernicious and it

is cynical. It just seems to me that the best way to deal with this is to keep an even playing field, turn down this amendment. I think every Member of this House is a big enough boy or a big enough girl to handle a tough lobbying job from the Boy Scouts without having this kind of wasteful proposition intervene.

Mr. ISTOOK. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, there are always people that do not want to reveal to the public how Washington works or how much people spend on trying to lobby in Washington or anyplace else, especially groups that are dependent upon the taxpayers for their money.

Contrary to what several speakers have claimed, there is no distinction made in this simple disclosure legislation between a business and a charity, none whatsoever. It says any organization that receives a Federal grant will make the disclosure. The only exceptions are for individuals and for entities of State, local and tribal government.

There is no exemption for big business. There is no exemption for big charity. There is no exemption for big anybody except for government itself. Any group whatsoever, what are they afraid of? What is it they are trying to conceal when they come to us and say, We want the taxpayers' money but we just do not want to tell you how much we spent on lobbying?

Mr. SKAGGS. Mr. Chairman, I yield myself 15 seconds.

Mr. Chairman, I just would inquire of the sponsor of this amendment, what business is it of the Federal Government whether Regis College in Denver, CO spends some of its funds lobbying Denver city council over a land-use matter? Why should they have to report to Washington that kind of activity?

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

Mr. SKAGGS. I yield to the gentleman from Oklahoma.

Mr. ISTOOK. Mr. Chairman, I say to the gentleman, if a group does not ask for taxpayers' money, this legislation does not mean beans to them. It is only groups that ask to get in the taxpayers' pocket.

Mr. SKAGGS. Mr. Chairman, why should a local college have to report to Washington their local activities with their city council?

Mr. Chairman, I yield 10 seconds to the gentleman from Wisconsin [Mr. OBEY].

Mr. OBEY. Mr. Chairman, the gentleman is wrong. The gentleman indicates we do not want people to know how Washington works. I quite disagree. I think the gentleman is a perfect example, and so is his amendment, of exactly how Washington works: Protect the big boys and go after the little people.

Mr. ISTOOK. Mr. Chairman, I yield 1½ minutes to the gentleman from Indiana [Mr. MCINTOSH].

Mr. MCINTOSH. Mr. Chairman, I want to praise the gentleman from Oklahoma for bringing forth this disclosure amendment. In fact, the amendment does not provide additional requirements for information to be disclosed, but consolidates a lot of disclosure requirements that are already there for these grant recipients in various current legislation. The more important issue in this debate, I think, is what direction do we want to go in?

Are we going to continue to have the taxpayers subsidizing large lobbying outfits here in Washington, or are we going to build a record and continue the progress that we started last fall in protecting the taxpayer interest, in saying if you want to be a lobbying organization, you can lobby, that is your right, but do it with your own dime and on your own time.

This amendment moves in that direction. There are many other things that should be done to strengthen that, to say lobbying groups cannot use loopholes in the lobbying bill to allow affiliates to take the money and then come in and lobby on their own. These matters are not covered here today in this amendment. Those we will have to do in future legislative activity.

This amendment today begins that process of saying let us fully disclose so that the American taxpayer knows groups who are receiving taxpayer money, how much lobbying they do, when they do it, what they do with that money, so that the taxpayer can hold them accountable.

Mr. Chairman, I commend the gentleman from Oklahoma.

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

Mr. ISTOOK. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, this amendment is simple. It is straightforward. It is plain vanilla. It affects one group of organizations and only one: groups that have made up their mind that they want financing from the taxpayers. If they do not want taxpayers' money, this amendment does not affect anyone. If they want taxpayers' money, it simply says give us the bottom line. The details are not even covered here. Just give us the bottom line once a year, how much did you spend on lobbying?

Mr. Chairman, they are already required to keep records of this. If they were, for example, a 501(c)(3), they are already required by the IRS to keep records of it. They are already subject to auditing. They do not want people to know. There are groups that receive tens of millions and hundreds of millions of dollars from the taxpayers, that are some of the major lobbying groups in Washington, and they try to claim we are letting the big boys off.

If the group is a big boy, it does not matter if it is a charity or business. This amendment treats it the same. It says, If you want taxpayers' money, tell us one simple thing: How much are you spending on lobbying?

Then if the gentleman from Colorado [Mr. SKAGGS] thinks the results show that it is not a problem, he can use that as his evidence. If it shows more things with problems, that too can be evidence. Let us get simple and to the facts.

Mr. SKAGGS. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, this is no trivial matter. Contrary to the representations made by the proponents of this, it will require all affected organizations, large and small, charitable and for-profit, to set up a new system of recordkeeping in order to be able to make that good faith estimate, because without accounting for the time and money spent by both paid and volunteer staff, things that now are not covered by any Federal requirement, they will not be able to make that report, however simply it may be.

I again ask my colleagues, why in the world is it the business of the U.S. Government to require a private university getting an NSF grant to report to us, to Washington, about their efforts to work with the local country commissioners over a matter involving transportation in their area? Why is it of concern to Washington if a veterans' group that happens to be getting a job training grant wants to lobby their State legislature for a veterans' cemetery? Why should we require them to keep track of those activities and report to us?

This amendment would create a paperwork burden, tons of redtape in addition to filing the report that would be required, again, because these organizations would have to account for the time spent by their employees and volunteers beyond what is now required under the Internal Revenue Code. It will bring tens of thousands of businesses, charities, and schools under new reporting requirements. Forty-seven thousand grants go to businesses, 43,000 grants to private colleges and universities. Again, what business is it of ours what they do at the State and local level?

This is just the first step, as the gentleman from Maryland's comments suggested, in the ongoing assault that the advocates of this amendment wish to make on the free-speech rights of many Americans and their organizations. The original amendment offered by the gentleman from Oklahoma has been divided into parts, and this happens to be the first part. But we should say no to this part lest we have to deal with the others.

This proposal comes to us from the folk who promised to lighten the regulatory burdens, imposed from Washington, to reduce Federal paperwork. This amendment comes to us from the people who expect private charity to try to pick up the slack as the Federal Government does less.

Mr. Chairman, give me a break. More importantly, give them a break and vote ''no.''

Ms. JACKSON-LEE of Texas. Mr. Chairman, I must rise in opposition to the Istook amendment to H.R. 3019. This amendment is

designed to send a chilling effect to groups who are attempting to express their opinions on the important issues confronting our Nation. While some proponents of this amendment argue that it is just a disclosure requirement. Many of us know the real motivation of this amendment.

The amendment requires organizations to list each Federal grant that they receive, a description of each grant, the name of the agency awarding the grant, and an estimate of lobbying expenses. Why is this information necessary? Mr. Chairman, I urge my colleagues to vote against this amendment and stand up for the true meaning of our democratic principles which encourages free speech, encourages citizens to participate in government, and the right to impact public policy.

This amendment is a bad amendment. It is also mean spirited. I urge my colleagues to defeat this amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Oklahoma [Mr. ISTOOK].

The question was taken; and the Chairman announced that the ayes appeared to have it.

RECORDED VOTE

Mr. SKAGGS. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 211, noes 209, not voting 12, as follows:

[Roll No. 52]

AYES—211

Allard
Archer
Armey
Bachus
Baker (CA)
Baker (LA)
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Bilirakis
Bliley
Boehner
Bonilla
Bono
Brewster
Brownback
Bryant (TN)
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Chabot
Chambliss
Chenoweth
Christensen
Chrysler
Coble
Coburn
Collins (GA)
Combest
Condit
Cooley
Cox
Crane
Crapo
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Cubin
Cunningham
Davis
Deal
DeLay
Diaz-Balart
Dickey
Doolittle
Dornan
Dreier
Duncan
Dunn
Ehrlich
Emerson
English
Ensign
Everett
Ewing
Fawell
Fields (TX)
Flanagan
Foley
Forbes
Fowler
Franks (CT)
Frisa
Funderburk
Gallegly
Ganske
Gekas
Geren
Gillmor
Gingrich
Goodlatte
Goodling
Goss
Graham
Gunderson
Gutknecht
Hall (TX)
Hancock
Hansen
Hastert
Hastings (WA)
Hayworth
Hefley
Heineman
Herger
Hilleary
Hobson
Hoekstra
Hoke
Hostettler
Hunter
Hutchinson
Hyde
Inglis
Istook
Johnson (CT)
Johnson, Sam
Jones
Kasich
Kelly
Kim
King
Kingston
Knollenberg
Kolbe
Largent
Latham
LaTourette
Laughlin
Lazio
Lewis (KY)
Lightfoot
Linder
Livingston
Longley
Lucas
Manzullo
Martini
McCollum
McCrery
McDade
McHugh
McInnis
McIntosh
McKeon
Metcalf
Mica
Miller (FL)
Molinari
Montgomery
Moorhead
Myrick
Nethercutt
Neumann
Ney
Norwood
Nussle
Oxley
Packard
Parker
Paxon
Petri
Pombo
Porter
Portman
Pryce
Quillen
Radanovich
Regula
Riggs
Roberts
Rogers
Rohrabacher
Ros-Lehtinen
Roth
Royce
Salmon
Sanford
Scarborough
Schaefer
Seastrand
Sensenbrenner
Shadegg
Shaw
Shays
Shuster
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Stearns
Stenholm
Stockman
Stump
Talent
Tanner
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Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thornberry
Tiahrt
Upton
Vucanovich
Waldholtz
Walker
Wamp
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wolf
Young (AK)
Young (FL)
Zeliff
Zimmer

NOES—209

Abercrombie
Ackerman
Andrews
Baesler
Baldacci
Barcia
Barrett (WI)
Becerra
Beilenson
Bentsen
Berman
Bilbray
Bishop
Blute
Boehlert
Bonior
Borski
Boucher
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Bunn
Campbell
Canady
Cardin
Castle
Clayton
Clement
Clinger
Clyburn
Coleman
Collins (IL)
Conyers
Costello
Coyne
Cramer
Danner
DeFazio
DeLauro
Dellums
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Edwards
Ehlers
Engel
Eshoo
Evans
Farr
Fattah
Fazio
Fields (LA)
Filner
Flake
Foglietta
Ford
Fox
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Furse
Gejdenson
Gephardt
Gibbons
Gilchrest
Gilman
Gonzalez
Gordon
Greenwood
Gutierrez
Hall (OH)
Hamilton
Harman
Hastings (FL)
Hefner
Hilliard
Hinchey
Holden
Horn
Houghton
Hoyer
Jackson (IL)
Jackson-Lee (TX)
Jacobs
Jefferson
Johnson, E. B.
Johnston
Kanjorski
Kaptur
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kleczka
Klink
Klug
LaFalce
LaHood
Lantos
Leach
Levin
Lewis (CA)
Lewis (GA)
Lincoln
Lipinski
LoBiondo
Lofgren
Lowey
Luther
Maloney
Manton
Markey
Martinez
Mascara
Matsui
McCarthy
McDermott
McHale
McKinney
McNulty
Meehan
Meek
Menendez
Meyers
Miller (CA)
Minge
Mink
Moakley
Mollohan
Moran
Morella
Murtha
Nadler
Neal
Oberstar
Obey
Olver
Ortiz
Orton
Owens
Pallone
Pastor
Payne (NJ)
Payne (VA)
Pelosi
Peterson (FL)
Peterson (MN)
Pickett
Pomeroy
Poshard
Quinn
Rahall
Ramstad
Rangel
Reed
Richardson
Rivers
Roemer
Rose
Roukema
Roybal-Allard
Rush
Sabo
Sanders
Sawyer
Saxton
Schiff
Schroeder
Schumer
Scott
Serrano
Sisisky
Skaggs
Skelton
Slaughter
Spratt
Stark
Studds
Stupak
Tejeda
Thompson
Thornton
Thurman
Torkildsen
Torres
Torricelli
Towns
Traficant
Velazquez
Vento
Visclosky
Volkmer
Walsh
Ward
Waters
Watt (NC)
Waxman
Williams
Wilson
Wise
Woolsey
Wynn
Yates

NOT VOTING—12

Bevill
Bryant (TX)
Chapman
Clay
Collins (MI)
de la Garza
Durbin
Green
Hayes
Johnson (SD)
Myers
Stokes

☐ 1629

Mr. LOBIONDO and Mr. LIPINSKY; changed their vote from ''aye'' to ''no.''

Messrs. PORTER, LONGLEY, and EVERETT changed their vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

☐ 1630

The CHAIRMAN. It is now in order to consider amendment No. 3 printed in House Report 104–474.

AMENDMENT OFFERED BY MR. CRAPO

Mr. CRAPO. Mr. Speaker, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. CRAPO: At the end of the bill (before the short title), add the following new title:

TITLE V—DEFICIT REDUCTION LOCK-BOX

SEC. 501. SHORT TITLE.

This title may be cited as the ''Deficit Reduction Lock-box Act of 1996''.

SEC. 502. DEFICIT REDUCTION LOCK-BOX LEDGER.

(a) ESTABLISHMENT OF LEDGER.—Title III of the Congressional Budget Act of 1974 is amended by adding at the end the following new section:

''DEFICIT REDUCTION LOCK-BOX LEDGER

''SEC. 314. (a) ESTABLISHMENT OF LEDGER.—The Director of the Congressional Budget Office (hereinafter in this section referred to as the ''Director'') shall maintain a ledger to be known as the ''Deficit Reduction Lock-box Ledger''. The Ledger shall be divided into entries corresponding to the subcommittees of the Committees on Appropriations. Each entry shall consist of three parts: the 'House Lock-box Balance'; the 'Senate Lock-box Balance'; and the 'Joint House-Senate Lock-box Balance'.

''(b) COMPONENTS OF LEDGER.—Each component in an entry shall consist only of amounts credited to it under subsection (c). No entry of a negative amount shall be made.

''(c) CREDIT OF AMOUNTS TO LEDGER.—(1) The Director shall, upon the engrossment of any appropriation bill by the House of Representatives and upon the engrossment of that bill by the Senate, credit to the applicable entry balance of that House amounts of new budget authority and outlays equal to the net amounts of reductions in new budget authority and in outlays resulting from amendments agreed to by that House to that bill.

''(2) The Director shall, upon the engrossment of Senate amendments to any appropriation bill, credit to the applicable Joint House-Senate Lock-box Balance the amounts of new budget authority and outlays equal to—

''(A) an amount equal to one-half of the sum of (i) the amount of new budget authority in the House Lock-box Balance plus (ii) the amount of new budget authority in the Senate Lock-box Balance for that bill; and

''(B) an amount equal to one-half of the sum of (i) the amount of outlays in the House Lock-box Balance plus (ii) the amount of outlays in the Senate Lock-box Balance for that bill.

''(3) CALCULATION OF LOCK-BOX SAVINGS IN SENATE.—For purposes of calculating under this section the net amounts of reductions in

new budget authority and in outlays resulting from amendments agreed to by the Senate on an appropriation bill, the amendments reported to the Senate by its Committee on Appropriations shall be considered to be part of the original text of the bill.

''(d) DEFINITION.—As used in this section, the term 'appropriation bill' means any general or special appropriation bill, and any bill or joint resolution making supplemental, deficiency, or continuing appropriations through the end of a fiscal year.''.

(b) CONFORMING AMENDMENT.—The table of contents set forth in section 1(b) of the Congressional Budget and Impoundment Control Act of 1974 is amended by inserting after the item relating to section 313 the following new item:

''Sec. 314. Deficit reduction lock-box ledger.''.

SEC. 503. TALLY DURING HOUSE CONSIDERATION.

There shall be available to Members in the House of Representatives during consideration of any appropriations bill by the House a running tally of the amendments adopted reflecting increases and decreases of budget authority in the bill as reported.

SEC. 504. DOWNWARD ADJUSTMENT OF 602(a) ALLOCATIONS AND SECTION 602(b) SUBALLOCATIONS.

(a) ALLOCATIONS.—Section 602(a) of the Congressional Budget Act of 1974 is amended by adding at the end the following new paragraph:

''(5) Upon the engrossment of Senate amendments to any appropriation bill (as defined in section 314(d)) for a fiscal year, the amounts allocated under paragraph (1) or (2) to the Committee on Appropriations of each House upon the adoption of the most recent concurrent resolution on the budget for that fiscal year shall be adjusted downward by the amounts credited to the applicable Joint House-Senate Lock-box Balance under section 314(c)(2). The revised levels of budget authority and outlays shall be submitted to each House by the chairman of the Committee on the Budget of that House and shall be printed in the Congressional Record.''.

(b) SUBALLOCATIONS.—Section 602(b)(1) of the Congressional Budget Act of 1974 is amended by adding at the end the following new sentence: ''Whenever an adjustment is made under subsection (a)(5) to an allocation under that subsection, the chairman of the Committee on Appropriations of each House shall make downward adjustments in the most recent suballocations of new budget authority and outlays under subparagraph (A) to the appropriate subcommittees of that committee in the total amounts of those adjustments under section 314(c)(2). The revised suballocations shall be submitted to each House by the chairman of the Committee on Appropriations of that House and shall be printed in the Congressional Record.''.

SEC. 505. PERIODIC REPORTING OF LEDGER STATEMENTS.

Section 308(b)(1) of the Congressional Budget Act of 1974 is amended by adding at the end the following new sentence: ''Such reports shall also include an up-to-date tabulation of the amounts contained in the ledger and each entry established by section 314(a).''.

SEC. 506. DOWNWARD ADJUSTMENT OF DISCRETIONARY SPENDING LIMITS.

The discretionary spending limits for new budget authority and outlays for any fiscal year set forth in section 601(a)(2) of the Congressional Budget Act of 1974, as adjusted in strict conformance with section 251 of the Balanced Budget and Emergency Deficit Control Act of 1985, shall be reduced by the amounts set forth in the final regular appropriation bill for that fiscal year or joint resolution making continuing appropriations through the end of that fiscal year. Those amounts shall be the sums of the Joint House-Senate Lock-box Balances for that fiscal year, as calculated under section 602(a)(5) of the Congressional Budget Act of 1974. That bill or joint resolution shall contain the following statement of law: ''As required by section 6 of the Deficit Reduction Lock-box Act of 1995, for fiscal year [insert appropriate fiscal year] and each out-year, the adjusted discretionary spending limit for new budget authority shall be reduced by $ [insert appropriate amount of reduction] and the adjusted discretionary limit for outlays shall be reduced by $ [insert appropriate amount of reduction] for the budget year and each out-year.'' Notwithstanding section 904(c) of the Congressional Budget Act of 1974, section 306 of that Act as it applies to this statement shall be waived. This adjustment shall be reflected in reports under sections 254(g) and 254(h) of the Balanced Budget and Emergency Deficit Control Act of 1985.

SEC. 507. EFFECTIVE DATE.

(a) IN GENERAL.—This title shall apply to all appropriation bills making appropriations for fiscal year 1996 or any subsequent fiscal year.

(b) FY96 APPLICATION.—In the case of any appropriation bill for fiscal year 1996 engrossed by the House of Representatives after August 4, 1995 and before the date of enactment of this bill, the Director of the Congressional Budget Office, the Director of the Office of Management and Budget, and the Committees on Appropriations and the Committees on the Budget of the House of Representatives and of the Senate shall, within 10 calendar days after that date of enactment of this Act, carry out the duties required by this title and amendments made by it that occur after the date this Act was engrossed by the House of Representatives.

(c) FY96 ALLOCATIONS.—The duties of the Director of the Congressional Budget Office and of the Committees on the Budget and on Appropriations of the House of Representatives pursuant to this title and the amendments made by it regarding appropriation bills for fiscal year 1996 shall be based upon the revised section 602(a) allocations in effect on August 4, 1995.

(d) DEFINITION.—As used in this section, the term ''appropriation bill'' means any general or special appropriation bill, and any bill or joint resolution making supplemental, deficiency, or continuing appropriations through the end of a fiscal year.

The CHAIRMAN. Pursuant to the rule, the gentleman from Idaho [Mr. CRAPO] is recognized for 10 minutes, and a Member in opposition will be recognized for 10 minutes.

Mr. CRAPO. Mr. Chairman, before we begin the debate, I ask unanimous consent to modify the amendment.

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

Mr. OBEY. Mr. Chairman, I object.

The CHAIRMAN. Objection is heard.

The Chair recognizes the gentleman from Idaho [Mr. CRAPO].

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

Mr. Chairman, this is the third time that we will have had the lockbox provision before us. It is one of the most critical reform issues with regard to the budget that will face in this Congress. It makes sure that when we make cuts on the floor of this House to the discretionary budget, that those cuts are real and that they are not then shifted into other spending programs.

Mr. Chairman, we have debated this many times. I suspect that we will continue debating it until it becomes law. I encourage Members to stay the course on the lockbox. We are going to have a lot of people here in support of it today, but the point that must be recognized is we will stick with this amendment.

The CHAIRMAN. Is there a Member opposed to the amendment?

Mr. LIVINGSTON. Mr. Chairman, I am opposed to the amendment.

The CHAIRMAN. The gentleman from Louisiana [Mr. LIVINGSTON] is recognized for 10 minutes.

Mr. LIVINGSTON. Mr. Chairman, I yield 3 minutes to the gentleman from California [Mr. BEILENSON].

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

Mr. BEILENSON. Mr. Chairman, I thank the gentleman from Louisiana for yielding me time.

Mr. Chairman, I rise in opposition to the gentleman's amendment. On the face of it, the lockbox proposal is an appealing idea. As proponents describe it, it is a way to ensure that the savings produced in spending cut amendments to appropriations bills are used to reduce the deficit, not to increase spending for other purposes.

But what the procedure actually does is to reduce the amount of funds available to the Committee on Appropriations by the amount saved by spending cut amendments adopted on the House and Senate floor. Thus, it is a tool to force total discretionary spending below the level that Congress has already decided through its budget resolution and through statutory caps as the appropriate level for the coming fiscal year.

So the question we should be considering is do we need to adopt an additional budget procedure to force deeper cuts in discretionary spending than we are already on the path toward achieving?

For those of us who think that we are already making more than enough cuts in discretionary spending, for those of us who oppose the substantial cuts in education and environmental protection that would result from this bill, and for those of us who are worried about future cuts in those areas, as well as cuts in transportation, housing, science and health research, national parks, crime control and many of the other programs that comprise the discretionary spending category that will be imposed if we eventually agree to a plan to balance the budget, it makes little sense to endorse a procedure that will likely lead to even deeper cuts and fewer opportunities to restore funds to these very programs.

Even Members who do wish to cut discretionary spending further cannot dispute the fact we already have an extremely effective process in place for

controlling that kind of spending. Those controls have enabled Congress to restrain the growth of discretionary spending to such an extent that its share of GDP has declined from 10.5 percent in 1980, to 8.2 percent in 1994, and if the Congress complies with the current discretionary spending caps that are in the budget resolution that was adopted last year, that spending will decline to just 6.8 percent in 1998. Domestic discretionary spending will decline from 5.1 percent of GDP in 1980, down to 3.1 percent in 1998.

Last, Mr. Chairman, if our goal is to establish procedures that will help us to reduce the deficit, this measure obviously aims at the wrong target. Like other procedures Congress has considered in recent years to apply further controls to discretionary spending, such as expedited rescission, line-item veto, separation of emergency and nonemergency appropriations, the lockbox proposal addresses the one part of the budget that is already the most strictly controlled.

If our budget process is inadequate in any way, it is that it provides comparatively little control for the mandatory spending, the entitlement programs, that are driving the growth of the Federal budget deficit.

If we are ever to succeed in eliminating deficit spending, Congress has got to change its focus with respect to budget process matters. Rather than devoting our time and effort to devising ways to apply more controls to the part of the budget that is already strictly controlled, we should devote that same kind of effort to addressing other parts of the budget that are under less effective control.

In addition, the Appropriations Committee will have to operate under a significantly more complicated process for figuring out how much funding they have to work with. And, this new procedure is likely to generate more conflict between the Senate and the House, and between Congress and the President, toward the end of each year's appropriations season when new, reduced allocations of spending are parcelled out to the appropriations subcommittees to accommodate whatever lockbox savings are finally achieved.

Popular as the lockbox proposal is, I urge my colleagues to consider carefully whether Congress needs a new procedure that increases the complexity of the budget process, and the difficulty of reaching final agreement on appropriations bills, and that focuses our deficit-reduction efforts on an area of the budget that is already contributing more than its fair share to the cause.

Mr. Chairman, I urge members to vote ''no'' on the Crapo amendment.

Mr. CRAPO. Mr. Chairman, I yield 1 minute to the gentleman from New York [Mr. SOLOMON], the distinguished chairman of the Committee on Rules, who has been so gracious to be a strong supporter of this measure and bring the amendment forward.

Mr. SOLOMON. Mr. Chairman, in spite of my great admiration and respect and friendship for the greatest chairman of the Committee on Appropriations that this body has ever known, I rise in the strongest possible support for this legislation.

Do my colleagues know why? I have been here for 18 years, not quite as long as the gentleman who is the chairman. In those 18 years, except for perhaps the retiring gentleman from Pennsylvania [Mr. WALKER], I guess I have offered more amendments on this floor successfully passed than any other Member. Most of them were cutting amendments, even cutting sacrosanct things like foreign aid, which was unheard of. And lo and behold, over the 18-year career, all of the money was reprogrammed and respent.

This puts a stop to it today. This means when JERRY SOLOMON, or the gentleman from Florida, Mr. FOLEY, or the gentleman from Idaho, Mr. CRAPO, or any others, offer an amendment, if we do not offset it with other spending, that means that money is going to deficit deduction.

We are going to get this deficit under control one way or another. This is the best possible way to do it. I urge all Members to get over here and vote for this. We will make sure the Senate passes it, and, by golly, we will have some fiscal responsibility around here.

Mr. Chairman, this amendment will make the budget process more user friendly for Members who wish to offer spending cut amendments on the floor of the House and Senate. When a spending cut amendment is adopted, savings from that amendment will be credited to deficit reduction.

This amendment is identical to the bill H.R. 1162 which passed the House under an open rule on September 13, 1995 by a bipartisan vote of 364 to 59. A similar amendment was also adopted on August 2, 1995 as an amendment to the Labor, HHS and Education Appropriations bill for fiscal year 1996 with 373 Members supporting that amendment. With such vast support for the amendment last year it follows that it should once again be included with these funding bills.

This bill reported by the Rules Committee represents a truly bipartisan effort culminating only after extensive consultation with CBO, OMB, CRS, the Government Reform and Oversight, Appropriations and Budget Committees.

The Crapo amendment contains a process flexible enough for both the Appropriations Committees to set spending priorities and for individual Members to debate substantive policy and spending issues during floor consideration of appropriation measures.

Members will now truly be able to go to the floor and offer spending cut amendments and actually be reducing the deficit.

I strongly urge my colleagues to once again support this bill by passing the Crapo amendment.

Mr. CRAPO. Mr. Chairman, I yield 1 minute to the gentlewoman from California [Ms. HARMAN], who has also been a strong supporter and worked with us from the outset on this matter.

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

Ms. HARMAN. Mr. Chairman, as the mother of lockbox, I rise in strong support of the Crapo lockbox amendment. I hope it will be enacted into law before I become a grandmother.

As we have heard from the gentleman from Idaho [Mr. CRAPO], the lockbox has passed three times by overwhelming margins, and yet it languishes in the other body. During last year's appropriations debates, the House passed floor amendments totaling more than $350 billion, and those dollars did not go to deficit reduction, they were reprogrammed.

I commend Mr. CRAPO for including in his amendment the language offered by my colleague from Texas, Mr. STENHOLM, and myself to the House-passed lockbox bill that captured outyear savings.

Our amendment was supported by the Concord Coalition and the National Taxpayer Union, among others. It ensured that spending cuts in multiyear programs result in a reduction in the outyear discretionary spending caps, as well as the present year spending caps.

Let me explain why such a provision is critical. On average, 95 percent of an agency's personnel funds are outlayed in the first fiscal year. By contrast, only 3.1 percent of funds for constructing military housing are outlayed in the first year. In the case of the Army, 12 percent is outlayed in year 2, 37 percent in year 3, and 24 percent in year 4.

Thus, without an outyear savings provision, cutting $100 million out of fast-spending program like personnel may translate into a discretionary spending cut of $95 million. But a successful floor amendment cutting $100 million from a slow-spending program like Army family housing construction only reduces discretionary spending by $3.1 million in the first year. The remaining $96.9 million is not captured and, under our current House procedures, remains available for other spending programs.

Lockbox ensures that a cut is a cut. And, the language identical to the Harman-Stenholm amendment ensures that a cut is a full cut, not a cut based on a program's outlay spending rate for the first fiscal year.

Mr. Chairman, the time has come. Deficit hawks, please vote for the bipartisan Crapo, Brewster, Foley, Harman, Largent, Schumer, Stenholm, et al, amendment. There is no more time for delay.

Mr. CRAPO. Mr. Chairman, I yield 1 minute to the gentleman from Florida [Mr. FOLEY], who is one of the strong fighters in the freshman class.

Mr. FOLEY. Mr. Chairman, first congratulations to the gentleman from Idaho [Mr. CRAPO], in advance, because this will be successful. For the first time, Congress is going to face the fact that, when we cut spending from programs, it is not going to be siphoned off and sent over to other spending programs. Much like Americans all across our land have Christmas club accounts, vacation accounts, savings accounts,

the lockbox will truly give us a mechanism by which when we cut wasteful spending on the floor or in committee, that wasteful spending will actually go for deficit reduction.

I applaud my colleagues on both sides of the aisle. This has been a great opportunity for us to work, Republicans and Democrats, for fiscal responsibility. Again I applaud the gentleman from Idaho [Mr. CRAPO] for his leadership on this initiative and to the gentleman from New York [Mr. SOLOMON] for strong words of encouragement all the way.

Mr. CRAPO. Mr. Chairman, I yield 1 minute to the gentleman from Oklahoma [Mr. LARGENT], another of the freshmen so strong in support of this matter.

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

Mr. LARGENT. Mr. Chairman, let me start by saying that I believe we have a moral imperative to balance the budget for the future of our children, and I believe that every spending reduction we can make is a positive step in that direction.

When Members go to the floor and cast votes for cutting amendments, they believe they are doing just that, cutting spending. In fact, as many of the newer Members of Congress have recently discovered, these cuts do not really go for deficit reduction but are reprogrammed and spent on other projects. This is outrageous. When 200 Members of the House of Representatives vote to cut spending, spending should be cut, not reprogrammed. That is why the lockbox is so important. To lock in the savings that the House passes and ensure that the savings go to deficit reduction, we must enact the lockbox now and not a day later.

Mr. CRAPO. Mr. Chairman, I yield 1 minute to the gentleman from New York [Mr. SCHUMER].

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Mr. SCHUMER. Mr. Chairman, I rise in support of the amendment. I mean many of the reasons have been enumerated, and that is when a cut is made, the cut should go to cutting. I have been against many of the very draconian measures that cut the budget, but this one makes rational sense. It allows us to, when we get up there and say we are cutting money, make sure that that money stays cut. It has had broad bipartisan support over the years, and I would hope that this body adopts it.

Mr. LIVINGSTON. Mr. Chairman, I yield 2 minutes to the gentleman from Wisconsin [Mr. OBEY], the distinguished ranking member of the Committee on Appropriations.

Mr. OBEY. Mr. Chairman, I feel like the actor Bill Murray in that movie ''Groundhog Day''; we keep doing this again and again and again and again. We are 5 months into the fiscal year. We are supposed to have the appropriations bills done. Yet we have a huge portion of the budget still stuck, and this bill represents, in fact, the 10th continuing resolution, the 10th. We tried to do this 10 times to keep the Government open, and a couple of times the Congress has failed and the Government has closed.

Mr. Chairman, I have voted for some versions of the lockbox, I have even sponsored some of the versions. But the fact is today that our highest priority ought to be to finally, halfway through the fiscal year, get last year's fiscal business passed. We already have three versions of this amendment sitting in the Senate deader than door nails. Why is it necessary to add a fourth when our principal purpose is simply to get the Government continued for the rest of the fiscal year?

I have a very pragmatic reason to suggest my colleagues not vote for this amendment. It is just another item that slows down the process, makes it less likely that this bill is ever going to become law, makes it less likely that we are going to get out of the way and see to it that the local school districts do not have to lay off teachers, that Superfund sites, which are shut down now because of lack of funding, do not continue to stay shut down.

We need to get on with the principal business of the public, which is to get this business out of the way so we can turn to new issues. That is what we ought to be doing. And yet we keep chewing the cud over and over and over again. It seems to me this is just one additional item that makes it more difficult for the bill to pass.

If my colleagues want to pass lockbox, do it someplace else where it is not going to slow down our basic purpose.

Mr. CRAPO. Mr. Chairman, I yield 30 seconds to the gentleman from Kansas [Mr. BROWNBACK].

Mr. BROWNBACK. Mr. Chairman, I rise in strong support of the lockbox amendment that can save the dollars. We should lock it away and not spend it somewhere else, and I would like to hook onto what the gentleman from Wisconsin [Mr. OBEY] was just mentioning, that it seems to me that ultimately what this is really about is making it more likely that we will ultimately balance the budget, which is what this whole exercise is all about.

That is why I am in strong support of this amendment.

Mr. CRAPO. Mr. Chairman, I yield 1 minute to the gentleman from Oklahoma [Mr. BREWSTER], who has also been one of our strong supporters from the outset.

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

Mr. BREWSTER. Mr. Chairman, I rise today in strong support of the Crapo lockbox amendment.

As we all know, getting a majority of this House to vote for a cut in Federal spending is not easy. Then, it becomes even more frustrating when that so-called cut is later spent on another program in an appropriations bill.

This amendment would make our cuts count by directing these savings to deficit reduction—not additional spending. I consider this one of the most substantive changes to how Congress manages its money in decades.

This House voted more than six to one last fall to accept the lockbox. Let us be honest, and make sure that a cut is really a cut.

I urge my colleagues to vote for the Crapo lockbox amendment.

Mr. CRAPO. Mr. Chairman, may I inquire how much time remains?

The CHAIRMAN. The gentleman from Idaho [Mr. CRAPO] has 4 minutes remaining, and the gentleman from Louisiana [Mr. LIVINGSTON] has 5 minutes remaining.

Mr. CRAPO. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, I think it is important, as we conduct this debate, that we understand exactly what the lockbox does because there has been a lot of discussion about whether we need it or whether we do not. The way this bill works is that when we vote on the floor of the House to cut any program or project, in the current law that money, the program or project is cut, but the money allocated for spending in the budget for that program or project remains allocated, and it is simply respent on other measures, measures which are obviously of a lower priority or they would have been put in place of the spending in the first place.

So all we see is a reshuffling of the spending, but never a reduction of the actual spending so that we get deficit reduction, and those who watch across this country on C–Span or in any other capacity and listen to the debates on this floor day after day as we talk about the need to balance the budget, hear us discuss that every day, they see us vote on amendments that would cut spending every day, but when we are all done, the spending is not reduced because of the budget system in which we now operate.

This lockbox would create a mechanism whereby when we vote to cut spending on any particular program or project, if the majority of this Congress says that spending should be cut, then in reality that spending is allocated to deficit reduction rather than being shifted into new funds. Now if someone wants to bring an amendment and say I do not want deficit reduction, I simply want to cut spending from this program and put it into that program, that is perfectly allowed. This simply says that when we debate here on the floor and tell the American people that we are cutting spending in order to protect our budget, that when we are done with the day that is what happens.

Mr. Chairman, it is a very simple and straightforward principle. It is one when American people understand it they cannot quite see why the Congress has to even have this kind of a system because it does not make sense that we

could debate to cut spending and then, after we were done, have the spending simply shifted over into other spending priorities.

Mr. Chairman, I have no additional speakers, and I yield back the balance of my time.

Mr. LIVINGSTON. Mr. Chairman, I yield myself the balance of my time.

Mr. CHAIRMAN. The gentleman from Louisiana [Mr. LIVINGSTON] is recognized for 5 minutes.

Mr. LIVINGSTON. Mr. Chairman, in the last 14 months, as chairman of the Committee on Appropriations, I have been fighting these budget battles, and I have great sympathy for what the gentleman is trying to accomplish with his amendment. He wants to cut down on the amount of discretionary spending from the U.S. Congress. He is right, and we agree, and we have been working with him and jointly with the other body to do exactly that, and we have had enormous success.

The fact is nondefense discretionary spending over the years under Democrat control has just gone up, up, up, up, and up. In fiscal year 1994, it was up to $237 billion, in fiscal year 1995, they had it up to $246 billion, and had they retained control, it would have kept going on up. But we have scaled it back.

We had the rescission bill, and, no, I will not yield now. I will be happy to yield at the end of my statement.

We had the rescission bill that cut back fiscal year 1995 to $230 billion. In 1996, right now, we are down to $223 billion. In 1997, according to the budget agreement that passed the House and Senate, we will be down to $219 billion.

We are making inroads in spending. We are attempting to accomplish what the gentleman is trying to do. But what I am concerned about is that if the gentleman's amendment passes, and I am sure it probably will pass because it is such an easy vote for so many Members, it will tie our hands and make us incapable of negotiating with the Senate or with the White House to reach agreements on bills that should pass in the interests of the American people.

In fact, in this bill there is funding for Bosnia, there is funding for flood relief in the Northwest, and some of the very constituents that are going to be tremendously benefited by programs in this bill might not have been had the lockbox been invoked on this bill because we might not have been able to include this funding.

Now, I know that Members say, well, it is important that we cut spending, that we reduce it. I have made that argument ad nauseam for the last 14 months. But, my colleagues, the problem is not in the discretionary budget because we are getting the discretionary budget under control. The discretionary budget, however, is only one-third of the $1.6 trillion that the U.S. Government spends every year. Two-thirds is interest on the debt, Social Security, welfare, Medicare, Medicaid, and all the other entitlements, and unless we get control on the entitlements, we are never going to balance the budget. We can talk about a balanced budget by the year 2002, but if we do not get an agreement between the House and the Senate and the President of the United States to tackle that two-thirds of the budget, we are never going to accomplish anything.

Now, I find it ironic that two Members who took the well, at least two, possibly three; no, there are three that I can identify, and I am not going to embarrass them; three Members that took the well actually voted last week to increase entitlements. Now if discretionary spending is not the problem, and yet our colleagues want to shackle our hands to negotiate and reach an agreement that benefits the American people, and if mandatory spending is the problem, one would think Members would want to be consistent, and I know the gentleman who sponsors this amendment is consistent because be voted against those entitlements last week. But other Members who have spoken here did not. What they did was to take two programs which are funded by discretionary spending and say there is not enough money going into those programs. We have got to make them mandatory. We have got to make them entitlements, and they converted them, and the aggregate cost of those two programs in the farm bill, passed on Thursday last, is $4 billion over 7 years.

Now, my colleagues, if we are going to vote for the lockbox, fine. But think about what we did last week. If my colleagues voted for that farm bill, if my colleagues voted to convert discretionary spending to mandatory, in effect they have contributed to the real problem of the deficit, and they are doing absolutely nothing but screwing the system up with the lockbox.

Now, I happen to think that the lockbox is well intentioned, but as chairman of the Committee on Appropriations I will tell my colleagues it is very difficult to satisfy the many Members of the far left, the far right, and the people in the middle in this House, let alone work with the people in those same spectrums on the Senate side and negotiate with the White House, who does not like anything we want to do and wants to veto this bill. We have got a tough problem, and the lockbox only makes it tougher. It restricts our ability to negotiate with these other varying factors and, in essence, says we cannot do anything.

Now, our function in Government is not to sit around and do nothing. The gentleman from Maryland, and, if I have time, I will yield to him, he represents a lot of Federal employees. If this bill does not pass, we do not come to negotiated agreement with the Senate and the White House, we are going to shut down Government.

Do not make it worse. Let us defeat this.

Mr. GOSS. Mr. Chairman, they say three times can be the charm. Well, today the House will, for the third time this Congress, approve an important budget tool to make sure that spending cuts we agree to actually translate into savings for the American people. We hope this action will be the charm in getting this budget reform done. As Members know, this House voted for the deficit reduction lockbox by a huge margin of 373 to 52 on August 4, 1995, as an amendment to the Labor-HHS spending bill. We voted for the lockbox once again, as a freestanding bill, by a vote of 364 to 59 on September 13, 1995. There is no doubt that if it were up to the clear majority of this House, lockbox would be the law of the land today. Of course we know that we must also convince our friends in the other body to concur—and that's where the holdup has been. And so, in sending them lockbox legislation as part of this omnibus spending bill, we will affirm for a third time that we really do mean business in getting lockbox in place for the upcoming appropriations cycle. While I know some of our colleagues on the Appropriations Committees still have concerns about this lockbox, I remind them that this measure has been thoroughly vetted through subcommittee and full committee hearings, the Rules Committee markup, and careful consultation with Appropriations and Budget Committee staff. We believe that we have an effective product that still allows enough flexibility for the appropriators to do the enormously difficult job we ask of them. I commend Mr. CRAPO for his efforts to reach the goal of ensuring that a cut is really a cut; that when we say we are saving money by spending less in appropriations bills we follow through on that commitment. I hope my colleagues will join me once again in supporting this deficit reduction tool.

□ 1700

The CHAIRMAN. The question is on the amendment offered by the gentleman from Idaho [Mr. CRAPO].

The question was taken; and the Chairman announced that the noes appeared to have it.

RECORDED VOTE

Mr. CRAPO. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 329, noes 89, not voting 13, as follows:

[Roll No. 53]

AYES—329

Ackerman	Boehner	Clinger
Allard	Bono	Clyburn
Andrews	Boucher	Coble
Archer	Brewster	Coburn
Armey	Browder	Coleman
Bachus	Brown (OH)	Collins (GA)
Baesler	Brownback	Combest
Baker (LA)	Bryant (TN)	Condit
Baldacci	Bunn	Cooley
Ballenger	Bunning	Costello
Barcia	Burr	Cox
Barr	Burton	Cramer
Barrett (NE)	Buyer	Crane
Barrett (WI)	Calvert	Crapo
Bartlett	Camp	Cremeans
Barton	Campbell	Cubin
Bass	Canady	Cunningham
Bentsen	Cardin	Danner
Bereuter	Castle	Davis
Bilbray	Chabot	de la Garza
Bilirakis	Chambliss	Deal
Bishop	Chenoweth	DeFazio
Bliley	Christensen	DeLauro
Blute	Chrysler	DeLay
Boehlert	Clement	Deutsch

Diaz-Balart
Dickey
Doggett
Dooley
Doolittle
Dornan
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
English
Ensign
Eshoo
Everett
Ewing
Farr
Fawell
Fazio
Fields (LA)
Fields (TX)
Filner
Flake
Flanagan
Foley
Forbes
Fowler
Fox
Franks (CT)
Franks (NJ)
Frisa
Frost
Funderburk
Furse
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Geren
Gilchrest
Gilman
Goodlatte
Goodling
Gordon
Goss
Graham
Greenwood
Gunderson
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hancock
Hansen
Harman
Hastert
Hastings (WA)
Hayworth
Hefley
Hefner
Heineman
Herger
Hilleary
Hilliard
Hobson
Hoekstra
Hoke
Holden
Horn
Hostettler
Houghton
Hunter
Hutchinson
Hyde
Inglis
Istook
Jackson-Lee (TX)
Jacobs
Jefferson
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Jones
Kanjorski
Kaptur
Kasich
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kim
King
Kingston
Kleczka
Klug
Kolbe
LaHood
Lantos
Largent
Latham
LaTourette
Laughlin
Lazio
Leach
Levin
Lewis (KY)
Lightfoot
Lincoln
Linder
Lipinski
LoBiondo
Lofgren
Longley
Lucas
Luther
Maloney
Manton
Manzullo
Martinez
Martini
Mascara
Matsui
McCarthy
McCollum
McHale
McHugh
McInnis
McIntosh
McKeon
McNulty
Meehan
Menendez
Metcalf
Meyers
Mica
Miller (CA)
Miller (FL)
Minge
Molinari
Montgomery
Moorhead
Morella
Myrick
Neal
Nethercutt
Neumann
Ney
Norwood
Nussle
Ortiz
Orton
Oxley
Pallone
Parker
Pastor
Paxon
Payne (VA)
Peterson (FL)
Peterson (MN)
Petri
Pickett
Pombo
Pomeroy
Porter
Portman
Poshard
Pryce
Quillen
Quinn
Ramstad
Reed
Regula
Richardson
Riggs
Rivers
Roberts
Roemer
Rohrabacher
Ros-Lehtinen
Roth
Roukema
Royce
Salmon
Sanford
Sawyer
Scarborough
Schaefer
Schiff
Schroeder
Schumer
Scott
Seastrand
Sensenbrenner
Serrano
Shadegg
Shaw
Shays
Shuster
Sisisky
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Spratt
Stearns
Stenholm
Stump
Stupak
Talent
Tanner
Tate
Tauzin
Taylor (MS)
Taylor (NC)
Tejeda
Thomas
Thornberry
Thornton
Thurman
Tiahrt
Torkildsen
Torricelli
Traficant
Upton
Visclosky
Volkmer
Waldholtz
Walsh
Wamp
Ward
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wise
Wolf
Wynn
Young (AK)
Young (FL)
Zeliff
Zimmer

NOES—89

Abercrombie
Baker (CA)
Bateman
Becerra
Beilenson
Berman
Bonilla
Bonior
Borski
Brown (CA)
Brown (FL)
Callahan
Clayton
Collins (IL)
Conyers
Coyne
Dellums
Dicks
Dingell
Dixon
Engel
Evans
Fattah
Foglietta
Ford
Frank (MA)
Frelinghuysen
Gibbons
Gillmor
Gonzalez
Gutierrez
Hastings (FL)
Hinchey
Hoyer
Jackson (IL)
Johnston
Klink
Knollenberg
LaFalce
Lewis (CA)
Lewis (GA)
Livingston
Lowey
Markey
McCrery
McDade
McDermott
McKinney
Meek
Mink
Moakley
Mollohan
Moran
Murtha
Nadler
Oberstar
Obey
Olver
Owens
Packard
Payne (NJ)
Pelosi
Rahall
Rangel
Rogers
Rose
Roybal-Allard
Rush
Sabo
Sanders
Saxton
Skaggs
Skeen
Stark
Studds
Thompson
Torres
Towns
Velazquez
Vento
Vucanovich
Walker
Waters
Watt (NC)
Waxman
Williams
Wilson
Woolsey
Yates

NOT VOTING—13

Bevill
Bryant (TX)
Chapman
Clay
Collins (MI)
Durbin
Green
Hayes
Johnson (SD)
Myers
Radanovich
Stockman
Stokes

☐ 1718

Messrs. LEWIS of California, KNOLLENBERG, FRANK of Massachusetts, and GUTIERREZ changed their vote from ''aye'' to ''no.''

Ms. LOFGREN, and Messrs. MOORHEAD, PASTOR, FIELDS of Louisiana, MARTINEZ, and PICKETT changed their vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker pro tempore (Mr. LAHOOD) having assumed the chair, Mr. DREIER, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 3019) making appropriations for fiscal year 1996 to make a further downpayment toward a balanced budget, and for other purposes, pursuant to House Resolution 372, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

The amendment printed in section 2 of House Resolution 372 is adopted.

Is a separate vote demanded on any other amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT OFFERED BY MR. OBEY

Mr. OBEY. Mr. Speaker, I offer a motion to recommit.

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

Mr. OBEY. Mr. Speaker, I think that is safe to say.

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

The Clerk read as follows:

Mr. OBEY moves to recommit the bill H.R. 3019 to the Committee on Appropriations with the instruction that the Committee report the bill back to the House forthwith with the following amendment.

On page 386, line 15, strike all after ''tion'' through ''11'' on page 387, line 5.

The SPEAKER pro tempore. The gentleman from Wisconsin [Mr. OBEY] is recognized for 5 minutes.

Mr. OBEY. Mr. Speaker, as everyone knows, we have already indicated the problems in this bill for education and for environmental cleanup. The focus of this motion to recommit is quite different.

Mr. Speaker, after passage of the Veterans' Administration appropriation bill through the House, the Secretary of Veterans Affairs was not exactly bashful in indicating his displeasure with some of the funding cuts and policy recommendations adopted by the House. As a citizen of a free country and a congressionally confirmed member of the President's Cabinet, he was completely within his rights and was simply executing part of his duties as the administration's principal advocate for veterans.

But apparently that demonstration of free speech was too much for those who did not agree with his statements. The result in conference was language sharply limiting the Secretary's travel budget and reducing a number of personnel positions available to the Secretary. This bill contains those provisions.

The message is apparently very clear: Disagree with the majority who run this house on a veterans' issue and you will pay the price.

I might add this is not an isolated incident. The Secretary of the Interior has also been treated in a similar manner. He too has been very vocal in expressing his concerns about some of the provisions in the appropriation bill for Interior. His punishment was to see his office budget reduced by an additional 10 percent because he spoke out.

This motion is very simple and it applies only to the Secretary of Veterans Affairs. It takes the gag off the Secretary of Veterans Affairs by restoring his office budget and restoring his travel budget. He has a right to talk to the country about his concerns about some of the cuts that were provided in this bill or any other bill that affect veterans and veterans' health care.

Now, I want to make clear the objection to the Secretary of Veterans Affairs is not based on the amount of money he spent. His predecessor, Mr. Derwinski, a good friend of ours, his highest travel budget was $198,000 in any one year. His lowest travel budget was $131,000. Secretary Brown's today, his highest travel budget is $131,000, equal to Mr. Derwinski's lowest, and his lowest travel budget was $105,000. The bill before us would cut that travel budget to $50,000.

Now, there is absolutely no reason why the Secretary should not be able to move around the country. There is no reason why he should not be able to move around the country doing his job.

I want to point out that the intent of this amendment is supported by the veterans' service organizations like the Disabled American Veterans, the American Legion and the VFW. I will read one paragraph from the DAV letter:

The Secretary will be forced to curtail other activities which directly support our Nation's sick and disabled veterans. Specifically, these spending restrictions will have an adverse effect upon the ability of the Office of Public Affairs to assist with the participation in direct patient care activities such as disabled veterans winter sports clinic, national veterans wheelchair games, golden age games and the creative art festival. These events, individually and collectively, represent a true therapeutic and rehabilitative milieu unmatched in the traditional medical setting.

I would urge support for the amendment. Take the gag off the Secretary of Veterans Affairs.

The SPEAKER pro tempore. The gentleman from Louisiana [Mr. LIVINGSTON] is recognized for 5 minutes.

Mr. LIVINGSTON. Mr. Speaker, I urge all my colleagues to vote ''no'' on this very procedural motion to recommit. It raises really a phony issue. The White House does not care a whit about this, never talked to us, never raised it, does not care.

Mr. Chairman, veterans are much better off than they were before. They got a $400 million increase in health benefits over what they had last year. They are getting $38.4 billion out of this package, $16.9 billion of which goes to health care, so the veterans are doing well.

You know what the other side is upset about? They are upset because, yes, we have cut the Office of the Secretary, Office of the Assistant Secretary for Policy Planning, and some administrative expenses because Jesse Brown put veterans' benefit paychecks in envelopes, sent them to the veterans themselves with a notice, with a political message in it.

□ 1730

Now, free speech is not free if it is paid for by the taxpayer, and it is put in an envelope by the Secretary that included veterans benefits checks and sent out as a political speech to the American people. That has got to stop.

This is a phony issue. Vote ''no'' against the motion to recommit and vote for the bill. Let us not close the Government. This is a good process.

Mr. Speaker, I yield to the gentleman from Ohio [Mr. KASICH].

Mr. KASICH. Mr. Speaker, I appreciate the gentleman yielding to me.

I know a number of my colleagues have angst about the idea of voting for this bill, and I frankly, at least for those who voted for the Republican plan to balance the budget, have a little bit of difficulty understanding that angst, because this omnibus proposal keeps us on track. It moves to terminate 175 programs, most of which under the stewardship of the gentleman from Illinois [Mr. PORTER], who did an outstanding job, along with the gentleman from California [Mr. LEWIS].

In addition, I think there was some concern about the contingency funds, which, frankly, I had concern about. The contingency funding is taken care of.

In an effort to be reasonable with the administration, if, in fact, we can achieve a major reconciliation bill, then we give some additional flexibility to the administration, but it is no program that allows them to willy-nilly go out and spend more money. The simple fact of the matter is——

POINT OF ORDER

Mr. OBEY. Mr. Speaker, I have a point of order.

The SPEAKER pro tempore (Mr. LAHOOD). The gentleman will state his point of order.

Mr. OBEY. The matter before us is the motion to recommit. Is the gentleman not required to confine his remarks to that motion?

The SPEAKER pro tempore. The gentleman is correct.

Mr. KASICH. Mr. Speaker, they did not tell me that.

I would just say the gentleman from Wisconsin obviously has a well-thought-out proposal but, in fact, does not get to the heart of the matter and distracts us from the need to stay on course in our effort to balance the budget and to keep this portion of the budget on track, and I would say to the gentleman from Wisconsin, he always does a fine job here on the floor. He has done a lot of research, but he fundamentally does not support the idea that we should terminate 175 programs and live under the cap.

So I would say to my Republican colleagues this is a chance to keep the momentum going. Let us come to the floor. Let us reject the well-thought-out motion from the gentleman of Wisconsin, get on with passing the bill and keep the revolution alive.

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

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

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

RECORDED VOTE

Mr. OBEY. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 182, noes 228, not voting 21, as follows:

[Roll No 54]

AYES—182

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

NOES—228

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

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

NOT VOTING—21

Baker (LA)
Bevill
Bryant (TX)
Chabot
Chapman
Clay
Collins (MI)
Dornan
Durbin
Ford
Green
Harman
Hayes
Hoke
Johnson (SD)
McCrery
McDade
Myers
Stockman
Stokes
Williams

☐ 1749

Mr. ENSIGN changed his vote from ''aye'' to ''no.''

Mr. GIBBONS changed his vote from ''no'' to ''aye.''

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. LAHOOD). The question is on the passage of the bill.

Pursuant to clause 7 of rule XV, the yeas and nays are ordered.

The vote was taken by electronic device, and there were yeas 209, nays 206, not voting 17, as follows:

[Roll No. 55]

YEAS—209

Allard
Archer
Armey
Bachus
Baker (CA)
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Bilirakis
Bliley
Blute
Boehlert
Boehner
Bonilla
Bono
Brownback
Bryant (TN)
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Chambliss
Chenoweth
Christensen
Chrysler
Clinger
Coble
Collins (GA)
Combest
Cooley
Cox
Crane
Crapo
Cremeans
Cubin
Cunningham
Davis
Deal
DeLay
Diaz-Balart
Dickey
Doolittle
Dornan
Dreier
Dunn
Ehlers
Ehrlich
Emerson
English
Everett
Ewing
Fawell
Fields (TX)
Foley
Forbes
Fowler
Fox
Franks (NJ)
Frelinghuysen
Frisa
Funderburk
Furse
Gallegly
Ganske
Gekas
Geren
Gilchrest
Gillmor
Gilman
Gingrich
Goodlatte
Goodling
Goss
Graham
Greenwood
Gunderson
Gutknecht
Hancock
Hansen
Hastert
Hastings (WA)
Hayworth
Hefley
Heineman
Herger
Hilleary
Hobson
Hoekstra
Hoke
Horn
Hostettler
Houghton
Hunter
Hutchinson
Hyde
Inglis
Istook
Johnson (CT)
Johnson, Sam
Jones
Kasich
Kelly
Kim
King
Kingston
Knollenberg
Kolbe
LaHood
Latham
LaTourette
Laughlin
Lazio
Leach
Lewis (CA)
Lewis (KY)
Lightfoot
Linder
Livingston
Longley
Lucas
Manzullo
McCollum
McDade
McInnis
McKeon
Metcalf
Mica
Miller (FL)
Molinari
Moorhead
Myrick
Nethercutt
Neumann
Ney
Norwood
Nussle
Oxley
Packard
Parker
Paxon
Pombo
Porter
Portman
Pryce
Quillen
Radanovich
Ramstad
Regula
Riggs
Roberts
Rogers
Rohrabacher
Ros-Lehtinen
Roth
Roukema
Royce
Salmon
Sanford
Saxton
Schaefer
Schiff
Seastrand
Sensenbrenner
Shadegg
Shaw
Shays
Shuster
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Spence
Stearns
Stump
Talent
Tate
Tauzin
Thomas
Thornberry
Tiahrt
Torkildsen
Upton
Vucanovich
Waldholtz
Walker
Walsh
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wolf
Young (AK)
Young (FL)
Zeliff

NAYS—206

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

NOT VOTING—17

Baker (LA)
Bevill
Bryant (TX)
Chabot
Chapman
Clay
Collins (MI)
Duncan
Durbin
Green
Hayes
Johnson (SD)
McCrery
Myers
Stockman
Stokes
Taylor (NC)

☐ 1806

Mrs. MEEK of Florida changed her vote from ''yea'' to ''nay.''

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. LIVINGSTON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on H.R. 3019, and that they may include tabular and extraneous material.

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

There was no objection.

REPORT ON RESOLUTION WAIVING POINTS OF ORDER AGAINST CONFERENCE REPORT ON H.R. 1561, THE AMERICAN OVERSEAS INTERESTS ACT OF 1996

Mr. GOSS, from the Committee on Rules, submitted a privileged report (Rept. 104–476) on the resolution (H. Res. 375) waiving points of order against the conference report to accompany the bill (H.R. 1561) to consolidate the foreign affairs agencies of the United States; to authorize appropriations for the Department of State and related agencies for fiscal years 1996 and 1997; to responsibly reduce the authorizations of appropriations for United States foreign assistance programs for fiscal years 1996 and 1997, and for other purposes which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 2703, THE EFFECTIVE DEATH PENALTY AND PUBLIC SAFETY ACT OF 1996

Mr. GOSS, for the Committee on Rules, submitted a privileged report (Rept. No. 104–191) on the resolution (H. Res. 376) providing for the consideration of the bill (H.R. 2703) to combat terrorism, which was referred to the House Calender and ordered to be printed.

MESSAGE FROM THE SENATE

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

H.R. 3021. An act to guarantee the continuing full investment of Social Security and other Federal funds in obligations of the United States.

PROVIDING SPECIAL AUTHORITIES TO COMMITTEE ON GOVERNMENT REFORM AND OVERSIGHT TO OBTAIN TESTIMONY ON THE WHITE HOUSE TRAVEL OFFICE MATTER

Mrs. WALDHOLTZ. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 369 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 369

Resolved, That—

(a) The Chairman of the Committee on Government Reform and Oversight, for purposes of the committee's investigation and study of the White House Travel Office matter, may, upon consultation with the ranking minority member of the committee, authorize the taking of affidavits, and of depositions pursuant to notice or subpoena, by a member or staff of the committee designated by the chairman, or require the furnishing of information by interrogatory, under oath administered by a person otherwise authorized by law to administer oaths.

(b) Deposition and affidavit testimony, and information received by interrogatory, shall be deemed to have been taken in executive session of the committee in Washington, District of Columbia. All deposition and affidavit testimony and information received by interrogatory shall be considered nonpublic until received by the committee, except that all such testimony and information shall, unless otherwise directed by the committee, be available for use by members of the committee in open session of the committee.

The SPEAKER pro tempore. The gentlewoman from Utah [Mrs. WALDHOLTZ] is recognized for 1 hour.

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

Mr. Speaker, let me announce at the outset, in the interest of time, that the bipartisan leadership has agreed to limit debate on this resolution to two speakers on each side.

GENERAL LEAVE

Mrs. WALDHOLTZ. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on House Resolution 369.

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

There was no objection.

Mrs. WALDHOLTZ. Mr. Speaker, House Resolution 369 is a resolution providing special authorities to the Committee on Government Reform and Oversight to take testimony in the matter of the White House Travel Office. Under the terms of the resolution the chairman of the Committee on Government Reform and Oversight, upon consulting with the ranking minority member, may authorize any member or designated staff of the committee to take sworn affidavits and depositions pursuant to notice or subpoena and could require furnishing of information by written interrogatories under oath. Any such testimony received would be considered to have been received in executive session by the committee in Washington, DC, would be considered as nonpublic until received by the committee and, thereafter, could be used by any member of the committee in open session related to the investigation of the White House Travel Office matter unless the committee directs otherwise.

The reason this authority requires the approval of the House is because it departs from the standing House rule, clause 2(h), rule XI, that requires a quorum of at least two members of a committee to take testimony.

□ 1815

This resolution differs from the House rule in that it would permit the chairman to authorize any member or staff of the committee to take testimony by sworn deposition or affidavit.

Mr. Speaker, on May 19, 1993, seven White House Travel Office staffers, after years, and in some cases decades, of faithful service, were summarily fired and told to vacate their offices in 2 hours. Later the same day, the White House announced the launching of an FBI criminal investigation of the former employees, which ended in Office Director Billy Dale's indictment on two embezzlement charges—charges proved utterly meritless when a Federal jury acquitted him after less than 2 hours of deliberation.

Mr. Speaker, before his complete exoneration, Billy Dale endured 2½ years of investigation, prosecution, and humiliation. One of Mr. Dale's daughters was forced to account for every penny spent on her wedding and honeymoon, and the other was asked by an interrogator whether she wasn't worried about letting her father handle her money. Mr. Dale's father died without ever seeing his son exonerated. Mr. Dale's legal bills amounted to over $500,000. Billy Dale—an innocent man—felt the full weight of the FBI, the IRS, the Justice Department, and the White House arrayed against him. The public deserves to know the truth. Billy Dale deserves to have this story told.

I commend Chairman CLINGER for his efforts in this matter. He has brought home to the American people the enormity of the wrong committed against these seven people.

Chairman CLINGER has indicated that the special authority is needed because of the reluctance and even refusal of certain potential witnesses to cooperate voluntarily in submitting to staff interviews preliminary to a hearing. This makes it extremely difficult, if not impossible, for a committee to adequately prepare background information and questions for a hearing.

Absent such important background information prior to a formal hearing, the committee is left to elicit the same information during the course of the hearing—something that can greatly prolong a hearing and reduce members to searching for the appropriate questions to ask of a witness.

Mr. Speaker, I want to emphasize that the special authority proposed in the resolution before us today is something that the Rules Committee and the House have granted only in extraordinary circumstances where there is a compelling need for such authority and it is investigation-specific. This is not a grant of blanket authority for all investigations of the Government Reform and Oversight Committee or any other committee.

But this body has granted such authority in the past. Examples of investigation authorization resolutions that have contained special deposition authority include: the President Nixon impeachment proceedings, Koreagate, Abscam, and Iran-Contra.

Moreover, the committee has made it clear that the granting of this special authority should be accompanied by assurances that the minority will not only be consulted prior to the noticing of any special testimony, but guaranteed participation and access in the process, just as it would in a committee hearing.

Chairman CLINGER has assured both us and the committee minority that this was his clear and unequivocal commitment and intent from the start. And it is my understanding that Chairman CLINGER, a man of his word, has worked with the minority, led by the distinguished gentlewoman from Illinois, Mrs. COLLINS, in crafting this resolution and the limits that have been placed on its scope. In fact, the committee met early this morning and passed the resolution by a bipartisan voice vote.

Finally, I would note that the special testimony authority language of House Resolution 369 is nearly identical to that contained in House Resolution 12 in the 100th Congress, creating the House Select Committee on Iran-Contra.

That resolution was drafted on a bipartisan basis and overwhelmingly adopted by the House on January 7, 1987, by a vote of 416 to 2.

I urge my colleagues to give this resolution the same measure of bipartisan support that the Iran-Contra resolution had in the 100th Congress so that the Government Reform and Oversight Committee can expedite its hearings process and complete its investigation.

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

Mr. HALL of Ohio. Mr. Speaker, I yield myself such time as I may consume.

(Mr. HALL of Ohio asked and was given permission to revise and extend his remarks.)

Mr. HALL of Ohio. Mr. Speaker, as my colleague, the gentlewoman from Utah [Mrs. WALDHOLTZ], explained, House Resolution 369 is a resolution that will allow the Committee on Government Reform and Oversight staff to take depositions in the White House travel office matter. I have strong concerns about this resolution because it does not contain sufficient safeguards to protect the integrity of the investigation process and of the House.

House Resolution 369 conveys a heavy authority to the Government Reform Committee and its staff. This kind of authority has only sparingly been granted by the House in the past. Recent examples include investigations into the matters of Iran-Contra, Abscam, and Koreagate.

The standing House rule, which this resolution supersedes for this investigation, does not specifically authorize staff depositions and it requires two members to be present when testimony is taken. This rule was enacted in 1955 in response to the abuses of the McCarthy era.

During Rules Committee consideration of this resolution, Democrats offered three small, but significant amendments intended to ensure that the authority granted by this resolution would meet the highest standards of integrity. All three amendments were defeated along straight or near-straight party line votes.

One amendment would establish a time limit of June 30, 1996, on the authority granted by the resolution. There are House precedents for placing such a restriction. A time limit expresses the will of the House that this investigation be conducted to expose the facts as quickly as possible.

The Government Reform Committee has been looking into the Travel Office matter for some time, and it is unlikely that new, unexpected leads will develop that will require an excessive amount of time. If it turns out that the time limit is too short for a full investigation, then the House by resolution, can extend the authority.

The second amendment offered by the Democrats would require agreement with the ranking minority member of the Government Reform Committee, or a vote of the full committee, in order to issue a subpoena. Again, there are House precedents for this provision.

Had the amendment passed, it would not have prevented the committee majority from exercising the authority established by this resolution. Rather, the intention was only to ensure accountability of the majority and to protect the right of the minority to participate publicly in the process.

The third amendment was intended to establish that this resolution does not challenge longstanding House precedent that witnesses subpoenaed for staff depositions who refuse to cooperate may not automatically be cited for contempt of Congress unless they also refuse to appear before the full Government Reform Committee in a public hearing. This is a key right of witnesses who are subpoenaed by Congress.

I want to stress that I support the authority of this House to conduct a thorough investigation into the White House Travel Office—or any matter involving the expenditure of public funds. I have no objection to giving this House the tools it needs to bring out the truth.

Moreover, my concern for this resolution does not in any way diminish my confidence in the Government Reform Committee to conduct a complete and fair investigation that protects the rights of the minority and of witnesses.

However, especially in times like these when the Government is being accused of overstepping its bounds, and when the authority of Congress is being challenged more than ever, we cannot be too cautious. Let us not forget that the standing House rule is an attempt to erase the shame of earlier excesses in taking testimony.

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

Mrs. WALDHOLTZ. Mr. Speaker, I yield such time as he may consume to the gentleman from Pennsylvania [Mr. CLINGER], the chairman of the committee.

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

Mr. Speaker, I rise in strong support of House Resolution 369. It is essential in order to move forward on the White House Travel Office investigation and bring closure to this matter once and for all and complete this investigation in a thorough and timely manner.

House Resolution 369 is—quite deliberately—a carefully limited solution to a unique situation. It simply grants this specific authority to the Government Reform and Oversight Committee during the conduct of the White House Travel Office investigation. It grants the committee the authority to draft rules which will dictate how those depositions and affidavits are carried out. We have worked closely with the minority in developing a new committee rule to provide for the implementation of the affidavit and deposition authorities provided in House Resolution 369. We have ensured that the minority will be equal players as the depositions proceed and that this authority will not be abused in any way.

I appreciate that the House does not grant the authority requested in this resolution routinely and we have worked with the minority to assure that witnesses rights will be protected. I would like to thank the ranking minority member of the committee, Congresswoman COLLINS and her staff who made considerable efforts with my staff in drafting the committee rule that we adopted this morning in our committee business meeting.

We are asking for this limited resolution so that the committee can conclude this matter in a timely fashion and resolve the many conflicting accounts surrounding these events. The need for this authority is compelling. A number of key witnesses have refused requests by our committee to be interviewed. A number of other witnesses have refused to interview voluntarily with the committee under oath. Given already identified contradictions in statements and accounts regarding this matter, it is vital that the committee interview under oath key witnesses and have assurances that these accounts are provided under circumstances imposing a premium on truth-telling.

It would be extremely impractical to expect this committee to hold enough hearings to place all of the necessary witnesses under oath publicly. This resolution will allow the committee to wrap up this investigation without bringing to a halt all of the other productive and important work that this committee performs. With this authority, it is my hope to wrap up this investigation with only a few more public hearings.

The White House Travel Office matter was investigated first by the White House itself, then by the GAO, the Justice Department's Office of Professional Responsibility, the Treasury Inspector General, the IRS Inspection Division and finally the Justice Department Public Integrity Criminal Division. Unfortunately none of these investigations was provided with all or indeed most of the information which my committee now has obtained. Therefore these prior investigations were incomplete. We now know that some individuals may have misrepresented events and omitted significant information as a result. Several weeks ago, a criminal referral on David Watkins' statements was made by GAO to the U.S. attorney for the District of Columbia.

This resolution will allow the committee to conduct and conclude this investigation without bringing to a halt all of the other productive and important work that this committee oversees. It would be extremely impractical for this committee to hold enough hearings to place all of the necessary witnesses under oath publicly. With this authority, it is my hope that we will be able to have a limited number of additional hearings.

This resolution will allow the committee to conduct depositions and submit interrogatories under oath regarding events leading up to the firings of the entire staff of the White House Travel Office in May 1993, the related events surrounding the firings, the individuals prompting these firings, the appropriateness of actions taken, possible conflicts or ethical violations that occurred, the subsequent investigations of these matters and the levels of candor and cooperation by those

involved in both responding to the investigations and conducting the investigations.

By allowing depositions and the submission of interrogatories by the committee, we can hope to clear up many of the conflicting statements and questionable accounts that have been provided to previous investigators. Clearly, voluntary interviews that are not under oath are not feasible in a situation such as this where there have already been conflicting accounts and many witnesses are reluctant to speak to the issues at all.

I have pursued this investigation for some time now because I was concerned with the wholly unjustified conduct in sacking the career travel office staff. Seven people had their lives turned upside down. We owe it to these seven men to find out what the real facts are behind all of the stonewalling. We owe it to the many Government civil and criminal investigators, many of whom tried to responsibly investigate this matter in prior investigations but were thwarted in conducting the investigations they were originally tasked with doing.

Allowing for this limited solution to provide for depositions and interrogatories under oath in the Travelgate matter will permit this long thwarted investigation to move to a more thorough and expeditious conclusion.

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

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

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

Mr. LATOURETTE. Mr. Speaker, I rise in support of House Resolution 369.

Mr. Speaker, I want to thank Chairman SOLOMON and Chairman CLINGER for brining this resolution to the floor today.

I also want to commend and applaud Chairman Clinger for his continued efforts to get to the bottom of the travel office investigation in a fair and bipartisan manner. Although the minority hasn't been crazy about the fact that the committee is investigating the firing of seven long-time civil servants, there have been no complaints that I can recall about the fairness Chairman CLINGER has demonstrated in conducting these hearings. Like many in this House, I will greatly miss the chairman's leadership and would suggest that there would be no need for a civility pledge in this body if we all took a cue from BILL CLINGER.

In urging Members to support H.R. 369 I would ask that they answer, for themselves, three questions:

First, is there precedence in the House for such a resolution?

Second, is there a need for this special request? and

Third, will it fairly expedite the committee's work to the benefit of all concerned?

The answer to all three questions is a definite—yes.

First, similar resolutions have been adopted by the House, at the request of the then majority in the 93d, 95th, 97th, 100th, and 103d Congresses. The language proposed by H.R. 369 is identical to the text adopted by a vote of 416 to 2 on Jan. 7, 1987, relating to the Select Committee on Iran-Contra.

Second, there is unfortunately, as Chairman CLINGER noted, a need for this legislation.

Over a 2½ year period, requested documents have trickled into the committee drip by drip. Molasses flows faster in January than the document production in this matter.

Sadly, the record before the committee reveals that statements, reports, and documents are at variance with one another. The report authors and investigative agencies were hamstrung by either a lack of information being provided by witnesses or documents; or pertinent information was deliberately left out of reports because the authors possessed the attitude—''If it doesn't fit, you must omit.''

And, a number of key witnesses have declined, refused or evaded staff interviews and document requests.

Third, this resolution will provide what those of us with courtroom experience term ''judicial economy.''

The over 50 potential witnesses can be deposed at the staff level and will permit the chairman, in consultation with the minority, to determine which witnesses should appear before the full committee. This procedure will allow the investigation to move to conclusion more quickly; will eliminate duplicative or valueless witnesses; and will save time.

As the depositions will be conducted under oath, the witnesses will be encouraged to provide a truthful account the first time rather than conflicting accounts in documents, staff interviews and testimony.

The expedited procedure of H.R. 369 will ensure that criticism which has been leveled against the other body's probe of Whitewater—too many hearings; too many witnesses; taking too long; and designed to embarrass the White House in an election year, will be avoided and the committee's legitimate oversight responsibilities may conclude.

For all the aforementioned reasons, I again commend Chairman CLINGER's work, and would urge the adoption of this resolution.

Mr. HALL of Ohio. Mr. Speaker, I yield such time as she may consume to the gentlewoman from Illinois [Mrs. COLLINS], the ranking minority member of the Committee on Government Reform and Oversight.

(Mrs. COLLINS of Illinois asked and was given permission to revise and extend her remarks.)

Mrs. COLLINS of Illinois. Mr. Speaker, I thank the gentleman for yielding time to me.

Mr. Speaker, while I support our committee's efforts to obtain all of the relevant information regarding the Travel Office firings, I do not believe that this resolution, which grants authority to staff to conduct sworn depositions, is necessary.

Let me add, however, that earlier today the Committee on Government Reform and Oversight adopted procedures to implement the resolution which accord full rights to the minority and the witnesses, and I supported these procedures.

The authority granted under this resolution is unnecessary and unwarranted. House Resolution 369 is an unprecedented grant of authority to the staff of a standing committee during the course of an ongoing investigation on the eve of a Presidential election. Under such troubling circumstances, there is a heavy burden on the proponents of the resolution to show a compelling need for such authority. We should not act just for the convenience of the staff, or because of an isolated case of a reluctant witness. There must be a convincing case that without this authority, the committee cannot complete its investigation. I do not believe that this threshold has been met.

According to Chairman CLINGER's letter to the Rules Committee, the stated reason for the Resolution is that—I'm quoting—''we have been faced with the reluctance and even refusal of certain potential witnesses to voluntarily submit to staff interviews preliminary to a hearing.''

I am aware of no evidence that witnesses have refused to cooperate with the committee during the course of this investigation. Nor have I seen any letters from witnesses refusing to provide information to the committee. Further, I know of no witness who has refused to provide testimony to the committee under oath. The Rules Committee received no documentation nor testimony demonstrating a compelling need for this extraordinary authority.

To the contrary, the record suggests that witnesses agreed to cooperate with the committee, except when unwarranted conditions have been demanded by the majority staff. To the extent that witnesses have been reluctant to submit to interviews, it has only been after demands by the majority staff that minority staff not be present, or that interviews be taken under an oath administered by a staff that lacked such authority.

Mr. Speaker, both the Parliamentarians and the American Law Division of the Congressional Research Service has told majority staff that there was no authority for staff to take sworn depositions absent a resolution by the House. Yet, knowing full well that they lacked both the authority to require a sworn deposition and the ability to administer an oath to witnesses, the majority staff repeatedly threatened witnesses in an effort to force them to comply.

As evidence of this behavior by the majority staff, let me read from a letter to Chairman CLINGER dated December 4 of last year, from David H. Williams, the attorney representing Patsy Thomasson: It says in part:

> I called Ms. Brasher [a member of the Republican staff] back and told her that Patsy would still appear for a voluntary interview (provided that Democratic staff be allowed to attend, and) that I needed a commitment from her to confirm her agreement to this condition. Instead, what I got, was a series of threats that she would subpoena Patsy to a sworn deposition and that Patsy could be in a lot of trouble in refusing to do this interview privately as she had demanded.

Mr. Speaker, I include this letter for the RECORD at this point:

DAVID H. WILLIAMS,
ATTORNEY AT LAW,
Little Rock, AR, December 4, 1995.

Representative WILLIAM F. CLINGER, Jr.,
Committee on Government Reform and Oversight, Rayburn House Office Building, Washington, DC.

Re Patsy Thomasson Interview.

DEAR CHAIRMAN CLINGER: I have been trying to accommodate a request from Barbara Cornstock to interview my client, Patsy Thomasson. All I have ever asked her is that Ms. Thomasson be able to do this interview one time with both majority/minority parties being present and being represented. All I want for my client is a fair interview and I think that having both Republican and Democratic staff counsel present is the best way to insure that this takes place.

After explaining this to Barbara Cornstock, she offered to allow Don Goldberg to interview Patsy, privately, first, and then for her to interview Patsy afterwards. I called back this morning to speak to Barbara Cornstock and spoke to Barbara Brasher instead. She explained to me that she was concerned over leaks and that keeping Don Goldberg out of the interview room would be a way to protect against leaks. She didn't accuse Mr. Goldberg, but implied that leaks had to be coming from the other side. I told Ms. Brasher that I really didn't see how this proposal would help, nor did I see how she could guarantee confidentiality because leaks in matters such as this are a know historical fact. There are just too many people involved in the political process to avoid leaks or have any control over them. Secondly, I told Ms. Brasher that my concern was with the fairness of the interview. She told me that if Patsy didn't agree to the interview being conducted privately with Republican Counsel, then she would have her subpoenaed for a sworn deposition. I told her I would consult with Patsy about this and call her back.

I did consult with my client and told her that nothing had really changed to persuade me that it was in her best interest to conduct two private interviews where the Democratic Counsel was excluded from one and the Republican Counsel was excluded from the other. I told her that this arrangement seemed to me to promote partisanship, antagonism, and unfairness. I called Ms. Brasher back and told her that Patsy would still appear for a voluntary interview but since my plane left at 1:20 p.m. cst, today that I needed a commitment from her to confirm her agreement to this condition. Instead, what I got, was a series of threats that she would subpoena Patsy to a sworn deposition, which Ms. Brasher said would not be in Patsy's best interest, and that she hoped that I was making an informed decision because Patsy could be in a lot of trouble in refusing to do this interview privately as she had demanded, and could only exacerbate Patsy's situation. I told Ms. Brasher that if she was trying to be persuasive, that she was not doing a very good job, and that her attitude was convincing me that I had very little reason to expose Patsy to any kind of an interview or deposition. I have been practicing law for twenty years and I still cannot understand why lawyers threaten other lawyers. It never works and it only makes the lawyer on the other side dig in his or her heels.

In any event, this is not an issue that I can, or need to solve. This is a matter for the Committee to solve between the majority and minority members. The rules for the conduct of these interviews should be the result of an agreement between the ranking members. I am not going to get myself caught in a trap, nor am I going to allow my client to get whipsawed into the middle of a political battle over who gets to take the first bite out of her.

Therefore, I respectfully declined Ms. Brasher's demands and canceled my flight when she refused to agree to this sole condition for Patsy to be interviewed. I hope that you and Congresswoman Collins are able to resolve this problem and someone will let me know that the interview is going to be conducted with both sides present. Patsy remains willing and able to cooperate and has no intention of being difficult or obstructive.

Thank you very much for your kind consideration and cooperation.

Very truly yours,

DAVID H. WILLIAMS.

I also include a February 20, 1996, letter from Stephen L. Braga, the attorney representing Catherine Cornelius to Chairman CLINGER'S staff for the RECORD. In it, the attorney for Ms. Cornelius agreed to make her available for transcribed interview provided that both majority and minority staff were present. The majority staff turned him down, however, because he would not agree to swearing in his client, even though, as I have stated, the majority staff knew it had no legal authority to do so.

The letter is as follows:

MILLER, CASSIDY,
LARROCA & LEWIN, L.L.P.
Washington, DC, February 20, 1996.

Re Catherine Cornelius.

BARBARA COMSTOCK,
Committee on Government Reform and Oversight, Rayburn House Office Building, Washington, DC.

DEAR BARBARA: I write with respect to the ''deposition'' of my above-referenced client that we have scheduled for tomorrow in your office. Although we have not discussed any ''ground rules'' for this ''deposition,'' I think that there are a number of process-related points that we should agree upon up front before any questioning of the witness is undertaken. I believe that those points are as follows:

1. While Ms. Cornelius' testimony will be recorded verbatim by a court reporter in deposition-like fashion, there will be no oath administered to Ms. Cornelius at the outset of the questioning.[1] In this regard, the ''deposition'' will simply be like a voluntary interview that is being stenographically recorded.

2. After it is concluded, transcripts of Ms. Cornelius' testimony will be made available for review by the witness and/or her council—in addition to the Majority and Minority staff—with an opportunity to submit any written corrections they might have to the text of the testimony as so transcribed.

3. The transcripts of Ms. Cornelius' testimony will be kept confidential by the Committee unless and until they are first used in any public hearing by the Committee, and the confidentiality of those transcripts will then be waived only to the extent that they are actually used in such a hearing.

4. No non-Committee staff members, other than the court reporter, will be present during the questioning of Ms. Cornelius.

5. The questioning of Ms. Cornelius will conclude by 5:30 P.M. on February 21st.

If you have any questions regarding the foregoing, please do not hesitate to call. Otherwise, I will expect to put our agreement to the foregoing points on the record at the outset of the interview session tomorrow morning.

Best regards,

STEPHEN L. BRAGA.

[1] I know of no authority authorizing or requiring the administration of such an oath in the circumstances of your staff investigation. If you are aware of any authority to the contrary, please let me know as soon as possible.

Mr. Speaker, if the majority staff conducts itself in a professional and non-partisan manner and in keeping with the decorum of the House. I believe they will find no resistance to timely informal interviews. In those cases where there is reluctance, are brought to my attention I will work with the chairman in urging complete cooperation. I sincerely hope and expect that the authority granted by this resolution will be reserved for those few cases where it is absolutely necessary, and not routinely exercised as a substitute for the regular practices of the House.

Let me turn to another issue concerning the rights of witnesses. Following discussions with the Parliamentarian, I am aware of no precedent of a witness who has objected to a question or failed to appear for a staff deposition being cited for contempt without an opportunity to explain his actions before the entire committee. This resolution does not supplant existing House rules regarding contempt of Congress and the rights accorded to witnesses. Nothing in this resolution would require a contempt citation simply because a witness under subpoena refuses to appear before or answer questions in a staff deposition. Prior to any action, the committee should give the witness an opportunity to respond fully at a duly called hearing of the committee, with a proper quorum of members present.

In closing, let me thank Chairman CLINGER for his cooperation earlier today in adopting committee implementing rules which accord full rights to the minority and the witnesses. I have also received a letter from Chairman CLINGER further clarifying how he intends to interpret these rules. I include the committee rules and the chairman's letter for the RECORD, as follows:

To: Members of the Government Reform and Oversight Committee
From: William F. Clinger, Jr., Chairman
Date: March 6, 1996
Re House Resolution 369 to provide for deposition authority in the White House Travel Office investigation and committee rules to implement such authority.

On Thursday, March 7, 1996, the Committee will vote on adopting a new Committee Rule to allow for special affidavits and depositions. The Rule will be voted on in anticipation of passage of House Resolution 369, which is expected to have floor consideration on Thursday, March 7 or Friday, March 8, 1996. (See attached copy of Draft Rule.)

House Resolution 369 will provide authority to the Committee on Government Reform and Oversight to conduct depositions and submit interrogatories under oath in the process of conducting the ongoing White House Travel Office investigation. The Resolution only applies to the White House Travel Office investigation. Rules to conduct the depositions and interrogatories have been developed in consultation with the minority ranking member of the Committee.

Deposition authority is sought to obtain testimony in a timely and efficient manner and curtail the need for extensive hearings. Such depositions will help resolve the numerous discrepancies that have arisen in the course of civil and criminal investigations into the White House Travel Office matter over the past two and a half years.

RULE 19.—SPECIAL AFFIDAVITS AND DEPOSITIONS

If the House provides the committee with authority to take affidavits and depositions, the following rules apply:

(a) The Chairman, upon consultation with the ranking minority member or the committee, may authorize the taking of affidavits, and of depositions pursuant to notice or subpoena. Such authorization may occur on a case-by-case basis, or by instructions to take a series of affidavits or depositions. Notices for the taking of depositions shall specify a time and place for examination. Affidavits and depositions shall be taken under oath administered by a member or a person otherwise authorized by law to administer oaths. Consultation with the ranking minority member will include three (3) business days written notice before any deposition is taken, unless otherwise agreed to by the ranking minority member or committee.

(b) The committee shall not initiate procedures leading to contempt proceedings in the event a witness fails to appear at a deposition unless the deposition notice was accompanied by a committee subpoena authorized and issued by the chairman. Notwithstanding committee Rule 18(d), the chairman shall not authorize and issue a subpoena for a deposition without the concurrence of the ranking minority member or the committee.

(c) Witnesses may be accompanied at a deposition by counsel to advise them of their constitutional rights. Absent special permission or instructions from the chairman, no one may be present in depositions except members, staff designated by the chairman or ranking minority member, an official reporter, the witness and any counsel; observers or counsel for other persons or for the agencies under investigation may not attend.

(d) A deposition will be conducted by members or jointly by

(1) No more than two staff members of the committee, of whom—

(1.a) One will be designated by the chairman of the committee, and

(2.b) One will be designated by the ranking minority party member of the committee, unless such member elects not to designate a staff member.

(2) Any member designated by the chairman.

Other staff designated by the chairman or ranking minority members may attend, but are not permitted to pose questions to the witness.

(e) Questions in the deposition will be propounded in rounds. A round will include as much time as necessary to ask all pending questions, but not more than one hour. In each round, the member or staff member designated by the chairman will ask questions first, and the member or staff member designated by the ranking minority member will ask questions second.

(f) Objections by the witness as to the form of questions shall be noted for the record. If a witness objects to a question and refuses to answer, the members or staff may proceed with the deposition, or may obtain, at that time or at a subsequent time, a ruling on the objection by telephone or otherwise from the chairman or his designee. The committee shall not initiate procedures leading to contempt for refusals to answer questions at a deposition unless the witness refuses to testify after his objection has been overruled and after he has been ordered and directed to answer by the chairman or his designee upon a good faith attempt to consult with the ranking minority member or her designee.

(g) The committee staff shall insure that the testimony is either transcribed or electronically recorded, or both. If a witness' testimony is transcribed, he shall be furnished with an opportunity to review a copy. No later than five days thereafter, the staff shall enter the changes, if any, requested by the witness, with a statement of the witness' reasons for the changes, and the witness shall be instructed to sign the transcript. The individual administering the oath, if other than a member, shall certify on the transcript that the witness was duly sworn in his presence, the transcriber shall certify that the transcript is a true record of the testimony, and the transcript shall be filed, together with any electronic recording, with the clerk of the committee in Washington, D.C. Affidavits and depositions shall be deemed to have been taken in Washington, D.C. once filed there with the clerk of the committee for the committee's use. The ranking minority member will be provided a copy of the transcripts of the deposition once the procedures provided above have been completed.

(h) Unless otherwise directed by the committee, all depositions and affidavits received in the investigation shall be considered nonpublic until received by the committee. Once received by the committee, use of such materials shall be governed by the committee rules. All such material shall unless otherwise directed by the committee, be available for use by the members of the committee in open session.

(i) A witness shall not be required to testify if they have not been provided a copy of the House Resolution and the amended Committee Rules.

(j) Committee Rule 19 expires on July 8, 1996

HOUSE OF REPRESENTATIVES, COMMITTEE ON GOVERNMENT REFORM AND OVERSIGHT,

Washington, DC, March 6, 1996.

Hon. CARDISS COLLINS,

Ranking Minority Member, Committee on Government Reform and Oversight, U.S. House of Representatives, Washington, DC.

DEAR MS. COLLINS: Thank you and your staff for working with my office to develop a new committee rule to provide for the implementation of the affidavit and deposition authorities provided in H. Res. 369. Your office has asked that I provide you with the supplemental information regarding how I interpret some provisions of the proposed committee rule.

19(a). Regarding the right of the minority to recommend witnesses to be deposed, it is my intention that for any witness you would recommend, I will either agree to issue a subpoena or place the question before the full committee for a vote.

19(b). The proposed rule requires that if a subpoena is required in the case of an affidavit or deposition in the Travel Office matter, I shall not authorize such subpoena without your concurrence or the vote of the committee. I believe that this new rule memorializes the longstanding practice of this committee to seek a consensus on the issuance of a subpoena.

19(c). The question has arisen as to whether a witness may be represented by counsel employed by the same government agency as the witness. I further understand that the White House Counsel's office has indicated that it will not seek to personally represent any White House employee during the course of this investigation. It is my intention to discuss with you on a case by case basis the ability of Justice Department attorneys to represent Justice Department witnesses. I respect the ability of a witness to have an attorney of their choice, but I also must avoid any conflict of interest between an agency under investigation and a witness' individual rights.

19(d). The proposed committee rule is draft under the assumption that most, if not all, depositions will be conducted by staff. Any members who wish to participate in a deposition should notify me before the scheduled day of the deposition. I will, of course, designate the minority member of your choice. However, in no way are the proposed committee rules intended to limit the ability of a member to participate and ask questions.

19(f). The term ''designee'' is intended to imply a member, and not staff. Furthermore, let me confirm to you my strongest intention to consult with you before ruling on an objection raised by a witness. In the instance that you are uncontrollably indisposed, I will certainly listen to any concerns expressed by your senior staff.

19(h). The depositions will be assumed to be received in executive session. Members and their staff will not be permitted to release a copy or excerpt of the deposition until such time that is entered into the official record of the committee, under penalty of House sanction. Witnesses will be given the opportunity to edit their transcript but will not be given a copy.

Finally, a question has arisen regarding what steps occur if a witness fails to appear for a deposition under subpoena or fails to respond to a question notwithstanding the chairman's ruling. It will be my intent, under such circumstances, to subpoena the witness before the full Committee to explain why he/she should not be held in contempt of Congress. The scope of such a hearing would not extend to the factual questions of the Travel Office matter, but would be limited to the question of contempt of the prior contempt.

I hope that this answers any outstanding questions you may have. Please feel free to discuss this matter with me further. And, again, thank you for your kind cooperation.

Sincerely,

WILLIAM F. CLINGER, JR.,
Chairman.

□ 1830

PARLIAMENTARY INQUIRY

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

The SPEAKER pro tempore (Mr. BARRETT of Nebraska). The gentleman will state it.

Mr. ABERCROMBIE. Mr. Speaker, is my understanding correct that an hour was allotted to the discussion on the pros and cons of the resolution, one-half hour to each side, and further is my understanding correct that there was a limitation on the speakers announced?

The SPEAKER pro tempore. Under the 1-hour rule, the time is controlled by the manager of the resolution, in this case the gentlewoman from Utah [Mrs. WALDHOLTZ], who has yielded one-half of her time to the gentleman from Ohio [Mr. HALL], for purposes of debate only. There is no rule requiring debate to be allocated under the 1-hour rule to an opponent.

Mr. ABERCROMBIE. Mr. Speaker, I want to make sure I understood. If the inquiry is for debate only, parliamentary inquiry further through the Chair,

may I inquire through the Chair as to whether any speaker in opposition will be allowed?

The SPEAKER pro tempore. It occurs to the Chair that the gentleman should make his inquiry to the manager on the minority side, the gentleman from Ohio [Mr. HALL].

Mr. ABERCROMBIE. Mr. Speaker, am I entitled to do that? Can I make an inquiry?

The SPEAKER pro tempore. The gentleman from Ohio controls the time.

Mr. HALL of Ohio. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I would just say that there was an agreement between the leadership on the debate of this particular resolution and I had agreed that there would only be two speakers on both sides. That was agreed by both sides, and I am trying to keep my word and stick by that.

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

Mr. HALL of Ohio. I yield to the gentlewoman from Utah.

Mrs. WALDHOLTZ. Mr. Speaker, if the gentleman from Ohio would like to yield on his time a few minutes to the gentleman from Hawaii and allow him to raise his concerns about this matter, we would not see that in any way contravening the agreement that we have reached.

Mr. HALL of Ohio. Mr. Speaker I thank the gentlewoman for that.

Mr. Speaker, I yield 3 minutes to the gentleman from Hawaii [Mr. ABERCROMBIE].

Mr. ABERCROMBIE. Mr. Speaker, I thank very much the gentlewoman from Utah [Mrs. WALDHOLTZ] for the opportunity to speak in opposition. I want to indicate to the gentlewoman and to the Speaker and Members that this was not planned in any other way. I was not aware that there were not to be speakers allowed. I thought there was an hour and that this could be undertaken, so I am grateful for the opportunity.

Mr. Speaker, I rise to speak in opposition to House Resolution 369. Allusions were made to Iran-Contra. I was here, however briefly, when that issue was first being raised in the mid 1980's, I do not see that this is comparable in any way, shape, or form.

As far as I know, the fifth amendment is still alive and well in the Constitution of the United States, and if there are people who refuse to testify for whatever reason, they are entitled to do so. If I understand correctly the gentlewoman's comments that preceded me, that the existing House rules with respect to contempt and subpoenas cover the situation adequately, there is no need.

If I understood correctly the gentlewoman's comments, as well, there is no need for this extraordinary authority. My question then becomes, to what end is this resolution being put forward?

If the rules of the House already adequately cover it, if the rules of the committee already adequately cover the situation with respect to subpoenas, contempt, et cetera, if all the rules and regulations and the admonitions incumbent upon us in the Constitution are still in place, then why are we going ahead with it? If sworn depositions are not in order except under the rules and regulations as provided by the House, well, then, I think we should abide by that.

I do not understand why we are having this resolution brought forward in this manner without reasons being given as to why the resolution is necessary in the form that it takes. The title here says ''to provide the Committee on Government Reform and Oversight special authorities to obtain testimony for purposes of investigation in study of the White House travel office matter,'' but there has been no presentation that I am aware of that indicates why special authorities are required to obtain testimonies for the purposes of investigation and study.

Therefore, Mr. Speaker, I would urge a ''no'' vote on this, at least pending some kind of sufficient explanation as to why these special authorities should be granted.

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

Mr. Speaker, this is an extraordinary grant of authority but these are extraordinary circumstances involving questions as to the possible abuse of power at the highest levels of our Government against an American citizen who took 2½ years to clear his name.

Mr. Speaker, I urge my colleagues to support this resolution.

Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PARLIAMENTARY INQUIRY

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

The SPEAKER pro tempore. The gentleman will state it.

Mr. ABERCROMBIE. Can the Speaker indicate what he heard on the floor in terms of the ''ayes'' or the ''nays''?

The SPEAKER pro tempore. The ayes have it. That was indicated as the result of the voice vote.

The resolution was agreed to.

A motion to reconsider was laid on the table.

LEGISLATIVE PROGRAM

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

Mr. BONIOR. Mr. Speaker, I yield to the distinguished majority leader, the gentleman from Texas [Mr. ARMEY], for the purpose of ascertaining the schedule for the rest of the week and next week.

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

Mr. Speaker, I am happy to announce that we have concluded our legislative business for the week.

On Monday, March 11, the House will not be in session. On Tuesday, March 12, the House will meet at 12:30 p.m. for morning hour and 2 p.m. for legislative business. Members should be advised that there will not be any recorded votes before 5 p.m.

As our first order of business on Tuesday, the House will consider a bill on the corrections day calendar: H.R. 2685, to repeal the Medicaid and Medicare coverage data bank.

We will then take up three bills on the suspension calendar: H.R. 2972, the Securities and Exchange Commission reauthorization; H.R. 2276, the Federal Aviation Administration Revitalization Act of 1995; and House Joint Resolution 78, Bi-State Development Agency by the States of Missouri and Illinois.

After consideration of the suspensions, the House will turn to the conference report for H.R. 1561, the American Overseas Interests Act, which is subject to a rule. We also hope to begin consideration of H.R. 2703, the Effective Death Penalty and Public Safety Act, which is also subject to a rule. It is our hope to get through the rule and general debate before adjourning for the evening around 7 or 8 p.m.

On Wednesday, March 13, the House will meet at 11 a.m. to finish consideration of the crime bill.

On Thursday, March 14, the House will meet at 10 a.m. It is our hope that conference reports for the debt limit and Second Balanced Budget Downpayment Act will be ready for floor consideration by then.

□ 1845

We should finish business and have Members on their way home to their families by 6 p.m. on Thursday March 14, and I thank the gentleman for yielding me this time.

Mr. BONIOR. Mr. Speaker, I would ask my friend from Texas this question, or make this comment to him just so that he understands the concerns that we have in our Caucus over the retreat that we were scheduled to have on January 25, which had to be cancelled after votes on the continuing resolution for Government spending were scheduled. We then asked for a retreat date of March 8, which is today, and we were refused on that date, saying that the majority, noting that the calendar had been set in advance and could not be altered. I would just note that March 8 is not today, it is tomorrow, and I would just tell my colleague from Texas we could have had our retreat tomorrow, and in light of the fact that the schedule indeed was altered, and we hope we could work together on these things in the future. We have had to cancel it twice, and we hope that this would not happen a third time.

With that, I thank my colleague for giving us an insight into the schedule for tomorrow, or the lack of schedule

for tomorrow, and the schedule for next week.

ADJOURNMENT FROM FRIDAY, MARCH 8, TO TUESDAY, MARCH 12, 1996

Mr. ARMEY. Madam Speaker, I ask unanimous consent that when the House adjourns tomorrow, Friday, March 8, 1996 it adjourn to meet at 12:30 p.m. on Tuesday, March 12, 1996, for morning hour debates.

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

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

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

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

There was no objection.

LAND DISPOSAL PROGRAM FLEXIBILITY ACT OF 1995

Mr. OXLEY. Madam Speaker, I ask unanimous consent to take from the Speaker's table 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, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Senate amendments:

Page 2, line 3, strike out ''1995'' and insert ''1996''.

Page 2, strike out all after line 3 over to and including line 15 on page 4 and insert:

SEC. 2. LAND DISPOSAL RESTRICTIONS.

Section 3004(g) of the Solid Waste Disposal Act is amended by adding after paragraph (6) the following:

''(7) Solid waste identified as hazardous based solely on one or more characteristics shall not be subject to this subsection, any prohibitions under subsection (d), (e), or (f), or any requirement promulgated under subsection (m) (other than any applicable specific methods of treatment, as provided in paragraph (8)) if the waste—

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

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

''(8) Solid waste that otherwise qualifies under paragraph (7) shall nevertheless be required to meet any applicable specific methods of treatment specified for such waste by the Administrator under subsection (m), including those specified in the rule promulgated by the Administrator June 1, 1990, prior to management in a land-based unit as part of a treatment system specified in paragraph (7)(A). No solid waste may qualify under paragraph (7) that would generate toxic gases, vapors, or fumes due to the presence of cyanide when exposed to pH conditions between 2.0 and 12.5.

''(9) 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 promulgated under subsection (m) if the waste no longer exhibits a hazardous characteristic at the point of injection in any Class I injection well permitted under section 1422 of title XIV of the Public Health Service Act (42 U.S.C. 300h–1).

''(10) Not later than five years after the date of enactment of this paragraph, the Administration shall complete a study of hazardous waste managed pursuant to paragraph (7) or (9) to characterize the risks to human health or the environment associated with such management. In conducting this study, the Administrator shall evaluate the extent to which risks are adequately addressed under existing State or Federal programs and whether unaddressed risks could be better addressed under such laws or programs. Upon receipt of additional information or upon completion of such study and as necessary to protect human health and the environment, the Administrator may impose additional requirements under existing Federal laws, including subsection (m)(1), or rely on other State or Federal programs or authorities to address such risks. In promulgating any treatment standards pursuant to subsection (m)(1) under the previous sentence, the Administrator shall take into account the extent to which treatment is occurring in land-based units as part of a treatment system specified in paragraph (7)(A).

''(11) Nothing in paragraph (7) or (9) shall be interpreted or applied to restrict any inspection or enforcement authority under the provisions of this Act.''.

Page 7, line 12, strike out ''paragraph.''.'' and insert: ''paragraph.''

Page 7, after line 12 insert:

''(5) ALASKA NATIVE VILLAGES.—Upon certification by the Governor of the State of Alaska that application of the requirements described in paragraph (1) to a solid waste landfill unit of a Native village (as defined in section 3 of the Alaska Native Claims Settlement Act (16 U.S.C. 1602)) or unit that is located in or near a small, remote Alaska village would be infeasible, or would not be cost-effective, or is otherwise inappropriate because of the remote location of the unit, the State may exempt the unit from some or all of these requirements. This paragraph shall apply only to solid waste landfill units that dispose of less than 20 tons of municipal solid waste daily, based on an annual average.

''(6) FURTHER REVISIONS OF GUIDELINES AND CRITERIA.—Recognizing the unique circumstances of small communities, the Administrator shall, not later than two years after enactment of this provision promulgate revisions to the guidelines and criteria promulgated under this subtitle to provide additional flexibility to approved States to allow landfills that receive 20 tons or less of municipal solid waste per day, based on an annual average, to use alternative frequencies of daily cover application, frequencies of methane gas monitoring, infiltration layers for final cover; and means for demonstrating financial assurance: Provided, That such alternative requirements take into account climatic and hydrogeologic conditions and are protective of human health and environment.''.

Mr. OXLEY (during the reading). Madam Speaker, I ask unanimous consent that the Senate amendments be considered as read and printed in the RECORD.

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

There was no objection.

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

Mrs. LINCOLN. Madam Speaker, reserving the right to object, and I will not object, but I yield to the gentleman from Ohio [Mr. OXLEY] to explain the bill that we are considering.

Mr. OXLEY. Madam Speaker, as the gentlewoman is aware, the bill as passed by the House 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 EPA to develop a reasonable set of regulations.

Two weeks ago, the other body adopted, by voice vote, several amendments to the bill. The Senate amendments add underground injections wells to the 5-year study agreed to during the Commerce Committee's markup of the bill. The Senate amendments also address ground water monitoring concerns in Alaskan Native villages.

Senator CHAFEE, chairman of the Senate Committee on Environment and Public Works, has asked me to place into the RECORD a point of clarification consistent with the language of the House-passed bill. Specifically, it should be clear that the legislation does not modify, supplement, or otherwise affect the application or authority of any other Federal law or the standards applicable under any other Federal law, including the Clean Water Act. I would like to submit this letter for the RECORD.

I am pleased to say H.R. 2036 has the strong support of the administration, the Ground Water Protection Council, the Association of State and Territorial Solid Waste Management Officials, and representatives of the industrial community. I commend Chairman BLILEY for his leadership on this issue and the bipartisan cooperation from Mr. DINGELL, Mrs. LINCOLN, and the administration.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON COMMERCE,
Washington, DC, March 5, 1996.

Hon. JOHN H. CHAFEE,
Chairman, Committee on Environment and Public Works, U.S. Senate, Washington, DC.

DEAR CHAIRMAN CHAFFEE: Thank you for your letter of this date clarifying the scope of H.R. 2036, the Land Disposal Flexibility Act of 1996. Your letter correctly indicates that this legislation only modifies provisions of the Solid Waste Disposal Act, a statutory program wholly within the jurisdiction of

the House Committee on Commerce. The legislation does not modify, supplement, or otherwise affect the authority of any other Federal law or the standards applicable under any other Federal law, including the Federal Water Pollution Control Act. The language which was included in the House bill, but inadvertently deleted by the Senate amendments, was intended to make clear that the bill does not amend any statute other than the Solid Waste Disposal Act.

Thank you again for your clarification.

Sincerely,

THOMAS J. BLILEY, JR.,
Chairman.

U.S. SENATE, COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS,
Washington, DC, March 5, 1996.

Hon. THOMAS J. BLILEY,
House of Representatives,
Washington, DC.

DEAR CHAIRMAN BLILEY: It has come to my attention that in amending H.R. 2036, the Land Disposal Program Flexibility Act of 1996, the Senate did not incorporate a House provision that was inserted during your Committee's consideration of this legislation. The provision stated that ''[n]othing 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.''

The exclusion of this language from the Senate passed bill should not be viewed as implying a contrary policy on this issue. The legislation passed by the Senate does not modify, supplement, or otherwise affect the application or authority of any other Federal law or the standards applicable under any other Federal law, including the Federal Water Pollution Control Act. I understand this clarification is important to both you and the Chairman of the House Transportation and Infrastructure Committee.

H.R. 2036 and its Senate companion, S. 1497, provide a model for moving targeted, commonsense legislation that maintains protection of human health and the environment while removing duplicative or overlapping layers of regulation. It has been a pleasure to work with you and your colleagues in the House to move this legislation expeditiously.

Sincerely,

JOHN H. CHAFEE.

Mrs. LINCOLN. Madam Speaker, further reserving the right to object, and I will not object, I want to thank the gentleman for his explanation and certainly commend him for his bipartisan fashion in which this bill has been handled.

The chairman and the subcommittee chairman here, the gentleman from Ohio [Mr. OXLEY], are certainly to be congratulated for shepherding the bill through the process it has gone through. I, too, believe this bill represents a great bipartisan solution to problems identified under RCRA's existing land disposal restrictions.

As we all know, under the current regulatory regime, industries will be required to put in place over $800 million a year to install new equipment without corresponding benefits to the environmental health. This is something neither the industrial community nor the Environmental Protection Agency wants. H.R. 2036 resolves this needless investment by incorporating commonsense solutions.

Industries will avoid duplicative regulations under this bill. If their surface impoundments are in compliance with the Clean Water Act or their underground injection wells are in compliance with the Safe Drinking Water Act, industries will not need further treatment technologies to comply with RCRA.

I believe it is an excellent bill. Again I applaud Chairman OXLEY for his hard work. It is a bill that should serve as an example for future environmental legislation as we work together.

It has Republican support, Democratic support, administration support, and the industry support. We have all worked wholeheartedly together.

Again I thank Chairman BLILEY, Chairman OXLEY, and the gentleman from Michigan, Mr. DINGELL, for working with me on this very important issue.

Madam Speaker, I see no other speakers on this side, and the bill has been cleared from our side.

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

This is important legislation that will eliminate a mandate that the Environmental Protection Agency [EPA] promulgate under the Solid Waste Disposal Act stringent and costly treatment standards for low-risk wastes that are already being treated to meet standards applicable under the Clean Water Act, simply because the Clean Water Act treatment system uses surface impoundments. In 1990, EPA issued regulations that took the approach adopted by this bill and exempted such wastes from Solid Waste Disposal Act land disposal restrictions and treatment standards. In 1992, however, the U.S. Circuit Court of Appeals for the D.C. Circuit overturned EPA's regulations. In compliance with the court's order, EPA has issued new regulations that would impose these unnecessary and costly requirements. These regulations will go into effect shortly so it is important for Congress to act expeditiously on this legislation.

Recognizing this urgency, I did not seek a formal referral of H.R. 2036 when it moved through the House. Instead, I worked cooperatively with Chairman BLILEY of the Commerce Committee on any potential Clean Water Act issues raised by the bill. To address my concerns, Chairman BLILEY added language to the bill that specifically states that H.R., 2036 provides no grant of authority to address the wastes managed in surface impoundments that are part of the Clean Water Act treatment systems, beyond the authorities provided under existing law.

Unfortunately, through inadvertent oversight, this language was not included in the Senate amendment to H.R. 2036. However, Senator CHAFEE, chairman of the Senate Committee on Environment and Public Works has assured me in a letter dated March 5, 1996, that the legislation passed by the Senate also does not modify, supplement, or otherwise affect the application or authority of any other Federal law, or the standards applicable under any other Federal law, including the Clean Water Act.

Because of the urgency of this issue, I will not offer an amendment to H.R. 2036 today to expressly state this intent. Instead, I ask unanimous consent that Senator CHAFEE'S March 5, 1996, letter to me be printed in the RECORD.

U.S. SENATE, COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS,
Washington, DC, March 5, 1996.

Hon. BUD SHUSTER,
U.S. House of Representatives,
Washington, DC.

DEAR CHAIRMAN SHUSTER: It has come to my attention that in amending H.R. 2036, the Land Disposal Program Flexibility Act of 1996, the Senate did not incorporate a House provision that was inserted during the Commerce Committee's consideration of this legislation at your request. The provision stated that ''[n]othing 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.''

The elusion of this language from the Senate passed bill should not be viewed as implying a contrary policy in this issue. The legislation passed by the Senate does not modify, supplement, or otherwise affect the application of authority of any other federal law or the standards applicable under any other Federal law, including the Federal Water Pollution Control Act.

H.R. 2036 and its Senate companion, S. 1497, provide a model for moving targeted, commonsense legislation that maintains protection of human health and the environment while removing duplicative or overlapping layers of regulation. It has been a pleasure to work with you and your colleagues in the House to move this legislation expeditiously.

Sincerely,

JOHN H. CHAFEE.

Madam Speaker, I withdraw my reservation of objection.

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

There was no objection.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. OXLEY. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to insert extraneous material on H.R. 2036, the bill just considered.

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

There was no objection.

REPORT ON NATIONAL SECURITY STRATEGY OF THE UNITED STATES—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 National Security:

To the Congress of the United States:

As required by section 603 of the Goldwater-Nichols Department of Defense Reorganization Act of 1986, I am transmitting a report on the National Security Strategy of the United States.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *March 7, 1996.*

The message also announced that the President did on the following days approve and sign bills of the House of the following titles:

January 4, 1966:

H.R. 2808. An act to extend authorities under the Middle East Peace Facilitation Act of 1994 until March 31, 1996, and for other purposes.

January 6, 1966:

H.R. 1655. An act to authorize appropriations for fiscal year 1996 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes.

January 10, 1966:

H.R. 394. An act to amend title 4 of the United States Code to limit State taxation of certain pension income.

H.R. 2627. An act to require the Secretary of the Treasury to mint coins in commemoration of the sesquicentennial of the founding of the Smithsonian Institution.

January 11, 1966:

H.R. 2203. An act to reauthorize the tied aid credit program of the Export-Import Bank of the United States, and to allow the Export-Import Bank to conduct a demonstration project.

January 11, 1966:

H.R. 1295. An act to amend the Trademark Act of 1946 to make certain revisions relating to the protection of famous marks.

SPECIAL ORDERS

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

EXPRESSING OUTRAGE AND CONDEMNATION OF MURDEROUS TERRORIST ATTACKS IN ISRAEL

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

Mrs. MALONEY. Mr. Speaker, before we get to the substance of our special order, I want to express my outrage and condemnation for the wave of murderous terrorist attacks that have struck Israel in the last 2 weeks.

I extend my condolences to all the families of the victims, including the two American young people who had studied in New York City and were killed in Jerusalem.

CONFLICT OVER THE ISLAND OF IMIA

I want to thank my good friend from Florida, Mr. BILIRAKIS, for joining me in these special orders to bring attention to the recent conflict over the Island of Imia.

The gentleman from Florida has always been a good friend of Greece and Cyprus, and it has been my great honor and pleasure to work closely with him on many issues of concern to Greek- and Cypriot-Americans.

In fact, just this week, the gentleman and I announced the formation of the new Congressional Caucus on Hellenic Issues.

As such, I know that Mr. BILIRAKIS shares my outrage over the recent comments of Mr. Denktash, the Turkish-Cypriot leader, who has admitted that many of the 1,619 Americans and Greek Cypriots who are missing from the Turkish invasion of 1974 were in fact murdered by Turkish forces.

The fact that he waited 22 years to admit to these atrocities is itself a crime against humanity.

As the gentleman knows, the families of several of the missing live in my district in Astoria. Mr. Denktash's admission points to the need for an accurate accounting for each and every one of the Americans and Cypriots whose plights are still unknown.

Mr. Speaker, we could talk about this tragedy all evening, but we rise tonight to discuss a different outrage—the conflict in the Aegean.

For those Members who may not know, the island of Imia is one of the Dodecanese islands that were formally returned to Greece by Italy as part of the 1947 Paris Agreement.

It has been Greek for almost 4,000 years.

Last Christmas, a Turkish cargo boat ran aground near Imia.

Even though the accident occurred in Greek territorial waters, the captain of the cargo boat refused assistance from Greek authorities, claiming he was in Turkish waters.

The incident escalated swiftly.

The Greek mayor of the nearby island Kalolimnos rightfully put a Greek flag on Imia, which was then torn down and replaced by a Turkish flag by so-called Turkish journalists.

Troops and ships from both Greece and Turkey quickly came to the area and a major confrontation developed.

Only through the swift intervention of the United States was violence avoided.

President Clinton deserves enormous credit for working hard to diffuse this dispute.

However, Turkey's challenge of established international boundaries in an attempt to expand its Aegean borders is totally unacceptable.

This confrontation over Imia would never have happened if Turkey abided by international law.

The real issue here is not the status of a small, uninhabited islet in the Aegean.

Rather it is the much more fundamental one of a challenge to Greek sovereignty.

Greek sovereignty over Imia is well established and, until this incident, unchallenged by anyone, including Turkey.

In 1932 Italy and Turkey concluded an agreement clearly stating that the Greek island of Imia belonged to Italy.

At the conclusion of World War II, Italy ceded the Dodecanese islands—including Imia—back to Greece with the Paris Peace Treaty of 1947.

By international law, the successor state automatically assumes all rights and obligations established by international treaty.

But Turkey has challenged the international status quo in order to create a destabilizing situation in the Aegean.

Violations of international law are, unfortunately, nothing new for Turkey.

The list includes: massive human rights violations against the Kurds; the illegal 1974 invasion and occupation of Cyprus; the blockade of Armenia, which prevented United States humanitarian assistance from reaching that country; and religious restrictions for the Eastern Orthodox Ecumenical Patriarchate in Istanbul.

Clearly, Turkey is the main cause of instability in the eastern Mediterranean.

Last June, the United States House of Representatives sent a clear signal to Turkey that we find these actions unacceptable by voting to cut aid to Turkey by 25 percent.

Turkey must be made to pay a real price for defying the will of the international community.

If Turkey continues to ignore this message, our sanctions should only increase.

Turkey must understand that future actions of this kind will bring about an even greater reduction in United States aid.

Maybe Turkey will then realize that there are serious consequences for its behavior.

Once again, I thank the gentleman from Florida for joining me on the House floor this evening.

The SPEAKER (Mrs. WALDHOLTZ). Under a previous order of the House, the gentleman from Indiana [Mr. BURTON] is recognized for 5 minutes.

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

THE SOVEREIGNTY OF IMIA

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

Mr. BILIRAKIS. Madam Speaker, we are Americans, and this is the United States of America. Let us say one of our protectorates, if you will, Samoa, Guam, the Virgin Islands, all of a sudden a claim was made upon them by country X. What would we do? Certainly I would like to think what we would not do is to decide to sit across the table with country X and negotiate the rights to those particular territories. It is ridiculous, because everyone knows, the entire world knows, the world community knows these territories are part of the United States of America, if you will.

On December 25, as the gentlewoman from New York [Mrs. MALONEY] certainly has already shared with us, and she does such a great job at this, and it is such an honor really to be tied in with her in these special orders, on December 25, 1995, a Turkish cargo ship ran aground on Imia. The ship's captain refused assistance from the Greek Coast Guard because the captain said the islet was Turkish. Tensions began to mount and by January 29, 1996, both Greece and Turkey had dispatched naval vessels to the area. On January

31, through U.S. mediation, both sides agreed to withdraw.

I am certainly thankful and I think the world is thankful that this incident did not lead to an armed confrontation. But I am disappointed that at no time during the United States mediation did the President, Secretary of State Christopher, Defense Secretary Perry or then Assistant Secretary of State Holbrook, who has generally done a wonderful job on this issue, at no time did they recognize the sovereignty of Greece over the islet.

Is is my sincere hope this latest incident will not deter the administrations efforts to resolve the Cyprus problem, but rather strengthen the administration's commitment to finding a solution this year of 1996.

As you may know, and I do not suppose many people do, my parents were born on the island of Kalymnos, which I guess the rocks Simi are a part of that particular island chain, and only just a few miles away from the island of Kalymnos. The island has always been considered Greek territory. At no previous time has Turkey questioned Imia's territorial ownership. Indeed, Greek Foreign Minister Theodore Pangalos stated, ''This is the first time that Turkey has actually laid claim to Greek territory.''

The European parliament overwhelmingly approved a resolution which states, ''The Islet of Imia belongs to the Dodecanese group of islands, on the basis of the Lausanne Treaty of 1923, the protocol between Italy and Turkey of 1932, the Paris Treaty of 1947, and whereas even on Turkish maps from the 1960's the islets are shown as Greek territory.''

Moreover, the Governments of Italy and France have publicly stated their support of Greek sovereignty over Imia, as provided by international law.

So Madam Speaker, given Turkey's breaches of international law, its continued illegal, and I underline that, illegal occupation of Northern Cyprus, its restrictions on religious freedom from the Eastern Orthodox Ecumenical Patriarchate, which represents over 250 million Orthodox Christians worldwide, its refusal to recognize the human rights of its 15 million Kurdish citizens, and its illegal blockade of Armenia, I have serious concerns about this most recent example of Turkish provocation.

Although Turkey is an ally, Madam Speaker, its actions must not go unquestioned. In fact, European Commission President Jacques Santer stated in reference to Turkey, ''We cannot tolerate a state with which we have just entered into a customs union developing territorial demands on a European union member state.''

Turkey must respect and abide by international law. As President Eisenhower once stated, ''There can be no peace without law. And there can be no law if were to invoke one code of international conduct for those who oppose us, and another for our friends.''

Madam Speaker, I would say in closing, enough is enough.

PERMISSION FOR COMMITTEE ON AGRICULTURE TO FILE SUPPLEMENTAL REPORT ON H.R. 2202, IMMIGRATION AND THE NATIONAL INTEREST ACT OF 1995

Mr. BILIRAKIS. Madam Speaker, I ask unanimous consent that the Committee on Agriculture be permitted to file a supplemental report on the bill (H.R. 2202) to improve deterrence of illegal immigration to the United States by increasing border patrol and investigative personnel, by increasing penalties for alien smuggling and for document fraud, by reforming exclusion and deportation law and procedures, by improving the verification system for eligibility for employment, and through other measures, to reform the legal immigration system and facilitate legal entries into the United States, and for other purposes to include a cost estimate as required under clause 2(l)(3) of rule XI.

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

There was no objection.

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

[Ms. KAPTUR addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.]

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

[Mr. CHRISTENSEN 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 Georgia [Mr. LEWIS] is recognized for 5 minutes.

[Mr. LEWIS of Georgia 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 Utah [Mr. HANSEN] is recognized for 5 minutes.

[Mr. HANSEN 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 Alabama [Mr. BROWDER] is recognized for 5 minutes.

[Mr. BROWDER 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 California [Mr. RIGGS] is recognized for 5 minutes.

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

THE NEW CONTINUING RESOLUTION IS BAD FOR AMERICAN INDIANS, RELIGIOUS FREEDOM, AND SELF-GOVERNANCE

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

Mr. FALEOMAVAEGA. Madam Speaker, I want to make sure that the American public is aware of two very dangerous provisions in H.R. 3019, a continuing resolution which would fund, among other things, Interior spending for the remainder of the fiscal year. Though these two majority sponsored provisions primarily affect American Indians, I believe they have far reaching implications for the rest of the country as well. Why should we care? Because as the great jurist Felix Cohen observed,

> The Indian plays much the same role in our American society, that the Jews played in Germany. Like the miner's canary, the Indian marks the shift from fresh air to poison gas in our political atmosphere; and our treatment of Indians, even more than our treatment of other minorities, reflects the rise and fall in our democratic faith.

This country was founded on two great principles—the inalienable right of a people to govern themselves and the solemn right of a people to freely practice their religion. Yet there are two provisions in this spending bill that are an affront to those principles and the rights of our people. I am afraid to think what our Founding Fathers would think of these measures. Had this bill been brought up under an open rule, I would have offered an amendment to strike both of them.

The first provision that deeply concerns me is the Mt. Graham rider contained in section 335 of the general provisions of the Interior portion of the bill which would waive applicable law, reverse three court decisions and permit immediate construction of an observatory on Mt. Graham in Arizona. This is a measure of the worse sort that should be stricken as soon as possible.

First, this rider approves the destruction and mechanized desecration of the single-most sacred site of the San Carlos Apache Tribe. Can you imagine waiving the law to approve the clearing of part of the Wailing Wall in Jerusalem or the Vatican in Rome? Well that is what this provision does, not to mention the fact the telescope's owners plan to charge rent to other users even though it lies on public land. This rider ignores the rights of those who prayed and worshiped on the mountain for centuries and is an assault on religion.

Second, this rider is wrong because it waives the very laws and procedures

designed to ensure that we respect cultural and religious traditions. It circumvents the American Indian Religious Freedom Act and the National Historic Preservation Act which charge the Federal agencies to protect against harm to such sites. The rider does this over the repeated opposition expressed in tribal council resolutions and now in the resolutions of the National Congress of American Indians.

Third, this rider has never been properly considered by Congress. It surfaced mysteriously in the third Interior conference committee without having been included in either of the House or Senate appropriations bills. But to add insult to injury, its sponsors took out a provision of far greater importance in order to get it in—a report on American Indian HIV/AIDS prevention needs. The only hearing ever held on this matter was a joint hearing of two House authorizing committees in 1990 at which the General Accounting Office reported that the irregularities involved in granting the original permit were so great that it would not have withstood judicial scrutiny except for the waiver provided in the last days of the 100th Congress. The official who signed the original permit admitted at that hearing that he had exceeded his legal authority in granting it.

Finally, this rider is bad for the environment because it waives the requirements of the Endangered Species Act and the National Environmental Policy Act. All these laws ask is that the agencies examine alternatives to see whether less harmful means are available to achieve the same end. Even if the ESA might preclude the project as proposed, exemptions are available for regionally significant projects. It seems that given the fact that the observatory sits on a world class ecological site left behind by the glaciers that is the home of numerous species of animals and plants, some of medicinal value, and several that are virtually unknown anywhere else, we should at least weigh the alternatives and ask the developers to begin the permit application process. This rider sets a dangerous precedent for further site-specific waivers when the laws of this country get in the way of development.

Since the President vetoed the last Interior appropriations measure in December, Mt. Graham has become a cause celebre. Grammy award-winning rock musicians Pearl Jam have featured it in a new Website for citizenship and the Indian band Red Thunder has also spoken out against the project in their tours and radio appearances. I am proud that this Nation's youth is involved in today's issues, so I would ask that this Congress set a better example for them. We should return to a higher standard of substantive discussion, procedural honesty, and simple justice by striking the Mt. Graham rider.

The second provision which gravely concerns me is the so-called ''Lummi'' provision contained in section 115 of the general provisions of Interior portion of bill. Under the guise of ''property rights'', the measure that would penalize any self-governance tribe in the State of Washington, but particularly the Lummi Nation, for exercising its sovereign on-reservation rights. This provision is dangerous because it sets a precedent for fiscally punitive actions against any tribe in any State, self-governance or not, that tries to exercise its legitimate governmental powers. This act of intimidation flies in the face of the longstanding congressional policy of self-determination and the fiduciary relationship between the United States and the 557 American Indian and Alaska Native tribes in this nation.

This unwarranted and unprecedented intrusion into tribal matters goes against the grain of every anti-Washington, antibureaucracy sentiment embodied in the Contract With America. This provision is unnecessary because it is an extraordinary attempt to unduly influence ongoing and fruitful negotiations between the tribe and local on-reservation property owners. This is a local issue that can and should be resolved through negotiations without the heavy hand of big brother. The Lummi provision is unprecedented in its attack on Indian sovereignty and the ability of tribes to manage their own natural resources.

My history tells me that the tribe acquired its senior water rights more than 140 years ago in the Treaty of Point Elliot in which the tribe reserved enough water to sustain the reservation as a homeland and to support the fisheries resource of the Nooksack Basin. But by penalizing the tribe's funding—up to 50 percent of its self-governance funding which are used to fund education, social services, natural resources, and law and order—for exercising the tribe's senior water rights, the sponsors are doing nothing short of rewriting federal western water law to suit their own purposes.

I would also point out that I am not alone in my assessment because the President in his December 18, 1995 veto message specifically identified the same provision as a reason for his veto. The President rightly noted that in penalizing ''these tribes financially for using legal remedies in disputes with non-tribal owners of land on their reservations'' this provision does not serve the interests of our nation and its citizens.

Madam Speaker, this action has an unblemished record when it comes to breaking Indian treaties—we have broken every one—so perhaps it should come as no surprise that we are trying to break another. But I for one, and my Democratic colleagues agree, that it is time for us to stop. If we can override federal treaties and laws simply because we do not happen to agree with the claims of one party in a dispute, what does that mean for the rest of us, not to mention any of the other 556 tribes in this country? I have always been proud of the fact that we are a nation of laws, and of our rich history of justice. But this provision, Mr. Speaker, this provision is not justice.

Madam Speaker, in closing, I'd just like to say that if we as Americans take our rights seriously, if we cherish those principals which made our country great such as the freedom to practice our religion and the freedom of self-determination, then we need to really think about our treatment of Native Americans, and ask ourselves if we can do better. We can start by eliminating the Mt. Graham and Lummi provisions. I urge the White House and the Senate to reject these measures.

THE ALAN KEYES INCIDENT

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

Mr. GEKAS. Madam Speaker, last week the whole world was horrified by the spectacle of Ambassador Alan Keyes being handcuffed or otherwise restrained and forcibly prevented from entering into a television area for a debate among candidates.

I feel personally outraged by that entire incident. I feel the insult that Ambassador Keyes must have felt. I feel the dismay that must have flowed through his veins at that time. Then not only was he prevented from entering into the premises, but then carried off like he himself was a criminal and taken to a remote part of the territory there and dumped off like an unwanted citizen. Double outrage, double affront, as it were, more of an insult.

Now, I think that everyone in America has shared that feeling of insult along with Ambassador Keyes, and I suppose many have expressed their regrets. I did and sent a personal note to him expressing my regrets and expressing that I felt with him the range of insults that he must have felt.

But I must tell my colleagues that I have even more reason to associate myself with that insult, because I experienced almost exactly the same thing in the year 1966 in my first venture into politics when I myself was blockaded by constables, as it was at that time, from entering into a public political meeting place where I should not have been excluded, but I was.

So I, in viewing the Keyes incident, of course had flashes in front of me of what had happened to me many years ago. There is no way to express this indignation which we are attempting to do here this evening, but I must tell my colleagues I am going to write a letter to the FEC, to the FCC, to the television station in question, to the law enforcement community of that area, to find out exactly what happened and why.

Madam Speaker, I am not sure that Federal laws were violated by those people who strong-armed Mr. Keyes, but equal time always enters into these

dimensions of public broadcast, especially about political debates. I want to see whether he was unfairly kept from the debate even. After all, he had participated in several debates before, television debates. As I recall, he was given very high ratings by the viewing public and by commentators and by pollsters and others who would evaluate those debates. He was given high marks.

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So I want to find out did equal time apply? I want to find out did Federal election laws come into play? How about Federal communications laws? And I am going to compile the answers here and see whether or not my committee, the Subcommittee on Administrative and Commercial Law of the Committee of the Judiciary, whether my committee has jurisdiction to further look into this outrage or whether some other committee might be invited to review the events of that evening.

But no matter what the outcome, I now know that the CONGRESSIONAL RECORD at least records the feelings of the Members of the House of Representatives, and, as I said in my note to Ambassador Keyes, we hope that this will not deter him one moment, as apparently it is the case that it is not deterring him, not one moment from pursuing his goals, from uttering his message and from registering his rights to speak out on any issue at any time.

''RUSH LIMBAUGH IS A BIG, FAT IDIOT''

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

Mrs. SCHROEDER. Madam Speaker, humorist Al Franken, in his book ''Rush Limbaugh Is a Big, Fat Idiot,'' I think was absolutely right. He points out how Rush plays so fast and loose with the facts, and, believe me, he did it again this week.

For those of you who saw his show, he took my comments on this floor that I was talking about as we celebrate Woman's History Week, or History Month this month, and he was saying that it was all a bunch of poppycock.

Well, I am here to set the record straight, and I think it is time every woman in America straightened her back and say enough of this nonsense.

The first thing he took me to task for was saying that there was a revolutionary soldier, who was a woman, who was buried in West Point. Well, Rush has been chortling, ''Ho, ho, ho, Mrs. SCHROEDER is absolutely wrong, that can't be true.''

Well, Rush you are wrong, and I am right. Let me tell you why.

We were both referring to a woman named Molly Corbin. Molly Corbin indeed was in the Revolutionary War. She was a recipient of the first female veterans pension in American history, and, yes, she was reburied in West Point.

That is what he keeps saying, ''Oh, but she wasn't even buried there, way after it, so it could not possibly have happened.'' But she was buried there in 1926 at the request of the Daughters of the American Revolution. Now, if he wants to pick a fight with them, go ahead, but I think they are going to win.

I would like to put in the RECORD at this time, Madam Speaker, a letter from the Department of the Army, the U.S. Military Academy at West Point, verifying this fact.

The letter referred to is as follows:

DEPARTMENT OF THE ARMY,
U.S. MILITARY ACADEMY,
West Point, NY, November 8, 1989.

Mr. DANIEL BUCK,
Office of the Honorable Patricia Schroeder,
Rayburn Building, Washington, DC.

DEAR MR. BUCK: The enclosed information may be helpful in answering the question of Revolutionary War soldiers buried at West Point.

A news release from the Information Office of the United States Military Academy in 1968, mentions the relocation of graves of soldiers to the cemetery during the 1800's. The grave of Ensign Dominick Trant is identified as the oldest grave in the cemetery.

A listing copied from a Walking Tour of the West Point Cemetery identifies Trant as a member of the 9th Massachusetts Regiment.

Molly Corbin's remains were disinterred from the Old Cemetery at Highlands Falls in 1926, and reburied at the West Point Cemetery.

Please do not hesitate to contact the Library if the enclosed material does not sufficiently answer your question.

Sincerely,

JUDITH A. SIBLEY,
West Point Manuscript Librarian.

Madam Speaker, the next item that he took me to task for was the issue about Martha Washington and the fact that George Washington had asked to have her expenses reimbursed while she had spent all three winters with the Revolutionary Army in winter camp.

You see, at that time, as commander in chief, he had no money, no uniforms. Things were very, very tough. No one knew if they were going to win or not, and Martha Washington came in holding the troops together He felt that that was worth repayment and submitted this following bill. I have a copy of the bill that George Washington submitted to have Martha Washington reimbursed. It is for her expenses from 1775 through 1782.

Madam Speaker, I include in the RECORD an article from the Washington Post talking about Margaret Corbin and an article from the World Book Encyclopedia talking about Margaret Corbin, who was the soldier in the Revolutionary Army.

The articles referred to are as follows:

REMEMBERING MARGARET CORBIN, DAUGHTER OF THE AMERICAN REVOLUTION

(By Chadwick Allen Harp)

They may be barred by law from combat roles today, but American women have a long tradition of fighting on the battlefield that goes back to the Revolutionary War and a young woman named Margaret Corbin.

On Nov. 16, 1776, Hessians under British command attacked Fort Washington on Manhattan Island, but encountered such vigorous resistance and such rapid artillery volleys that some remarked the Americans seemed possessed by demons. A ridge later known as Fort Tyron was defended by the First Company of Pennsylvania Artillery, and among the artillerists was a young private named John Corbin. Beside him, handling ammunition to feed the hungry cannon, was his wife, Margaret, the daughter of a Scotch-Irish pioneer.

Suddenly a Hessian ball or shell smashed into John Corbin, fatally wounding him. But Margaret had no time to grieve; the enemy's relentless siege continued, and the men of the Pennsylvania company needed her help in the ranks more than her wounded husband required her care and comfort. Margaret immediately accepted the call to duty and stepped into John's position at his cannon. Soldiers remarked later that Margaret served ''with skill and vigor''—until Hessian grapeshot tore into her, ripping away part of her breast and nearly severing an arm.

After the battle her comrades took their ''Captain Molly'' across the Hudson River to Fort Lee, N.J., where she received further medical care that ensured her recuperation. When she finally was well enough to travel, Margaret relocated to the Philadelphia area, continued her long-term recovery and became one of the original members of the Invalid Regiment created by Congress to care for disabled and crippled soldiers.

On June 29, 1779, the Supreme Executive Council of Pennsylvania, the decision-making body of the executive branch, allocated Margaret a $30 stipend ''to relieve her present necessities'' and recommended that the Board of War give her a pension. Barely a week later, Congress received a letter from the Board of War supporting the Executive Council's recommendation. Congress immediately authorized that Margaret receive, for life, one-half of the monthly pay allotted soldiers and, as a one-time allocation, a complete outfit of clothing. By this act Congress pensioned the first female veteran in American history.

Margaret died near Hudson Highlands, N.Y., in 1800. In 1909, more than a century later, a tablet was put in place at Fort Washington Avenue and Corbin Place in New York City recognizing Margaret Corbin as the ''first woman to take a soldier's part in the war for liberty.''

Many other American women have since seen hostilities—among them Mary Ludwig Hays McCauley (''Molly Pitcher''), who also stepped into her husband's position in the Revolutionary War at the Battle of Monmouth in 1778; Civil War scout and spy ''General'' Harriet Tubman; the more than 200 women killed by enemy fire in World War II; the eight women whose names are chiseled into the stone of the Vietnam Veterans Memorial; and Capt. Linda Bray, who commanded a platoon of military police in a 1989 Panama firefight.

In a sense, Margaret Corbin honors them all. On March 16, 1926, the Daughters of the American Revolution arranged to have Corbin's remains removed from Highland Falls, N.Y., to the post cemetery at the United States Military Academy at West Point. Next to the grave stands a memorial to the only Revolutionary War soldier buried on academy grounds—an artillery gunner, a hero and a woman.

[From the World Book Encyclopedia]

Corbin, Margaret Cochran (1751–1800), became a heroine at the Battle of Fort Washington in 1776, during the Revolutionary War

in America (1775–1783). She was born in Franklin County, Pennsylvania. In 1756, Indians killed her father and captured her mother. An uncle raised her.

In 1775, Margaret's husband, John Corbin, enlisted in the Continental Army, and he served as a gunner in the Revolutionary War. Like many other soldiers' wives at the time, Margaret joined her husband in camp to cook, wash, and do other chores for the troops. At Fort Washington, on the site of present-day New York City, John Corbin was killed. Margaret replaced him at his cannon and fought until she was seriously wounded.

Corbin's wounds left her disabled. In 1779, the Continental Congress awarded her a military pension, making her one of the first women in the United States to receive such aid. Corbin is buried in the military cemetery at West Point, N.Y.

Madam Speaker, I also would like to refer Mr. Limbaugh to many other things. First of all, the mini page which is in most newspapers in America. The Mini Page came out last year and had a very, very extensive thing about women in the military through the years. I am very sorry he did not read this. I would hope he would try and get it from the library. But it pointed out there have been American women in the military, through today, the Revolutionary War and the Civil War. He might find this interesting reading.

I would also point out that there is a 1996 calendar, as there have been others, done by women veterans, and this is pointed out through the years of all the different women throughout here. There is one for each month. Again, this might be a very good thing for his office. It might inform him that women did indeed contribute to this country.

Now, there are other things that I would like to recommend he look at. There is a coloring book from the National Women's Hall of Fame, and maybe this would be simple enough. It could be a beginning point for him. He could start with this to find out that indeed there have been some women who have done some things.

If he can get through that, then there is a little more detailed book that lists all sorts of women, where they were from, when they were born, what they accomplished, women scientists, women in the military, women aviators, women everything. It would absolutely break his little heart, and so I hope he works through that.

Now, if he really gets to the big time, there is a little bit bigger book here that points out even more things about women in American history that I think are terribly, terribly important.

I guess the real thing that we would like to point out to Mr. Limbaugh, the gentleman that they have called the big, fat idiot, I would like to quote to him from Clara Barton. Clara Barton said, ''From the storm lashed decks of the *Mayflower* to the present hour women have stood like a rock for the welfare of this country.''

They have, and it is time we recognize it, and that is what we are trying to do. Rush Limbaugh, tune in.

CALLING ON THE PEOPLE'S REPUBLIC OF CHINA TO CONDUCT ITS RELATIONS WITH TAIWAN BY PEACEFUL MEANS

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

Mr. COX of California. Madam Speaker, just in reply to the remarks of my colleague from Colorado I have to say I agree completely, that women have been leaders in every field of human endeavor, including conservative politics, and for that reason there are women all over America who cheerfully disagree with the gentlewoman from Colorado on many subjects.

Let me talk about something that I think all of us here in the House can agree with, and that is the importance of a united U.S. foreign policy in Asia at this moment.

In just 2 weeks Taiwan will have its first direct presidential election, the first fully free and democratic election of a head of state in nearly 5,000 years, in 4,700 years, of Chinese civilization. This is a remarkable achievement, and Americans should be enormously proud of Taiwan's democracy. The thriving democracy on Taiwan stands in marked contrast to the continuation of communism across the Taiwan Strait and the People's Republic of China.

Madam Speaker, Taiwan is America's seventh largest trading partner. The People's Republic of China is the sixth largest trading partner of America, and yet the People's Republic of China has 250 times the territory of Taiwan, it has 60 times its population. Consider then that Taiwan, and its people, and its economy actually buy more goods and services from America than does the People's Republic of China. The People's Republic of China is our sixth largest trading partner as compared to Taiwan, our seventh, only because they have an enormous trade deficit, in fact the largest in the world, with us.

We have, from a trade standpoint, a very strong interest in being friendly to both the People's Republic of China and to Taiwan. But because the Communist government in Beijing believes that democracy on Taiwan threatens its continued existence, they have been intimidating, through military brut force, the voters on Taiwan.

Today the People's Republic of China began launching missiles over the Taiwan Strait. It will do so, we are told, for 8 days, between now and March 15, in particular in 2 target areas 20 miles east of Keeling, a port city in the northeastern part of Taiwan, and 30 miles west of Kaohsiung, a port city in the southwestern part of Taiwan.

I want to underscore as we meet here tonight that Communist China has already begun firing these missiles.

Over 70 percent of commercial shipping enters Taiwan through these two port cities that I mentioned. Already military actions undertaken by the Communist government in Beijing have amounted effectively to a partial blockade of Taiwan. They have disrupted already commercial shipping in the Taiwan Strait. They have even disrupted airline traffic which has had to be rerouted around the island.

This is not the first time in the runup to these elections that Communist China has sought to intimidate freedom and democracy in Taiwan. The People's Republic of China has conducted large scale military maneuvers to intimidate Taiwan before its legislative elections in December. The latest round of intimidation, just recently, includes amassing 150,000 Chinese troops and 220 fighter aircraft just miles from Taiwan. And China, when the People's Republic of China sought to intimidate voters as they went to legislative elections, they fired nuclear capable missiles about 100 miles north of Taiwan last July.

The People's Republic of China has officially and unofficially told the United States that they have developed plans for a 30-day missile attack of Taiwan. People's Republic of China officials told former Assistant Secretary of Defense for Asia, Chas Freeman, that they have developed such plans. They told a Stanford scholar, John Lewis, who is close our Defense Secretary Perry, that they have developed plans for a sustained 30-day missile assault on Taiwan. These same military leaders have even made a thinly veiled threat against the United States, communicating again with Chas Freeman, that they might attack the United State with nuclear weapons should we concern ourselves with the preservation of democracy and freedom on Taiwan in the face of a Communist Chinese military assault.

Madam Speaker, it is outrageous that Communist China is planning and threatening a military invasion of Taiwan. Nothing in law or nature gives the communists the right to launch a military attack on millions of innocent civilians there. It is doubly outrageous that they are doing so to intimidate democracy, and for this reason today a bipartisan group of House Members has introduced a resolution. It is numbered House Concurrent Resolution 148.

I just note that it is House Concurrent Resolution 148, sponsored by every Member of the House leadership and bipartisan leaders, particularly of the Human Rights Caucus, the Democratic and Republican membership of the House of Representatives, and I urge all of my colleagues to sponsor this very important resolution.

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

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

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

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

INTRODUCTION OF THE CHRISTOPHER REEVE HEALTH INSURANCE REFORM ACT

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

Ms. ESHOO. Madam Speaker, today I introduced a bill in the House of Representatives, H.R. 3030, and it is entitled the Christopher Reeve Health Insurance Reform Act. I think that that name, rather than the number 3030, is a name that Americans know and respect. Christopher Reeve is an accomplished actor, someone that has appeared both on stage and screen in our Nation and, I believe, now is playing one of the great roles of his life as he advocates for the reforms that are necessary to our health system. And so I am very pleased that he would lend his name to this piece of legislation that seeks to reform a very, very important part of our health insurance system in our country.

□ 1930

What this bill would do would be to lift the lifetime cap limit that exists in health insurance policies today. People that own life insurance policies may not be, and most are not, aware of the fine print that exists within that policy.

Back in the 1970's, a $1 million cap was placed on the usage or the ceiling for health insurance policies. One million dollars in 1970 was a lot of money. Today $1 million, when a catastrophic incident happens in an individual's life, as it did and came into Christopher Reeves' life, $1 million will be used up very, very quickly. So I think it is important that that standard lifetime cap on individual health insurance policies be raised. That is what this bill accomplishes.

Specifically, the legislation would prohibit insurers from placing limits on health insurance policies of less than $10 million, so those that insure themselves, their policy would have a ceiling of not $1 million, but $10 million. I think this is an important and necessary reform measure that needs to be accomplished.

Last year, Madam Speaker, in our great Nation, 1,500 individuals exhausted their lifetime caps under their health insurance plans. Price Waterhouse estimates that between 1995 and the year 2000, an additional 10,000 Americans will reach their lifetime caps because they require continual medical care. This legislation will protect frequent users of health insurance from being stranded, because a $10 million limit better reflects today's medical inflation.

The $1 million cap, as I said, was adopted in the early 1970's. That reflected very much the times. But that has never been adjusted with inflationary figures, and we know if there is anything that has inflated, that is the cost of health care. Lifting the lifetime caps. Madam Speaker, would also save the Federal Government money.

Price Waterhouse estimates that removing lifetime caps would save the Medicaid Program $7 billion over 5 years. The American Academy of Actuaries estimates that lifting the lifetime caps will cause only a slight increase in premiums, about 1 percent to 2 percent, for employers. I think we can all agree that the $1 million lifetime cap is something that has outlived itself. That is to say that it does not fit with the times. This bill, H.R. 3030, will accomplish that.

Let me close, Madam Speaker, by paying tribute to Christopher Reeves. As I said earlier, he is a recognized name by Americans because of how he distinguished himself on stage and screen. He has been a great advocate for the arts and the humanities, and now, today, he is moving into a new role, and that is being an advocate for the necessary, important reforms that we can bring to the health care system. His eloquent voice, I hope, will be matched by the eloquent act of this Congress.

That is what I urge my colleagues to support and to cosponsor, so we can correct this in the law, and recognize that Americans will be helped, and that with that, we help move America forward. I salute Christopher Reeves for his courage, and I hope Members of Congress will try to match what he has exhibited by supporting this legislation, and indeed, making it the law.

IT IS THE ECONOMY THAT IS A PRIORITY TO MOST AMERICANS

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

Mrs. CLAYTON. Madam Speaker, after two Government shutdowns and a near default on our obligations, today this House has passed a short-term bill to raise the debt ceiling and to pass a continuing resolution for the work we have not done on four major appropriation bills, bills that contain important funding for domestic programs.

It is important that America pay its bills and meet its obligations. It is also important that we do all that we can to keep the Government running. We do not need a third Government shutdown, but we are now almost halfway through the fiscal year and we have done nothing to bring relief from the daily struggles to make ends meet for working families of America.

today, once again, the continuing resolution cuts education funding. We want to lead the world in education, but we do not want to provide the resources to do so. Because of what Congress did today, there will be fewer teachers, more crowded classrooms, less money for equipment and supplies, and not as much help for those who need a healthy start or a head start.

The answer Congress has been giving to the working families who are working just as hard as ever before is that inflation is low, economic indicators are good, the stock market is rallying, and jobs are on the rise. All of that means nothing to the unemployed father or to the single mother or to the family of four with children in college, or to senior citizens who are now being told their lifetime work has no value.

The fact of the matter is that the quality of life for most Americans is not getting better. The fact of the matter is that most of our citizens have little confidence in the economy, and less confidence in government. The fact of the matter is that while Congress is fighting over balanced budgets and spending limits, the public is losing faith in the American dream. The reason the public is losing faith is because more people have less money, while less people have more money. The rich are getting richer and the working families are suffering more of the losses that we are suffering.

It is by now widely known that the income gap between those with a lot of money and those without much money is growing faster, and is very troubling. This Congress must not ignore these harsh realities, and heed the cries for help coming from all quarters of working America.

It should concern us that the industries that have led this Nation over the last 5 years in job production are temporary employment agencies. It should claim our immediate attention that bankruptcies are skyrocketing and bad credit is more and more common.

What can we do to restore faith in our economy and our Government and recapture the American dream? What can we do to bring some relief to our citizens? We can start by passing the modest minimum wage increase bill that has been languishing in Congress for months and months now. We can go further by treating ordinary citizens with respect and the care with which we treat corporate America. We can do it best by passing a fair tax reform legislation aimed at working Americans and not always only at wealthy Americans. We can move America forward by ensuring quality health care, especially for our seniors, by protecting our environment and preserving education.

According to the Bureau of Labor Statistics, college graduates earn 24 percent more than workers with high school degrees. Why, then, are we cutting education and claiming these cuts are necessary for progress?

High-wage jobs are needed to close the income gap. High-wage jobs require more education, not less education. Why do we think China and Japan and other countries in Asia and other parts of the world are concentrating on sending their young people to America to get educated? They know what Congress seems to ignore, that the key to a better quality of life is through our schoolhouse doors.

Madam Speaker, if Congress does not pass an acceptable continuing resolution, the Government will shut down a third time. If Congress does not raise the debt ceiling permanently by March 29, America will default on its debt. If Congress does not wake up and realize that working America needs this help now, the American dream will drift away.

It is still the economy that means important things to America. It is the economy that is a priority to most Americans.

CRIME OF THE RISE UNDER THE CLINTON ADMINISTRATION

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

Mr. TIAHRT. Madam Speaker, this country is facing an increasing problem with youth violence and drug abuse. After 3 years of reducing the effectiveness of fighting against drug abuse, Mr. Clinton is trying to salvage his image by appointing a new drug czar. Despite the rhetoric, President Clinton has been unable to win the war on drugs.

When President Clinton swore in his new drug czar, he said a lot of positive things against the country's battle against drugs. But let us not be fooled by President Clinton's claim to have made a sizeable dent in the war on drugs. If he had, we would not have such an increase in drug use and a decrease in drug arrests.

According to Investors Business Daily, two articles, one by Matthew Robinson on September 11, 1995, and John Barnes, June 6, 1995, ''President Clinton has failed to properly fight the war on drugs.'' DEA, our Drug Enforcement Agency, their arrests fell from 7,878 the last full year under the Bush administration to 5,279 in 1994 under the Clinton administration.

Drug-related arrests, made in cooperation with overseas law enforcement agencies, fell from 1,856 in 1992 to 1,522 in 1994. Although 140 new DEA intelligence specialists were trained in 1992, zero were trained in 1994. President Clinton slashed the Office of National Drug Control Policy by 84 percent, cutting the staff from 116 to just 25. He eliminated 355 DEA agents and 102 personnel from the Justice Department's organized crime enforcement task force.

President Clinton dropped the drug issue from the top to the bottom of the National Security Council's list of 29 priorities.

In a household survey on drug abuse, as shown on this chart, it was published in September 1995, the estimated number of 12- to 17-year-olds who have reportedly smoked marijuana grew from 1992, 1.6 million, to 1994, 2.9 million. In the 14- and 15-year-old age group, it saw a 200-percent increase in the use of marijuana.

I have another chart that talks about how drug enforcement has been down under the Clinton administration. This depicts the number of Federal marijuana defendants, which has dropped 18.6 percent, in 1993 it was 5,500, to 4,100 by 1995.

Also, the prison time is getting shorter. In this chart, the average prison sentence for marijuana defendants is down 13 percent. In 1992, the sentence was 50 months. By 1995, it has dropped down to 43 months.

It is not just confined to drug abuse, either, Madam Speaker. We have a problem with violent juvenile crime. The juvenile crime clock, which is published by Crime Strike, says that a juvenile is arrested for murder every 2 hours and 10 minutes; for rape, every 51 minutes; for robbery, every 13 minutes; and an aggravated assault, every 8 minutes.

Juveniles are not tried as adults as often. Despite the increasingly violent nature of juvenile crime, as well as the increased number of juveniles involved, the percentage of juvenile cases referred to adult courts has actually declined. In 1984 it was 5.2 percent, approximately 54,000 cases out of 1 million. By 1993, a decade later, the adult court referrals had grown to 61,000, approximately, but it was just 4.8 percent of the 1.29 million offenders taken into custody.

I believe the liberal Clinton administration is part of the basic problem. In our war on crime, the liberals have become soft on criminals, and it is making it hard for the rest of us. I think this is why many Americans are losing faith in our court system. One of the most recent examples is an appointee by President Clinton, Judge Harold Baer, a liberal judge in New York City.

I have two articles I would like to refer to. One is in the Columbus Dispatch. It was published on February 5. It is entitled ''Outrage in New York.'' To give you kind of a background, I will just take some excerpts from this article.

> Judges routinely make close calls in dispersing justice. Sometimes, though, a judge makes a decision so mind-boggling, so dumb, that it makes people wonder what planet he is living on.

Such has been the case in New York City, where on January 24, U.S. District Court Judge Harold Baer, Junior, let a confessed drug courier walk free after police officers observed 80 pounds of cocaine and heroin being loaded into the trunk of her car. The mayor, the police commissioner, and nearly everyone else in New York is up in arms over this nonsensical ruling.

I have a chart here that just kind of depicts how many drugs were in the trunk of that car when the arrest was made. There was 75 pounds of cocaine, and actually 4 pounds of heroin.

□ 1945

That was heading toward Michigan, according to the confession of Carol Bayless, who was at the wheel of the car. That is enough so that every school child in Detroit would have one dose of cocaine. This appeared to be an open-and-shut case, but in a bit of twisted reasoning, Judge Baer said that the officer had no reasonable suspicion to pull over Bayless. He excluded the drugs and the confession, a videotaped confession where Bayless admitted that she was paid $20,000 to take the drugs to Detroit, something she had done at least 20 times before, either for her son or for other dealers. But this evidence was thrown out. No drugs, no case.

Bayless was facing the possibility of life in prison. She whooped in celebration. If this was not bad enough, Judge Baer's written decision reeked with contempt for the police, particularly Officer Carroll who made the arrest, who has 10 years of experience on the street and a spotless record.

Senator DANIEL PATRICK MOYNIHAN, who got President Clinton to appoint Baer to the bench, has had some buyer's remorse, according to the article. He suggested Baer be sentenced to live in that neighborhood for a year to see if that would change his mind.

Federal prosecutors are pondering appeal. They hate to overturn a judgment based on a subjective matter like reasonable suspicion, but in this case prosecutors should appeal, and the courts should overturn Baer's judgment and put Bayless on trial because justice demands it.

On ''ABC World News Tonight'' at 6:30, February 8, eastern time, there was an article run. Part of it was talking about this same ruling. Part of the report said: ''Last month Federal Judge Harold Baer ruled that neither the woman's confession nor the drugs found in her car could be used in court because police lacked sufficient reason to stop her or search her car.''

Here the police saw four men dumping duffle bags into the woman's car at around 5:00 in the morning and when the men saw the police, they ran away. This was not sufficient suspicion for Judge Baer, who wrote that in Washington Heights residents regard police officers as corrupt, abusive, and violent. Had they not run when the cops began to stare at them, it would have been unusual.

Well, in Wichita, KS, the fourth district of Kansas, I think that type of behavior would have been reason to stop someone, and I think that the abuse that has occurred from the excessive amount of drugs in our society justifies having this ruling overturned.

Mr. SHADEGG. Would the gentleman yield?

Mr. TIAHRT. I would be glad to yield to the gentleman from Arizona.

Mr. SHADEGG. I just listened to this story, and it kind of amazes me. If you would be willing to, I would like to enter into a little colloquy to see if I really understand this and see if we can flesh this out a little bit.

You are telling me that the essence of this judge's ruling was that the

search, the stop made by the police and the search which led to the evidence which showed enough cocaine to give every single child in Detroit one administration or one dose of cocaine, the search led to that, they found that much cocaine and the judge threw it out. And the reason he threw it out is because for people to run from the police is normal conduct in that neighborhood, and does not justify the police in having suspicion that some criminal activity has gone on?

Mr. TIAHRT. Yes, the judge felt that that was not reasonable suspicion. Let me just read through the facts of this case.

Mr. SHADEGG. This is a city in America, and this is a judge now appointed by the Clinton administration to the Federal bench, and his decision is that when police look at somebody engaged in what they believe is strange activity, those people decide to cut and run, the police are not entitled to determine that there is something suspicious going on and make a stop?

Mr. TIAHRT. Let us go over the facts of the case and then you can make a judgment yourself.

Early in the morning on April 21st, I assume this is 1995, Officer Richard Carroll sat in his unmarked car staking out a street on Washington Heights known as a prime location for drug dealers. At 5:00 a.m., it was early in the morning, he observed a double-parked rental car with Michigan plates.

Four men walked up to the car without speaking to the driver. They put two black duffle bags into the trunk of this car. When they spotted the officer, they all ran off in different directions.

Officer Carroll then pulled over the driver, Carol Bayless, again, searched the car, finding the cocaine and the heroin with a street value of at least $4 million.

Subsequently, there was a videotaped confession where she said, yes, she knew what she was doing. She has done this 20 times before. It goes back to most people would probably consider running from the police some type of reason for suspicion. I think that is the way it is viewed in Wichita, KS, and I am sure it is probably viewed that same way in Arizona.

I think it is just cause, and it probably shows why we have lost some faith in our judicial system when we have liberal judges turning loose criminals, confessed criminals, on what has been termed a technicality, or his term was, not enough reasonable suspicion to make this arrest. It is, I think, a poor excuse for why we are having problems turning criminals loose.

Mr. SHADEGG. If the gentleman would yield, I would be happy to talk about some other points on this particular topic. And I do want to address this issue of illegal drugs and what has gone on in America since the beginning of the Clinton administration, but I just want to bring this one point home.

At least in Phoenix, AR, we have told the police in my district that if you have a reasonable suspicion, you can stop someone and inquire into their activity. That is in fact the law in America.

In Phoenix, AZ, if police see some group of individuals at 5:00 in the morning or midnight or practically any time of day, and upon those individuals recognizing them as police the individuals scatter and run in six different directions, that certainly would be for any judge in Arizona articulable suspicion and reasonable grounds for them to stop those individuals, to make an inquiry, to require them to produce some identification, and to find out whether or not criminal activity is going on.

I, myself, signed a letter today calling for Judge Baer to immediately resign from the Federal bench.

If you contemplate the society which he is calling for, it is a society in which the norm is citizens may run from police, and when police see them run, they are to assume, well, there is nothing wrong. I guess if we have understood what he said, he said, well, in this particular community the norm would be that it would have been strange if they had stood silent.

I guess the standard Judge Baer is calling for is that if the citizens of that community see a policeman and they stand still or they continue what they are doing, then the police have the rights to come up to them and say, ''This is awfully strange. Judge Baer tells us that normal conduct would require that you run away from us, but we will require you to stay here. He thinks it's odd only if you do not run. Therefore, since you didn't run, we're going to ask you for identification and determine whether or not illegal activity is going on.''

It is hard for me to believe that that is the standard set by a judge in America. It is hard for me, even further more difficult for me to believe that that judge has now been appointed by this administration to the Federal bench, and I can see why the good Senator would have had perhaps some buyer's remorse on this recommendation.

Mr. TIAHRT. If we take a practical application of what Clinton's appointee, Judge Baer, would view, his view of America as you have expressed, suppose you are a common citizen and you are driving your automobile, and for some reason a policeman acknowledges that they are behind you by putting on their lights. The normal behavior, according to the Clinton appointee, would be for you to speed off and try to elude the police. I cannot imagine how dangerous our highway system would be every time a police officer attempted to stop someone for perhaps having a headlight burned out or an unsafe condition ahead where they would speed ahead.

I think that Judge Baer here is exactly wrong. I think this exemplifies what is wrong with liberals in our judicial system, and it exemplifies why many people are concerned and frustrated by our current court system.

There is another program that was thwarted by the Clinton administration, and it was a successful program. It was put in an article in the Policy Review written by Charles Molony Condon, who is the attorney general of South Carolina.

While he was working as a circuit solicitor in South Carolina, he became aware of the problem that this Nation is having with crack babies, and he became aware of its through the Charleston Medical University of South Carolina's hospital. He said that he found out that about 1 in 10 children born nationwide has been exposed to cocaine in the womb, and this affects approximately 350,000 babies every year.

The hospital, MUSC, the Medical University of South Carolina, said that they have seen bills reach $750,000 from crack babies, for one crack child. Most are born to welfare mothers, so Medicaid and the hospital end up picking up the bill. In one instance, the General Accounting Office had found that a single cocaine baby can run up a lifetime tab of $1 million in medical costs and educational costs.

Mr. Condon decided that he would try to do something about it, and working with the hospital, they aggressively confronted pregnant women, talking to them about the consequences of their drug abuse. They were having trouble getting women to voluntarily seek help, but in this program they were given a choice: either seek drug treatment or face arrest and jail time.

They did this over a 25-year period, and over that 25-year period they were able to see crack babies in this hospital going from approximately 24 per month down to about 5 to 6 per month. It was called an amnesty program and it had a very positive effect.

But then in came the Clinton administration with allegations of discrimination and accusing the hospital of violating privacy rights. The Clinton administration, along with the ACLU, threatened to cut off the $54 million in Federal assistance that MUSC was receiving, which was about 60 percent of their annual budget. This boiled down to, according to the article, the Clinton administration protecting not the children but the right of the mothers to escape the consequences of their neglect.

As reported by Health and Human Services Secretary Donna Shalala, South Carolina's crack baby program was discriminatory. But according to Charleston police Chief Rubin Greenberg, he said the program benefited the black community most of all.

I want to quote from the end of this article. It says:

> One of the most basic responsibilities a mother has is to her child. If a mother injected cocaine into the tiny arm of her infant, causing permanent brain damage or death, certainly that mother would be arrested and prosecuted. Yet that is exactly what addicted mothers do when they consume cocaine throughout their pregnancy. In South Carolina, we tried to do something about it. The program we created was working. Now it is no more. And as long

as the powerful Federal bureaucrats continue to manipulate Federal funding to serve a bizarre agenda that is deaf to the cries of damaged babies, there is nothing more we can do. Why is the Clinton administration stopping us from protecting our children?''

Here we have an effective program that was dealing with some of the core issues, some of the heart-rending problems that we are having in our society, unborn children being abused by drug abuse. They developed a program. It was being studied and sought out by other States, other States were looking at it as a model, and yet it was effectively shut down by the Clinton administration.

I think that this program and others leave us puzzled. Why do the liberals in the Clinton administration oppose getting good sentences, allow criminals to be released, and when an effective program is in place, they move in with a force, with a vengeance, and shut down a program that has been successful.

Even though we have drug abuse, especially through teenagers, it is not doing enough. I think we have not gone far enough. Overall drug abuse seems to be waning or being leveled off, but teenage drug abuse is up while enforcement is down.

I think President Clinton has not only ignored the drug problem but he has actively hampered the efforts of drug control agencies. In February 1993, less than 1 month in office, President Clinton eliminated 83 percent of the staff at the Office of National Drug Control Policy. Continuing the abdication of leadership, the President also eliminated the drug testing program for the White House staff.

Mr. SHADEGG. Would the gentleman yield?

Mr. TIAHRT. I would be glad to yield.

Mr. SHADEGG. I would like to make a few points here. I come to this Chamber as former assistant attorney general. I spent 7 years in the Arizona attorney general's office, in the fight against crime and in the fight against drugs.

I think there are some points that need to be made that I am gravely concerned about. I am concerned about them because I am the father of a 14-year-old daughter who is in junior high this year and next year will begin high school, and I am told that drug use will be prevalent and drugs will be available in every high school she can go to, no matter whether we select a private high school or a public high school.

Today I want to compliment the chairman of the Government Reform and Oversight Subcommittee on National Security, International Affairs, and Criminal Justice, the gentleman from New Hampshire, WILLIAM ZELIFF. Today they released, and it will be made public 5 days from now, their ''National Drug Policy: A Review of the Status of the Drug War in America.''

Now, many people listening tonight might say, ''Well, we can really win the drug war in America,'' and they would make that argument. What this report shows and what is of grave concern to me is that one thing is clear. We may not be able to win the war against drugs, but when we surrender any effort to stop drugs, when we give up on that war, there are consequences, and I would like to talk about some of those consequences.

□ 2000

First let me talk about Arizona. In Arizona we are a border State. Seventy percent of all of the illegal drugs which come into this country come across the Mexican border. The efforts of Chairman ZELIFF and of his subcommittee on which I serve could not be more timely in terms of Arizona.

Let me talk about what is going on in my home State. Current use of all illicit drugs is up among public school students at both high school and junior high levels. The 1995 Substance Abuse in Public Schools Survey put out by the Arizona Criminal Justice Commission says that current use of methamphetamines, hallucinogens, and marijuana amongst high schoolers is at the highest level it has been since 1988: 21.8 percent of all Arizona high school students reported using marijuana in the last 30 days; 16.8 percent of those students reported using marijuana within the last 10 days.

Equally frightening, as the gentleman from Kansas has pointed out, is the link between this drug use and crime. The crime rate in Arizona has doubled, from roughly 19,000 in 1985 to more than 28,000 violent crimes by 1995.

Ask yourself why. Why do we have this surge in violent crime? Why do we have this dramatic surge in juvenile drug use? Let me recite the record of the Clinton administration.

First, upon taking office, President Clinton gutted 80 percent of the staff of the Office of National Drug Control Policy. He took the staff from 146 at the level when he acquired office to 25, an 80 percent reduction.

One of the first announced goals of Attorney General Janet Reno was to reduce the mandatory minimum sentence for drug trafficking and related Federal crimes.

The Clinton administration national security policy subsequently passed and the President signed a new directive ordering a massive reduction in Defense Department support for interdiction efforts.

And, as we all recall, President Clinton's Surgeon General called repeatedly for serious consideration of drug legalization.

We have a problem in this Nation. It is a serious one. It is one where we have abandoned the war on drugs. My friend the gentleman from Kansas pointed out early on that the President was AWOL in this fight. I think he indeed is AWOL in this fight.

Almost a year ago, former First Lady Nancy Reagan came before our subcommittee and asked a very telling question. How could it be that we had gone from winning and making serious progress in the war to stop, at least to stop the ever increasing use of drugs by more and more of our children and the use of dangerous drugs? How could it be that we had in a span of just 3 years dropped so dramatically from significant success in that area to significant failure?

Chairman ZELIFF'S subcommittee in the writing of this report held 5 oversight hearings during 1995 to assess the status of the Nation's drug control strategy. While I will not belabor each of the points, some are worth making note of.

First of all on March 9, 1995, Bill Bennett, a respected scholar in this area, a respected leader in this Nation, and the former drug czar and former Office of National Drug Control Policy Chief of Staff John Walters both testified, and I quote, if the drug use trends continue, by 1996 the Clinton administration will have presided over the greatest increase in drug use in modern American history.

What has that led to? Let me cite just some of the sad statistics. I note that the President today has convened a conference to address this issue. I applaud him for that effort but I am concerned that it is only an election year effort.

Casual drug use in America is dramatically up in virtually every age group and for every illicit drug, including heroin, crack cocaine, hydrochloride, LSD, non-LSD hallucinogens, methamphetamines, inhalants, stimulants and marijuana.

Ask yourself why. For one reason, the nationwide street price for most illicit drugs is lower than at any time in recent history. It is because this administration reduced its efforts to interdict the flow of drugs into this country. It has also dramatically reduced its efforts to cut off source production.

The potency of the drugs, the same drugs, particularly heroin and crack, is higher according to the nationwide survey than any time in recent history and nationwide drug-related emergency room admissions are also at an all-time high.

It is a situation which has gone unnoticed by the press and which must not go unaddressed by our Nation. We are at risk of losing a generation of Americans and we must do something about it.

I could cite a great deal of statistics. I am sure the gentleman has them of his own. For example, the nationwide Pride survey of 200,000 students showed that 1 in 3 American high school seniors now smokes marijuana. There has been a 36-percent increase in cocaine use among students in grades 9 through 12 just since 1991 and 1992. Hallucinogen use by high school students has risen by 75 percent since the 1988–1989 reporting period. Cocaine-related episodes in 1994 reached their all-time high in U.S. history, a 15-percent increase from 1993 and a 40-percent increase from 1988.

These statistics cannot be ignored. It is time that the President address this issue. it is critical that the Nation do something about this. I think the statement of the gentleman from Kansas that the President has been AWOL, absent without leave, on this issue are exactly right. It is time that he did appoint a tough drug czar, it is time that we went back to working interdiction, it is time that we went back to examining the transit zone, it is time that we made a serious effort to go at source production in the source-producing countries. We know those countries. We had effective efforts before them to begin with.

But more than any of that, it is time for this President to lead nationally, to set an example. He has to take the bully pulpit and talk about this scourge or he will be responsible for the loss of a generation of Americans to illegal drugs and their corrupting influence.

Mr. TIAHRT. I could not agree more with the gentleman from Arizona.

We have fundamentally three problems in the United States today:

One is economic and that is where we are struggling to balance the budget. If nothing else we would create more jobs, and I think that is very important for people who are trying to rise out of poverty and get out of the situation where drug abuse is so prevalent.

The second major problem is kind of our social structure, how we deal with people truly in need. Our welfare system needs to have the work ethic put back into it. Many people are trapped into a system that is hopeless. They cannot see a way of dealing with it. And so they resort to drugs to escape temporarily.

One thing that we could do in our legislative process is get the work ethic back into the welfare system so that people can have hope. We have heard so much about self-esteem. But we cannot have self-esteem without accomplishment, and we cannot have accomplishment without work. It is so important that we get our work ethic back into our system.

We also have got to provide opportunities for people as they rise out of poverty. That is why this Congress has supported increasing college loans. It is very important for the future of this country. But we must also, in order to effectively progress in education, eliminate the deadwood, like programs of Goals 2000, which has been largely ineffective. We spend hundreds of millions of dollars in the bureaucracy here inside the Beltway and do not educate one child. it is wasted money. That money would be more effectively spent by States directly in the classroom.

But we also must look at our criminal justice system and how we deal with those who by their very violent acts and by their total excessive abuse and by pushing drugs on minors and young people, that we deal with them quickly and harshly.

We must enforce the hot stove principle. When someone puts their hand on a hot stove, it does not take long to figure out that that is not the type of action that we want to follow up on or do again. So should our crime system be. That when someone commits an act that is not acceptable to our society, like pushing drugs to minors, like violent acts of criminals, then they should have quick and just punishment and not let it linger on. That is the second major problem and it is part of the social structure that we can deal with in some part through legislation.

But the third problem in our society is a crisis of the soul, a problem of the heart. This is a problem, and this is not going to go away by spending more money on social programs. This country has spent since the 1960s $5 trillion on our social programs. Yet every social indicator that we have, drug abuse, violence, divorce, domestic violence, child abuse, is all getting worse. We have spent a tremendous amount of money.

In order to make $1 trillion, one would have to make about $1 million dollars a day for 2,000 years just to get $1 trillion. It is a tremendous amount of money. People do not realize how much money that is. But yet we have spent it trying to increase the lot for people who are truly in need and it has been wasted. We must change the system.

But in dealing with the crisis of the soul, the money is not going to be solving the problem. Instead, we are going to have to each take ownership of the problem and it is going to have to start with individual responsibility, inside our home.

If we want a better family, we must be better spouses, better parents, spend more time with our children. If we want to have a better church, it is important that we be involved in the church, through attendance and through helping with classes like Sunday School. If we want a better neighborhood or a better community, we have to be a better neighbor. It is this type of ownership that is going to change the problem.

There is a gentleman who owns a machine shop in Wellington, KS, just north of Wellington, KS. In about the mid 1960s, he grew tired of driving back and forth to Wichita, KS, where he had a job as a machinist at Boeing Company and he started his own machine shop. He had 4 employees to start with. Now he is up to 200 employees.

Last August I was in his brand new building which sits across the street from his original facility. In that building he has a machine that is 30 feet wide and 200 feet long. It sits on 21 tons of concrete. The surface which is stainless steel is totally flat. You can drop a marble or a ball bearing on it anywhere on that surface and it will not roll. It is a 3-spindle 5-axis machine, and it cost $7 million for him to procure the machine and get it placed in this building.

As I looked at this machine, having come out of the aerospace industry, I asked him what parts was he going to manufacture on this machine. Bill Meredith is his name.

He said, ''You know, I don't know at this point. I'm looking at several different things.''

I was astounded. I thought, how is it that this man is successful when he does not even know what parts he is going to be running across this machine which costs $7 million?

So I asked him, ''Bill, why is it you're so successful? Is it because you're willing to take the risk, to borrow $7 million and employ additional people? Or is it because you're on the leading edge of technology?''

Bill said, ''It's really neither of that. It's not because I have borrowed the money or because I'm willing to take the risk. The reason I'm successful is because I have good people working for me.''

I thought, that is probably the solution to our problems. We need to get good people involved in the process, to take ownership in the problems that we have in this country.

In a book written by Marvin Olasky, who is a history professor at the University of Texas, called the Tragedy of American Compassion, he talks historically how we dealt with people who were truly in need over the years and how we used to require something from the people as they received benefits. The men would chop wood in the time when wood was used as a source of energy and women would sew or take care of other children and they learned to read and they got involved back in the system and it helped them rise out of their temporary position of poverty into successfully participating in society.

What we have now too often is a situation where people have relied on the Government to provide for those truly in need. We pay taxes. It is the Government's problem. We have lost that ownership in solving the problems. Mostly it was charitable organizations that dealt with people who were truly in need. Now we have moved it to the Government and it has not worked effectively.

In order for us to make that transition back to successfully moving people out of temporarily being poor as opposed to being caught in the welfare cycle, second and third generation being caught, get them involved in moving into a productive time, Marvin Olasky advocates each of us being involved, good people being involved.

I think that that is what this country is going to have to do. We cannot rely on the Federal Government to solve our problems. We have a 30-year history after spending $5 trillion proving that the system does not work. It is broke, it is anti-family, it is anti-work, it is anti-property accumulation. It teaches the wrong example for a system of free enterprise. Each of us must answer the call and take ownership in the problem. If we do, I think that we will have a much better country.

□ 2015

DEBT, DEFICITS, AND BALANCED BUDGETS: THE TRUE DEBT

The SPEAKER pro tempore (Mrs. WALDHOLTZ). The gentleman from California [Mr. HORN] is recognized for 60 minutes.

Mr. HORN. Madam Speaker, today I want to continue the discussion of the debt, deficits, and balanced budgets. This is a true debt speech. Some of the debt you hear about is only part of the debt. We are going to get into the unfunded liabilities again and what is really out there for ourselves, our children, and our grandchildren.

''Blessed are the young, for they shall inherit the national debt,'' said President Herbert Hoover in a statement made in jest over six decades ago. Today the young, the old, and those of us in between have a significantly lower standard of living than we should have.

Why is that? Federal deficits and unfunded promises have eaten away at the investment capital, the seed capital, if you will, that America needs to grow.

In the first chart here, we look at family income with and without deficits between 1980 and 1996.

If Congress and the President for the last 26 years had run the country as most of us have run our family finances—matching what we earn to what we spend—an average family would have had at least $5,000 more to spend each year; that is, roughly $100 per week. Or they could also have paid a lower rate of interest on their home and their car. With 2 percent savings in interest, a $100,000 mortgage payment on a house would be $2,000 less each year, or nearly $200 per month, and greatly improved family job opportunities would have resulted from that.

The Federal Government deficits as well as unfunded promises, including the loan and credit guarantee losses experienced by the Federal Housing Administration, education loans, farm ownership, rural development loans and guarantees, insurance programs, including deposit insurance, the Pension Benefit Guaranty Corporation, the Federal Emergency Management Agency and its flood insurance, and potential losses from the government-sponsored enterprises have contributed to reducing our standard of living even though a lot of good is done by all of these programs.

The intent of many Federal promises is good, but the overall result has been that Uncle Sam has made over $50 trillion, that is a ''t'' for trillion, in promises that we might not be able to afford, including a $4.9 trillion national debt, which is what we are grappling with this month, plus farm subsidy payments, inadequately funded civil service and military retirement, Medicare, Medicaid, an ever-widening variety of programs and other unfunded entitlements.

New Federal promises have often produced costs adding to the debt and potential liabilities, and those costs have risen beyond their authors' wildest dreams.

During the next several minutes I will explore the issues surrounding Federal debt, including the yearly Federal budget deficits, unfunded Federal promises, which together create the yearly deficits, and Uncle Sam's potential bankruptcy.

Let us look a little bit at history. Ancient Athens, the world's first democracy, it prospered during the sixth century before Christ. Athenians had no notion of deficit budgeting or of a national debt. In brief, budgets had to be balanced. If expenditure exceeded income, then either revenue had to be increased or spending reduced.

''Prudent provision might build up reserves against rainy days,'' said Professor David Stockton, in his book ''The Classical Athenian Democracy,'' that was published by the Oxford University Press in 1990.

Athens eventually fell to Sparta, but it was not because of any debt. Even though there was no notion of deficit budgeting or of a national debt in part of the ancient world, Rome briefly resorted to forced loans to the state during the Punic Wars. Coins, worth their content in precious metal, were the currency of ancient Rome and Greece. Printing of currency to finance governmental activities would be centuries away.

In the modern era, government debt has achieved its full potential. As the economists noted, ever since King Edward III of England defaulted on his debt to the Italian bankers in 1335, international investors have fretted about the high levels of government indebtedness.

A recurring theme throughout the history of the United States is that the Federal debt should be avoided. Thomas Jefferson, Andrew Jackson, the populists, Dwight Eisenhower, Ross Perot, and numerous others have decried excess Government spending.

For instance, President Dwight D. Eisenhower, in his 1955 budget message, noted that ''one of the first problems of this Administration was to bring the budget under control.'' Jefferson, our third President, warned that the ''public debt is the greatest of dangers to be feared,'' and that ''debt and taxes were public evils of the first magnitude. They drained capital away * * * diverted it from productive enterprise, and supported a system of coercion, corruption and privilege that was the bane of every government and necessarily fatal to a free one.''

Andrew Jackson believed that the national debt diverted funds from productive private uses into the unproductive ones of providing Government services, and taking from the poor to the rich. During the Jackson administration in 1835 and 1836, the Federal debt was actually paid off.

President Martin Van Buren, Jackson's successor, found that the creation in time of peace and a debt likely to become permanent is an evil for which there is no equal.

Even Franklin Delano Roosevelt, who led us out of the Depression of the 1930's, warned us about peacetime debt. Said Roosevelt, ''Let us have the courage to stop borrowing to meet continuing deficits. * * * Any government, like any family, can for a year spend a little more than it earns. But you and I know that a continuation of that habit means the poor house.''

Our effort in this Congress is to stop big Federal deficits, and that effort has been supported for years and during most of his Presidency, by Ronald Reagan. He warned in his 1981 inaugural address that ''You and I, as individuals, can, by borrowing, live beyond our means, but only for a limited period of time. Why then do we think that collectively, as a Nation, we are not bound by that same limitation? For decades, we have piled deficit upon deficit, mortgaging our future and our children's future for the temporary convenience of the present. To continue this long trend is to guarantee tremendous social, political and economic upheavals.''

What is past is prologue is chiseled on the front of the National Archives, located between Constitution and Pennsylvania Avenues in Washington. Ignoring our forefathers' warnings about debt and deficits is done at our own peril. What is past is prologue is a good guide. I recall one taxi driver who had an elderly lady he was touring around to see the sights of Washington. When she wondered what was meant by what is past is prologue, the driver translated it. He said, ''Lady, it means you ain't seen nothing yet.'' And that seems to be the situation we are in. How right that taxi driver was.

The much complained about national debt under Franklin Roosevelt is minimal compared to the deficits run up based on 40 straight years of control of the House of Representatives by the Democratic majority. Balancing the budget, reducing debt and ending government deficits are part and parcel of the same economic theme. This theme has been played out within Congress and the White House every year regardless of party.

In the 208 years since the adoption of the Constitution, the Federal Government has balanced the budget 105 times, a slight majority. Unfortunately, in this century, the budget has only been balanced 27 times out of 96, and the last balanced budget was in 1969.

Large budget deficits in the 1980's, and the 1990's have resulted in a soaring national debt. The debt will continue to rise precipitously even with the balanced budget initiatives recently enacted by Congress despite the veto of the Balanced Budget Act initiative by President Clinton.

No matter how much of a spender the President is, he can not expend funds if we do not appropriate them. That is the difference between the Democratic and a Republican Congress.

Federal debt, despite our efforts, will approach $6.7 trillion by the year 2002 when, if we reach final agreement with the President, we will have a budget with no annual deficit, and that equivalency of going from the $5 trillion national debt now to the $1.7 trillion more to reach $6.7 trillion by the year 2002 will cost over $25,000 for every man, woman and child in the United States.

The Federal debt will continue to grow even after the budget is balanced in the year 2002, with the elimination of the annual deficit.

And why is that? Because through accounting manipulation only part of the debt increases are recorded in either the President's recommendations, in his submitted budget, and the budget as finally approved by the Congress. Interest on Government trust funds, for example, is not included in the current budgets. That amounts to nearly $100 billion a year paid to the trust fund because the trust funds have been borrowed by Presidents, both Republican and Democratic, to give the illusion of reducing the annual deficit. Thus, the President's budget recommendation and the congressional budget hide the Federal trust fund yearly increase, and between 1991 and the year 2000, this will amount to over $1 trillion addition to our national debt.

In 2002, after the so-called balanced no-deficit budget has been achieved, assuming the President signs off on it in the next few months, budgetary surpluses using the current checkbook budgeting mechanism will have to exceed $100 billion each year to end the increases in the national debt.

Current debt management procedures are akin to a homeowner not recognizing the interest expenses on the home mortgage. After 30 years, the heirs will discover that accumulated interest expenses exceed by many times the home's purchase price.

If we are going to continue our imprudent policies, then your grandchildren will have to pay for them. Imagine, your grandchild in the year 2050, which might seem a long way away for many, but it is right around the corner once you hit your 20's and the world goes faster and faster; let us say the grandchild in 2050 is ready to retire, and instead he is told, ''Your grandfather and others left this debt for you to pay. You cannot retire now. In fact, you own over $200,000 in interest and other liabilities.''

Since 1970, the massive runup of the Federal debt has had no precedent in peacetime America. Major increases in Federal debt occurred during the Revolutionary War, during the War of 1812, during the Civil War, and certainly during the First World War and the Second World War, and of course the cold war which followed.

As the Constitution took effect in 1788, the debt had risen to $73 million for the cost of fighting the American Revolution. Just before the War of 1812, the debt had actually decreased to $45 million. Deficits during that war resulted in the debt increasing to $127 million by 1815. In 1835, a Federal debt was paid off with a surplus, and with a surplus, an extensive debate occurred as to how that surplus might be returned to the people and to the States.

□ 2030

The Civil War saw the end of that talk. The debt increased from $65 million in 1860 to over $2.7 billion by 1866 to fight the bloodiest war in our history.

The debt declined to $1.2 billion just before the First World War. In only 2 years during that war—America's first real entry into an international conflict—the Federal debt rose by almost a factor of 10, to $25.5 billion.

Between 1932 and 1940, during the presidency of Franklin Roosevelt, the Federal Government ran annual deficits between $2 billion and $4.3 billion. With the start of the Second World War, deficits increased dramatically to approximately $50 billion per year between 1943 and 1945 as the war grew to a peak in the production of armaments. By 1946, the national debt had reached $270 billion.

In the 1950's, the budget was balanced three times, and in the 1960's, it was in balance only once. Our budget has not been in balance, as I mentioned earlier, since 1969, the last year of the Johnson administration, the first year of the Nixon administration. Large deficits were run up in 1959 at the end of the Eisenhower period, almost $13 billion. In 1968, the end of the Johnson period, we had $25 billion.

During the 1970's, the early 1980's, large deficits in the $20 billion to $80 billion range were experienced annually. From 1982 to today, deficits have averaged over $200 billion per year.

Now the bad news. The yearly deficits as reported in the recommended presidential and ultimately enacted in the congressional budgets are only a part of the story. The total debt increase each year nears $400 billion, when you include the interest paid on those Federal trust funds which I mentioned earlier. That is a cost per family of almost $4,000 per year.

Our national debt is a Federal liability or a promise to pay to the people that hold the bonds that are needed to be issued to manage that debt. It is the link between Federal liabilities and budget spending and revenues. Other Federal promises or liabilities often reflect Government spending decisions, but the debt is the single-most important link between governmental decisions to spend and governmental reluctance to collect needed revenues, taxes, to cover the expenditures.

The arithmetic of Federal deficits is very simple. Regretfully, it is an easily understood subtraction. Each year since 1969, the last year the budget was balanced, the Federal Government has spent more than it has received in revenues. Thus, yearly revenues minus spending equals a surplus, or, if spending has exceeded revenues, a deficit. The excess spending has obviously resulted in an annual deficit. So we have the yearly deficit plus last year's debt, plus the interest on the trust funds, equal what is really the national debt of the United States.

Congress in its budget resolution projects that the debt will reach approximately $6.7 trillion by the end of fiscal year 2002. At that rate, interest will consume over 20 percent of the Federal budget by 2002, up from 3 percent in 1955.

As I recall, the first time we had a $100-billion, operational budget was 1965, the height of the Vietnam War during the Johnson administration, the beginning of the domestic Great Society. Now, that $100 billion ran the whole government and ran a war abroad that was a very difficult war. And yet that is what we willy-nilly provide as interest on the debt. Essentially what we pay for interest today is 2 Johnson administration years at their height. That is our cost to manage the national debt of today.

The debt has increased 600 percent since 1980. It will go up another $1.7 trillion between 1996 and the year 2002. Since the founding of the Republic, few issues have received the continuing attention that the annual Federal deficit and increasing national debt have attracted. Until this century, Federal deficits have been scrupulously avoided in peacetime. It has only been since the 1930's that Federal deficits have become commonplace.

Some blame the English economist John Maynard Keynes. Keynes stressed that in order to revive a depressed economy government should spend more than it received in revenue in time of unemployment. When the economy was prospering, however, the debt added to regain prosperity would be reduced by increased taxation during that now new prosperity.

President Franklin Roosevelt understood very well the first part of the Keynes theory of unemployment, the spending part, that would reduce unemployment. But he failed to adhere to the second part—the recoupment part—of recouping what you spend to get the economy moving again in better time.

When the economy was booming and there was full employment stimulated by the Second World War, Government should have financed our armaments through increased taxation on individuals and corporations. Instead, the Government took the easy way out; it issued Government bonds. Those are the bonds on which we pay interest and which we use to manage the national debt.

Most legislators obviously do not want to raise taxes. That is not a popular thing to do. So your only other choice is to cut spending. Most Presidents do not want to recommend new taxes. So both the Congress and the President, since the Great Depression of 1929, have to accept blame for the

current $5 trillion national debt. But mostly the Congress over the last 40 years has to accept it because, very frankly, the President cannot spend a dime unless Congress appropriates it or by back-door spending authorizes a blank check which the President can use any time of night or day.

Federal deficits and debt run counter to American thriftiness. The ''penny saved is a penny earned'' ethic is a vital part of our American heritage. Most of the children's stories of the 19th century stressed that work ethic, that ethic of a penny saved is a penny earned. We all know the children's story about the wise ant who prepared for winter by storing up on food and doing one's duty to one's family, and the grasshopper that blithely played and played and did not work and simply did not save a thing. Of course, the grasshopper had problems. The grasshopper froze during winter. If the grasshopper did not starve to death, perhaps the ant was charitable enough to provide food through the bad times of the storms.

Thrift has guided our day-to-day living for many generations. Today Americans are demanding that the Federal Government practice thrift as we practice it in our families, in our businesses, in our schools, in our religious institutions. It is clear to most Americans that we must stop spending more than we take in. We must reduce taxes, and we must keep Federal programs that work and get rid of those that do not work.

When will we see Federal budget makers practicing good old American thrift? Not until Congress and the President have the will to cut more spending, reduce taxes, and, thus, balance the Federal budget.

This Congress has the will. A majority of us have the will. It remains to be seen if the President has the will.

There is both good and bad news about America's debt and deficits. The good news is that this Republican Congress has turned away from deficit spending. By our votes in committee and in the full House of Representatives, we have cut spending and reallocated funds among programs. We have eliminated programs.

The President claims he wants to cut spending, but he has vetoed several appropriations bills that did cut spending. Republicans, through our continuing resolutions, CR's, as they are called, have continued on the path to a balanced budget by the year 2002 or sooner.

We have done that without passing a balanced budget amendment to the Constitution. We passed it in this House. We had the two-thirds vote. We had a number of Democrats join us on that. We could not pass it in the Senate by one vote because about eight members of the Democratic Party who promised their constituents they would vote for that constitutional amendment did not vote for the balanced budget amendment.

The Congressional budget for the fiscal year 1996 requires that the Federal budget be balanced in 7 years. In his preliminary year fiscal year 1997 budget, President Clinton has jettisoned budget deficits of $200 billion for a budget surplus by 2002.

The bad news is that waiting until 2002 to end the deficits by balancing the budget will add $1.7 trillion to the national debt. That will ensure, at a 5-percent interest rate, $85 billion in additional yearly interest payments. In order to manage the national debt, which is steadily rising from $5 trillion to nearly $7 trillion over the next few years, we must engage in hard choices and we must set priorities. We cannot do all the things we have been doing. It is simply not prudent.

The test of our political system will be whether it will jettison the debt and the deficit strategy of the past 50 years and adopt an economic growth strategy that will ensure our children and our grandchildren's economic future.

Why is it better to balance the budget sooner rather than later? The sooner the rise in the debt is stopped, the better is the chance that America will enjoy healthy economic and social growth. Family incomes would increase by many thousands of dollars if the budget is balanced sooner rather than later.

Our Nation's economic health is at stake. Our Federal Government's health and the economy will depend on how well we manage our debt and the potential liabilities and promises, such as those in welfare, Medicare, Medicaid, and Social Security, among others.

The members of the Social Security System deserve better than they have received. They deserve a better investment strategy than has been used for the last few decades.

Growing Federal debt is like a fever. The higher it gets, the sicker the patient.

Let us take a look at a chart that reflects the economic fever of a number of countries. In Europe, an economically healthy government is defined as having a government's debt to the gross domestic product—some of us grew up calling that the gross national product—ratio of no more than 30 percent of debt to GDP. The national debt of the United States to gross national product ratio is 70. Belgium and Italy have the highest debt to GDP ratio in Europe, namely 142 and 125. They have a very bad fever.

As the fever debt to GDP ratio goes up, a nation's output goes down. Economists estimate that doubling the current fever level of the United States would reduce our country's input by 6 to 12 percent. But, more important, as the fever rises, investor confidence falls. There is a limit to how much debt investors are willing to hold in Federal bills, notes and bonds. As the debt goes up, the risk of default goes up.

At some point, domestic and foreign purchasers of our debt will begin liquidating their holdings. Disaster could strike with interest rates skyrocketing and the stock market falling in a panic. That will not be the first time or the last.

The economic psychology could mean depressed investment, reduced output, declining family wages, with parallel reductions in household spending.

In addition, the exchange rate declines as investors sell dollars. Widespread bankruptcies would occur. Even a Government default could be possible.

With all this, we would be in the middle of a financial and economic disaster.

Looking around the world, those nations—a few of them called the little and big tigers, as you know—that are economically the healthiest, have very low economic fevers. Let us name a few: Singapore, Chile in Latin America, the Republic of China on Taiwan, Korea, Hong Kong, Thailand, Indonesia, Malaysia. They all have low debt to gross domestic product ratios.

□ 2045

And guess what, these are the countries that over the last quarter of a century have had deficits which were less than half of those in other countries. The net result of budget surpluses is a stable well-valued currency, interest rate stability, and single digit inflation.

Let us look at the weaker dollar and what that means for this country.

Over the last few decades the dollar has crashed against the German mark and the Japanese yen, as foreign exchange traders around the world, continue to show their concern about governments with large debts including Mexico, Italy, France, and even Orange County, CA. The foreign exchange traders are shifting their anxiety to the United States as a whole.

We are being taken to the woodshed by the world's foreign exchange managers for excessive debt and excessive promises. Historically this is surprising. As noted earlier, throughout most of America's history our political leaders have clearly opposed an increase in peacetime debt.

Economists for the most part agree that Federal borrowing, over the last 25 years, has led to higher interest rates. Higher interest rates cost consumers dollars, dollars that they could have used to advance the good of themselves, their families, to provide for education and to provide for better housing whatever. For instance, a 1-percent increase in interest rates costs a family obviously $1,000 each year for every $100,000 in mortgage payments.

If the Federal Government had balanced the budget each year since 1980, the debt would be one-fifth of what it is today, or $1 trillion, not the $5 trillion that faces us during this month as we seek to raise the debt ceiling to manage that debt. That level of debt would have left trillions of dollars available for productive private sector investment. Balanced budgets would have

meant more business investment, thus more jobs and more personal savings. The result would have been more revenue for Government since the economy would have been in good health and productive, and Government could have pursued relevant taxes on that economy, and the fever would be very low.

Americans have over $12 trillion in corporate and individual debt outstanding. Just a 2-percent reduction in interest rates means a savings of roughly $240 billion or nearly $2,600 on average, for every American family. Alan Greenspan, Chairman of the Federal Reserve, has told congressional committees that a balanced budget—or assurance that we are on a glide path to a no deficit budget which would be credible—would mean if done by 2002, a drop of 2 points in interest for the citizen. If you had an 8 percent mortgage, it would be a 6 percent mortgage. If you had a 10 percent interest on your consumer debt, it would become an 8 percent interest rate. If you had a student loan, you would save money and so on. Federal deficits mean lower investment, consumption, and savings.

Personal savings are vital for citizens' retirement, for home purchases, for education, for health care expenses, as well as for the Nation's economic growth and development. Excessive Federal debt is cheating our citizens, it is cheating our children and our grandchildren out of a higher living standard by providing them with less money to save, less money to consume, less money to invest.

Today, a rising Federal deficit has cheated the average citizen out of the opportunity to save, to consume, or to invest thousands of dollars since 1969. It is much more desirable for the average family to be able to choose among alternative goods, or to choose to save or not to save as they might desire. Business investment has suffered the same consequences—less money to save has led to less money for business investment. What does this mean? It means fewer jobs and lower profits.

Now let us talk about hot money.

The Federal debt and the unfunded promises are mostly hot money. As noted above, hot money are the dollars stolen from future generations. It is the benefits that Members of Congress and the President have often agreed upon in order to assure their reelection.

This hot money expended over 25 years has significantly lowered each American family's standard of living. Hot money not only breeds intergenerational inequity, it also is simply reckless money in that it encourages those types of political programs and political payoffs. It is unjust by cheating taxpayers with higher interest rates, and it has immoral consequences in that it cheats the poor and the middle class out of jobs.

Let us talk about the lower standard of living that results. According to Martin Feldstein, the President of the National Bureau of Economic Research, the costs of the last 16 years of deficits to an average American family has been a loss of $500 per month. With this $500 loss each month, you family could have bought a nice car, could have bought a house perhaps worth $50,000 more than the one you live in, could have paid for your children's college education, could have paid a lot of hospital bills.

For each of the last 26 years of Federal deficits, which has led to a weaker dollar, which has led to higher interest rates, it has led to lower investment and lower savings. The result is a lower standard of living for the average American family.

Trade deficits and the Federal debt are increasing. Federal debt and international trade deficits are the two major constraints limiting private investment. Thus, economic prosperity is closely tied to the Federal debt. Government surpluses are a key factor in increasing prosperity and raising the standard of living.

When does Government debt become excessive? Well, debt by itself is only a partial measure of whether Government fiscal policy is sustainable.

After the Second World War the United States and Great Britain had debt to gross domestic product ratios of 114 and 260 percent respectively. Winning the Second World War was absolutely crucial for democracy. By 1974, the United States had an economic fever, a debt to GDP ratio, reduced to roughly 34 percent for the gross Federal debt and 25 percent for the publicly held debt. What really counts is keeping the peacetime debt, the economic fever, very low. A high debt growth rate, a rising fever, foreshadows fiscal difficulty.

Today, besides the United States, Sweden, Italy, and Canada, several other so-called developed countries have rapidly growing national debts. Italy has one of the world's largest debts. Financial markets have penalized Italy for its growing debt by demanding a 5 percent premium on Government bonds, and this is just the beginning. The economic penalties for large debts can include insolvency, hyper inflation, illiquidity, depression, broken promises to pensioners and tax rate increases, and, needless to say, when you sum it up, it is a greatly reduced standard of living for all concerned.

When I talk to my constituents back home in the Long Beach to Downey area about the Federal budget, they often wonder why we here in Congress cannot balance the Federal budget this year. They reason that their family, their business and their State and local government with which they are familiar in a similar position would be able to balance the budget in a year or maybe two at the longest.

Let us look at the Federal deficit as an average American family might look at it if it was their deficit. If the Federal Government were an average American family, it would be earning $40,000 a year and spending $44,000, running a 10 percent of $4,000 yearly deficit. Cutting back spending by $4,000 or $350 per month could be accomplished with some minimal financial pain by most families.

For instance, a family might decide to vacation at a local beach instead of at Disneyland or family members may decide to reduce their premium cable channels and their lottery ticket purchases. A new car purchase might be delayed for a year.

The point here is that a 10-percent cutback in spending is not inconsequential, but it would have only a short-term impact on lifestyle. If it were the average family, the Federal Government would run about a 10-percent deficit of this year's congressional budget resolution.

This same budget resolution balanced the budget over 7 years. This seems like a long time to me and many others and certainly to most of my constituents. The Federal dollar chain, as you look at it, and it gets a little complicated, it has several links which, as in many chains, are interrelated. The Federal dollar chain is 75 years long. It begins with today's taxes paid by each citizen; that is the purple part of the chart, and ends with social security promises to the 18 year old just entering today's work force. That 18 year old will probably live to be a 93 year old. These links also relate to what the Government owns. Those are the assets, the Federal revenues, income received by the Federal Government and over 1,300 Federal spending programs and accounts. Like all chains it is only as strong as its weakest link.

The Federal dollar chain links are very critical to each other. Weak links limit the capability of the Federal Government to meet the needs, pay for the promises and perform at peak efficiency. At the top of the Federal dollar chain is the U.S. net worth, the black link. Attached to this link are assets in green and promises liabilities in red and the last promise in red, the link, is to the national debt.

The debt, as I noted earlier, is the result of very simple arithmetic. Revenues in purple minus spending in yellow. Revenues in purple and spending in yellow are what we often focus on here in Congress. Today the link between net worth, national assets and promises or fiscal liabilities to spending and revenues is critical in our examination of what is the true national debt. Our true national debt, the sum of all Federal promises, including our yearly deficits, is overwhelming us. It is time that Government starts using a balance sheet to track its long-term promises. These promises must be matched with assets. Government's ability to pay for promises can be predicted by how they match up with various Government assets.

Now most of these assets you obviously cannot sell and you do not want to sell. We do not want to sell any national parks or anything like that. But

we have to take a very careful look at public land and other aspects and see if it is not of recreational cultural historical heritage value, could there be some investment there that helps us reduce the debt. It might be minimal, but it is more than we are doing now.

Today the Federal Government's elected Representatives and the President focus almost exclusively on this year's income, the revenues from the taxes, and its expenses, the outlays. Little consideration is given to long-term promises and how they will be paid. Promises have been made to fund entitlements; that is, mandatory spending such as Social Security, Government workers' retirement benefits, veterans' pensions, black lung programs, Federal workers' compensation, and welfare and unemployment benefits. Over a 25-year period these promises are estimated to total nearly $25 trillion according to a study completed by citizens for budget reform drawing on data from the Department of the Treasury's financial management service and other Federal and credible private sources. These entitlement programs are nearly 49 percent of the Federal Government's long-term liability. What about the other 51 percent?

Other promises include Federal insurance, deposit insurance for banks, flood insurance administered by FEMA, the Federal Pension Benefit Guarantee Corporation. That amounts to about $5 trillion; those and similar comparable entities total 11 percent. Health includes Medicare which is roughly $10 trillion in financial liabilities. That totals 19 percent. Government-sponsored enterprises such as Fannie Mae, Fannie Mac, all the Federal home loan banks total $1 trillion or 2 percent. Loans and guarantees in general amount to another trillion dollars or 2 percent.

□ 2100

The national debt is the direct link between the long-term promises, the liabilities, and income and expenses. Every year since 1969, the last year we had a balanced budget, Federal expenses have exceeded Federal income, the revenues.

Fiscal discipline, balancing budgets, reducing promises, are key features for restoring our Nation's economic health and assuring our Nation's future prosperity. Typically, Government budget deficits reduce savings. Lower individual and corporate savings are a prelude to less investments and falling exports. Investment falls because reduced savings and the limits of them limits the amount of loanable funds, pushing the interest rates up. Exports are reduced because rising interest rates cause the dollar to rise in value. In the end, trade deficits lead to money being taken out of the United States.

Over the long haul, the Nation's capital stock declines with lower investment. The net result here is less productive capacity, and the Nation's output declines. As investment and capital are crowded out, productivity grows slower and slower, and real wages decline more and more. The bottom line is very simple: The people earn less. A most disturbing trend occurs as assets are reclaimed by foreigners.

Each of us has less and is left with less as foreigners earn our interest, collect our rents, earn our profits. Balancing the Federal budget must be combined with policies that simplify and reduce both individual and corporate taxes, establish adequate currency reserves, provide for an open economy, allow imports and foreign competition, strongly support American exports, provide domestic economic stability, and reform Federal insurance programs, the retirement security system, and the various health systems.

When the Federal Government makes a promise, it should be kept. Promises made, promises kept. We have heard a lot of people make promises. They have not kept them. Many of us have tried to keep them, and have kept them.

Through our oversight program in Congress, we must review every single program for not only its economy and its efficiency, but we also must assure that our customer, you, we, the taxpayers, secure what was promised. This is a very tall order. It is clear that for the United States to remain the world's major economic, military, and political leader, it must lead with fiscal policies that provide for a balanced budget. It must adopt policies that encourage economic growth and opportunity for all of our citizens. The Federal Government should not spend more than the sum of what it has, and what it can raise from future generations.

The benefits of deficit reduction are in the long-term. The currency of the United States is strengthened. Domestic interest rates are reduced. Federal bond rates decrease. The standard of living for all American families will rise. Savings increase. Investment increases. Foreign trade deficits over the long-term decrease. More and better jobs are created.

What must really be done to ensure that these benefits result from a prudent fiscal policy approved by Congress, and hopefully by the President? We need to balance the budget as soon as possible. If it is 2002, fine.

Some of think we should have balance the budget faster. We need to reduce the Federal interest payments as a percentage of the gross domestic product. We need to decrease Federal spending, keeping high priority programs, getting rid of low priority programs. In this, the average citizen, the consumer of Government services, the taxpayer, ought to be involved in telling us which programs are working satisfactorily and which ones are not working satisfactorily.

We need to give tax reductions as the budget surplus kicks in. We need to match long-term promises to what the Federal revenues will be. Balanced budgets, reduced debt, should be sought with the following outcomes in mind. These outcomes should include increased levels of personal consumption, higher savings rates, reduced Federal Government spending as a percent of gross domestic product; in brief, more money in the pockets of the average American citizen, the American middle class, the working people of this country.

We need to greatly reduce unemployment rates, with a special emphasis on young and minority populations. That is the proper investment policy, where the individual citizen can invest, where corporations, business—small and large—can invest. It is investment which stimulates the economy. We will hire more people. The result will be productive economy.

I was tremendously impressed in listening to Governor Engler of Michigan delivered his State of the State address. He said that if every Michigan business hired one more individual, then the unemployment roll in the State of Michigan would be eliminated. That is probably also true for the State of California. But first we must have incentives to encourage entrepreneurship.

Significant increases in economic growth throughout the Nation and throughout urban and rural America are absolutely essential. That will be one of the results of a prudent fiscal policy that balances the budget. We will also have poverty reduction with an emphasis on children—especially in the preventive health—when we balance the budget and provide economic opportunity.

We will be more cost-effective, we will have higher quality health care, education, and housing. There will be a greatly increased growth in economic productivity. After these various accomplishments, and trimming the national debt, President Hoover could change his paragraph from jest to truth and say. ''Blessed are the young, for they shall inherit prosperity.'' That should be the new goal. No longer would the young inherit the national debt; that goal must be not only the guide for those of us in positions of responsibility and trust, but also the goal for all Americans.

Deficit and debt reduction are a central part of insuring economic growth and individual and family prosperity. We are on the road to ending Federal deficits and paying down the debt. We must maintain the course. Our future and the future of our children and our grandchildren are at stake.

Madam Speaker, I do hope that this Congress will be the first one to balance the budget for the 28th time, in this century. It is about time.

RESIGNATION AS MEMBER AND APPOINTMENT AS MEMBER OF JOINT ECONOMIC COMMITTEE

The SPEAKER pro tempore (Mrs. WALDHOLTZ) laid before the House the

following resignation as a member of the Joint Economic Committee:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, March 7, 1996.

Hon. NEWT GINGRICH,
Speaker of the House of Representatives.

MR. SPEAKER: This letter constitutes my official resignation from the Joint Economic Committee.

Sincerely,

DAVID R. OBEY,
Member of Congress.

The SPEAKER pro tempore. Without objection, the resignation is accepted.

There was no objection.

The SPEAKER pro tempore. Without objection, and pursuant to the provisions of 15 United States Code 1024(a), the Chair announces the Speaker's appointment to the Joint Economic Committee of the following Members of the House:

Mr. HINCHEY of New York and

Mrs. MALONEY of New York.

There was no objection.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. GENE GREEN of Texas (at the request of Mr. GEPHARDT) for today, on account of a death in the family.

Mr. MYERS of Indiana (at the request of Mr. ARMEY) for today, on account of illness in the family.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mrs. MALONEY) to revise and extend their remarks and include extraneous material:)

Mrs. MALONEY, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

Mr. LEWIS of Georgia, for 5 minutes, today.

Mr. BROWDER, for 5 minutes, today.

Mr. FALEOMAVAEGA, for 5 minutes, today.

Mrs. SCHROEDER, for 5 minutes, today.

Mr. GEJDENSON, for 5 minutes, today.

Mr. TOWNS, for 5 minutes, today.

Ms. ESHOO, for 5 minutes, today.

Mrs. CLAYTON, for 5 minutes, today.

(The following Members (at the request of Mr. COX of California) to revise and extend their remarks and include extraneous material:)

Mr. CHRISTENSEN, for 5 minutes, today.

Mr. HANSEN, for 5 minutes, today.

Mr. RIGGS, for 5 minutes, today.

Mr. GEKAS, for 5 minutes, today.

Mr. COX of California, for 5 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mrs. MALONEY) and to include extraneous matter:)

Mr. RANGEL.

Mr. BORSKI.

Mr. ANDREWS.

Mr. ABERCROMBIE.

Mr. POSHARD.

Mr. KILDEE.

Mr. DE LA GARZA.

Mr. TOWNS in two instances.

Mr. MARTINEZ.

Mr. LAFALCE.

Mr. MENENDEZ in two instances.

Mr. WAXMAN.

Mr. DEUTSCH.

Mr. STARK.

Mrs. MALONEY.

Mr. LANTOS.

Mr. POMEROY.

Mr. COYNE.

Mr. JOHNSON of South Dakota.

(The following Members (at the request of Mr. COX of California) and to include extraneous matter:).

Mr. PORTMAN.

Mr. GINGRICH.

Mr. NORWOOD.

Mr. GOODLING, in two instances.

Mr. COLLINS of Georgia.

Mr. CHRISTENSEN.

(The following Member (at the request of Mr. HORN) and to include extraneous matter:)

Mr. UNDERWOOD.

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. 2778. An act to provide that members of the Armed Forces performing services for the peacekeeping efforts in Bosnia and Herzegovina, Croatia, and Macedonia shall be entitled to tax benefits in the same manner as if such services were performed in a combat zone, and for other purposes.

H.R. 3021. An act to guarantee the continuing full investment of Social Security and other funds in obligations of the United States.

BILLS AND JOINT RESOLUTIONS APPROVED PRIOR TO SINE DIE ADJOURNMENT OF THE FIRST SESSION OF THE 104TH CONGRESS

The President notified the Clerk of the House that, prior to the sine die adjournment of the first session of the 104th Congress, he approved and signed on the following dates bills and joint resolutions of the House of the following titles:

April 10, 1995:

H.R. 889. An act making emergency supplemental appropriations and recissions to preserve and enhance the military readiness of the Department of Defense for the fiscal year ending September 30, 1995, and for other purposes.

April 11, 1995:

H.R. 831. An act to amend the Internal Revenue Code of 1986 to permanently extend the deduction for the health insurance costs of self-employed individuals, to repeal the provision permitting nonrecognition of gain on sales and exchanges effectuating policies of the Federal Communications Commission, and for other purposes.

April 17, 1995:

H.R. 1345. An act to eliminate budget deficits and management inefficiencies in the government of the District of Columbia through the establishment of the District of Columbia Financial Responsibility and Management Assistance Authority, and for other purposes.

May 18, 1995

H.R 421. An act to amend the Alaska Native Claims Settlement Act to provide for the purchase of common stock of Cook Inlet Region, and for other purposes.

H.R. 517. An act to amend title V of Public Law 96–550, designating the Chaco Culture Archeological Protection Sites, and for other purposes.

H.R. 1380. An act to provide a moratorium on certain class action lawsuits relating to the Truth in Lending Act.

June 3, 1995:

H.R. 1421. An act to provide that references in the statutes of the United States to any committee or officer of the House of Representatives the name or jurisdiction of which was changed as part of the reorganization of the House of Representatives at the beginning of the One Hundred Fourth Congress shall be treated as referring to the currently applicable committee or officer of the House of Representatives.

July 7, 1995:

H.R. 483. An act to amend the Omnibus Budget Reconciliation Act of 1990 to permit Medicare select policies to be offered in all States.

July 27, 1995:

H.R. 1944. An act making emergency supplemental appropriations for additional disaster assistance, for anti-terrorism initiatives, for assistance in the recovery from the tragedy that occurred at Oklahoma City, and making rescissions for the fiscal year ending September 30, 1995, and for other purposes.

August 4, 1995:

H.R. 2017. An act to authorize an increased Federal share of the costs of certain projects in the District of Columbia for fiscal years 1995 and 1996, and for other purposes.

August 14, 1995:

H.R. 2161. An act to extend authorities under the Middle East Peace Facilitation Act of 1994 until October 1, 1995, and for other purposes.

September 6, 1995:

H.R. 535. An act to direct the Secretary of the Interior to convey the Corning National Fish Hatchery to the State of Arkansas.

H.R. 584. An act to direct the Secretary of the Interior to convey a fish hatchery to the State of Iowa.

September 6, 1995:

H.R. 614. An act to direct the Secretary of the Interior to convey to the State of Minnesota the New London National Fish Hatchery production facility.

H.R. 1225. An act to amend the Fair Labor Standards Act of 1938 to exempt employees who perform certain court reporting duties from the compensatory time requirements applicable to certain public agencies, and for other purposes.

H.R. 2077. An act to designate the United States Post Office building located at 33 College Avenue in Waterville, Maine, as the ''George J. Mitchell Post Office Building''.

H.R. 2108. An act to permit the Washington Convention Center Authority to expend revenues for the operation and maintenance of the existing Washington Convention Center and for preconstruction activities relating to a new convention center in the District of

Columbia, to permit a designated authority of the District of Columbia to borrow funds for the preconstruction activities relating to a sports arena in the District of Columbia and to permit certain revenues to be pledged as security for the borrowing of such funds, and for other purposes.

September 30, 1995:

H.J. Res. 108. Joint resolution making continuing appropriations for the fiscal year 1996, and for other purposes.

H.R. 2399. An act to amend the Truth in Lending Act to clarify the intent of such Act and to reduce burdensome regulatory requirements on creditors.

H.R. 2404. An act to extend authorities under the Middle East Peace Facilitation Act of 1994 until November 1, 1995, and for other purposes.

October 3, 1995:

H.R. 1817. An act making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 1996, and for other purposes.

October 12, 1995:

H.R. 2288. An act to amend part D of title IV of the Social Security Act to extend for 2 years the deadline by which States are required to have in effect an automated data processing and information retrieval system for use in the administration of State plans for child and spousal support.

October 21, 1995:

H.R. 1976. An act making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 1996, and for other purposes.

November 2, 1995:

H.R. 402. An act to amend the Alaska Native Claims Settlement Act, and for other purposes.

November 3, 1995:

H.R. 716. An act to amend the Fishermen's Protective Act.

H.R. 1026. An act to designate the United States Post Office building located at 201 East Pikes Peak Avenue in Colorado Springs, Colorado, as the ''Winfield Scott Stratton Post Office''.

November 13, 1995:

H.R. 1905. An act making appropriations for energy and water development for the fiscal year ending September 30, 1996, and for other purposes.

H.R. 2589. An act to extend authorities under the Middle East Peace Facilitation Act of 1994 until December 31, 1995, and for other purposes.

November 15, 1995:

H.R. 1103. An act to amend the Perishable Agricultural Commodities Act, 1930, to modernize, streamline, and strengthen the operation of the act.

November 15, 1995:

H.R. 1715. An act respecting the relationship between workers' compensation benefits and the benefits available under the Migrant and Seasonal Agricultural Worker Protection Act.

H.R. 2002. An act making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 1996, and for other purposes.

November 19, 1995:

H.J. Res. 123. Joint resolution making further continuing appropriations for the fiscal year 1996, and for other purposes.

H.R. 2020. An act making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 1996, and for other purposes.

H.R. 2492. An act making appropriations for the Legislative Branch for the fiscal year ending September 30, 1996, and for other purposes.

November 20, 1995:

H.J. Res. 122. Joint resolution making further continuing appropriations for the fiscal year 1996, and for other purposes.

H.R. 436. An act to require the head of any Federal agency to differentiate between fats, oils, and greases of animal, marine, or vegetable origin, and other oils and greases, in issuing certain regulations, and for other purposes.

November 22, 1995:

H.R. 2394. An act to increase, effective as of December 1, 1995, the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans.

December 8, 1995:

H.R. 2519. An act to facilitate contributions to charitable organizations by codifying certain exemptions from the Federal securities laws, and for other purposes.

December 8, 1995:

H.R. 2525. An act to modify the operation of the antitrust laws, and of State laws similar to the antitrust laws, with respect to charitable gift annuities.

December 18, 1995:

H.R. 2204. An act to extend and reauthorize the Defense Production act of 1950, and for other purposes.

December 22, 1995:

H.J. Res. 136. Joint resolution making further continuing appropriations for the fiscal year 1996, and for other purposes.

H.R. 2481. An act to designate the Federal Traingle Project under construction at 14th Street and Pennsylvania Avenue, Northwest, in the District of Columbia, as the ''Ronald Reagan Building and International Trade Center''.

December 23, 1995:

H.R. 325. An act to amend the Clean Air Act to provide for an optional provision for the reduction of work-related vehicle trips and miles traveled in ozone nonattainment areas designated as severe, and for other purposes.

H.R. 1240. An act to combat crime by enhancing the penalties for certain sexual crimes against children.

December 26, 1995:

H.R. 1747. An act to amend the Public Health Service Act to permanently extend and clarify malpractice coverage for health centers, and for other purposes.

H.R. 2336. An act to amend the Doug Barnard, Jr.—1996 Atlanta Centennial Olympic Games Commemorative Coin Act, and for other purposes.

December 28, 1995:

H.J. Res. 69. Joint resolution providing for the reappointment of Homer Alfred Neal as a citizen regent of the Board of Regents of the Smithsonian Institution.

December 28, 1995:

H.J. Res. 110. Joint resolution providing for the appointment of Howard H. Baker, Jr. as a citizen regent of the Board of Regents of the Smithsonian Institution.

H.J. Res. 111. Joint resolution providing for the appointment of Anne D'Harnoncourt as a citizen regent of the Board of Regents of the Smithsonian Institution.

H.J. Res. 112. Joint resolution providing for the appointment of Louis Gerstner as a citizen regent of the Board of Regents of the Smithsonian Institution.

H.R. 395. An act to designate the United States courthouse and Federal building to be constructed at the southeastern corner of Liberty and South Virginia Streets in Reno, Nevada, as the ''Bruce R. Thompson United States Courthouse and Federal Building''.

H.R. 660. An act to amend the Fair Housing Act to modify the exemption from certain familial status discrimination prohibitions granted to housing for older persons.

H.R. 965. An act to designate the Federal building located at 600 Martin Luther King, Jr. Place in Louisville, Kentucky, as the ''Romano L. Mazzoli Federal Building''.

H.R. 1253. An act to rename the San Francisco Bay National Wildlife Refuge as the Don Edwards San Francisco Bay National Wildlife Refuge.

H.R. 2527. An act to amend the Federal Election Campaign Act of 1971 to improve the electoral process by permitting electronic filing and preservation of Federal Election Commission reports, and for other purposes.

H.R. 2547. An act to designate the United States courthouse located at 800 Market Street in Knoxville, Tennessee, as the ''Howard H. Baker, Jr. United States Courthouse''.

December 29, 1995:

H.R. 1878. An act to extend for 4 years the period of applicability of enrollment mix requirement to certain health maintenance organizations providing services under Dayton Area Health Plan.

H.R. 2539. An act to abolish the Interstate Commerce Commission, to amend subtitle IV of title 49, United States Code, to reform economic regulation of transportation, and for other purposes.

SENATE BILLS APPROVED PRIOR TO SINE DIE ADJOURNMENT OF THE FIRST SESSION OF THE 104TH CONGRESS

The President notified the Clerk of the House that, prior to the sine die adjournment of the first session of the 104th Congress, he approved and signed on the following dates bills of the Senate of the following titles:

January 23, 1995:

S. 2. An act to make certain laws applicable to the legislative branch of the Federal Government.

February 9, 1995:

S. 273. An act to amend section 61h-6 of title 2, United States Code.

March 7, 1995:

S. 257. An act to amend the charter of the Veterans of Foreign Wars to make eligible for membership those veterans that have served within the territorial limits of South Korea.

March 22, 1995:

S. 1. An act to curb the practice of imposing unfunded Federal mandates on States and local governments; to strengthen the partnership between the Federal Government and State, local and tribal governments; to end the imposition, in the absence of full consideration by Congress, of Federal mandates on State, local, and tribal governments without adequate funding, in a manner that may displace other essential governmental priorities; and to ensure that the Federal Government pays the costs incurred by those governments in complying with certain requirements under Federal statutes and regulations; and for other purposes.

March 23, 1995:

S. 377. An act to amend a provision of part A of title IX of the Elementary and Secondary Education Act of 1965, relating to Indian education, to provide a technical amendment, and for other purposes.

April 21, 1995:

S. 178. An act to amend the Commodity Exchange Act to extend the authorization for the Commodity Futures Trading Commission, and for other purposes.

May 22, 1995:

S. 244. An act to further the goals of the Paperwork Reduction Act to have Federal

agencies become more responsible and publicly accountable for reducing the burden of Federal paperwork on the public, and for other purposes.

June 21, 1995:

S. 349. An act to reauthorize appropriations for the Navajo-Hopi Relocation Housing Program.

S. 441. An act to reauthorize appropriations for certain programs under the Indian Child Protection and Family Violence Prevention act, and for other purposes.

July 2, 1995:

S. 962. An act to extend authorities under the Middle East Peace Facilitation Act of 1994 until August 15, 1995.

July 28, 1995:

S. 523. An act to amend the Colorado River Basin Salinity Control Act to authorize additional measures to carry out the control of salinity upstream of Imperial Dam in a cost-effective manner, and for other purposes.

October 3, 1995:

S. 464. An act to make the reporting deadlines for studies conducted in Federal court demonstration districts consistent with the deadlines for pilot districts, and for other purposes.

S. 532. An act to clarify the rules governing venue, and for other purposes.

October 12, 1995:

S. 895. An act to amend the Small Business Act and the Small Business Investment Act of 1958 to reduce the cost to the Federal Government of guaranteeing certain loans and debentures, and for other purposes.

October 30, 1995:

S. 1254. An act to disapprove of amendments to the Federal Sentencing Guidelines relating to lowering of crack sentences and sentences for money laundering and transactions in property derived from unlawful activity.

November 1, 1995:

S. 227. An act to amend title 17, United States Code, to provide an exclusive right to perform sound recordings publicly by means of digital transmissions, and for other purposes.

S. 268. An act to authorize the collection of fees for expenses for triploid grass carp certification inspections, and for other purposes.

S. 1111. An act to amend title 35, United States Code, with respect to patents on biotechnological processes.

November 15, 1995:

S. 457. An act to amend the Immigration and Nationality Act to update references in the classification of children for purposes of United States immigration laws.

November 28, 1995:

S. 395. An act to authorize and direct the Secretary of Energy to sell the Alaska Power Administration, and to authorize the export of Alaska North Slope crude oil, and for other purposes.

S. 440. An act to amend title 23, United States Code, to provide for the designation of the National Highway System, and for other purposes.

November 28, 1995:

S. 1328. An act to amend the commencement dates of certain temporary Federal judgeships.

December 19, 1995:

S. 1060. An act to provide for the disclosure of lobbying activities to influence the Federal Government, and for other purposes.

December 21, 1995:

S. 790. An act to provide for the modification or elimination of Federal reporting requirements.

December 23, 1995:

S. 1465. An act to extend au pair programs.

December 28, 1995:

S. 369. An act to designate the Federal Courthouse in Decator, Alabama, as the ''Seybourn H. Lynn Federal Courthouse'', and for other purposes.

S. 965. An act to designate the United States Courthouse for the Eastern District of Virginia in Alexandria, Virginia, as the Albert V. Bryan United States Courthouse.

ADJOURNMENT

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

The motion was agreed to; accordingly (at 9 o'clock and 7 minutes p.m.), the House adjourned until tomorrow, Friday, March 8, 1996, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2202. A letter from the Under Secretary of Defense, transmitting a report of violation of the Anti-Deficiency Act which occurred when the 114th Fighter Group, South Dakota Air National Guard improperly expended Federal funds to purchase clothing items for firefighters employed by the State of South Dakota, pursuant to 31 U.S.C. 1517(b); to the Committee on Appropriations.

2203. A letter from the Secretary of Health and Human Services, transmitting the Department's report entitled ''Medicaid Drug Use Review Demonstration Projects,'' pursuant to Public Law 101–508, section 4401(c)(2)(B) (104 Stat. 1388–160); to the Committee on Commerce.

2204. A communication from the President of the United States, transmitting the bimonthly report on progress toward a negotiated settlement of the Cyprus question, including any relevant reports from the Secretary General of the United Nations, pursuant to 22 U.S.C. 2737(c); to the Committee on International Relations.

2205. A communication from the President of the United States, transmitting a report on international agreements transmitted to Congress after the deadline for their submission, with reasons, pursuant to 1 U.S.C. 112b(b); to the Committee on International Relations.

2206. A letter from the Secretary of the Treasury, transmitting the semiannual report of activities of the inspector general for the period April 1, 1995, through September 30, 1995, and the Secretary's semiannual report for the same period, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform and Oversight.

2207. A letter from the Register of Copyrights of the United States of America, transmitting the office's report entitled ''Waiver of Moral Rights in Visual Artworks'' March 1, 1996, final report to the Congress, pursuant to Public Law 101–650, section 608(a)(2) (104 Stat. 5132); to the Committee on the Judiciary.

2208. A letter from the Assistant Secretary of the Army (Civil Works), transmitting the Department's reports entitled ''National Study of Water Management During Drought'' and ''Managing Water for Drought,'' pursuant to sections 707 and 729 of the Water Resources Development Act of 1986; to the Committee on Transportation and Infrastructure.

2209. A letter from the Secretary of Transportation, transmitting the Department's report on the implementation of the National Intelligent Transportation Systems Program, pursuant to Public Law 102–240, section 6054(c)(1) (105 Stat. 2191); to the Committee on Transportation and Infrastructure.

2210. A letter from the Chairman, Prospective Payment Assessment Commission, transmitting the Commission's report on issues affecting health care delivery in the United States, pursuant to Public Law 101–508, section 4002(g)(1)(B) (104 Stat. 1388–36); to the Committee on Ways and Means.

2211. A letter from the Administrator, General Services Administration, transmitting the annual report regarding the accessibility standards issued, revised, amended, or repealed under the Architectural Barriers Act of 1968, as amended, pursuant to 42 U.S.C. 4151; jointly, to the Committee on Transportation and Infrastructure and Economic and Educational Opportunities.

2212. A letter from the Secretary of Health and Human Services, transmitting the Department's report on Medicaid drug rebate program best price changes and rebates claimed for 4th quarter calendar year 1992 through 2d quarter calendar year 1994, pursuant to Public Law 102–585, section 602(b)(2) (106 Stat. 4970); jointly, to the Committees on Commerce, National Security, and Veterans' Affairs.

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. CLINGER: Committee on Government Reform and Oversight. H.R. 2202. A bill to amend the Immigration and Nationality Act to improve deterrence of illegal immigration to the United States by increasing border patrol and investigative personnel, by increasing penalties for alien smuggling and for document fraud, by reforming exclusion and deportation law and procedures, by improving the verification system for eligibility for employment, and through other measures, to reform the legal immigration system and facilitate legal entries into the United States, and for other purposes; with amendments (Rept. 104–469 Pt. 2). Ordered to be printed.

Mr. SCHUSTER: Committee on Transportation and Infrastructure. H.R. 2276. A bill to establish the Federal Aviation Administration as an independent establishment in the executive branch, and for other purposes; with an amendment (Rept. 104–475, Pt. 1). Ordered to be printed.

Mr. GOSS: Committee on Rules. House Resolution 375. Resolution waiving points of order against the conference report to accompany the bill (H.R. 1561) to consolidate the foreign affairs agencies of the United States; to authorize appropriations for the Department of State and related agencies for fiscal years 1996 and 1997; to responsibly reduce the authorizations of appropriations for United States foreign assistance programs for fiscal years 1996 and 1997, and for other purposes (Rept. 104–476). Referred to the House Calendar.

Ms. PRYCE: Committee on Rules. House Resolution 376. Resolution providing for consideration of the bill (H.R. 2703) to combat terrorism (Rept. 104–477). Referred to the House Calendar.

TIME LIMITATION OF REFERRED BILL

Pursuant to clause 5 of rule X the following action was taken by the Speaker:

H.R. 2276. Referral to the Committees on Government Reform and Oversight and the

Budget extended for a period ending not later than March 11, 1996.

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. CALVERT:

H.R. 3041. A bill to supplement the Small Reclamation Projects Act of 1956 and to supplement the Federal Reclamation Laws by providing for Federal cooperation in nonfederal projects and for participation by nonfederal agencies in Federal projects; to the Committee on Resources.

By Mr. FIELDS of Louisiana:

H.R. 3042. A bill to amend the Internal Revenue Code of 1986 to allow individuals an exclusion from gross income for certain amounts of unearned income; to the Committee on Ways and Means.

By Mrs. JOHNSON of Connecticut:

H.R. 3043. A bill to amend the Internal Revenue Code of 1986 to promote the continuity and portability of health insurance coverage by restricting discrimination based on health status, limiting use of preexisting condition exclusions, and making COBRA continuation coverage more affordable; to the Committee on Ways and Means.

By Mr. GOSS:

H.R. 3044. A bill to amend the Small Business Act to provide disaster assistance loans for small businesses that operate within a unit of the National Park System or the National Wildlife Refuge System, and have suffered substantial economic injury as a result of a partial shutdown of the Federal Government during the period beginning December 15, 1995, and ending January 5, 1996; to the Committee on Small Business.

By Mr. ABERCROMBIE (for himself and Mrs. MINK of Hawaii):

H.R. 3045. A bill to amend chapter 3 of title 28, United States Code, to provide for the appointment in each Federal judicial circuit court of appeals, of at least one resident of each State in such circuit, and for other purposes; to the Committee on the Judiciary.

By Mr. BAKER of Louisiana:

H.R. 3046. A bill to provide for one additional Federal judge for the middle district of Louisiana; to the Committee on the Judiciary.

By Mr. ENSIGN (for himself and Mrs. VUCANOVICH):

H.R. 3047. A bill to amend the Internal Revenue Code of 1986 to permit individual retirement accounts and certain individually directed accounts to acquire gold, silver, platinum, or palladium bullion without treating the acquisition as a distribution; to the Committee on Ways and Means.

By Mr. EWING:

H.R. 3048. A bill to authorize small entities to seek judicial review of agency certifications of the economic impacts of rules on small entities, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Small Business, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GOODLING (for himself and Mr. KILDEE):

H.R. 3049. A bill to amend section 1505 of the Higher Education Act of 1965 to provide for the continunity of the Board of Trustees of the Institute of American Indian and Alaska Native Culture and Arts Development; to the Committee on Economic and Educational Opportunities.

By Mr. JOHNSON of South Dakota (for himself, Mr. POMEROY, and Mr. ALLARD):

H.R. 3050. A bill to prohibit imports into the United States of meat products from the European Union until certain unfair trade barriers are removed, and for other purposes; to the Committee on Ways and Means.

By Mr. KENNEDY of Massachusetts (for himself, Mr. KASICH, and Mr. MARKEY):

H.R. 3051. A bill to amend title 18, United States Code, to further restrict certain activities relating to biological weapons, and for other purposes; to the Committee on the Judiciary.

By Mrs. KENNELLY:

H.R. 3052. A bill to amend title XVIII of the Social Security Act to provide annual screening mammography and waive deductibles and coinsurance for screening mammography under the Medicare Program; to the Committee on Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MARKEY:

H.R. 3053. A bill to amend the Federal Election Campaign Act of 1971 for a voluntary system of spending limits and benefits for congressional election campaigns, and for other purposes; to the Committee on House Oversight, and in addition to the Committees on Commerce, the Judiciary, Ways and Means, and Government Reform and Oversight, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. MYRICK:

H.R. 3054. A bill to amend the Fair Labor Standards Act of 1938 to permit State and local government workers to perform volunteer services for their employer or community organization or purpose without requiring the employer to pay them compensation; to the Committee on Economic and Educational Opportunities.

By Mr. NORWOOD (for himself, Mr. GOODLING, and Mr. CLAY):

H.R. 3055. A bill to amend section 326 of the Higher Education Act of 1965 to permit continued participation by historically black graduate professional schools in the grant program authorized by that section; to the Committee on Economic and Educational Opportunities.

By Mr. RIGGS

H.R. 3056. A bill to permit a county-operated health insuring organization to qualify as an organization exempt from certain requirements otherwise applicable to health insuring organizations under the Medicaid Program notwithstanding that the organization enrolls Medicaid beneficiaries residing in another county; to the Committee on Commerce.

By Mrs. SCHROEDER (for herself, Mrs. MEYERS of Kansas, Mr. WAXMAN, Mr. STARK, Mr. MATSUI, Mr. CONYERS, Mr. ACKERMAN, Mr. FATTAH, Mr. FRANK of Massachusetts, Ms. NORTON, Ms. LOFGREN, Ms. VELAZQUEZ, Mr. WILSON, Ms. JACKSON-LEE, Mrs. MALONEY, Mr. MCDERMOTT, Mr. TORKILDSEN, Mr. THOMPSON, Ms. WOOLSEY, Mr. FAZIO of California, Mr. OLVER, Mrs. MORELLA, Mr. BERMAN, Mrs. MINK of Hawaii, Mr. HINCHEY, Mr. ZIMMER, Mr. ABERCROMBIE, Mr. DEFAZIO, Mr. FARR, Mr. SKAGGS, Mr. BOUCHER, Mr. BALDACCI, Mr. MEEHAN, Mrs. LOWEY, Mr. YATES, Mr. GREENWOOD, Ms. PELOSI, Mr. HASTINGS of Florida, Ms. BROWN of Florida, Mr. COLEMAN, Ms. RIVERS, Mr. BENTSEN, Mr. DELLUMS, Mr. FILNER, Mr. BRYANT of Texas, Mr. GEJDENSON, Mrs. ROUKEMA, Mr. MILLER of California, Mr. SANDERS, and Mr. WATT of North Carolina):

H.R. 3057. A bill to amend title 18, United States Code, to eliminate the prohibitions on the transmission of abortion related matters, and for other purposes; to the Committee on the Judiciary.

By Mr. COX (for himself, Mr. GILMAN, Mr. SPENCE, Mr. GINGRICH, Mr. ARMEY, Mr. DELAY, Mr. BOEHNER, Ms. MOLINARI, Mrs. VUCANOVICH, Mr. NUSSLE, Mr. LANTOS, Mr. SOLOMON, Mr. TORRICELLI, Mr. DEUTSCH, Mr. ANDREWS, Mr. BAKER of California, Mr. BALLENGER, Mr. BARTON of Texas, Mr. BEREUTER, Mr. BOEHLERT, Mr. BONO, Mr. BREWSTER, Ms. BROWN of Florida, Mr. BROWN of Ohio, Mr. BUNNING of Kentucky, Mr. BURTON of Indiana, Mr. BUYER, Mr. CALVERT, Mr. CAMPBELL, Mr. CHABOT, Mr. CHAMBLISS, Mrs. CHENOWETH, Mr. CLINGER, Mr. COLLINS of Georgia, Mr. CONDIT, Mr. DIAZ-BALART, Mr. DOOLITTLE, Mr. DORNAN, Mr. ENGLISH of Pennsylvania, Ms. ESHOO, Mr. EWING, Mr. FALEOMAVAEGA, Mr. FOLEY, Mr. FRELINGHUYSEN, Mr. FUNDERBURK, Mr. PETE GEREN of Texas, Mr. GILLMOR, Mr. GOODLING, Mr. GOSS, Mr. GREENWOOD, Mr. GUTKNECHT, Mr. HASTERT, Mr. HASTINGS of Washington, Mr. HYDE, Mr. SAM JOHNSON, Mr. KINGSTON, Mr. KNOLLENBERG, Mr. KOLBE, Mr. LEVIN, Mr. MCINNIS, Mr. MCINTOSH, Mr. MCKEON, Mr. METCALF, Mr. MILLER of Florida, Mr. PAYNE of New Jersey, Ms. PELOSI, Mr. PORTER, Mr. ROHRABACHER, Ms. ROS-LEHTINEN, Mr. ROYCE, Mr. SALMON, Mr. SCARBOROUGH, Mrs. SEASTRAND, Mr. SMITH of New Jersey, Mr. SOUDER, Mr. STEARNS, Mr. TALENT, Mr. TORKILDSEN, Mr. UNDERWOOD, Mr. WALKER, Mr. WELDON of Florida, Mr. WELLER, and Mr. ZIMMER):

H. Con. Res. 148. Concurrent resolution expressing the sense of the Congress that the United States is committed to the military stability of the Taiwan Straits and United States military forces should defend Taiwan in the event of invasion, missile attack, or blockade by the People's Republic of China; to the Committee on International Relations.

By Mr. GILMAN (for himself, Mr. LANTOS, Mr. ABERCROMBIE, Mr. BATEMAN, Mr. BEILENSON, Mr. BERMAN, Mr. BEREUTER, Mr. BILBRAY, Mr. BLILEY, Mr. BOEHLERT, Mr. BORSKI, Mr. BROWN of Ohio, Mr. CANADY, Mr. COYNE, Mr. DEUTSCH, Mr. DOYLE, Mr. DIAZ-BALART, Mr. DORNAN, Ms. DUNN of Washington, Mr. DURBIN, Mr. ENGEL, Mr. ENGLISH of Pennsylvania, Mr. FORBES, Mr. FOX, Mr. FRANKS of Connecticut, Mr. FRELINGHUYSEN, Mr. FRISA, Mr. FROST, Mr. GORDON, Mr. GREENWOOD, Mr. GUNDERSON, Ms. HARMAN, Mr. HASTINGS of Florida, Mr. HOLDEN, Mr. HOSTETTLER, Mr. HOYER, Mr. HUTCHINSON, Mrs. KENNELLY, Mr. KING, Mr. KLECZKA, Mr. KLUG, Mr. LAZIO of New York, Mr. LOBIONDO, Mr. LONGLEY, Mrs. LOWEY, Mr. MATSUI, Mr. MCCOLLUM, Mr. MCDADE, Mr. MCINNIS, Mr. MEEHAN, Mr. METCALF, Mrs. MEYERS of Kansas, Mrs. MORELLA, Mr. NEAL of Massachusetts, Mr. NETHERCUTT, Mr. OLVER, Mr. ORTON, Mr. PAYNE of Virginia, Ms. Pryce, Mr. RAMSTAD, Mrs. ROUKEMA, Mr. SALMON, Mr. SANFORD, Mr. SAXTON, Mr. SAWYER, Mrs. SCHROEDER, Mr. SCHUMER, Mr. SHAW, Mr. SOUDER, Mr. TEJEDA, Mr. UNDERWOOD, Mr. CHABOT, Mrs. MEEK

of Florida, Mr. ACKERMAN, Mr. BUNN of Oregon, Mr. KIM, Mr. KNOLLENBERG, Mr. TORKILDSEN, and Mr. TORRICELLI):

H. Con. Res. 149. Concurrent resolution condemning terror attacks in Israel; to the Committee on International Relations.

By Mr. CHRYSLER:

H. Con. Res. 150. Concurrent resolution authorizing the use of the Capitol Grounds for an event sponsored by the Specialty Equipment Market Association; to the Committee on Transportation and Infrastructure.

By Mr. LANTOS (for himself, Mr. KING, Mr. ARMEY, Mr. GILMAN, Mr. HAMILTON, Mr. FROST, Mr. ACKERMAN, Mr. BAKER of California, Mr. BALLENGER, Mr. BARR, Mr. BARTLETT of Maryland, Mr. BASS, Mr. BATEMAN, Mr. BEREUTER, Mr. BERMAN, Mr. BLILEY, Mr. BLUTE, Mr. BONO, Mr. CAMPBELL, Mr. COX, Mr. DOOLITTLE, Mr. DORNAN, Mr. EMERSON, Mr. EVERETT, Mr. FOLEY, Mr. FRANKS of Connecticut, Mr. FRISA, Mr. FUNDERBURK, Mr. GEJDENSON, Mr. GILLMOR, Mr. HALL of Texas, Ms. HARMAN, Mr. HEINEMAN, Mr. HOLDEN, Mr. HOSTETTLER, Ms. LOFGREN, Mrs. LOWEY, Ms. MOLINARI, Mr. SAXTON, Mr. SKELTON, Mr. SMITH of New Jersey, Mr. STOCKMAN, Mr. TORRICELLI, Mrs. VUCANOVICH, Mr. WATTS of Oklahoma, Mr. WELLER, and Mr. ZIMMER):

H. Res. 374. Resolution condemning the visit of Louis Farrakhan to Libya, Iran, and Iraq and urging the President to take appropriate action to determine if such visits and actions resulting from agreements or understandings reached during these visits violate Federal law; to the Committee on International Relations.

By Mrs. JOHNSON of Connecticut (for herself and Mr. MCDERMOTT):

H. Res. 377. Resolution providing amounts for further expenses of the Committee on Standards of Official Conduct in the second session of the 104th Congress; to the Committee on House Oversight.

ADDITIONAL SPONSORS

Under clause 4 of the rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 103: Mr. MICA.

H.R. 109: Mr. BROWN of California.

H.R. 499: Mr. STOCKMAN and Mr. CRAMER.

H.R. 519: Mr. HOKE.

H.R. 580: Mr. COMBEST and Ms. MCKINNEY.

H.R. 708: Mrs. KELLY.

H.R. 713: Mr. CHAPMAN.

H.R. 789: Mr. HANCOCK.

H.R. 820: Mr. OBERSTAR, Mr. OBEY, Mr. LEWIS of Kentucky, Mr. OWENS, and Mr. MINGE.

H.R. 833: Mr. MOLINARI and Mrs. ROUKEMA.

H.R. 858: Mr. SAXTON.

H.R. 1023: Mr. GUTIERREZ, Mr. QUINN, and Mr. ARCHER.

H.R. 1073: Mr. PAYNE of Virginia.

H.R. 1074: Mr. PAYNE of Virginia.

H.R. 1179: Mr. MILLER of California, Mr. KILDEE, Mr. FORD, Mr. QUILLEN, Mr. FLAKE, Mr. HASTINGS of Florida, Mr. BISHOP, Ms. MCKINNEY, Mr. HILLIARD, Mr. WATT of North Carolina, Mr. GORDON, and Mr. FRAZER.

H.R. 1389: Mr. GEJDENSON.

H.R. 1406: Mr. VOLKMER, Mrs. THURMAN, Ms. ESHOO, and Mr. SAWYER.

H.R. 1547: Mr. GUTIERREZ.

H.R. 1656: Mr. MOAKLEY.

H.R. 1661: Mr. WISE, Mr. CAMP, Ms. DUNN of Washington, Mr. STENHOLM, Mr. NETHERCUTT, Mr. HYDE, and Mr. BLILEY.

H.R. 1662: Mr. LEWIS of Georgia.

H.R. 1687: Mr. NADLER, Mrs. MALONEY, Ms. MOLINARI, and Mr. CARDIN.

H.R. 1711: Mr. TIAHRT, Mr. MILLER of Florida, and Mr. RAMSTAD.

H.R. 1828: Mr. PICKETT.

H.R. 2011: Mr. HAYES.

H.R. 2178: Mr. CLAY.

H.R. 2200: Mr. HILLEARY, Mr. BARTLETT of Maryland, and Mr. MOORHEAD.

H.R. 2230: Mr. STEARNS, Mr. PAYNE of Virginia, Mr. PETERSON of Florida, Mr. SOLOMON, Mr. HEFNER, Mr. FUNDERBURK, and Mr. LEWIS of Kentucky.

H.R. 2240: Mr. CAMPBELL, Ms. MCKINNEY, and Mr. CUNNINGHAM.

H.R. 2272: Mr. DAVIS, Mr. THOMPSON, Ms. NORTON, Mr. RAHALL, Mr. ACKERMAN, and Mr. FILNER.

H.R. 2276: Mr. STUPAK, Mr. CUNNINGHAM, Mr. FILNER, and Mr. BURTON of Indiana.

H.R. 2508: Mr. NEY, Mr. CRAMER, Mr. JONES, and Mr. JEFFERSON.

H.R. 2521: Mr. MCHUGH, Mr. SHAYS, Mr. BAKER of Louisiana, Mr. MICA, Mr. MARTINI, Mr. SCARBOROUGH, and Mr. SOUDER.

H.R. 2548: Mr. JONES.

H.R. 2579: Ms. PELOSI, Mr. MICA, Mr. JONES, Mr. MEEHAN, Mr. STENHOLM, Mr. BUNNING of Kentucky, Mr. DICKS, Mr. GILCHREST, Mr. KING, Mr. PALLONE, Mr. MCDERMOTT, Mr. TRAFICANT, Mr. HOLDEN, and Mr. DEFAZIO.

H.R. 2607: Mr. DEUTSCH, Mr. NEY, and Mr. KENNEDY of Massachusetts.

H.R. 2740: Mr. FRISA.

H.R. 2741: Mr. BUNNING of Kentucky, Mr. COBLE, Mr. EHRLICH, Mr. FAWELL, Mr. GOSS, Mr. GUNDERSON, Mr. HANSEN, Mr. HASTERT, Mr. HOEKSTRA, Mr. HUTCHINSON, Mr. RAMSTAD, Mr. ROBERTS, Mr. SOLOMON, and Mr. ZELIFF.

H.R. 2748: Mr. MCNULTY, Mr. MARKEY, and Mr. ABERCROMBIE.

H.R. 2757: Mr. QUINN, Mr. JONES, Mr. HEINEMAN, Mr. OLVER, Mr. DEAL of Georgia, and Mr. PALLONE.

H.R. 2764: Mr. GENE GREEN of Texas, Mr. STOCKMAN, Mr. FALEOMAVAEGA, Mr. SHADEGG, Mr. MANTON, and Mr. MCCOLLUM.

H.R. 2777: Mr. PAYNE of Virginia, Mr. BRYANT of Texas, and Mr. OLVER.

H.R. 2798: Mr. GENE GREEN of Texas, Mr. SHADEGG, Mr. HALL of Texas, and Mr. RIGGS.

H.R. 2807: Ms. EDDIE BERNICE JOHNSON of Texas.

H.R. 2820: Mr. BROWNBACK, Mr. NEUMANN, and Mr. SAM JOHNSON.

H.R. 2822: Mr. HANCOCK, Mr. KOLBE, Mr. DREIER, Mr. FIELDS of Texas, and Mr. PETERSON of Florida

H.R. 2846: Mr. RANGEL, Mr. STARK, Mr. MOAKLEY, Mr. LIPINSKI, and Ms. NORTON.

H.R. 2875: Mr. HASTINGS of Florida, Mr. GENE GREEN of Texas, and Mr. MANTON.

H.R. 2912: Mr. WARD, Mr. PAYNE of New Jersey, Mr. BRYANT of Texas, Mr. KENNEDY of Massachusetts, and Mr. WELDON of Pennsylvania.

H.R. 2922: Ms. EDDIE BERNICE JOHNSON of Texas.

H.R. 2955: Mr. SALMON.

H.R. 2969: Mr. GILLMOR and Mr. BARRETT of Wisconsin.

H.R. 2992: Mr. ROYCE.

H.R. 2994: Mr. RANGEL, Mr. PAYNE of Virginia, Mr. GREENWOOD, Mrs. CLAYTON, and Mr. SCHIFF.

H.R. 3002: Mr. LIPINSKI.

H.R. 3004: Mr. SCHAEFER, Mr. BARTON of Texas, and Mr. BRYANT of Texas.

H.R. 3006: Mr. MATSUI.

H.R. 3023: Mr. BURTON of Indiana.

H.J. Res. 159: Mr. ZIMMER.

H.J. Res. 162: Mr. ENGLISH of Pennsylvania, Mr. SOUDER, Mr. BONO, and Mr. BURTON of Indiana.

H. Con. Res. 8: Mr. DOYLE.

H. Con. Res. 47: Mr. FUNDERBURK and Mr. SMITH of Michigan.

H. Con. Res. 125: Mr. HOKE.

H. Con. Res. 134: Mr. CHRYSLER and Mr. WELLER.

H. Con. Res. 135: Mr. EVANS.

H.R. 347: Mr. DEFAZIO, Mr. TALENT, Mr. PAYNE of New Jersey, Mr. EVANS, Mr. KING, Mr. MILLER of California, Mr. CUNNINGHAM, Mrs. MORELLA, and Mr. LANTOS.

United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 104th CONGRESS, SECOND SESSION

Vol. 142 WASHINGTON, THURSDAY, MARCH 7, 1996 No. 30

Senate

(Legislative day of Wednesday, March 6, 1996)

The Senate met at 9:30 a.m., on the expiration of the recess, and was called to order by the President pro tempore [Mr. THURMOND].

PRAYER

The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer:

Sovereign Lord, guide the vital page in history that will be written today. As we begin this new day, we declare our dependence and interdependence. We confess with humility that we are totally dependent on You, dear God. We could not breathe a breath, think a thought, or exercise dynamic leadership without Your constant and consistent blessing. We praise You for the gifts of intellect, education, and experience. All You have done in us has been in preparation for what You want to do through us now.

And yet, we know we could not achieve the excellence You desire without the tireless efforts of others. We thank You for our families and friends, the faithful and loyal staffs that make it possible for the Senators to function so effectively, and for all who make the work of this Senate run smoothly. Help us express our gratitude by singing our appreciation for the unsung heroes and heroines who do ordinary tasks with extraordinary diligence. We praise You for the gift of life and those who make work a joy. In the name of Him who taught us the greatness of being servant leaders. Amen.

RECOGNITION OF THE ACTING MAJORITY LEADER

The PRESIDENT pro tempore. The able acting majority leader is recognized.

SCHEDULE

Mr. LOTT. Mr. President, today, there will be a period for morning business until the hour of 11 a.m., with Senators permitted to speak for up to 5 minutes each with the following exceptions: Senator FEINSTEIN for 15 minutes; Senator REID for 15 minutes; Senator DORGAN for 20 minutes; Senator BAUCUS for 10 minutes; and Senator THOMAS for 30 minutes.

At the hour of 11 a.m., the Senate will resume consideration of the pending motion to proceed to Senate Resolution 227 regarding the extension of the Whitewater Committee. It is also our intent for the Senate to begin consideration of S. 942, a small business regulatory relief bill. This is legislation, I believe, that will enjoy overwhelming bipartisan support. I believe it was reported out of the Small Business Committee unanimously, and we hope that we can get an early agreement to proceed on that legislation.

It is also possible that a bill to temporarily extend the debt ceiling will be brought up. If so, rollcall votes will occur during today, and Members should expect that to happen.

Again, I want to emphasize that we hope to get that debt ceiling legislation up and considered. If not, it could conceivably be brought up on Friday. So I hope we can get cooperation in bringing up both the small business regulatory relief bill and the debt ceiling.

Mr. President, I yield the floor.

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, there will now be a period for morning business.

Mr. REID addressed the Chair.

The PRESIDENT pro tempore. The able Senator from Nevada.

Mr. REID. Mr. President, under the previous order, I request the Chair notify the Senator when he has 3 minutes remaining.

The PRESIDING OFFICER (Mr. GREGG). The Senator from Nevada.

ENDANGERED SPECIES ACT LISTING MORATORIUM

Mr. REID. Mr. President, about 11 months ago, I stood on this floor and indicated to this body that it was about to make a crucial mistake, a critical mistake. At that time the U.S. Senate was considering a moratorium on the listing of endangered species. Those people at that time who were calling for a so-called time out in the listing of endangered species, I do not think, or I hope, did not understand the consequences. They did not want to wait for reauthorization of this list. They did not want to wait for the reauthorization to take place through the legislative process. They said they could not wait for reforms to be deliberated and drafted by the committees of jurisdiction. In fact, Mr. President, they could not even wait for the Environment and Public Works Committee to consider the moratorium.

It was brought to the floor without a single hearing. There was nothing done in the way of a deliberative process to point out the inherent weaknesses of what was about to be done. In sum, they started, without justification, a piecemeal dismantling of the act, which is to jeopardize forever the existence of various species of plants and animals.

My colleagues reacted by giving pieces of history where the Endangered Species Act did not work well, and thereafter imposed the moratorium on any further listing of endangered species. One Member of the House of Representatives claimed at that time that ''we must put regulators on a leash.''

Mr. President, there are a number of ways to control regulators, but the path taken was, in my opinion, the worst path. The path taken was to cause damaging and unreasonable requirements. In fact, we had to simply stand by and watch extinction take its toll. No doubt that Member of the

● This ''bullet'' symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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other body overlooked the only real impact, which is the increased risk to plants and animals in an endangered state.

Mr. President, now, not a single plant or animal has been added to the list since before April of last year. So, what good is this list? It initiates the recovery through a planning process and provides the benefit of State protections, and it affords restraint on Federal activities which jeopardize listed species, and that is the need for listing, to protect that which cannot protect itself.

What is it that we achieve by removing the protection? Everything the critics hate—the process, the definitions, the mission of the Endangered Species Act—they all remain the same. We have not changed anything of that.

Mr. President, I think there are problems with the Endangered Species Act, things that need to be changed. The moratorium does not change a single thing. It did not touch the definitions, the process, the mission of the Endangered Species Act. They all are just like they were before April 10 of last year. Instead, my colleagues simply waged a war on the variety of species that truly need protection. If reform of the listing process had been intended, anyone could have talked to this Senator, who is the ranking member on the subcommittee with jurisdiction, or my colleague, the esteemed, distinguished Senator from Idaho, the junior Senator, Senator KEMPTHORNE, who is chairman of this subcommittee, to talk about substantive reform. If the act was to be made more efficient, then my colleagues could have addressed the many proposals that were brought forth by various coalitions throughout the last session.

But, if my colleagues were honest with themselves and would recognize that this moratorium sought neither to reform nor to protect but to prohibit protection of species, then I think we see the picture.

When the moratorium was passed in April of last year, there were about 80 species that had been proposed for listing. Today, there are more than 250 species listing decisions from the U.S. Fish and Wildlife Service and the National Marine Fisheries Service. In 1 year, because of our inactivity, we have three times more than we had then.

We were also told that there are another 270 candidate species which need to be evaluated for either cooperative conservation agreements or proposed listings.

This has had a tremendous impact—the action taken by this body and the other body last year. It has had a tremendous impact on individual species. Once the Florida black bear roamed throughout Florida, southern Georgia, and most all of Alabama. Thousands of these bears roamed this part of the country. Today, if we are lucky, there are 1,200 to 1,500 bears remaining, and they are scattered and isolated.

The black bear, interestingly, Mr. President, is more important than just being a bear. It is known as an umbrella threshold species, whose own population well-being is reflective of the health of the rest of the habitat area and the other species in that same ecosystem.

Currently, there are insufficient conservation areas in Florida to adequately protect the habitat base needed for long-term survival of the State's black bear population.

This unique species, the Florida black bear, was scheduled to be listed by 1996. But now because of the moratorium, the very future of the black bear is bleak and really uncertain. Many scientists say the black bear is finished.

The west coast steelhead of the Northwest has also steadily lost its habitat and consequently consistently declined in population. This fish, which runs from California through Oregon and Washington and Idaho, is a game fish. The annual revenues from this sport fishery is valued at about $32 million. It is in danger because of activities now being carried out because there is no protection under the Endangered Species Act.

Logging, urbanization, agricultural water diversion, dams, and effects of hatchery fish on native populations are all happening without any restraint, without any concern for species conservation, and are now being carried out because there is no protection of the Endangered Species Act.

The bog turtle of the Northeastern United States was proposed for listing last year. Its protection was delayed because of the listing moratorium, and biologists are now wondering if the remaining populations will be viable once the moratorium is lifted. Probably not is the order. The bog turtle survives in wetlands which are separated by development. Consequently, the bog turtle has a difficult time finding others of the species to mate with.

While the moratorium is in effect and the budget cuts deny execution of the act's mandate, the Fish and Wildlife Service is prohibited from conducting any research or taking actions to prevent further decline of the bog turtle species.

The real tragedy is that there are countless others for which we have no current data and no concept of the welfare of the species. Extinction is forever. But we know there are some in trouble:

The swift fox;

There is a plant in New Jersey called the bog asphodel, a plant found only in the State lands of New Jersey;

The Topeka shiner was to be protected by an agreement of private landowners, but because more information needed to be collected, the agreement was not signed due to the moratorium.

All of these species which I have just talked about will be unmonitored and unprotected if the moratorium remains in place.

The moratorium, Mr. President, inherently costs time, effort, and species. I repeat that extinction is forever.

When we do resolve the reform issues for the Endangered Species Act, we will have to do a great deal of research over again. We will be playing catchup, and ultimately the moratorium will end up costing the taxpayers more to recover a species that is further down the road to extinction.

Mr. President, the moratorium does not benefit the landowners or the regulated interests. On the contrary, the future of species on their land is as uncertain as it ever was. When the landowners throughout the country come to my office, they do not ask that we stop trying to preserve species. I have never heard anyone say that. They say they want certainty in the process.

More importantly, the moratorium fails to acknowledge the permanency of extinction. We are spending time trying to come up with a reasonable approach to the Endangered Species Act. I have worked with Senator KEMPTHORNE, and I think we can come up with something. But I want to alert everyone here, Mr. President, as I did in the Appropriations Committee yesterday, that when the appropriations bills—this bill, which is going to have five bills wrapped into one, the so-called continuing resolution—comes up in next few days, I am going to offer an amendment to do away with the moratorium. That is the right thing to do.

What is needed is substantive reform. We need a more efficient listing process with a deadline, with peer review, and with State and local participation in the process, making recovery plans practical with such measures as deadlines, multispecies priorities, and cooperative efforts. That is essential to any substantive reform.

We need to bring non-Federal parties such as State and local governments and affected parties to the table to work cooperatively in a teamwork approach that is vital to bringing balance to the delisting and recovering process.

We need to establish a relationship with private landowners, and it must be changed to include voluntary conservation agreements, safe-harbor provisions providing the landowner protection for unforeseeable species habitat on their land, or private land, and we also need a short-form habitat conservation plan from minimal impact landowners.

In effect, we should not have one program for all. We need to have various programs to meet the circumstances. We can do that.

But this moratorium, in my opinion, is cruel, it is unusual, and it is unnecessary.

Mr. President, I have said on other occasions, and I say today, that we need to protect species of plant and animals. Extinction is forever.

Some within the sound of my voice may say, ''What difference does it make? Why should we be concerned about an animal becoming extinct and

losing it forever?'' If we do not care about animals, why in the world should we care about plants?

I have a friend with whom I went to high school. He was one class ahead of me. We played ball together. He had a son. His oldest boy hit a home run in the Little League. He could not make it around the third base. When he got to home, the parents were a little concerned that maybe he was lazy. The fact of the matter was this little boy had leukemia. In those days, when children got leukemia, 20 or 25 years ago, they died. They did not survive. Childhood leukemia was fatal. My friend's little boy died, and he died quickly.

Mr. President, as a result of a plant called the periwinkle plant, scientists found that the substances from that plant allow children to live. Children with leukemia now live because of the plant called periwinkle. Childhood leukemia is no longer fatal, because of this plant.

About 40 percent of the curative substances we take come from plants, many of them from the rain forests and other areas that are going out of business because of population density. I urge my colleagues who recognize the need for substantive reform of the Endangered Species Act, who understand the devastating effect of this moratorium, will support an immediate repeal of this devastating moratorium and allow us to move forward with a sound, substantive, bipartisan reform of the Endangered Species Act.

Mr. GORTON addressed the Chair.

The PRESIDING OFFICER. The Senator from Washington.

THE MAYR BROTHERS

Mr. GORTON. Mr. President, last weekend 170 employees of the Mayr Bros. sawmill in Hoquim, WA, were notified that they were about to be laid off. One-hundred and seventy individual workers is not a particularly large number in connection with all of the layoffs that have taken place across the Nation during the course of the last year. But this is almost the last 170 workers for this particular mill. They are in addition to several thousand others in the area who have lost their jobs during the course of the last 4 or 5 years.

Hoquim, WA, the location of the mill, is a small city of about 9,000 people. The Mayr Bros. mill is one of the few that remain in that city. It has been a mainstay of this community for 63 years at this point in its history. Hoquim, Mr. President, to put it mildly, is not a destination tourist resort by any stretch of the imagination. It is a working-class community that has provided wood and fiber and paper products for the people of the United States for the entire length and breadth of the 20th century.

These layoffs, however, are from a different cause than simply the dynamics of a constantly changing economy. They are taking place because of deliberate policies imposed by the Congress and by the administration with respect to the harvest of timber in our national forests and on the lands managed by the Bureau of Land Management of the United States.

It is particularly ironic in the light of these layoffs that the junior Senator from the State of Washington the day before yesterday introduced a bill that would effectively cancel all of the harvest on Federal lands all across the country that were authorized by a rescissions bill signed as recently as last July by the President of the United States, after extensive negotiations involving his office, my office, and that of the distinguished Senator from Oregon [Mr. HATFIELD].

The owner and operator of Mayr Bros. mill, Tom Mayr, has left four Federal timber sales. They are commonly referred to as section 318 sales, named after that section of the fiscal year 1990 Interior Appropriations Act sponsored by then Senator Adams and Senator HATFIELD to provide some interim relief while we determined the future management of our national forests. But even those sales specifically authorized by a fairly recent statute here have been held up for more than 5 years just while a study respecting the marbled murrelet has gone on in the timber area.

Now, Tom Mayr is not the only person who is affected by those provisions or by the Rescission Act provisions. Roughly 600 million board feet of Federal timber contracts have been held up by the Government. In each case they have one feature in common. They represent contracts which were signed by the Federal Government authorizing the harvest about which the Federal Government had second thoughts at some later period of time. As a consequence, if they are not carried out, the Federal Government will have very considerable contractual liabilities, at least $100 million—perhaps more than that.

Included in the Rescissions Act was language directing that the administration release these timber sales unless one of these marbled murrelets was known actually to be nested in the area. So they are sales in which there is no known nesting habitat for that particular species.

When President Clinton signed the bill, sale owners began to see some light at the end of a very long tunnel but then the administration changed its mind. Despite the fact that the language in the provision was very clear and was discussed with representatives of the White House before it was passed and signed, it has literally taken court orders to get the Clinton administration to implement the provision. As a consequence, fewer than one-half of the sales covered by the provision have been released and only those as a result of a court order.

Much has been made of these so-called salvage timber provisions in the rescissions bill, so an outline of precisely what they contain should be included in the RECORD at this point. First, the only one of the three areas covered by the rescissions bill language on timber harvesting contracts is section 2001(k). Two other provisions, one on timber salvage and one on the administration's own option 9 provisions, were designed simply to help the administration carry out its own promises. They required the administration to do nothing at all. If it wished to repudiate its promises with respect to salvage timber or with respect to the option 9 commitments of the President of the United States to the people of the Pacific Northwest, it is entirely free to do so unaffected by the provisions of the rescissions bill.

The areas that are covered by the bill on a mandatory basis involve less than 10,000 acres out of the 30 million acres of Federal forestland in Oregon and Washington, fewer than 1 acre out of 3,000. Let us put it in a slightly different fashion. If this provision were a permanent provision ordering this amount of harvest every year rather than a one-time provision to honor past contracts, in 1,000 years fewer than half of the acres in the national forests in these two States would have been harvested once. In 1,000 years, fewer than half of the acres would have been harvested one time. The 600 million board feet represents one-tenth of the historic harvest level in the forests of the Pacific Northwest and far, far less than the natural regeneration rate of those forests. We are talking about a tiny degree of relief, a very modest degree of relief both for the people of timber country and for that matter in connection with the demand of the people of the United States for forest products for paper production, for fiber production, for wood for the building of houses, and the like.

Even so, when the administration began to have second thoughts about this provision, Senator HATFIELD and I listened quite carefully to its views, and in the bill passed by the Appropriations Committee yesterday to gather together all of the remaining appropriations bills in one omnibus proposal we have proposed two changes. We have made it much easier for the administration to exchange particular sale areas that it thinks are especially sensitive for others that are less sensitive assuming that the contractor goes along. We have also made it possible for the administration to buy out certain sales if it can gain the consent of the contracting party, and it can. We know of areas, including Mr. Mayr's areas, in which it can do so. But it is required to use the money already appropriated to it and not simply to do as the administration wishes, to come up with another $100 million unaccounted for, to be added to the deficit to be sent as a bill to our children and grandchildren. If it can find other ways in which to come up with presently appropriated money to purchase these sales or can find other areas in which to

make exchanges of such sales, it can do so.

I think it would be especially ironic if the legislation to repeal the rescissions bill were to pass in the immediate aftermath of this most recent set of layoffs. It shows a tremendous indifference to the faith of hard-working people who have paid their taxes and built their communities over the better part of this century.

There are those who claim to be offended by this law, so offended that they call for its repeal. I am offended; I am offended by their complete and total lack of compassion that this proposal shows to these hard-working people and to the American economy and to the countless others before them who have lost their timber-related jobs as a result of similar policies.

I am offended by the total indifference to the cost of the repudiation of legal contracts entered into by the Government, shrugging them off on the proposition that someone else can pay for them sometime in the future and that we will simply add another bill to the taxpayers of the United States.

Mr. President, we will be debating this issue during the course of the next several days. I will have some charts demonstrating graphically the statistics I have outlined, that we are talking about an extremely modest proposal. We are speaking of far less harvest than the President's own promises as recently as 2 years ago to the people of the Pacific Northwest. We are simply enabling the President to keep the promises that he made, that he now, in an election year, desires to ignore.

MEASURE PLACED ON CALENDAR—H.R. 497

Mr. GORTON. Mr. President, I understand there is a bill due for its second reading.

The PRESIDING OFFICER (Mr. SHELBY). The clerk will read the bill by title.

The assistant legislative clerk read as follows:

A bill (H.R. 497) to create the National Gambling Impact and Policy Commission.

Mr. GORTON. Mr. President, I will object to the further consideration of this bill at this time.

The PRESIDING OFFICER. The bill will be placed on the calendar.

Mr. BAUCUS addressed the Chair.

The PRESIDING OFFICER. The Senator from Montana.

A BALANCE IN SALVAGE SALES IN TIMBER

Mr. BAUCUS. Mr. President, I first want to make a general observation with respect to the previous Senator's statement on the salvage sales. I think we all agree that we are striving for balance here; namely, we want to assure that dead, diseased, dying timber, that is, salvaged timber, is harvested appropriately. That means there is a role to speed up salvage sales, but we also want to make sure we do not abuse our environmental statutes, abuse environmental protections.

I know the Senator, as all Senators are, is hoping to try to find the correct balance between those two extremes. One extreme is to go in and cut timber, dead, diseased, dying timber, and also green timber, as we do not want to abuse the salvage sale provision, but at the same time we want to make sure that our environmental statutes are adequately protected, because all Americans want balance and they want to make sure our forests are protected and want to make sure that they are also properly managed.

THE FUTURE OF MEDICARE

Mr. BAUCUS. Mr. President, it is all too easy for people in Washington to lose sight of what really matters. What really matters is how decisions made here in Washington actually affect average American families. The Medicare Program is a good example.

As the future of Medicare is debated, we are going to hear a lot of fancy words, a lot of concepts thrown around by both sides. But let us not forget that premiums, deductibles, copayments, and managed care mean nothing in and of themselves. Let us not lose sight of the bottom line. The bottom line is how the Medicare Program helps people, average, hard-working, descent people in my home State of Montana and across the Nation.

Are the proposed changes in Medicare going to actually help seniors live in dignity and security? Will they actually help average working families begin to plan for a secure retirement? Will they actually give these same families the peace of mind of knowing that they will not be forced to shoulder the costs of their parents' medical expenses?

Not long ago I was going through my mail from home and I came across a letter that helped drive these points home. It came from Mrs. Ethel Ostheller in Libby, MT. Libby, you might know, is a small town in the northwest corner of our State.

Mrs. Ostheller is 85 years old. She is widowed and lives off Social Security. She has had some serious health problems. She had a heart attack. She still owes a little over $700 to the hospital, and she now pays about $150 each month for prescription drugs, none of which is covered by Medicare.

She writes to me about these problems. Let me just read to you the closure of her letter which reflects her concern, but yet the optimism which is so typical of people across our country.

So with all of this, I'm worried [she writes]. I wonder what more can happen. But I'm not as bad off as lots of others. I'm trusting in God, living one day at a time, and I keep busy.

I think that typifies and represents the decency and the goodness and the basic common goodness of Americans.

How will any changes in Medicare affect people like Ethel Ostheller? That is what this debate is about. For her and thousands of other Montanans, Medicare is a health issue but also a pocketbook issue. It helps them plan for a secure retirement and to make ends meet. That is why we must work to assure that Medicare remains solvent and that the Medicare trust fund is not raided, not raided in order to pay for other programs or to pay for tax breaks for the very wealthy, as was the case in Speaker GINGRICH's budget last year. That is also why we must work to assure that the Medicare Program is run as efficiently as possible. Unfortunately, that is not the case for either Medicare or Medicaid today.

The General Accounting Office estimates that about 10 percent of Medicare's total costs result from waste, from fraud, from abuse. That is about $18 billion this year; 10 percent wasted or lost through fraud or abuse.

We all know that $18 billion is a lot of money, but let me put this in perspective: $18 billion is enough money to run the government of the entire State of Montana for 6 years.

More to the point, $18 billion is enough money to reduce the health care costs of every Medicare recipient by $500 each year. That is $500 each year Medicare patients now pay because of Government waste, fraud, and abuse in the Medicare Program. That drives up—that fraud and abuse—Medicare costs. It is robbing our seniors, robbing people like Ethel Ostheller, of hundreds of dollars each year.

How does this happen? Typically, it involves fraudulent billing practices by a Medicare or Medicaid provider; that is, a doctor or a hospital, one of the various providers. It occurs in every State in the Nation and in every segment of our health care industry. There have been abuses in ambulance services, clinical laboratories, medical equipment suppliers, home health care, nursing homes, physician and psychiatric services, and rehabilitation.

Let me cite some examples. These were uncovered by the General Accounting Office and also by the Senate Special Committee on Aging.

A medical equipment company in California billed Medicaid half a million dollars for merchandise they said they delivered to needy patients. What happened? It was a ruse. The patients did not need the equipment; the company never made delivery of the equipment, but they sent the taxpayers the bill anyway.

Another example: Medicare paid $7.4 million to a company for surgical bandages that were never used.

And still another case in Great Falls, MT—unfortunately, my home State: An ophthalmologist overbilled Medicare by $200,000. He was prosecuted and convicted by our U.S. attorney in Billings.

While these incidents may be extreme, they are not isolated. Frankly, I am disappointed with the Federal

agencies that are supposed to have jurisdiction over all this. They have let this go unchecked for too long and have only recently begun to take action. I must say they are not alone.

A tough approach to fraud and abuse is almost completely lacking in the Gingrich plan that Congress is considering. The $270 billion in cuts, which was so harsh on beneficiaries and hospitals, contained a pathetically low amount for fighting fraud and abuse.

We must have zero tolerance for those who willfully cheat the Medicare system—zero. Ultimately, they are stealing money from ordinary Americans, average American families. They are stealing money away from seniors, people like Ethel Ostheller, who depend upon Medicare to help make ends meet. They are also stealing money from millions of Americans who are working today and deserve to know that Medicare will be there when it is time for all of them to retire.

In the weeks ahead, I intend to come forward with proposals to get tough on Medicare fraud. I look forward to working with a number of my colleagues, both Democrats and Republicans, to find commonsense solutions to this very serious problem.

Thank you, Mr. President.

ACTION TAKEN ON H.R. 497 VITIATED

Mr. BAUCUS. Mr. President, I ask unanimous consent that the action just taken on the second reading of H.R. 497 be vitiated.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BAUCUS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DORGAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from North Dakota is recognized.

Mr. DORGAN. I thank the Chair.

(The remarks of Mr. DORGAN pertaining to the introduction of S. 1597 are located in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

SEARCHING FOR PROSPERITY

Mr. GRAMS. Mr. President, when Minnesotans gather to talk about the issues that matter to them most, as they did on Tuesday at their precinct caucuses, there is a common theme that weaves between nearly all of them, especially when they are speaking directly from their hearts.

They are looking for a better life.

They want a good job that pays a decent wage. They want to put enough food on the table. They want a strong roof over their heads, for many, a place they can call their own.

And after the bills have been paid, they would like a little extra at the end of the month to squirrel away in a savings account.

The most striking truth about seeking that better life is that most folks aren't doing it just for themselves. They are pursuing it for their children, too, in the hopes of offering them the best opportunities for success.

In other words, they are searching for prosperity.

It is interesting that prosperity and the struggle to achieve it has spread across the Nation to become a major theme of the 1996 presidential campaigns. The media have just begun to focus on the troubles facing working people, and the stagnating wages and high taxes that have pushed prosperity out of reach for many middle-class families.

But where have the media been? Working families have been feeling the pinch for a long time.

''Our economy is the healthiest is has been in three decades,'' announced President Clinton in his State of the Union Address.

Is it really? There is plenty of evidence to the contrary—and four areas are especially troublesome:

First, the economy itself has dropped to a sluggish pace. The Federal Government released new numbers just last week confirming that economic growth has slowed to a trickle, up by only nine-tenths of a percent during the last 3 months of 1995.

Second, job growth has slowed as well, to about half the rate we'd expect to see in a normal recovery.

The U.S. Labor Department says that pay and benefit increases last year saw their lowest climb in about 14 years, since the Government first began tracking these statistics.

They could, in fact, be the leanest increases since before World War II, an unfortunate trend analysts say could easily continue.

Third, wages continue to slip as Americans take home fewer and fewer dollars.

Real weekly earnings for an average worker dropped three-tenths of a percent in 1995. That means families are taking home almost $800 a year less than they did before President Clinton was elected in 1992.

That is $800 they no longer have to spend on necessities such as groceries, medical expenses, or insurance.

Fourth, while the economy is slowing down, taxes have accelerated.

Americans have never paid a higher percentage of their income in taxes than they are paying today.

In 1950, an average worker paid about 2 percent of his earnings to support our Federal Government. Today, an average family sends 25 percent or more of its earnings to Washington, and that does not include the additional tax burden once State and local taxes are heaped on top of that.

Now if the economy itself was not blocking the road toward prosperity, the record high taxes alone would have done it. Together, they have proven to be a lethal combination for American families and American workers.

None of this will come as any surprise to middle-class, working Americans.

After all, they are the ones paying the taxes at the same time they watch their paychecks shrink.

But they can find some comfort in the fact that it is their anxieties—that is, the anxieties of parents hoping to eke out a better life for themselves and their children in the face of tremendous obstacles—that will perhaps become the defining issues of the 1996 elections.

It all comes down to economic growth, income, and jobs.

We know what is blocking the way, but how did the roadblock get there in the first place?

Do you remember the prank we used to pull when we were kids, when we would attach a dollar bill to the end of a fishing line and plant it in the middle of a sidewalk?

As soon as someone spied the bill and reached down to grab it, we would yank on the string, moving that dollar out of reach and leaving the poor victim embarrassed and empty-handed.

That is what the Clinton administration is doing to the middle class. They tempt working Americans with a dollar bill and the prosperity it represents, but they yank it away just as soon as somebody begins to get close to it.

Rather than offering opportunities for success, the Government has allowed working people to become trapped between falling incomes and rising taxes. Whatever you call it—the ''middle-class squeeze'' or the ''Clinton crunch''—it is cheating the middle class out of their hard-earned dollars.

Just look at your paycheck, look at your tax forms, look at what you are paying for government, who is spending your money, and how they are spending it. In most cases, the bureaucrats have your credit card and are spending it, I believe, without any real accountability.

It should make Americans angry that much of the money they work so hard for is being wasted on programs that do not work, or plainly just cost too much.

Unfortunately, past discussions about issues like wage stagnation and economic growth have too often centered around the minimum wage or corporate profits, and that is not what working men and women care about, though.

They are interested in their net income—what is left after you take out Federal taxes, State taxes, payroll taxes. And under the Clinton administration, there has been less and less left over in your pay envelope, thanks in part to the President's tax increases and the Federal mandates that are sapping the precious resources of our job providers, businesses have been forced to keep wages lower.

They would like to invest their dollars improving salaries and benefits, but any additional dollars that might have been available to improve the lives of employees have been confiscated by the Federal Government.

Even when job providers find the means to offer wage and benefit increases, tax hikes mean families do not see much of a difference in their paychecks after it is done.

And so family incomes—the amount of dollars they have left to spend on food, transportation, clothing, housing, et cetera—have actually dropped every year of the Clinton Presidency.

A Government-mandated increase in the minimum wage is not the only solution—although many argue that is all we have to do and many problems would be cured—because low wages alone are not the problem.

The Clinton administration simply cannot stop spending, and requiring more and more tax dollars to feed that spending, taking away most of the money that could be used for better salaries, or new jobs.

If the Government would reform itself, if it would curb its spending and cut taxes, middle-class families would not need a hike in the minimum wage or risk losing their jobs because of it.

In our current economic climate, it is the working folks who have the most to lose. The wealthy do not need our help. The poor already have the safety net of welfare and the hundreds of Federal programs it opens up to them. But who is watching out for the working people? They are the ones being squeezed.

Yet the Clinton administration just does not get it, despite all the talk from the White House about the need to reform Government and balance the budget.

Just last week, President Clinton requested an additional $8 billion from Congress for increased domestic discretionary spending.

How can you go on national television one week to declare that ''the era of big Government is over,'' and then come to Congress just a few weeks later, hat in hand, asking for another 8 billion dollars' worth of even bigger Federal Government?

Where do we get the money—higher taxes, or borrow it and make our kids pay?

My colleagues on the other side of the aisle still do not get it, either.

They staked out a new agenda of their own last week as part of a campaign to portray themselves as the soul of the working class. Incredibly, their proposal includes more job-killing taxes on the Nation's job providers.

That, of course, comes after they spent months trying to delay and derail our efforts to balance the budget and offer meaningful tax relief to American families.

Republicans have put on the table a balanced budget, welfare reform and Medicare reform. But who has stood in the way of getting that passed so the American people can begin to enjoy the benefits? It has been the Democratic leaders in this Congress and the President who have kept that from happening.

Mr. President, too many years of big Government have proven it: more taxes, more spending, more regulations, and more Government programs will not lead to more jobs and higher pay. We will never tax our way to prosperity or spend our way to economic success.

Unlike those Johnny-come-latelys in the White House and here on Capitol Hill who talk a good game about serving the middle class but never step up to the plate on their behalf, the taxpayers' agenda Republicans are fighting for has always been focused on the working class.

We have heard their calls for tax relief—and we delivered.

We have heard their calls for opening the economy to more jobs, better paying jobs—and we delivered.

We have heard their calls for balancing the budget and putting an end to the legacy of debt we have imposed on our children and grandchildren—and we delivered.

We have heard the pleas of working Americans who ask for nothing more than a chance to reach prosperity—and again we delivered.

In the name of America's working class, we shipped each one of those proposals to the White House—and the President sent each of them back stamped ''Return to Sender.''

Mr. President, the balanced budget passed by this Congress, with its tax cuts and incentives to help stimulate growth and create jobs, is the best way we can help average Americans troubled by an economy that is heading down.

We agree that the key to creating economic prosperity and good jobs is a healthy business climate.

We understand that those jobs can help instill independence and dignity, and create more opportunities for anyone trying to get ahead.

And we know that the key to empowering families to reach that better life, however they may define it, is to cut taxes and let them keep more of their own dollars.

Mr. President, for the working-class people of this Nation who have built their own success and today lead the lives they have always wanted, prosperity is not defined by the size of their last Federal handout or how much something they got for nothing.

It is oftentimes about building something out of nothing, which, after all, is the definition of the American dream.

I urge the President to put aside the election-year politicking and take a real stand on the side of the working class by working with Congress to right the economic wrongs created by his administration.

It is not too late to give prosperity a chance, but it would be irresponsible to make Americans wait until the November elections have come and gone before we really try.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming is recognized to speak for up to 30 minutes.

FRESHMAN FOCUS

Mr. THOMAS. Mr. President, you will be relieved to know I will not take 30 minutes. I have shared it with my friend from Minnesota.

Mr. President, the freshman focus has been in here now for a couple of days, talking about the economy and talking about ways that we can strengthen American families, strengthen the economy, strengthen wages, strengthen jobs. The interesting part of it is that is what we have been talking about here for the last year. That is what we have been talking about when we talk about balancing the budget, when we talk about regulatory reform, when we talk about tax relief. Unfortunately, I think in our communications too often the perception is that we are talking about those things because they are what is in our mind—tax relief and balancing the budget. We really ought to be talking about the benefits of those things. That is why we are doing it.

We are balancing the budget for a result, and one of the results, of course, is the fiscal and moral responsibility to pay for what we are using and not to put onto our children and grandchildren a $5 trillion debt, $260-billion-a-year interest payment, a lifetime interest payment for a youngster born today of $180,000. We really ought to be talking about that.

Our friends on the other side of the aisle stood up yesterday and said, ''We want to start talking about the economy. We want to start the conversation.''

Excuse me? That is what we have been talking about for a year. That is the very thing that the Democrats have blocked all year long—a balanced budget, help to create jobs, tax reform, so that people will invest money in the economy and create jobs so families have more money in their pockets to spend. That is what we are talking about, jobs and wages and an economy that grows.

Unfortunately, we have not always had the information. The President, I think, maybe this year, has said our economy has been the healthiest it has been in three decades. I am sorry, Mr. President, but maybe you need to look at some of the information that comes from your agencies.

Employment data: Unemployment rose from 5.6 to 5.8 in January. The healthiest economy in 30 years? Not for workers. Increases in workers' wages and benefits are the lowest in 14 years. After accounting for inflation, the rise in wages is an abysmal 0.3 percent. At least part of it is the fact that the economy has grown more slowly in the

last 4 years than it has grown in the previous 15.

This year's growth was 1.8, I believe. The last quarter was .9 when we were more accustomed to 3.5, or 4.5 growth.

Why is that? There is a great argument about why that is, of course. The Senator from New Mexico yesterday talked about a program in which the Government would decide which are class A corporations. We would have more regulation and seek to have the Government more involved. That is a point of view, and not one that I agree with.

On the contrary, it seems to me that what we need to do to spark the economy is to have tax relief so that there is more money in the private sector to invest in job creation and to do something about regulatory reform.

I come from a background of small business, and I have some idea of how costly it is to meet the requirements of the regulations. Nobody is saying do away with all regulations, but we are saying that there are ways to do it that are less expensive, that are more efficient, and that will encourage small business.

I do not know how many people have heard of small businesses who say, ''I am not going to fight it anymore. It is not worth it. I have put in all of this effort and really take home very little.''

So, Mr. President, that is what it is about, and we have an opportunity to do that. We have an opportunity—starting last year. And, frankly, we have had opposition from the White House. We have had opposition from the minority Democrats. They do not want regulatory reform. That is available. We can do that. Balance the budget—we are still in the process of that. What is so magic about balancing the budget, for Heaven's sake? We have not done it for 30 years. Everyone else has done it. You have to do it in your family. You have to do it in your business. It is a constitutional requirement in Wyoming. The legislature is meeting now. When they came, they knew. ''Here is the revenue we have, and here is the expenditure that we are allowed to make.''

They do not do as we have done in the Congress for 30 years and say, ''Here is the revenue. Here is the expenditure. Put it on the kids' credit cards.''

That is what we need to do in order to do something about the economy, Mr. President. I hope that we will do that.

SENATOR HENRY SCHWARTZ

Mr. THOMAS. Mr. President, I would like to acknowledge today one of my State's—Wyoming's—unsung heroes, Senator Henry Schwartz, who served our great State from 1936 to 1942.

Senator Schwartz did much for Wyoming. But today I would like to focus on his efforts during the 76th session of Congress when he had amended the National Defense Act to establish a school specifically for the training of black pilots.

While military opportunities for minorities increased after the Civil War—like the establishment of the famed Buffalo Soldiers who fought and died for our country on the western frontier—there were very few, if any, opportunities available in the Air Force, at that time, the Air Corps.

To challenge that trend, in 1939 representatives of the African-American community asked Congress to consider allowing blacks to be military pilots. The matter had been given little consideration until Senator Schwartz submitted an amendment to the National Defense Act which established a training school specifically for African Americans. The amendment passed with a vote of 77 to 8, and history was made.

With the help of the Senator from Wyoming, legends like Benjamin O. Davis, Jr., America's first black Air Force general and commander of the 99th Pursuit Squadron—also known as The Tuskegee Airmen—was given a chance to serve this country.

Past and future aviators, from astronauts to fighter pilots, will continue to rise in the defense of America because of Henry Schwartz's work.

So today I rise to acknowledge the work of Senator Henry Schwartz and sincerely thank him. His genuine belief in affording all Americans the opportunity to achieve is his legacy to this Nation.

Thank you, Mr. President. I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. D'AMATO. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

WHITEWATER DEVELOPMENT CORP. AND RELATED MATTERS—MOTION TO PROCEED

The PRESIDING OFFICER. The clerk will report the motion to proceed to Senate Resolution 227.

The assistant legislative clerk read as follows:

Motion to proceed to consider a resolution (S. Res. 227) to authorize the use of additional funds for salaries and expenses of the Special Committee to Investigate Whitewater Development Corporation and related matters, and for other purposes.

The Senate resumed consideration of the motion.

Mr. D'AMATO. Mr. President, I believe that we have a constitutional obligation to get the facts as it relates to the Whitewater Committee and its work, which is incomplete. It is not nearly complete. It is not complete for a variety of reasons. The fact of the matter is that just this past Saturday—actually late on a Friday—this committee received a letter from a very prominent lawyer. That lawyer represents Bruce Lindsey. Bruce Lindsey is President Clinton's close friend, confidant, and assistant.

For months and months and months, Mr. Lindsey and his attorney were aware of the fact that we were seeking all notes and all relevant material that he may have had in connection with Whitewater. We know that he was part of this Whitewater strategic team. We know that. Mr. Lindsey testified that he did not take notes. We were concerned and we had reason to believe that he did take notes.

Mr. Lindsey's attorney sends us a letter, very interestingly, dated March 1. That is after the deadline for our committee's work or the appropriation for our committee. He sends us the notes that we had asked him about, which he had first denied ever having taken. There are two pages, all about Whitewater and various questions—like who made telephone calls in connection with it to Bill Kennedy, Randy Coleman, Hale, and other people involved in it. And then he tells us in his concluding sentence that he has additional documents, and he claims a privilege—not a privilege between himself, being Mr. Lindsey's lawyer—but he raises a privilege between himself and these documents being sent, that they are attorney-client discussions and communications with the President's counsel.

Now, first, we have the White House saying they would not raise the issue of privilege. Second, we have no way of knowing if this information falls within that domain. Third, in order to keep his client from obviously thwarting the will of the committee and its subpoena, he cloaks this. Understand, if anybody can simply say that these are documents or information that I shared with the President's counsel, that would automatically thwart us from getting information. That is what this is about. This is a way of keeping information from us and not, obviously, being in a position where he is in contempt of a duly authorized, issued subpoena. That is what is going on. It is incredible.

Now, our attorneys have written to him. Our attorneys have written and we have asked to see the so-called privilege log that would exist, and we have been denied that. We have been given no response to this. Here we have people who want to cut off this investigation. They want to cut it off. Well, I have to tell you that when we get information that comes in after the work of the committee, that we hoped had been concluded, and get information from key White House officials, I have to suggest that that is why it becomes

very difficult and dangerous to set a time certain for the conclusion of an investigation.

Indeed, in the book ''Men of Zeal,'' the former Democratic leader, Senator George Mitchell, said exactly that. He said this about when you set time lines:

The committee's deadline provided a convenient stratagem for those who were determined not to cooperate. Bureaucrats in some agencies appeared to be attempting to thwart the investigative process by delivering documents at an extraordinary slow pace. The deadline provided critical leverage for attorneys of witnesses in dealing with the committee on whether their clients would appear without immunity, and when in the process they might be called.

This is exactly what is taking place—holding back documents and documentation until the critical moment. Wait until the committee goes out of existence and then say, ''Oh, by the way, I was culling my files * * *'' Look, that is preposterous. This is the second major player to do this, the other being Mr. Ickes and his lawyer. Guess what his lawyer found? Mr. Ickes is deputy chief of the White House. His lawyer found the same kind of information. Guess what? In the same way. He culled his files and found them. Why would you not undertake this when we issued subpoenas months and months and months ago?

There have been more editorials than this Senator cares to go through. Almost by a 5-to-1 ratio, the editorials say the Whitewater work should continue. Even though they did not say it should continue without a deadline, they indicate that, obviously, the work and the investigation has to be conducted in a way not to unduly politicize this investigation. We understand that there are political ramifications. We understand that on both sides.

I think it is instructive to look at two articles. One is the New York Times. I do not deprecate any source of editorials. They have a right to think what they do. I think it is instructive when they say, ''The Senate's duty cannot be truncated because of the campaign calendar.'' That is the New York Times, not Senator D'AMATO. That is not a partisan vehicle for Republican or conservative policies. Very clearly, the question then is: What are my friends afraid of? What is the White House afraid of? What are they hiding? What are they hiding?

Now, it has been said that, ''You will never end this.'' Look, I will put forth now that we are willing to say we will conclude this in 4 months. We think the trial will take 6 to 8 weeks, maybe a little longer. That would give us 6 to 8 weeks, depending on when the trial in Little Rock ends. Why do I say trial? There are key witnesses, who have been unavailable, that this committee would like to examine. We would like to examine them and find out what they know or what they do not know. By the way, some of them may be unwilling to come in.

I do not know how much more generous we can be. Certainly, to set a time deadline of April 5 is silly and would guarantee that we could not bring in these witnesses. It would guarantee, I think, the kind of thing that we got in that letter that was sent to us, in which the lawyer, in a very artful way, claims attorney-client privileged communications with the private counsel for the President.

What we will do is have all of these witnesses that we seek to get documents from simply talking to the President's lawyer, and then you have automatic attorney-client privilege raised. That is wrong. We may have to fight that out, and we may have to take it to the floor of the Senate and ask for enforcement of the subpoena, and we will do it. We will do it.

I do not know if those documents or that information will give us new information, information that we are not aware of. But I have to ask, ''why would you hold this back?''

Why would you not let us see the so-called privileged log so we could determine whether or not this was noted as something that was privileged earlier on, or is this just a convenient way to keep the committee from getting information and the American people from getting facts they are entitled to.

I had a radio commentator who said, ''I am sick of this Whitewater.'' I have to tell you, ours is not to be an extraordinary, wonderful show. That is not the job of this committee. Ours is not to be entertaining. Ours is to get the facts. That is what we are attempting to do. But we have been thwarted every inch of the way.

Again, here is the New York Times. What do they say? ''The Senate's duty cannot be canceled or truncated because of the campaign calendar.'' Then it goes on to say something very illuminating: ''Any certain date for terminating the hearings would encourage even more delay in producing subpoenaed documents that the committee has endorsed since it started last July. The committee has been forced to await such events as the criminal trial next week of James McDougal, a Clinton business partner in the failed Whitewater land venture.''

Now, these are facts. Facts. We have not had the factual information we have required and we are entitled to. We have been dealt with, I believe, disingenuously by many of the witnesses through their counsels in holding back information. I cannot believe a lawyer, in terms of searching for information, would not have revealed the facts and information repeatedly. If one were to look at the transcripts of the testimony, we will see witnesses who cannot remember, who forget over and over and over again.

Officer O'Neill, the uniformed officer who was on duty at the White House the night of Vincent Foster's death, testified he was about to secure Foster's office. He saw Maggie Williams. Who is Maggie Williams? She is the assistant chief of staff to the First Lady, Hillary Clinton. He saw her carrying records out of Foster's office and place them in her office.

Now, his testimony is very detailed. Williams and other White House insiders present at the same time, deny the records were removed. Williams testified that she did not remove documents from his office.

The fact of the matter is we found documents, billing records that we know were in the possession of Mr. Foster. We know that; we have his own personal handwriting affixed to the billing documents. Guess where they show up? Upstairs in the residence of the White House.

Now, how do you think they got there? How do you think they got there? By the way, Officer O'Neill has no reason to make up a story. He is not going to make a story up.

We have another young man by the name of Castleton. Officer O'Neill says, ''I saw Evelyn Lieberman walk out of the counsel suite; she stood in front of the doorway, and I looked at her.'' Again, locking the office was mentioned.

A few seconds later, I saw her come out with Mr. Nussbaum, come out behind her, and I saw Maggie Williams come out and turn to the direction I was standing and carrying what I would describe as folders, and she had them down in front of her as she walked down in the direction of where I was standing. She started to enter her office. She had to brace the folders on her arm, on a cabinet, and then she entered the office and came out within a few more seconds and locked the door.

How did he know that this was Maggie Williams? He says, ''When Maggie Williams did walk out of the office and walked in my direction, Miss Lieberman said, 'That is Maggie Williams. She is the First Lady's chief of staff.'''

He goes on.

Question. A lot of questions have been asked about the fact you indicated some uncertainty whether there was a box on top of the folders. Are you in any doubt that Maggie Williams was carrying folders as she walked out of the White House counsel's office and walked past you into her own office?

Answer. I am not in any doubt about it at all, sir.

Question. Were you not sure, right?

Answer. I was, yes, sir.

Question. You are not playing games with us and not going to tell us you are certain about something if you are not?

Answer. No, sir.

Let me continue here. There is a young man by the name of Castleton, a White House intern who worked on the Clinton 1992 campaign; this is not a person who is out to get President Clinton. He testified that at Maggie William's request, he carried a box of documents that had been removed from Vincent Foster's office. This box was moved from Maggie William's office to the First Lady's personal residence. During the trip to the First Lady's office, Castleton testifies that Williams told him that the First Lady wanted to review these records.

Now, Maggie Williams, she does not remember. She did not remember. She

says that she would never tell him that. Why would she tell this fellow this? That is what she testifies to.

Why would Castleton make up a story like that? How do you think realistically the billing files turned up in the personal residence—the billing files of the Rose Law Firm; the billing files that really point to critical times and dates; the billing files that demonstrate that indeed the Rose Law Firm and Mrs. Clinton in particular had numerous calls with Seth Ward, Seth Ward being the eventual purchaser, one of the purchasers of the Castle Grande property. I think there were 14 to 15 conversations, meetings and/or calls, during a relatively short period of time, during a matter of 4 or 5 months. This is not inconsequential. This is Seth Ward, Webb Hubble's father-in-law.

One would ask, why would Webb Hubble not have been doing that work? One would have to come to the conclusion, given the nature of those transactions—and those transactions wound up costing the American taxpayers, ultimately, $3.8 million, taxpayers' money—that those transactions were not bona fide. As a matter of fact, Federal officials have characterized them as ''sham transactions'' that really were the kind of thing that led to the looting of the bank.

''Let me ask you, when Mr. Chertoff raised the question to Mr. Castleton, did you understand that the box you were taking was a box of files that originated in Mr. Foster's office?''

''I did understand that, sir.'' This is Mr. Castleton, a young man that worked on the Clinton campaign; he still works at the White House.

Mr. CHERTOFF. You heard that from Maggie Williams?

Mr. CASTLETON. Yes.

Mr. CHERTOFF. Let me ask you, Mr. Castleton, on the way to the residence after you picked up the box, you were walking up with Maggie Williams on the way to your residence. What were you told by Maggie Williams about the box being taken up to the residence?

Mr. CASTLETON. I was told that the contents of the box needed to be reviewed.

Mr. CHERTOFF. Reviewed by whom?

This is a young man that worked on the Clinton campaign in 1992, a young man who was working in the White House, a young man who still works in the White House.

Mr. CASTLETON. By the First Lady.

Mr. CHERTOFF. And is this something that Margaret Williams told you as you were walking up?

Mr. CASTLETON. As we were walking from the place where I originally picked up the boxes to the residence.

Now, counsel goes on further. This young man is unequivocal. I have to ask a question: Why would he lie? Why would Officer O'Neill lie? Why would he lie? He had no reason to make this up. Why would somebody who, as a partisan, has every right to be for one or the other—he went out and worked for the President—why would he would deliberately just make this up out of his head?

And then, do not forget there were intervening times. They could have said, ''I imagined; I heard.'' He did not do that. It was unequivocal.

Counsel says, ''Now, what did Margaret Williams say to you?''

''Miss Huber, she called.''

Miss Huber is a longtime Clinton aide who eventually found the billing records. Where? In the personal residence of the First Lady and the President.

Miss HUBER. She called and said that Mrs. Clinton had asked her to call me to take her to the residence to put this box in our third floor office. We call it an office.

Mr. CHERTOFF. Had Margaret Williams, on an earlier occasion, talked to you about storing records in the residence?

Miss HUBER. No.

Mr. CHERTOFF. This was first time you had ever done that?

Ms. HUBER. Yes, sir.

And you specifically recall that the First Lady had made that request?

Yes.

Now, look, is Ms. Huber lying? Is Officer O'Neill lying? Ms. Huber has spent 20 years with the Clintons. Do you think she lied? She did not lie. She told the truth.

Listen to this. It is very instructive. It is very instructive. This woman, Ms. Huber, is the person who stores personal documents and puts them away for the Clintons.

Mr. Chertoff says, ''Had Margaret Williams on any earlier occasion ever talked to you about ever storing records in the residence?''

And Ms. Huber says, ''No.''

Again, I think this is rather interesting. This is the first time. So Mr. Chertoff says:

This the first time she ever had done this?

Yes, sir.

And she told you specifically the First Lady had made this request?

Yes.

Now, let me tell you something. Here we are talking about three people, three people. Officer O'Neill, who says that he actually saw Maggie Williams removing documents from Vince Foster's office. She denies it.

Here is the second young man, Mr. Castleton. He worked for President Clinton in the campaign. He still works for the White House; he obviously has an affinity for the President and First Lady. He has no reason to make up an adverse story. What does he say? He says Maggie Williams told him, ''We are bringing these documents up to the First Lady.'' And, ''The First Lady wants to review them.'' Wants to review them.

He did not equivocate.

''Are you sure,'' we said.

''Yes.''

''Are you sure?''

''Yes.''

And then we take Ms. Huber, a woman who ran the Rose Law Firm. She was the office manager there. She was in charge of the Governor's Mansion. She is a special assistant at the White House, a close confidant of the Clintons. She is the woman who stores their various papers, such as, I think she testified, income tax records and other papers, deeds of their homes, et cetera. We are talking about a trusted confidant, a friend of the Clintons.

And get this. You must understand how unusual this set of transactions were. Mrs. Clinton, again, gives an order, an order that Maggie Williams relays to this young man. She says, ''We have to take these documents upstairs because Mrs. Clinton wants to review them.''

When we asked Maggie Williams about that she denies it. ''Why would I tell him?'' Of course she told him. He did not make that up.

But are we going to say that Officer O'Neill was wrong? That this young man made up this story? And that Ms. Huber, Carolyn Huber, who has been with the Clintons for years and years and years and years, that she would dream this up? Listen to what Mr. Chertoff, our counsel, asked. He said:

''Had Maggie Williams on any earlier occasion talked to you about ever storing records in the residence?''

Ms. Huber said, ''No, no.''

''Mr. Chertoff. This was the first time she asked you that you had done that?''

''Yes, sir.''

''And she told you specifically that the First Lady had made these requests?''

She says, ''Yes.''

Are we really saying here that Ms. Huber made this story up? That she lied? Listen to the question:

Had she told you specifically that the First Lady had made this request?

Yes.

Had you ever been asked to do this before by Maggie Williams?

No.

These are the kinds of things that we find. They may be embarrassing. I have not brought these out before but, I tell you, it demonstrates the need to continue and to get the facts. And then we have the mysterious—I call it the miraculous appearance of these documents.

Let me ask you, how do you think the documents got there, given the testimony of Officer O'Neill? Given the testimony of Tom Castleton, a young assistant who works in the White House, who said he was instructed to take the documents there and that Mrs. Clinton wanted to review these files? That is what he was told by Maggie Williams. Given the fact that Carolyn Huber had never been asked by the chief of staff for the First Lady to take files upstairs? She had been asked by the First Lady, had been asked by the President. Indeed she was their confidant. Never been asked before, but, more specifically, had been told that these instructions came by way of the First Lady.

And then where do the files, the billing records, show up? Do you really wonder how they got there? Do we really believe the butler brought them there? How could the butler get his hands on them? Did he go into Vince

Foster's office, unseen by anybody and everybody? Do we really want to be serious about this? Or do we want to trivialize it and say, ''Well, it is political.''

We can do that. That is fine. I am used to that. That is fine. What the heck, they have a file over there on me at the White House that their staff has been directed to compile, that they sent over to the DNC. I did not know that was the kind of thing that our Government was involved in. I did not think that the White House should be doing that kind of thing. I have heard about enemies' lists in the past. Is that the kind of business we are in? We want to stop the investigation? This is what we are going to do and we do not care who we slander and how we do it? And do we really use Government employees to become engaged in this kind of thing?

It is bad enough if you are going to do that out of a political party. Let them do it. I do not say it is good. I do not say it is bad. It takes place. But, I mean, are we going to have Federal employees at the White House engage in that kind of thing? Are we going to have them be instructed by their counsel, by one of their counsels, who tells them: Let us get a file. Give us all the dirt you have on the Senator and send it over to the Democratic National Committee so we can get one of their guys to go out and continue to make regular attacks.

It is not going to keep me from calling them as I see them. Let me tell you something, if there are facts that are exculpatory and there is nothing wrong, then, fine. This is just one little, tiny area.

If we want to talk about this for days and days on the floor of the Senate we can do that and we will continue to do that. And let me serve notice, you may block this by way of a rollcall, a party rollcall. People have a right to vote any way they want. We will continue this work. And if we have to do it through the Banking Committee, we will do it.

Let me tell you, I have not asked to go beyond the scope of that resolution and I have resisted calls to get into other areas. I have resisted them. But my inclination will not be to do that if we are forced to go through a very circuitous process, in which ours is to get the facts.

When the New York Times—you can quote 32 others and you can quote letters to the editors, et cetera, that say this is a political witch hunt, this or that—when they say that we should continue the work and gather the facts, do not truncate this, I do not think there can be a clearer call.

Let me go on. Here is Mr. Chertoff, in discussing some events with Miss Williams. He says, ''The fellow that helped you take the box, the papers, up to the residence?'' She is talking about this young Castleton, Mr. Chertoff is. Miss Williams says, ''Yes.''

Mr. Chertoff, the counsel said, ''Did you tell him that the reason that documents had to go to the residence was so that the President or the First Lady could review their contents?

''No,'' she says. ''I do not recall saying that to Tom Castleton.''

Mr. Chertoff then goes on, ''When you say you don't recall, are you telling us affirmatively that you didn't say it or are you just saying that you don't have a recollection one way or the other?''

''Miss Williams. Well, I would like to say—'' now listen to this—''affirmatively I did not say it, because I cannot imagine why I would have that discussion with an intern about the files, going to the President and the First Lady. I know that I told them we were going to the residence because I figured he needed to know where he was going. But I cannot imagine that I said more than that. So I do not recall having the discussion with him.''

Mr. Chertoff later on goes on:

> Well, let me read you—that this intern testified in his deposition, starting at line 7, page 139, and he said, ''And, what did she tell you? Answer: She told me that they were taking the boxes into the residence.'' That part you agree with?

Ms. Williams says, ''Yes.''

Mr. Chertoff then says:

> And, did she say where in the residence? Answer. No. Question. Did she say why you were taking them there?

Here is Mr. Castleton:

> She says ''yes.''
>
> Question. ''What was her statement? She says that the President, or the First Lady, had to review the contents of the boxes to determine what was in them. You disagree with that?''
>
> Ms. Williams. ''Yes. I do.''
>
> Mr. Chertoff. ''And you also do not agree with Mr. Nussbaum's testimony that in his discussion with you he indicated that the documents would go to the residence and the Clintons would be there and they would make a decision where they go? You disagree with that?''
>
> Ms. Williams. ''No. That is not what I recall.''
>
> Mr. Chertoff. ''You disagree with both of those?''
>
> Ms. Williams. ''That is not what I recall.''

Mr. President, here we have a Secret Service officer, Officer O'Neill, who testifies that on the night of Vince Foster's death, that he sees Maggie Williams moving these documents—and he testifies with particular clarity. Maggie Williams denies that and takes polygraph tests. They sustain her contention that she did not do that. In fairness to her we have to say that.

I think we also have to understand and note that we do not know how many polygraph tests she may have taken. There is also a very real question with respect to the reliability of them given the manner and the circumstances in which they are administered. But there is no reason, no earthly reason, for Officer O'Neill, who has been on the security detail of the Secret Service for some 17 years, to have conjured up his testimony or to have made that up or to create or to fabricate.

No. 2, this is just one little part. But I focus in on it because I think it answers the question as to how the documents got into the residence—the documents being the billing records that just came to light in January, months and months and months after—2 years after the special counsel had subpoenaed them.

So people knew. I mean, the White House lawyers knew. Everyone knew that these documents were requested and were sought for 2 years. They were covered by a subpoena. They were covered by our request and subsequent subpoena in October.

(Mr. COVERDELL assumed the chair.)

Mr. D'AMATO. Mr. President, let us take a look at this. So we have the officer. He sees files being removed. We then have the testimony of Mr. Castleton, the young White House intern who is now working at the White House and worked for the President in his election campaign in 1992 and probably will be working on this one. So he has no reason, no hostility, no animus to try to create a story. He says that Maggie Williams told him they were taking these documents up to the White House because ''Mrs. Clinton wants to review them.''

Then we add to that Mrs. Huber, Carolyn Huber—who worked for the Clintons for 20 years, was really in charge of their personal day-to-day matters, the archiving of important documents, their deeds, their tax records, et cetera. She is the person who says that when she initially found these billing records back in August of last year—and I believe her—she thought they were being left there because things were generally left on the table, the Clintons would leave things on the table to be filed by her, and that is what she did.

She took these and put them into a box and carried them downstairs to her office where she would review eventually that and other materials to decide where they should be placed. It was not until January 4 that she discovered what these were.

How did these documents get there? Who had them? Who had control over them? Who deliberately withheld them from the special counsel, from the RTC, and from others? How do you think they got there? Do you think Officer O'Neill dreamed up the fact that Maggie Williams took documents out of Vince Foster's office? Do we think this young man, Tom Castleton, dreamed up the fact that it was said that indeed Mrs. Clinton wanted to review these files, and they were carried up, she asked to have carried up these boxes of documents. And what about Mrs. Huber, a Clinton confidant for 20 years, who ran the Governor's mansion in Little Rock, was office manager in the Rose Law Firm and is an assistant now in the White House, who is in charge of archiving all of the most personal of their documents? Do you think she made up the story when she said, for the first time—never before, you have to understand—she passed an assignment to carry documents up by the

chief of staff, Maggie Williams, to the First Lady? This is the first time the First Lady asked her. She was specific in saying that this took place and Mrs. Clinton wanted to look at these papers.

Is there any wonder why? This is not something that you could easily lose—a slip of paper, a scrap of paper inadvertently in the bottom of a desk drawer or in a file that one would not come up with, you know, the general file. These are the records.

Why do you think the records were discovered in August? That was the very time when the RTC was raising questions with respect to the various transactions.

What is illuminating about this is that there are a number of times, occasions, when the Rose Law Firm—in particular, one of its partners—had conversations with Seth Ward about a transaction that was characterized by Federal banking regulators as a ''sham.'' This is a transaction that would eventually lead to the loss of $3.8 million of taxpayers' money and, obviously, one with which Webb Hubbell did not want to have his name associated because the deal maker in that case was his father-in-law, Seth Ward. His father-in-law. That is why he had another partner on that deal. I do not know what they were going to do. But eventually Seth Ward had to pay back $335,000 when the bank collapsed and the RTC said, ''You are going to give us back this money.'' He had a big lawsuit between McDougal and the bank. He won that lawsuit because lots of the facts that probably should have been presented at trial—the fact that it was an inside, cozy deal—really did not come out. There was $335,000 in commissions that Ward got for not doing a darned thing. Why give that money for not a thing? There was a 10-percent commission for land that was sold by this fellow McDougal, partner to the Clintons, from one bank to the other.

Now, look, the pattern continues. Documents are produced because they fall into the hands of the people who cannot nor will allow themselves to be placed in a position of obstructing justice. When Mrs. Huber eventually realized what these documents were and that they were subpoenaed materials, when she saw them on January 4, she did what she was supposed to do; she called this attorney, called White House counsel. They came over and made copies. The committee got them.

So how do you think the documents got there? Do you think they were in that box that young man carried up there? If they were in that box, then how is it, as maintained by the White House, that everything was sent over, that nobody looked at this. I think that is the most unreasonable, incredible story I have heard.

Let me tell you why. You had a lawyer, a trusted confident and lawyer, who met an untimely, tragic death and he had some of your most sensitive papers in terms of your tax treatment and liability in terms of a variety of issues that could be certainly embarrassing and certainly important to you. And he died, and you ask someone either at his office, a coworker, a secretary, ''Please get me those documents because I want to have them transferred over to my new lawyer.'' If you wanted them to be transferred directly, would you not ask them to transfer them directly?

But would it not be more reasonable, and perfectly appropriate, to say I wish to look at these documents before I send them over to my lawyer? There may be things that are relevant or irrelevant, pertinent or not. There may be documents in there that have nothing to do with us.

And, indeed, very interestingly, there was a document that apparently made its way up to the White House. It made its way up to the White House and somehow mysteriously got kicked back because it was not germane. Now, the Clinton lawyers did not send that back. We have not found out how it got back. That is the mysterious document that travels in reverse. We do not know how that document got back.

But the point of the matter is, it would not be unreasonable for anyone, anyone, least of all the First Family, to want to review these. And so it becomes very, very difficult for us to understand, some of us, how it is that the billing records show up. And, indeed, if no one reviewed the documents, you would have suspected or imagined that they would have been there. These were documents that Vince Foster was working on. He has notations all over them, his own personal hand. So how do you think the documents got there? You do not think that they were transported there?

And what about the documents that Tom Castleton transported? Wouldn't most people want to see what documents concerning your own life were being sent to a new lawyer? I think it is absolutely extraordinary to believe that you would have no interest in checking this out, that you would leave it to someone else, that you would leave it to a new lawyer. It is very difficult to believe.

So what would the conclusion be if one were to say it would be difficult to believe? It means that somebody did look at these. But, you see, once you take a stand and put out a story as the White House did—because I think they were embarrassed when it was discovered that these documents were secreted away in this closet for a period of time—they had to come out and say, yeah, they were, instead of saying, sure, the Clintons looked at them. It would be natural. But, see, they already denied that: No, never looked at them, never.

I think that would be one of the most unnatural things, illogical things, not to look at your own papers, not to look at your own papers, not to say, well, what is there? At least I know what we sent over to our new lawyer, after their lawyer, their friend, had died in such a way.

But, see, once you make a story up, you have to stick to it. And so the mystery of the disappearing, then the appearing, billing records, I think becomes rather logical. They were in possession of the White House, the First Family, right since the day that young Mr. Castleton brought those files, all of those files up there to be reviewed.

Now, for the life of me, I cannot understand why they did not say, of course, we looked at them. What would I say? Would I say it was wrong or evil for the First Family to look at their own personal papers? Of course not. It would be illogical to suggest that they should not or would not or could not. And I know when I have heard colleagues say, oh, well, they would be accused of all kinds of conspiratorial things if they looked at them. Come on. That is nonsense. People have a right to look at their own documents, the President, Vice President, anybody.

So here we are at this point in time. The record is replete with these kinds of inconsistencies, and I think they are more than inconsistencies. I believe that Maggie Williams did not give us testimony that provided all the facts to us. I believe that she did not accurately relate the facts, particularly with respect to the instructions she received about moving these documents and who they were there for, and I think that helps answer the question of the mysteriously reappearing documents.

Let me cite again the New York Times:

> The Senate's duty cannot be truncated nor canceled because of the campaign calendar. Any certain date for terminating of the hearings would encourage even more delay in producing subpoenaed documents than the committee has endured. The committee has been forced to await such events as the criminal trial of the McDougals.

I am ready and willing to do the work of the committee as expeditiously as possible. Notwithstanding, we should not set arbitrary time limits. Why? Because that provides an opportunity, as has been stated before, for purposeful delay that I believe has occurred before this committee. And I do not know of anyone who can say that we have received all of the documents. How can you say that? I got a letter from a lawyer on behalf of one of President Clinton's closest aides that says he is not turning over documents to us, and he is raising a privilege that the President said they would not. We are going to cooperate. So I know for certain that there are documents that we are entitled to that are being withheld deliberately—deliberately.

I say that I would be willing, and I ask my colleagues on the other side, to consider putting a time limit of 10 weeks after the Little Rock trial concludes, no longer than 4 months from this point, because, as my colleagues have pointed out, the trial could go on indefinitely. There has to be an end at some point because there are other important considerations, and situations

that we want to attempt to avoid. And it was my intention to attempt to avoid right from the inception. I thought we could have had our work completed. We ran into the problems of not getting witnesses and documents heretofore. But I recognize that there are some on the Democratic side who feel very strongly that this should not continue. So with that in mind, I am willing to put forth that we have a 4-month extension or any combination of 8 to 10 weeks after the trial, whichever is less, whichever is less, as a finite time.

I recognize also that if indeed there are matters of great consequences that come forth, then obviously it will behoove all of us to say that we have to continue. But if indeed there are still unanswered questions, and it is just a matter of us not being able to continue, then we have to act accordingly.

I hope that my colleagues on the other side would consider this. By next week, we will get into the testimony of Susan Thomases, unbelievable testimony, testimony that is not credible, of this brilliant lawyer, a close friend of Mrs. Clinton, who cannot remember key dates even though they are logged in her files. And we will get into the extraordinary things we had to do in order the get documents from her. If this is the kind of thing that they want, then we will have to do it.

I say, last but not least, that I will spell this out with specificity. And if indeed we fail in cloture the first time, we will take it to cloture again and again. I guess the White House will look at the polls to determine the impact of attempting to keep us from going forward and, I think, holding back facts.

So we will make a determination. If we cannot come to a resolution we will have to use whatever resources we have at our disposal to do the best we can—and it may not be as easy and may be more cumbersome—so that we can to get the facts. We will do that. I will use the jurisdiction of the Banking Committee. And I will spell that out in further detail. So we will not be without resources. It will be more difficult. It will place a greater strain. We may have to meet a lot more.

But I have put forth the basis by which we could resolve this matter without one side saying, ''What are you hiding?'' and the other side saying, ''It's nothing but politics.'' We will raise the question, what is the White House afraid of? What are they hiding? My colleagues on the other side will say this is nothing more than politics in an attempt to embarrass the President. No one gains by that. No one gains by that. So I put this offer forth, and I hope we can work this out and resolve our differences.

I yield the floor.

Mr. JOHNSTON addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the Senator from Louisiana.

Mr. JOHNSTON. Mr. President, politics or policy, that is the question. Mr. President, if there was ever anything that is clear as the noonday Sun on a cloudless day, anything that is obvious, it is that Whitewater is politics, pure and simple, and has nothing to do with policy. And the Senate should not continue this charade any longer.

Mr. President, we have had 121 witnesses. We have had 40 days. We have had over 200 depositions. We have had 45,000 pages of documents that have been produced. We have had blah, blah, blah, blah, full of sound and fury, and absolutely signifying nothing.

Mr. President, the distinguished chairman of the Whitewater Committee, the last time he spoke—and I wanted to ask him some questions, and he did not yield for that purpose—spoke about the comparison of Whitewater with Iran-Contra. I wanted to draw with him the comparisons between the two. I think the comparison of these two hearings really draws in sharp focus, in sharp contrast, the difference between policy and politics.

In the case of Iran-Contra, Mr. President, we had a matter of grave national concern, national issues involving a terrorist state, Iran, and involving the action of the administration, as an administration while in office, that involved the President of the United States, involved the National Security Adviser while he was National Security Adviser, involved employees of the White House and of the Government, involved in some of the most critical issues then before this Nation. They were issues as to which the Congress needed the information in order to make policy, in which the administration needed the information in order to make policy.

With all of those important issues, Mr. President, Iran-Contra took half the time that the Whitewater hearing is taking. Mr. President, I confess I voted for this Whitewater investigation. Frankly, I search my mind as to why in the world I ever voted for it in the first place.

What are we doing with Whitewater? Does that involve the President of the United States as President? Oh, no. Does it involve a recent event? Oh, no. This is more than 10 years ago. Does it involve a matter as to which the Congress needs information to make policy? Oh, no.

I mean, look, whether Whitewater was a good development or whether the McDougals embezzled money from the RTC or whatever are not matters as to which we need to make policy. If they are, they have been fully brought out with 121 witnesses and 45,000 pages of information.

By the way, we have a special prosecutor that has spent over $25 million and has a huge team down in Arkansas as we speak, looking into any lawbreaking. So it is not lawbreaking. It is not policy. It is not recent. Just what is it, Mr. President? What are all these things about, all these witnesses?

I must confess to you, Mr. President, I hear all this stuff and it goes in one ear and out the other. I am a lawyer by training, as are many of my colleagues. You just cannot keep up with it because it is all, we know, irrelevant to anything except politics, this political season.

We are told now that we need to go on for another 4 months or 10 weeks or whatever it is. For what? We have already had the First Lady come down and testify. We have already had these very broad subpoenas that have subpoenaed everything in the Western World. They wanted all the e-mail that has come out of the White House. They tell me it will cost $200,000 just to comply with their request for e-mail.

Undoubtedly they will, among that $200,000 worth of e-mail, they will be able to bring up somebody from the White House and say, did you say such and such in an e-mail? They will say, no, I do not remember that. They will be able to produce it, and it will be another one of these great revelations. These great revelations about, ''Can you remember something you did 10 years ago?'' And maybe they cannot. I hope people will not pull me up before a witness stand in some way and ask me about things that happened 10 years ago, and ''Did you make these notes or not?''

The question is, are the notes significant? What do the billing records signify? Not much. And whatever they signify, it has already been brought out. The distinguished Senator from New York is free to argue all of these things. You know, did Susan Thomases—did Ms. Williams—did this person do this or that? It is all out there to the extent it has any relevance to anything.

I submit it is not relevant to anything except the Presidential race. It is an attempt to get President Bill Clinton and the First Lady of this country to be put in an embarrassing position. That is all this is about. Everybody knows that, Mr. President. Everybody knows that. Give me a break.

Are we trying to make policy here? Just what law is it that we will be able to amend or change or propose by virtue of Whitewater? Is the President charged with any wrongdoing, any violation of law? No, he is not. Is the First Lady charged with any violation of law? No, she is not. How about an ethical violation? No, they are not. But if they are, and if the evidence is there, we have a very partisan special prosecutor who has over $25 million already spent in a bottomless pit of money in order to be able to pursue that.

That is a legitimate purpose. It may be illegitimately or partisanly pursued by the special prosecutor, but it is certainly legitimate and within the ambit of the law, and it is not going to be stopped by what we do here in the Congress. So if there is lawbreaking which has not been either charged or revealed so far, that special prosecutor can do it.

What the special prosecutor cannot do is to have these hearings with all

these accusatory looks and tones and dredging up pieces of paper, throwing them out with a flourish as if they signify anything. And, Mr. President, we know they have no significance beyond the political race that is presently occurring.

We know that if Bill Clinton were not President of the United States, there would be no thought of going into this kind of thing, wasting these kinds of resources, wasting this much time of the Congress on this issue. It is politics, pure and simple, unvarnished, obvious and clear, and I hope we do not give another nickel to this boondoggle—not another nickel.

I think my colleagues are proposing giving some more money to pursue it further. I hope they do not give a nickel. Whatever there is here—and there is nothing of legitimate concern for us, because it does not involve the President as President—it does not involve policy that we need to know about, it does not involve charges of wrongdoing against the President and the First Lady. It involves innuendoes that can be useful only as political fodder in a political campaign, and that is all. I hope we do not continue it at all.

I must say, the distinguished Senator from Maryland is a lot closer to this than I am. I trust his judgment. If he would say we have to continue for 2 days or 5 days or whatever, I may reluctantly vote for it. But, Mr. President, I am so sorry that I voted for this resolution in the first place. I do not know what we were thinking when we commissioned this Whitewater boondoggle investigation. I do not know what we were thinking, and I hope we will terminate it as soon as we can. I wish we would set a precedent that we do not do this kind of thing.

Look, if the other party gains the White House this year—I will not be around here as a Member of the Senate, but I hope our side does not try to do that to their side when they get in office. It is a waste of time, it is a waste of resources, it is a diversion from the purposes of this country and of this Senate and of this Government. We ought to get about the business of running the Government as set forth in the Constitution and let the candidates run the campaigns. Enough is enough, and we have already had too much.

I yield the floor.

Mr. PELL addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the Senator from Rhode Island.

Mr. PELL. Mr. President, I ask unanimous consent that I be permitted to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

LONGEVITY IN THE SENATE: RECOLLECTIONS OF T.F. GREEN

Mr. PELL. Mr. President, today the number 93 symbolizes a notable milestone in Senate history. It is the 93d day after Senator STROM THURMOND's 93d birthday, which was the same span of days and years reached by my venerable predecessor Senator Theodore Francis Green on the day of his retirement on January 3, 1961. Tomorrow, Senator THURMOND will be 93 years and 94 days old and he will assume Senator Green's mantle as the oldest sitting Senator in history.

I join in extending hearty congratulations to Senator THURMOND on his remarkable durability and I wish him well in years to come. But I do hope we will not lose sight of the extraordinary long and distinguished career of the previous record holder.

The career of Theodore Francis Green will always be an inspiration and a model for productive senior citizenship. He was a classic late bloomer whose political career did not really begin until he was 65 years old. And his most prolific years were in the two and a half decades that followed.

Born in Providence in 1867—a year before Ulysses Grant was elected President—Senator Green was descended from a distinguished line of forebears dating back to the founding of colonial Rhode Island. Five of them served in Congress. He began his own public life when he raised and outfitted his own company in the Spanish-American War.

He served a single term in the Rhode Island General Assembly in 1907, but then endured 25 years of political rejection and disappointment. He ran for Governor three times without success, in 1912, 1928, and 1930—counted out he said by the opposition—and he lost a race for Congress in 1920. And then in 1932, at an age when his contemporaries were contemplating retirement, he was elected Governor of Rhode Island, swept in on the New Deal tide.

Reelected to the governorship in 1934, he engineered on inauguration day the so-called Bloodless Revolution which in a single afternoon ended Republican dominance of the State government and earned him the pejorative of ''Kingfish Green'' in some circles. The coup was never successfully challenged and he went serenely ahead with his reform agenda.

In 1936, Theodore Francis Green was elected to the U.S. Senate, beginning 24 years of continuous service during which he became a colorful and beloved fixture of Washington life. He was a strong supporter of the New Deal and of social legislation in the post-war era. A dedicated internationalist and a tireless world traveler, he ascended to the chairmanship of the Senate Foreign Relations Committee at the age of 89 in 1957.

He was not particularly impressed by his own longevity. ''My age is nothing to be proud of,'' he said. ''It's just an interesting incident.'' But the secret of longevity, he said is moderation. ''I don't get worried and don't get excited. It would take more or less of a bomb to upset me.''

There was, however, another factor that kept him going and that was his almost ceaseless thirst for physical activity. It can hardly be coincidental that Theodore Green and STROM THURMOND—both devotees of physical fitness—should be the record holders for Senate seniority.

Green's prowess was legendary and he was sometimes referred to as Tarzan, notwithstanding his modest 150-pound physique. He was a wrestler and a mountain climber and a handball player. He continued high diving until he was 82 when he was finally convinced by doctors and friends to give it up. And he continued to play tennis until he was 87, and they quit only because he could not find time in his busy schedule to play.

But to the end he continued to work out and swim several times a week in the Senate gymnasium or at the YMCA. And most of he walked, daily—except in the worst weather, from his bachelor quarters at the University Club to his office in the Russell Building. Every morning at about 8:35 he would start out on the 2-mile walk, a familiar stooped figure with his pince-nez eye glasses, usually proceeding down through Lafayette Park and up Pennsylvania Avenue. It usually took about 45 minutes.

The daily walk was prompted as much by an aversion to automobiles as it was by a love for exercise. The only car he ever owned was acquired for ceremonial purposes and it spent most of its days on blocks in his Providence garage. He never learned to drive. But he loved trolleys and legend has it that he once showed up, impeccably attired in top hat, white tie and tails, to take a society matron to a concert, traveling by street car.

Like the new holder of the longevity record, Senator Green had great appreciation for women. He often liked to joke that he looked forward to every leap year in hopes that some lovely lady would claim him. Even as he approached 90, he was regarded as one of the better dancers among Washington bachelors. And Supreme Court Justice Felix Frankfurter once said that Theodore Green was ''the most charming dinner partner your wife could have.''

When Senator Green claimed the longevity title in 1956, Senators Lyndon Johnson and William Knowland, the majority and minority leaders, presented him with a gavel supposedly made from the oldest tree on the Capitol grounds and proclaimed he had outlived all the surrounding flora. Senator Green often spoke of serving till he would be 100, but in 1960, aware of failing eyesight and hearing, he decided to step down. He died 6 years later, in his 99th year, in the house where he had lived all his life in Providence.

As I said at the time of his death, I was then and have always been greatly in his debt. I benefited by his wise advice and counsel and gained by following his example. He truly was my role model. And I shall always appreciate his willingness to serve as chairman of

my campaign committee when I ran in 1960 to succeed him. He was truly a great gentleman and statesman and his legend lies on in affectionate memory of the people of Rhode Island. And, Mr. Speaker, for myself as the longest serving Senator from Rhode Island, I know I share in this memory.

Mr. CHAFEE addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the Senator from Rhode Island.

Mr. CHAFEE. Mr. President, as many of my colleagues are aware, tomorrow our friend and colleague, Senator THURMOND, will become the oldest sitting Senator in the history of the U.S. Senate. This is a remarkable achievement. In so doing, he surpasses the late Theodore Francis Green of Rhode Island who retired in January 1961 to be succeeded by Senator PELL. He retired at the age of 93 years and 93 days.

Senator THURMOND will be 93 years and 94 days old tomorrow, so he will exceed the record of the oldest Senator to serve, which was set by Theodore Francis Green.

I congratulate Senator THURMOND on the great things he has done in his 40-plus years of Senate service, and I congratulate him on achieving this milestone.

On the last day before he breaks this impressive record set by Senator Green, I would like to take a few minutes to talk about Senator Green's exemplary Senate career.

Theodore Francis Green, as Senator PELL has mentioned, came to the Senate in 1937. Previously, he served one term in the Rhode Island State Legislature, the house of representatives, and two terms—we had 2-year terms in those days—as Governor, for a total of 4 years. He was a strong supporter of President Roosevelt's New Deal programs, and he was an advocate of important farm and unemployment relief legislation, and he fought vigorously for increased Federal aid for education.

He did his level best to ensure that Rhode Island got its fair share of Federal funds. And most significant in achieving Federal funds was when he secured President Roosevelt's support for a new naval base in our State constructed at Quonset Point. This was the site of 1 of 12 new Navy bases that were built in the late thirties and early forties. Knowing that the Senators from New York and Massachusetts were just as anxious to land a new base for their home State, Senator Green pressed his successor Governor and the State legislators to cede land to the Federal Government as quickly as possible. Once Congress began its consideration of the matter, Senator Green took the lead in shepherding the necessary authorization and appropriations bills through the Senate.

It was in foreign affairs that Senator Green truly made his mark. He joined the Foreign Relations Committee just as the United States was turning away from its isolationist policies and toward taking its place as the greatest military power the world had ever seen. In those days, the Senate Foreign Relations Committee was where a good deal of the action took place.

Senator Green demonstrated his spirited efforts to implement the lend-lease plan, and his early support for the Selective Service Act was up to the challenge.

While many of his colleagues called for the United States to retreat into isolationism once World War II drew to a close, Senator Green was adamant that the United States should participate in creating a workable, collective security arrangement to avoid future global conflicts. He worked diligently to ensure that American assistance to war-torn nations—the so-called Marshall plan—was implemented, and he worked hard for the establishment of the U.N. Relief and Rehabilitation Administration.

As Senator Green's influence in the Foreign Relations Committee increased, he provided key support for the chief foreign policy initiatives of the Truman administration, particularly with regard to Greece and Korea. But his internationalism was not limited to Democratic administrations. On the contrary. Senator Green argued just as firmly against proposals to curb the President's power to conduct foreign policy during the Eisenhower administration. In 1957, as the new chairman of the Foreign Relations Committee, he led congressional support for Eisenhower's request to use American troops to combat communism in the Middle East—the so-called Eisenhower doctrine.

Now, much like Senator THURMOND, Senator Green attributed his longevity to two things: A healthy diet and regular exercise. As Senator PELL just mentioned, he walked every morning from the University Club on 16th Street to the Capitol—every day, up until his retirement. Here he was in his nineties, getting up toward 95, 96, and the New York Times heralded him as the Senate's undisputed champion diver, swimmer, and handball player. I am not sure how much competition he had as a diver, but nonetheless he was a champion.

Although Senator Green will no longer hold the distinction to have been the oldest person to have served in this body, he will long be remembered for his accomplishments, his compassion, his loyalty, his honesty, and his good humor.

Upon hearing of Senator Green's intention not to run for reelection, Senator Fulbright said of him, ''I had hoped and expected that he would stay until he reached 100 years of age.'' On the eve of this historic day, I wish the same to the very distinguished Senator from South Carolina. I would hope and expect that he will stay until he reaches the age of 100. Indeed, we have said to Senator THURMOND that we hope we are here when he reaches 100. He said, ''If you get exercise and eat right, you will be here.''

I look forward to many more years of serving with our distinguished Senator from South Carolina, and I congratulate him on breaking the record set by a Rhode Islander for being the oldest Senator to serve in this body.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LOTT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNANIMOUS-CONSENT AGREEMENT—H.R. 3021

Mr. LOTT. Mr. President, I ask unanimous consent that when the Senate begins consideration of a bill regarding the temporary suspension of the debt limit, it be considered under the following limitation: the bill be limited to 30 minutes of debate to be equally divided between the two managers; there be only one amendment in order to the bill to be offered by Senator Daschle; that amendment be limited to an additional 30 minutes of debate; and following the expiration or yielding back of all debate time the Senate immediately proceed to a vote on or in relation to the Daschle amendment to be followed by a vote on passage of the debt limit extension, as amended, if amended, with no intervening action or debate.

It is my understanding this has been cleared with the Democratic leader.

The PRESIDING OFFICER. Without objection, it is so ordered.

TEMPORARY DEBT LIMIT EXTENSION

Mr. LOTT. Therefore, Mr. President, I ask unanimous consent that the Senate now proceed to the immediate consideration of H.R. 3021 just received from the House.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

A bill (H.R. 3021) to guarantee the continuing full investment of Social Security and other Federal funds in obligations of the United States.

The Senate proceeded to consider the bill.

Mr. LOTT. Therefore, Mr. President, I announce there will be two votes, then, at approximately 5 minutes before 2 o'clock. We hope to begin on time. I believe the managers of the bill are in the area and are prepared to begin immediately. We will have the votes starting at 5 minutes before 2 o'clock.

While we wait on the managers to come to the floor, I want to say that I think this is a good agreement under the circumstances. This would provide for a short-term debt ceiling extension to March 29. The purpose of this short-

term extension is so that we can continue to work, as requested by the bipartisan Governors, with the leaders in Congress and with the administration to see if we can come to a broader bipartisan agreement on the budget or, in the alternative, come to some agreement on the entitlement reform that we would like to be able to include in this debt ceiling legislation, which would be for the longer period of time.

I am pleased we have reached this point. I am delighted to yield the floor so the managers can begin consideration of this bill.

Mr. MOYNIHAN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. BURNS). The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MOYNIHAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MOYNIHAN. Mr. President, as best I understand, we have a 30-minute time period running. Inasmuch as the Senator from New York suggested the absence of a quorum, I fear that in 4 minutes time our opportunity to debate the matter will have expired. I wonder if I might ask unanimous consent—I am sure my esteemed friend from Delaware would not mind—if I could ask that the next 10 minutes be charged to the majority.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MOYNIHAN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. ROTH. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ROTH. Mr. President, I rise to ask my colleagues to join me in supporting H.R. 3021, a bill to extend the current debt ceiling until March 30, 1996. Under current law, the debt ceiling would be reached on March 15. This bill is intended to give the Secretary of the Treasury ample authority to ensure the full investment of all Federal funds and trust funds, including the Social Security trust fund, until March 30, 1996.

Mr. President, I am told that the Secretary of the Treasury, Robert Rubin, supports this legislation and that President Clinton intends to sign it.

Mr. President, I ask unanimous consent to have printed in the RECORD the letter received from Secretary Rubin.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF THE TREASURY,
Washington, DC, March 7, 1996.

Hon. ROBERT DOLE,
Majority Leader, U.S. Senate, Washington, DC.

DEAR MR. LEADER: Over the past several days, Treasury and Congressional staff have had constructive discussions regarding new legislation to raise the ceiling on the Nation's debt. The resulting bill, H.R. 3021, is up for consideration in the House today. The Administration continues to believe that a long-term straightforward debt ceiling increase should be enacted as soon as possible. Clearly, this is the preferable course of action. Nevertheless, at this juncture, I urge that this interim bill be approved by Congress this week.

As a reminder of the events that would transpire without Congressional action, I have attached a letter from Under Secretary Hawke. In it he states that the lack of prompt action by Congress could result in non-investment of incoming trust fund receipts and could hamper our ability to auction and settle securities later in the month, thereby prompting a default.

We also continue to believe the commitment you articulated together with Speaker Gingrich and Majority Leader Armey in your February 1 letter is the right one. We should resolve the debt limit impasse by enacting legislation that is ''acceptable to both [the President] and the Congress in order to guarantee the government does not default on its obligations.''

We look forward to working with you to achieve enactment of a long-term straightforward debt ceiling bill.

Sincerely,

ROBERT E. RUBIN.

Mr. ROTH. Mr. President, therefore, I believe that we must act swiftly in passing this critical bill.

Let me reiterate my position regarding the debt limit issue. It is this Senator's intention to work toward passage of a long-term debt limit extension later this month. We will not default on our debts. What this legislation does is simply allow a few more weeks to work out a few unresolved issues with the Governors proposals on Medicaid and welfare.

Let me just take a few moments to summarize the bill for my colleagues. Section 1(a) of the bill provides the Secretary with the authority to invest receipts received by a trust fund or other Federal fund until March 30, 1996. Obligations issued under this authority shall not count toward the public debt limit. This is to ensure the full establishment and maintenance of income to Social Security and other Federal funds that by law are authorized to invest in Federal obligations and securities.

Section 1(b) defines the term Federal fund as a trust fund or account to which the Secretary of the Treasury is authorized to issue Federal obligations for investment purposes.

Section 1(c) extends the current authority—Public Law 104–103—to incur debt, not subject to the public debt limit for purposes of guaranteeing timely payment of Social Security and other Federal payments, from March 15, 1996 until March 30, 1996.

Mr. President, I hope that the Senate expeditiously enacts this critically important piece of legislation to preserve the full faith and credit of the U.S. Government.

Mr. President, I yield back the floor.

Mr. MOYNIHAN addressed the Chair.

The PRESIDING OFFICER. The Senator from New York.

Mr. MOYNIHAN. I wish to join my esteemed chairman, the Senator from Delaware, in stating that, indeed, this legislation is necessary. It is in fact urgent, a fact which in and of itself speaks to the awkwardness with which Congress has approached the most elemental of duties, which is to ensure the full faith and credit of the U.S. Government. Here we are in a fiscal year that began October 1. We can look out the Senate doors and there in the park between here and the Supreme Court we see spring rains; we see spring buds; the daffodils are all but upon us; and we still have not extended the debt ceiling, which we will have to do.

We are now in an extraordinary pattern of putting in jeopardy the world's primary currency, the world's largest economy but also the world's largest debtor nation. The full faith and credit of the United States is of interest not just to Americans but to the world itself.

I hope we will, indeed, make this extension.

I believe my esteemed chairman placed Mr. Rubin's letter in the RECORD. Mr. Rubin's letter was accompanied by a letter from the Honorable John D. Hawke, Jr., who is the Under Secretary of the Treasury for Domestic Finance, explaining in detail why this particular extension is urgent and must not be put off. I ask unanimous consent that the letter be printed in the RECORD so that it will be seen out in the rest of the world that at least the Treasury Department knows what the problem is.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF THE TREASURY,
Washington, DC, February 26, 1996.

Hon. ROBERT DOLE,
Majority Leader, U.S. Senate, Washington, DC.

DEAR MR. LEADER: Because the Congress will shortly be considering legislation to increase the public debt ceiling, Secretary Rubin has asked me to provide you with information concerning the Treasury's expected cash and debt positions for the next several weeks. We share the view expressed in the Leadership's February 1 letter to the President that it is of great importance for Congress to resolve the uncertainties surrounding the debt limit by promptly enacting an increase acceptable to both Congress and the President.

In his letter to you of January 22, Secretary Rubin described the remaining three actions that he believed to be legal and prudent, and that would provide funds with which to pay the country's financial obligations. He estimated at that time that these actions would be sufficient to carry us through February 29 or March 1. On February 1, Congress passed H.R. 2924, which was signed into law on February 8 as Public Law 104–103, granting authority to Treasury to issue an additional $29 billion in debt that would be temporarily exempt from the debt limit. The debt limit exemption for these securities expires on the earlier of March 15 or the enactment of a new debt limit increase by the Congress. As the Secretary informed you on February 20, on Friday we issued $29 billion in bills under this new authority, and with this action, and the auctions scheduled for this week, the payment of all benefits

and other disbursements scheduled for March 1 has been assured.

In addressing our expected future cash and debt positions in the light of these recent actions, I must caution that there are inherent uncertainties in such predictions. Our projections are revised every day to reflect the actual volume of receipts and disbursements we experience, and the results that are ultimately realized three to four weeks hence may well vary by several billion dollars in either direction from the numbers we currently estimate.

On March 5, Treasury is scheduled to announce the amount of 13- and 26-week bills that will be auctioned on March 11 and issued in exchange for payment on March 14. Treasury sells 13- and 26-week bills every week, and this schedule follows the normal pattern. While we project that there will just be room under the debt limit on March 14 to issue these securities, we currently estimate that the cash balance on March 14, after the securities are issued, will be less than the $5 billion that we consider a prudent minimum. Moreover, because we estimate that the debt limit leeway remaining after the bills are issued will be less than $1 billion, we see no room to increase the size of the bill auction to improve the cash balance, and because of our cash needs we will not be able to decrease the size of the auction significantly to preserve debt limit leeway.

Similarly, on March 12, Treasury is scheduled to announce the amount of 13- and 26-week bills to be auctioned on March 18 and issued in exchange for payment on March 21. If there is no debt limit increase, or assurance of a debt limit increase, by March 12, that announcement will have to be conditional: that is, it will state that the March 18 auction will be held only if Treasury has assurance of its ability to issue the bills on March 21 without exceeding the debt limit. We strongly prefer not to make such a conditional announcement because the effect is to prevent ''when-issued'' trading in the securities until the final announcement is made. Secondary market trading usually begins on a when-issued basis immediately after the announcement of an auction, and is important because it affords precaution price discovery. Truncating the when-issued trading period tends to increase the Government's cost of borrowing.

By March 13 or 14, if there is no debt limit increase, we project that our cash balances will be below our prudent minimum of $5 billion and that there will be less than $1 billion in leeway under the debt limit. If the actual debt level on March 13 or 14 is $1 billion more than we currently forecast, Treasury would be out of debt limit room and would not be able to issue sufficient securities to the trust funds to enable all trust fund receipts to be invested on those dates.

On March 15, under the terms of Public Law 104–103, the $29 billion of securities we issued Friday will become subject to the debt limit, if no debt limit increase is enacted prior to that date. As a consequence, the amount of Treasury debt outstanding would then be well over the limit. Of course, all the outstanding debt will have been validly issued, and no action to reduce debt will be mandated. Nevertheless, Treasury will immediately be disabled from issuing any new securities, since outstanding debt already will be in excess of the debt limit. Therefore, Treasury would be unable to issue securities to any trust funds either to invest their incoming receipts or to roll over maturing investments. We estimate that on March 15 this would leave approximately $9.8 billion of trust fund assets uninvested, including approximately $2.0 billion of assets of the Social Security and Medicare trust funds—a result I am sure we all want to avoid.

These trust funds, unlike the Civil Service Retirement and Disability Fund and the so-called G Fund, do not have statutory protection in the form of an automatic restoration of interest not earned during a period in which new debt cannot be issued. Thus, a subsequent Act of Congress would be required to restore that lost interest. Based on past experience in similar situations, we expect that Congress would act to restore lost interest.

In addition, because savings bonds count against the debt limit, new sales of savings bonds would have to be suspended on March 15. This would affect approximately 45,000 banks and payroll offices that act as issuing agents, and would disrupt the savings programs of millions of individual investors.

Because March 15 is a tax payment date, cash balances will improve through March 20. However, on March 21 a total of $16.6 billion of trust fund assets, including $8.8 billion of Social Security and Medicare receipts, would remain uninvested. Moreover, on March 21 Treasury bills totaling $25.5 billion will mature. If the debt limit has not been increased before that time, it is unlikely, based on current estimates, that the Treasury will be able to issue enough new securities to raise the cash needed to pay these bills. It is conceivable that our cash balance on March 21 might be as much as the amount by which outstanding debt exceeds the debt limit, and that we could use the cash, plus a small bill auction, on that date to pay the maturing bills. However, our most recent projections do not show this occurring. In any event, such an action would exhaust Treasury's cash on that date, and we project that on March 22 cash flow will be negative.

As I cautioned, these projections reflect current estimates only and are all subject to changes—which could be favorable or unfavorable—to reflect our actual day-to-day experience with receipts and disbursements. The Secretary has asked that I continue to keep you informed if and as changes in the projections affect the sequence of events I have set forth.

Sincerely,

JOHN D. HAWKE, Jr.,
Under Secretary of the Treasury for Domestic Finance.

Mr. MOYNIHAN. With that, Mr. President, I would simply say I feel that while the 2-week extension is urgent and absolutely indispensable, we ought to do more. And with the conclusion of this part of our debate, I will proceed, when the chairman is ready, to offer an amendment that would in fact extend us to the spring of 1997 when we have a new cycle in American Government and a new fiscal year.

The PRESIDING OFFICER. All time on the bill has now expired.

AMENDMENT NO. 3465

(Purpose: To increase the public debt limit)

Mr. MOYNIHAN. Mr. President, I send to the desk an amendment and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from New York [Mr. MOYNIHAN] proposes an amendment numbered 3465:

Strike all matter after the enactment clause and insert the following:

TITLE —PUBLIC DEBT LIMIT

SEC. 01. INCREASE IN PUBLIC DEBT LIMIT.

Subsection (b) of section 3101 of title 31, United States Code, is amended by striking the dollar amount contained in the first sentence and inserting ''$5,400,000,000,000''.

Mr. MOYNIHAN. I thank the Chair. And as you have observed, this is a succinct matter. We are simply taking the debt ceiling now at $4.9 trillion and raising it to $5.4 trillion. The statutory limit on the total outstanding public debt of the United States subject to that limit will be reached on March 15, 1996 or shortly thereafter.

Might I make the point here that when we speak of the public debt, we include here all the debt owed to the various trust funds of the Federal Government as, for example, Social Security trust funds which are really internal financing arrangements that do not represent debt held by private investors.

Today is the third time in this fiscal year that I have offered an amendment to extend the permanent debt ceiling. On November 9, I proposed simply raising it to $4.967 trillion in order to provide time to complete action on the budget reconciliation bill. The amendment was tabled 49 to 47. On January 26, I offered an amendment to raise the debt ceiling to $5.4 trillion, which would have taken us beyond the November elections to about May of next year. And that amendment was also tabled by a very close vote, Mr. President, 46 to 45. And the amendment I have just sent does the same thing. It would bring us to about May 31, 1997. Anything sooner than that gets us involved with a Presidential election which will have occurred, a State of the Union Message, a February recess. It seems to me that taking this issue up next May is an orderly way to do it, a way to tell financial markets that this country is not in jeopardy of default.

The very idea of default has not existed in the vocabulary of American politics.

I made the point, Mr. President, that in 1814 the British invaded Washington, burned the White House, burned the Treasury Building, burned the Capitol; but the interest on the national debt continued to be paid out of the sub-Treasury in Manhattan. The thought of default never occurred to us. Here we are, talking about 3 weeks until doomsday. Three weeks until doomsday? That is no way for a grownup, mature, solvent nation to behave.

The General Accounting Office has produced a report, ''Information on Debt Ceiling Limitations and Increases,'' which was prepared at my request, and reports that we are in the 21st debt ceiling crisis or debt issuance suspension period since 1946. All these crises, save four, have occurred since 1980— 17 since 1980. And it is, therefore, no coincidence that we have closed down the Federal Government 11 times since 1981—something unthinkable in previous years. But we do it.

The current debt ceiling crisis, which began on November 15, has already lasted 114 days. Prior to this crisis, the longest one was 100 days; that was 1985.

So, Mr. President, I ask unanimous consent that the General Accounting Office report be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. GENERAL ACCOUNTING OFFICE,
ACCOUNTING AND INFORMATION MANAGEMENT DIVISION,
Washington, DC, February 23, 1996.

Hon. DANIEL PATRICK MOYNIHAN,
U.S. Senate.

DEAR SENATOR MOYNIHAN: Your January 16, 1996, letter requested information on past debt ceiling limitations and actions that the Department of the Treasury (Treasury) has taken to avoid defaulting on government obligations. In our January 26, 1996, letter to you, we discussed actions taken by Treasury during debt ceiling crises since September 30, 1984.[1] As agreed with your office, the enclosure to this letter provides information on (1) when the outstanding debt subject to the statutory debt limit was within $25 million[2] of the public debt limit between July 1, 1954, and September 30, 1984, (2) the debt ceiling crises occurring between September 30, 1984, and February 15, 1996, and (3) when the statutory debt ceiling has been revised since June 26, 1946.

CHANGES IN THE DEBT CEILING

The federal government began with a public debt of about $78 million in 1789 and since then the Congress has attempted to control the size of the debt by imposing ceilings on the amount of public debt that can be issued. Until 1941, the Congress set ceilings on the various types of Treasury securities that could be issued. In February 1941, the Congress set an overall ceiling of $65 billion on all types of Treasury securities that could be outstanding at any one time. This ceiling was raised several times between February 1941 and June 1946 when a ceiling of $275 billion was set and remained in effect until August 1954. At that time, the Congress imposed the first temporary debt ceiling which added $6 billion to the $275 billion permanent ceiling. Since that time, the Congress has enacted numerous temporary and permanent increases in the debt ceiling which currently stands at $4.9 trillion.

RELATIONSHIP OF THE DEBT CEILING TO THE OUTSTANDING DEBT

As shown in the following chart, the relationship between the public debt limit and the amount of outstanding debt is very close.[3]

(Chart not reproducible in RECORD.)

In order to determine when a debt ceiling crisis may have arisen, we reviewed historical Treasury documents for the period July 1, 1954, through February 15, 1996, and identified 21 periods when the outstanding debt subject to the statutory debt limit was within $25 million of the debt ceiling.

If you have any questions regarding the information in this letter, please call me at (202) 512–9510, or Gary Engel, Assistant Director, at (202) 512–8815.

Sincerely yours,
GREGORY M. HOLLOWAY,
Director, Governmentwide Audits.

Enclosure.

[1] Debt Ceiling Limitations and Treasury Actions (GAO/AIMD–96–38R, January 26, 1996).

[2] During the current crisis, Treasury has maintained a $25 million difference between the outstanding debt and the debt limit.

[3] These figures are nominal dollars. They are not adjusted for inflation or for growth in the economy.

Information on when the outstanding debt was within $25 million of the debt ceiling, debt ceiling crises, and debt ceiling changes

Dates	*Situation or event*
June 26, 1946	Debt ceiling set at $275 billion.
Aug. 28, 1954	Debt ceiling raised to $281 billion.
July 9, 1956	Debt ceiling lowered to $278 billion.
Feb. 26, 1958	Debt ceiling raised to $280 billion.
Sept. 2, 1958	Debt ceiling raised to $288 billion.
July 1, 1959	Debt ceiling raised to $295 billion.
July 1, 1960	Debt ceiling lowered to $293 billion.
July 1, 1961	Debt ceiling raised to $298 billion.
Mar. 13, 1962	Debt ceiling raised to $300 billion.
July 1, 1962	Debt ceiling raised to $308 billion.
Apr. 1, 1963	Debt ceiling lowered to $305 billion.
May 29, 1963	Debt ceiling raised to $307 billion.
July 1, 1963	Debt ceiling raised to $309 billion.
Nov. 27, 1963	Debt ceiling raised to $315 billion.
June 29, 1964	Debt ceiling raised to $324 billion.
July 1, 1965	Debt ceiling raised to $328 billion.
July 1, 1966	Debt ceiling raised to $330 billion.
Mar. 3, 1967	Debt ceiling raised to $336 billion.
June 30, 1967	Debt ceiling raised to $358 billion.
July 1, 1968	Debt ceiling raised to $365 billion.
Apr. 7, 1969	Debt ceiling raised to $377 billion.
June 30, 1970	Debt ceiling raised to $395 billion.
Mar. 17, 1971	Debt ceiling raised to $430 billion.
Mar. 15, 1972	Debt ceiling raised to $450 billion.
Oct. 27, 1972	Debt ceiling raised to $465 billion.
Dec. 1–2, 1973	Outstanding debt within $25 million of ceiling.
Dec. 3, 1973	Debt ceiling raised to $475.7 billion.
June 30, 1974	Debt ceiling raised to $495 billion.
Feb. 19, 1975	Debt ceiling raised to $531 billion.
June 30, 1975	Debt ceiling raised to $577 billion.
Nov. 14, 1975	Debt ceiling raised to $595 billion.
Feb. 27–Mar. 14, 1976[1].	Outstanding debt within $25 million of ceiling.
Mar. 15, 1976	Debt ceiling raised to $627 billion.
June 30, 1976	Debt ceiling raised to $636 billion.
Oct. 1, 1976	Debt ceiling raised to $682 billion.
Apr. 1, 1977	Debt ceiling raised to $700 billion.
Oct. 1–3, 1977	Outstanding debt within $25 million of ceiling.
Oct. 4, 1977	Debt ceiling raised to $752 billion.
Aug. 1–2, 1978[2]	Outstanding debt within $25 million of ceiling.
Aug. 3, 1978	Debt ceiling raised to $798 billion.

Information on when the outstanding debt was within $25 million of the debt ceiling, debt ceiling crises, and debt ceiling changes—Continued

Dates	*Situation or event*
Apr. 2, 1979[2]	Debt ceiling raised to $830 billion.
Sept. 29, 1979	Debt ceiling raised to $879 billion.
May 30–June 11, 1980[1].	Outstanding debt within $25 million of ceiling.
June 28, 1980	Debt ceiling raised to $925 billion.
Dec. 19, 1980	Debt ceiling raised to $935.1 billion.
Jan. 30–Feb. 2, 1981.	Outstanding debt within $25 million of ceiling.
Feb. 7, 1981	Debt ceiling raised to $985 billion.
Sept. 30, 1981	Debt ceiling raised to $1,079.8 billion.
June 3–6, 1982	Outstanding debt within $25 million of ceiling.
June 28, 1982	Debt ceiling raised to $1,143.1 billion.
Sept. 30, 1982	Debt ceiling raised to $1,290.2 billion.
May 26, 1983	Debt ceiling raised to $1,389 billion.
Nov. 21, 1983	Debt ceiling raised to $1,490 billion.
Apr. 4, 1984	Outstanding debt within $25 million of ceiling.
May 1–16, 1984[1]	Outstanding debt within $25 million of ceiling.
May 25, 1984	Debt ceiling raised to $1,520 billion.
June 4–July 5, 1984[1].	Outstanding debt within $25 million of ceiling.
July 6, 1984	Debt ceiling raised to $1,573 billion.
Sept. 4–Oct. 12, 1984[1, 3].	Debt ceiling crisis.
Oct. 13, 1984	Debt ceiling raised to $1,823.8 billion.
Sept. 3–Dec. 11, 1985[1, 3].	Debt ceiling crisis.
Nov. 14, 1985	Debt ceiling raised to $1,903.8 billion.
Dec. 12, 1985	Debt ceiling raised to $2,078.7 billion.
Aug. 1–20, 1986[1]	Debt ceiling crisis.
Aug. 21, 1986	Debt ceiling raised to $2,111 billion.
Sept. 30–Oct. 20, 1986.	Debt ceiling crisis.
Oct. 21, 1986	Debt ceiling raised to $2,300 billion.
May 15, 1987	Debt ceiling raised to $2,320 billion.
July 18–29, 1987	Debt ceiling crisis.
Aug. 7–9, 1987	Debt ceiling crisis.
Aug. 10, 1987	Debt ceiling raised to $2,352 billion.
Sept. 24–28, 1987	Debt ceiling crisis.
Sept. 29, 1987	Debt ceiling raised to $2,800 billion.
Aug. 1–6, 1989[1]	Debt ceiling crisis.
Aug. 7, 1989	Debt ceiling raised to $2,870 billion.
Nov. 1–7, 1989	Debt ceiling crisis.
Nov. 8, 1989	Debt ceiling raised to $3,122.7 billion.
Aug. 9, 1990	Debt ceiling raised to $3,195 billion.
Oct. 19–27, 1990[1]	Debt ceiling crisis.
Oct. 28, 1990	Debt ceiling raised to $3,230 billion.
Nov. 5, 1990	Debt ceiling raised to $4,145 billion.
Apr. 6, 1993	Debt ceiling raised to $4,370 billion.
Aug. 10, 1993	Debt ceiling raised to $4,900 billion.

Information on when the outstanding debt was within $25 million of the debt ceiling, debt ceiling crises, and debt ceiling changes—Continued

Dates	*Situation or event*
Nov. 15, 1995–Feb. 15, 1996.	Debt ceiling crisis.

[1] On one or more days during this period, the difference between the amount of debt subject to the limit and the debt limit was greater than $25 million. As noted in the letter, we were unable to specifically identify the debt ceiling crisis prior to September 30, 1984. Therefore, in order to better estimate the periods when Treasury may have had difficulty in performing its normal financing operations, we assumed that Treasury's difficulties continued if the following occurred: the outstanding debt subject to the limit fell below the $25 million threshold and then rose to the $25 million threshold during a 14-day period.

[2] Specific actions taken by Treasury during these periods are discussed in the following GAO report: A New Approach to the Public Debt Legislation Should Be Considered (FGMSD–79–58, September 7, 1979).

[3] Specific actions taken by Treasury during these debt ceiling crisis are discussed in the following GAO reports: Civil Service Fund: Improved Controls Needed Over Investments (GAO/AFMD–87–17, May 7, 1987) and *Treasury's Management of Social Security Trust Funds During the Debt Ceiling Crisis* (GAO/HRD–86–45, December 5, 1985).

Mr. MOYNIHAN. I thank the Chair.

Again to say, a default by the Treasury would have disastrous consequences for the domestic economy of the United States and for global financial markets. I make the point that during the 1980's, we became a debtor nation, the world's largest debtor nation. To jeopardize the full faith and credit of that debt is to jeopardize the well-being of the Nation.

I have, Mr. President, one last thing to say, a point to make, a positive point. I know that there are many persons who legitimately feel that in extending the debt ceiling we are only somehow extending the tendency to spend more than we have in the way of income, to be excessive and improvident and, in consequence, debt ridden.

Mr. President, this is not the case. Owing in large measure—or so I choose to believe—to the budget measures, tax and spending measures we took in 1993, we are now in a very solid cash-flow situation for the first time since the late 1960's. We are seeing the legacy of debt but also the consequence of legitimate behavior.

In this period, 1994–97, for the first time since the administrations of John F. Kennedy and Lyndon Johnson, the Federal Government will have more revenue than expenditure on programs and procurement. This also went through to the first years of President Nixon. We had a very small surplus, tiny, $3.1 billion in the first half of the decade; $2.3 billion in the second half. Then there was the period of the Nixon administration when matters were just even, properly so.

Then with the onset of President Ford's administration, then President Carter's, with the great increase in oil prices, inflation, things of that kind, we began to borrow money to pay for ongoing programs, $22 billion, then $13 billion.

The first years of the Reagan administration we borrowed $80 billion to pay for ongoing programs. Some of it is investment, but it was ongoing. Then in the administration of the latter years of Mr. Reagan, it dropped to $21 billion.

Then Mr. Bush had the misfortune of a recession, which reduced revenues, and in some ways raised outlays, and you have a big deficit, back to a $64.8 billion shortfall between revenues and outlays.

Mr. President, we are now at a $56.7 billion surplus. That means what we call the deficit is entirely accounted for by interest on the debt we accumulated in this period. We have our budget in balance, save for what we borrowed in the 1980's.

There were those who had in mind that is what we should do—that deficits would end up choking the life out of the Federal Government and its programs. They had a phrase for it called ''starve the beast.'' They were not wrong. It was the idea that you could not argue this program out of existence and that program out of existence; just starve the Government of revenues. And you are then forced to do things you would have never dreamed of previously. For example, the present administration proposed a 7-year balanced budget glidepath which had enormous reductions in discretionary spending. Now you seem to have no alternative because of the debt service.

But I do say, Mr. President, we can see our way out of this. We have cut our outlays. Our revenues are solid. If we stay on this path, we will get to the point where the debt begins to decline. Then it can be a very rapid event.

I say this to those Members of the House, really, who themselves had the good sense in 1979 to make the debt ceiling extension automatic. Passage of the budget resolution automatically increased the debt ceiling by the necessary amount. I say to them that, if they see an increase in the debt ceiling as being an invitation to spend moneys you do not have, that you have been forced to borrow—that may indeed have been the case in the 1980's; it is not the case today. We are beginning to act in a mature and open and defensible way.

Let us put this debt ceiling behind us. Let us not have 3 weeks of saying, my God, in 3 weeks it is doomsday. No. Let us not put this off and let us do the right thing—pay our bills until next May. In the interval there will be a Presidential election. We will hear a lot about this subject. We will have a new administration. I hope we will have the same President, but he will be in his second term. If we do not, we will have the distinguished majority leader, one-time chairman of the Finance Committee, a man who will know what to do. We are on the right path. Let us do the right thing.

With that, Mr. President, reserving the remainder of my time, I yield the floor. Mr. President, I suggest the absence of a quorum and ask that the time be equally divided.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MURKOWSKI. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Who yields time?

Mr. MURKOWSKI. Mr. President, I would like to speak with regard to the proposed debt increase issue for 3 or 4 minutes.

Mr. ROTH. Mr. President, how much time remains?

The PRESIDING OFFICER. The Chair informs the Senator from Delaware that he has 13 minutes remaining, and the Senator from New York has 1 minute, 26 seconds.

Mr. ROTH. I yield the Senator 3 minutes.

Mr. MURKOWSKI. I thank the floor manager.

The PRESIDING OFFICER. The Senator from Alaska is recognized for 3 minutes.

Mr. MURKOWSKI. Mr. President, I have grave concerns about the proposal to increase the debt without having a mandate in place to address a balanced budget. For this body to vote to increase the debt without having a budget that can be achievably balanced is irresponsible.

What we are doing here, I think, is extraordinarily irresponsible. We are losing the leverage that we have—and the leverage that we have is the ability to affect just how much spending occurs. Mr. President, this body cannot face an authorization to increase the debt unless this body has found a way to ensure that the debt is not going to continue uncontrolled. This is the realization that we must not be afraid to face: the Government simply does not have the discipline to control its spending; the Government does not have the discipline and constraints to control its spending as is dictated in the private sector.

What should this body be doing? Well, Mr. President, this body should be doing the only responsible thing to do when one incurs too much debt—and that is decrease expenses. It is not responsible to the debt without taking corrective action.

The greatest concern this country has is too much debt, and now we are being asked to accumulate that debt further by increasing the debt ceiling from $4.9 trillion to somewhere in the area of $5.4 trillion. What is the rationale for this? The argument is that we simply have to. I am not arguing with the reality that we have to pay our bills, but to suggest that we go ahead with this authorization without first having addressed a mandatory balanced budget is absolutely irresponsible.

To suggest that we are up against some time frame of tomorrow or the next day is not necessarily true. We know that the Secretary of the Treasury has continued to borrow from funds, and likely can do so for a limited period of time. So, why not take

this opportunity—when there is a need now that is greater than it has ever been before—to establish a methodology to achieve a balanced budget?

Mr. President, interest currently is about 16 percent of our total expenditure. Mr. President, that is a cost that we have absolutely no control over; it is an automatic cost that continues to grow and does not disappear. It's like having a horse—and the Senator from Montana knows about horses. You may feed a horse and watch him eat, but that horse continues to eat when you're not around—that horse eats while you sleep. A horse's eating cannot be controlled and neither can this country's interest expenditures. In Canada, 20 percent of the budget is interest on the debt. They cannot afford their health care. If you look at Central America countries, South America countries, what put them under was too much debt.

Currently our interest costs are more than our annual deficit. We are broke, yet we just keep spending. And to suggest that we are on the right track without having mandatory discipline is absolutely unrealistic.

Some may suggest the problem will fix itself—the economy will expand or the tax base will increase, and so forth. Those are all fine. But we have not addressed a responsible method to curtail this runaway debt, and here we are today prepared to increase the debt ceiling without having taken the corrective action, and this Senator from Alaska is going to vote against it.

The rationale is obvious: We have to be disciplined. We better face up to it because we are going to be right back here again in a year, 18 months, more or less, increasing the debt ceiling again. Will we have the leverage then? Well, we have the leverage now, and that leverage is to enact a mandatory balanced budget. Only then will I vote for the debt ceiling, but not until. I appreciate the floor manager allowing me this time.

Mr. ROTH addressed the Chair.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. ROTH. Mr. President, I respectfully rise in opposition to the Moynihan amendment. I am sure he recalls, as I do, that when George Mitchell was the distinguished majority leader of this Senate, he often said the perfect is the enemy of the good when Republicans offered amendments from time to time.

I just want to reiterate that, as I stated earlier, it is this Senator's intention, hopefully upon the successful enactment of the legislation before us, without the Moynihan amendment, it is this Senator's intention to work toward passage of a long-term debt ceiling extension later this month. As I have said, we cannot and will not default on our debts, and I know that is a matter with which the distinguished Senator from New York agrees.

Mr. MOYNIHAN. There is no disagreement.

Mr. ROTH. Let me suggest that the problem with the Moynihan amendment is that I think we do make it possible for there to be a default if we do not move successfully on the legislation before us. The House, I just want to point out, passed the legislation, H.R. 3021, by a vote of 362 to 51. Most of the ''no'' votes came from Republicans. The House leadership says that the Moynihan amendment would not pass on the House side. So it is unlikely that a straightforward debt limit bill will pass. The House wishes, as you know, to combine that with entitlement reform, and we intend to vote on that later this month.

The point I want to emphasize is that we are running the risk that, if the Moynihan amendment should be adopted, it will not be agreed upon on the House side, and time is not on our side.

As I said earlier, the amendment before us really jeopardizes the ability of Treasury to manage the public debt. We may not have until March 21 or even March 15, as I understand the situation. Treasury has informed us that next week, cash levels will be imprudently low, something under $1 billion. I think that is the first time that situation has arisen where we are running that kind of a risk.

The distinguished Senator, my good friend and colleague, asked for the letter from John D. Hawke, Jr., the Under Secretary of the Treasury for Domestic Finance, to be printed as part of the RECORD.

I want to read one paragraph from that letter where the Under Secretary says:

> By March 13 or 14, if there is no debt limit increase, we project that our cash balances will be below our prudent minimum of $5 billion and that there will be less than $1 billion in leeway under the debt limit.
>
> If the actual debt level on March 13 or 14 is $1 billion more than we currently forecast, Treasury would be out of debt limit room and would not be able to issue sufficient securities to the trust funds to enable all trust fund receipts to be invested on those dates.

So that, in my judgment, is why we wish and need to enact H.R. 3021 now, unamended, so that this danger of running out of funds can be averted.

Mr. President, I strongly urge my friends and colleagues on both sides of the aisle to reject the so-called Moynihan amendment.

The PRESIDING OFFICER. Who yields time?

Mr. ROTH. I yield 3 minutes to my colleague from Minnesota.

Mr. GRAMS. Mr. President, I want to make a few remarks to go along with Senator MURKOWSKI's remarks on a lot of reservations some of us have about extending the debt limit without tying it to a responsible balanced budget amendment, so that we do not literally give Congress an open checkbook to go ahead and spend and spend and spend.

I wanted to clarify that we are here today to consider a short-term extension to this debt ceiling, to give us time for 2 weeks to work out a further extension of this. What are we asking today? We are asking to be able to borrow more money. For what? To pay interest.

I tell people back home, it is like if you go to one banker to borrow money so you could pay interest to another banker you owe on another loan. If you get into that position, you are in financial trouble. That is what we are doing here, borrowing more money year after year, and it does nothing but cover up a history of mismanaging this country's finances. This is without going back and addressing the problem.

We have to get our finances in order. We have to agree on a balanced budget within the next 7 years. This should not be viewed as a political excuse to put off balancing this budget. The debt ceiling should only be passed, and I will only vote for it, if it has some specific instructions on how we are going to achieve a balanced budget and not to just say, well, we are going to borrow some more and add to the debt, which is going to put our children even deeper into their financial problems, so we can go on and continue business as usual here in Washington. We cannot do that any longer.

We need to have some real reforms when it comes to the problems of the entitlements, welfare, Medicare, and Medicaid. We have been working toward this, and, hopefully, within the next couple of weeks, we can work out something that will put us on that glidepath.

I am going to propose what I call the ''taxpayer protection lockbox,'' which means that if revenues exceed even our spending forecasts, those extra dollars will not be given to Congress to spend on even a larger Government. But if there are additional revenues available, they will be returned to either the taxpayer in the form of tax relief, or they can only be spent to reduce the debt. But once we set this spending level, we want to make sure that, if additional revenues do come in, Congress does not have an open checkbook to spend even more.

So I wanted to respectfully ask that we examine this problem and make sure that any extension in the debt limit is tied to a balanced budget.

Thank you, Mr. President.

The PRESIDING OFFICER. The Senator from New York has 1 minute 24 seconds.

Mr. MOYNIHAN. Mr. President, first, let me say to my friend from Minnesota that he is quite right that we spent moneys we did not have. We spent them in the 1980's. This is clear and inexorable. This table shows it in these bar charts. We have finally gotten to the point where we have revenues above the levels of outlays. We did this in 1993 with a vote on which not a single vote was found on the other side of the aisle to do so. But we did it. Now, can we not put this argument aside, resolve our remaining legislative matters, and get on with the Presidential election, rather than holding the full faith and credit of the United States at jeopardy?

I want to thank my esteemed chairman for the clarity and tone of his remarks. Whichever way this vote will go, we will manage to get through this. But that we are doing this for the 17th time since 1980 suggests that we better look to our procedures in the future.

Mr. President, with thanks to the chairman, I yield back the remainder of my time.

Mr. ROTH. Will the Senator yield me 1 minute?

Mr. MOYNIHAN. I ask unanimous consent that Senator ROTH may have 1 minute.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ROTH. Mr. President, I thank the distinguished Senator from New York for his remarks. I must, once again, urge the defeat of the so-called Moynihan amendment. If it should carry, I think it is critically important that it be recognized that we would be jeopardizing the ability of the Treasury to manage the public debt.

As I said earlier, we may not have until March 21, or even March 15. Treasury, again, has informed us that next week cash levels will be imprudently low and under $1 billion. That is the reason it is critically important that we enact H.R. 3021 without amendment. As I have assured the distinguished Senator from New York, then we will look at the longer term and work together.

I yield the floor.

Mr. MOYNIHAN. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. GORTON (after having voted in the affirmative). Mr. President, on this vote I have a pair with the distinguished Senator from Kansas [Mr. DOLE]. If he were present and voting, he would vote ''nay.'' If I were at liberty to vote, I would vote ''yea.'' I withdraw my vote.

Mr. LOTT. I announce that the Senator from Missouri [Mr. ASHCROFT], the Senator from Colorado [Mr. CAMPBELL], the Senator from New York [Mr. D'AMATO], the Senator from Kansas [Mr. DOLE], the Senator from Florida [Mr. MACK], and the Senator from Arizona [Mr. MCCAIN] are necessarily absent.

Mr. FORD. I announce that the Senator from Hawaii [Mr. INOUYE], the Senator from California [Mrs. BOXER], and the Senator from Illinois [Ms. MOSELEY-BRAUN] are necessarily absent.

The PRESIDING OFFICER (Mr. SANTORUM). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 43, nays 47, as follows:

[Rollcall Vote No. 24 Leg.]

YEAS—43

Akaka	Feinstein	Mikulski
Baucus	Ford	Moynihan
Biden	Glenn	Murray
Bingaman	Graham	Nunn
Bradley	Heflin	Pell
Breaux	Hollings	Pryor
Bryan	Johnston	Reid
Bumpers	Kennedy	Robb
Byrd	Kerrey	Rockefeller
Conrad	Kerry	Sarbanes
Daschle	Kohl	Simon
Dodd	Lautenberg	Wellstone
Dorgan	Leahy	Wyden
Exon	Levin	
Feingold	Lieberman	

NAYS—47

Abraham	Grams	Murkowski
Bennett	Grassley	Nickles
Bond	Gregg	Pressler
Brown	Harkin	Roth
Burns	Hatch	Santorum
Chafee	Hatfield	Shelby
Coats	Helms	Simpson
Cochran	Hutchison	Smith
Cohen	Inhofe	Snowe
Coverdell	Jeffords	Specter
Craig	Kassebaum	Stevens
DeWine	Kempthorne	Thomas
Domenici	Kyl	Thompson
Faircloth	Lott	Thurmond
Frist	Lugar	Warner
Gramm	McConnell	

PRESENT AND GIVING A LIVE PAIR, AS PREVIOUSLY RECORDED—1

Gorton, for

NOT VOTING—9

Ashcroft	D'Amato	Mack
Boxer	Dole	McCain
Campbell	Inouye	Moseley-Braun

So the amendment (No. 3465) was rejected.

Mr. EXON. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. LOTT. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The question is on the third reading and passage of the bill.

The bill (H.R. 3021) was ordered to a third reading, was read the third time, and passed.

Mr. ROTH. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. MOYNIHAN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. MURKOWSKI. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LOTT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LOTT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. LOTT. Mr. President, for the information of all Senators, there will be no more recorded votes today. However, I think it should be noted that we had hoped to move forward on the small business deregulation bill. There has been basically an objection to bringing that up at this time by one of the Democratic Members, perhaps other Members about bringing it up at this time. We are attempting though to reach an agreement on when that bill will be considered. It is one that passed overwhelmingly, unanimously, bipartisan, a good bill. I think everybody understands that. We have agreement on it. We should go ahead and move that legislation. I have discussed this with the distinguished Democratic leader. We are now trying to get an agreement on making sure that we get it up in a very short, reasonable period of time.

We will begin the omnibus appropriations bill on Monday morning. Amendments will be started on Monday with the votes to occur on Tuesday, and we will have some further specific announcement on the time of those votes. Also, we are expecting Members to have amendments ready on Monday on this omnibus appropriations bill. Again, I have discussed this with the Democratic leader. We do know already at least one amendment that will be ready on Monday is the Daschle omnibus amendment. We are working now, we are hoping maybe even here in the next few minutes to get some of the amendments, a list of the amendments that would be available on Monday.

I do want to emphasize also it is important that we get a reasonable agreement on time for handling this legislation because it will call for a conference with the House because there clearly will be differences between the two bodies' versions of the omnibus appropriations bill. We need to get it done in time so there can be a conference, an agreement in conference, and get this matter hopefully concluded by Thursday of next week.

There will be no votes on Friday and no votes on Monday, but I emphasize again we will begin debate on this omnibus appropriations bill with amendments to be offered. I hope Members will not try to hold their amendments to the second day. We just will not physically be able to accommodate that. We are going to work across the aisle to get an agreement on that at the appropriate time.

I do want to inform Members that later there will be a cloture motion laid down on Whitewater, and in all probability on the D.C. appropriations conference report.

MORNING BUSINESS

Mr. LOTT. I notice the Democratic leader is here. Just one final point. I now ask unanimous consent we have a period for morning business to 3:30 p.m. with Members permitted to speak for up to 5 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LOTT. With that, I yield the floor, Mr. President.

Mr. COVERDELL addressed the Chair.

The PRESIDING OFFICER. The Senator from Georgia.

CURTIS BALDWIN MEMORIAL

Mr. COVERDELL. Mr. President, on behalf of Majority Leader DOLE and myself, I would like to address the Senate on the death of Curtis Baldwin. I wish to take a moment to recognize a Senate staffer who made a meaningful contribution both to the Senate and his community.

Curtis Baldwin unexpectedly passed away this week at the young age of 36. He was born in Richland, GA, and graduated from Clark College in Atlanta.

For the past 7 years, Curtis was a Sergeant at Arms employee who was well known among his coworkers and the Senate staff as a goodhearted, dedicated, and loyal individual. Curtis will always be remembered as having a positive effect on people with his joyful disposition and contagious laugh.

In addition, he was an active and faithful member of the Congress Heights Methodist Church in Washington, DC, where he was a youth minister, a member of the board of trustees, and an assistant treasurer. Curtis found deep fulfillment in being a member of both the T.J. Horne Ensemble and the church choir. He celebrated life each day by being close to the Lord and his family.

Curtis will always be remembered in the hearts of those who knew him.

Mr. President, I thank you and I yield the floor.

Mr. SIMON addressed the Chair.

The PRESIDING OFFICER. The Senator from Illinois.

JOINT STANDARDS ON VIOLENCE

Mr. SIMON. Mr. President, last week the major leaders of the television and movie industries in the United States met with President Clinton, Vice President GORE, and in separate meetings with several of us in Congress to address the issues of glamorized violence and sexual exploitation.

President Clinton and the industry leaders are to be congratulated for coming together, an indication that both the leaders of Government and the industry take this issue seriously.

Second, while I opposed the Federal Government mandating the V-chip and the ratings system that goes with it, the fact that the industry has decided to address the pressure in the telecommunications bill for them to voluntarily set up a system rather than oppose the proposal in the courts will do some good. It is a signal to the American people that the industry is willing to show self-restraint and that good citizenship can prevail over the profits-at-any-cost philosophy.

My experience with this issue suggests that progress can continue to be made without Government entering the constitutionally dangerous field of regulating content and without the industry impairing either its profits or its effectiveness. But because this field that is entered is new in the United States for the industry, there will be some stumbling along the way. The path of real progress is rarely easy in any type of endeavor.

The television-movie leaders deserve our congratulations not only for the step just announced but for a series of positive actions that have been taken over the past few years. The industry initially moved in a more conservative direction somewhat reluctantly, but as more and more leaders started self-examination and found pride and satisfaction in the good they were doing, the progress has become more measurable.

In 1986, when I began talking about violence on television, I was a lonely voice. The entertainment industry responded to my calls for a reduction in gratuitous and glamorized violence on television with almost universal denials of any link between violence on television and violence in our society. For even suggesting such a link, I was loudly and enthusiastically denounced by some.

When I asked that they work together to establish joint standards on violence, the networks told me that antitrust laws precluded them from doing so. When I introduced and Congress passed an antitrust exemption in 1990, signed into law by President Bush, to allow them to discuss this issue, they spent the first year and a half of the exemption doing nothing. Finally, halfway through the exemption, I took to the Senate floor to call the Nation's attention to this issue and the industry's inaction. Public hearings were held in the House and the Senate.

In response to this public pressure, the networks announced joint standards on violence in 1992. The broadcast networks led the way on this, followed by cable and the independents. The standards they developed were not as strong as I would have liked, not as strong as the British standards, for example, but a positive step forward.

In the summer of 1993, the networks established a parental advisory system. They took significant nonpublic actions to change the shape of things. The President of one of the broadcast networks told me that he viewed a film they had paid $1.5 million for, and after viewing it he decided the network should take a loss and not show it because of its violence.

When the officials of one network met, initially, one or two sharply criticized what I was doing. Then one of the officers asked the question, ''Do you let your children watch what we are producing?'' He reported that question changed the whole tone of the meeting and what they would produce in the future.

Jack Valenti, head of the Motion Picture Association, and others, arranged for me to meet with the Writers Guild and the Directors Guild, the creative people who help to shape what we view. A few of them were hostile, some reluctant, and others clearly welcomed a slightly different thrust.

In August 1993, the first-ever industrywide conference on the issue of gratuitous television violence was held. At that conference, I urged the industry to select independent monitors, not censors, to make any reports to the public about television programming. In early 1994, both the broadcast and cable networks announced they would do it and announced their selection for independent monitors.

These monitors, the UCLA Center for Communication Policy and Mediascope, have now each issued their first annual reports. Many critics dismissed these monitors as pawns of the industry because the industry is paying for their work.

These first reports clearly belie that suspicion. They are solid, critical examinations of television programming. They make concrete suggestions for ways to improve. The reports exceeded my greatest hopes.

These studies show that television violence is still a problem, but the very existence of the reports should encourage everyone concerned about this issue. The networks invested significant sums to fund this, and they have respected the independence of the monitors' work.

The industry has proposed a voluntary rating system to provide the public with more information about their programming. I applaud this voluntary effort. The question is where we go from here.

Laudable as the most recent step by the industry is—though I voted against that V-chip in the version that passed the Senate as an unwise and probably unconstitutional intrusion of the Federal Government in the field of content—I have concerns that some in industry and Government are looking to this as the answer to the question of gratuitous violence. It will help concerned parents. Perhaps of greater influence, it will affect advertising for those who accept that form of sustenance.

I have these concerns:

First, it will take years before the V-chip is in most American homes.

Second, the recent report on television by Mediascope suggests that while ratings help parents and are helpful with young children, boys between the ages of 11 and 14 are attracted by an R rating, not repelled by it. If the study had included young people between the ages of 15 and 19, my instinct is that the R rating would prove to be even more of a magnet.

Third, teenagers are mechanically very adept. Many will find their way around the V-chip, if by no other means, by going to a friend's home.

Fourth, and most important, the homes that most need to use the V-chip will not use it. Children in high-

crime areas watch half again as much television as in areas where crime is less prevalent. Too often, the children of those parents are desperately just trying to get by, and if watching more violence on television keeps the children off the streets, it will strike many parents as a reasonable tradeoff.

So I welcome the industry's considerable effort to assist the American public with ratings and the V-chip, but I view it as a mixed blessing.

Let me close by issuing a challenge to the industry and to my colleagues. To the leaders of television, I applaud the progress you are making. Broadcast entertainment TV is measurably less violent than 5 years ago and cable TV is slightly less violent. If this progress continues, 10 years from now people will look back on today's television as we now look back on old movies that have the heroes and heroines smoking and drinking heavily. Moving away from that stereotype did not hurt the movies and television, and it helped the American public.

I urge all industry leaders to read the two fine monitoring reports that the broadcast and cable industries authorized. I particularly call your attention to the statistic in the more recent report that 73 percent of violence in entertainment television has no immediate adverse consequences for the perpetrators of the violence.

The message to children and adults from that: Violence pays. The same report notes that only 4 percent of violent programs emphasize an anti-violence theme. It should not be difficult for television executives to tell your writers and directors and other creative people to shift this emphasis. We do not need to wait for a V-chip for that.

To my colleagues in Government, I urge patience. As one of the harshest critics of the industry, let us acknowledge that progress has been made even before this latest announcement and congratulate the industry for it. It is no accident that the top five in the network ratings on television today are not violent shows.

Let us applaud the progress that has been made, and let the dust settle a little, viewing carefully and not emotionally where we are, and not pass more legislation at this time. President Clinton and Senator BOB DOLE deserve some of the credit for the progress that has been made, as do many other of my colleagues of both parties in the House and the Senate. Periodic hearings should be held to determine what is happening, but let us not derail a train that is now headed in a better direction.

Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BOND. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. THOMPSON). Without objection, it is so ordered.

SMALL BUSINESS REGULATORY ENFORCEMENT FAIRNESS ACT

Mr. BOND. Mr. President, it is with regret, I tell my colleagues today, that we are not able to proceed at this time with the Small Business Regulatory Enforcement Fairness Act, S. 942, which was marked up by the Small Business Committee yesterday. We had hoped to be able to go forward on what is a very sound, bipartisan bill that responds to the major regulatory reform requests of the delegates to the White House Conference on Small Business. At this time, there is an objection on the other side of the aisle to calling that measure up for consideration today.

Frankly, I am very disappointed that we are not able to go forward, because this is something that we in the Small Business Committee, with the help of others in this body who are concerned about small business, have worked on for a long time.

I want to pay a very special thanks to my ranking member, Senator BUMPERS, and his staff who worked with us and the other members of the committee to get what I think is a good bill. It was passed out of the committee on a 17 to 0 vote. It was one which I had hoped we would be able to move quickly.

We are coming up very shortly on the 1-year anniversary of the White House Conference on Small Business. A number of small businesses do not understand how slowly this place moves. Sometimes I do not understand how slowly this place moves.

It would seem to many that the time has come to respond to their requests. There are several simple requests.

One of them is to put some teeth in the measure that is supposed to give small businesses an opportunity to be heard in the regulatory process. Congress passed, and the President signed about 16 years ago, a measure called the Regulatory Flexibility Act. The objective of that act was to make sure that Government regulations which affected small business took a look at the impact on small businesses and choose a means of minimizing the hassle, the redtape, the wasted energy, the wasted effort that a regulation might impose on a small entity. I say small entity because that is only small business. It has a small profit. We have had people from colleges and universities who wring their hands and tell us that the same hassles the small businesses face affect them. I cannot tell you the number of county and city officials in my State who say, I wish we had the ear of some of the regulators in Washington because they do not take into account what some of these regulations that might be perfectly workable for a large corporation, or even a State government, do when it comes down to the local level to a small business.

Well, for years, the White House conference delegates and other small business groups have said that if you want to make regulatory flexibility work, you have to put some teeth into it. When the reg flex bill was passed initially, there was an exclusion of judicial enforcement. In other words, you could not go to court and say a Federal regulatory agency failed to take into account the impact on small business. Well, we have, by a bipartisan effort, a measure which provides judicial enforcement for regulatory flexibility. The President has called for it, the Administrator of the Small Business Administration has called for it, leading Members of both sides of the aisle in this body have called for it. We would make regulatory flexibility subject to the judicial enforcement. Why? Because, quite frankly, right now, when the Small Business Council for Advocacy goes to a Federal agency and says, ''You did not take into account how this is really going to tie up small business, and you are putting a tremendous recordkeeping burden on them, putting them through a tremendous hassle,'' too often those agencies say, ''Tough luck.''

So what are you going to do about it? The answer is nothing. He cannot do anything about it. Under this bill, he could do something about it. Under this bill, a small entity could do something about it. Well, that is what is being held up today. That is what we had hoped to bring to the floor this afternoon, to do what the small businesses of America have asked us to do, and that is let their voice be heard in Washington. Let them have an opportunity to express their concerns and their complaints to the agencies that are driving them nuts.

I might add, parenthetically, that even the Small Business Administration itself came out with a bunch of regulations, some of them in its loan programs, and others, which we think might make it more difficult for small businesses. It would not be a bad idea for the Small Business Administration to take a look at how its own regulations impact small business. We can give them some help. Well, we cannot do it until we have S. 942, or the contents of that bill, passed by both Houses and signed by the President.

This measure also does some other things that are very important. It says when you write a regulation, you have to tell, in plain English, commonsense language, how an entity can comply with it, what you are really getting at in a regulation. We are saying that if you do not do that, if a regulatory agency wants to bring an enforcement action against a small entity, the small entity can look and say, here are your guidelines; or, if you do not have any guidelines, you can publish guidelines. Sometimes the simplifying guidelines a Federal agency puts out are very thick. For a small business with one, two, or three employees, not many of them have the time to read

through hundreds of pages of directions. That is not simple language. I think that is a tool the small businesses need.

Senator DOMENICI, as a result of small business hearings we had in New Mexico, had a good idea, one that we need to try out, which is included in this bill. It would give small businesses an opportunity to participate in making the regulations in the first place. Let them be heard. Bring them in and let them have a crack at it. Let them have an opportunity to say how the goals of the legislation—that is, what the regulations are supposed to do to help achieve the goals of legislation—how those goals can better be achieved as they affect small business. That is also included in it.

And then we have a final provision that also came from the hearings that we held around the country, from Georgia to Alaska, Tennessee, and Missouri. We have had hearings in Minnesota, all around the country, and we have heard a lot of small businesses say that it is not just the regulations; sometimes it is the regulators themselves. Sometimes the regulators themselves come in and act like they have been sent by the king rather than by a popularly elected Government. They act like they represent a monarch, and they tread on the rights of the people who do not have the resources to fight them.

So we would set up an ombudsman, who would be available for a small business or a farmer, or other small operators, to raise an objection as to how an inspector operates. I asked the small businesses before, ''Why do you not object if OSHA sends in an inspector who is overreaching, who does not listen to your side of the story, who says it is his way or the highway? Why do you not just object to the agency?'' They say, ''If we object to the agency, that same guy is going to come here next month, and instead of fining us $4,000 for not having a label on some dish-washing soap, he could increase the fine, or it could get even worse.''

So we set up a means where an affected small business or entity that gets stepped on by these enforcers could register a complaint. We set up regional regulatory fairness boards to hear these complaints. I think it will help the agencies themselves to root out a bad apple, or to bring in an inspector, examiner, or representative who is out of hand and say, ''We have had complaints about you. You are not helping the citizens we are supposed to serve and represent to comply with the laws and with the regulations. You need to shape up the way you are acting.''

Well, that ombudsman provision, the regulatory fairness provision, is also included in S. 942.

Finally, equal access for justice. We want to make it easier if you are a small business and the Federal Government comes in and says, ''We need a million dollars in penalties,'' and you say, ''That would put me out of business. It is not a willful violation, and I did not cause serious harm. It is the first time I have done it.'' That is totally out of whack. If they proceed against you and get a $10,000 fine, then you ought to be able to get your attorney's fees from the agency that tried to run over you. It makes them accountable. It makes sure that the agency comes in with demands that are not out of reason. That, too, is in S. 942.

Unfortunately, at this point, there is an objection on the other side. I know that we have very strong support, particularly from the members of the Small Business Committee, on both Republican and Democratic side. We would like to move this bill. We have time set up on the floor. This is valuable time that we are wasting that we are not moving forward on this bill. This is the time that we could be doing something that would respond to the concerns that the small businesses of America have about how the Federal Government acts.

Unfortunately, as long as there is that objection, it will take us some time to bring it up. We will bring it up. I know everybody seemed to be ready for it. The people who were involved in crafting it were ready to come to the floor.

I say by way of explanation to our other colleagues that I truly regret we cannot pass this measure. It is one I know had total bipartisan support in the committee. I think it will have strong bipartisan support on the floor. The President has already indicated his support for the basic principle of judicial enforcement of regulatory flexibility.

Mr. President, I only say we are still ready to do business if the Members on the other side change their mind. It is too bad we have valuable time set aside on the floor and we are not able to move.

I yield the floor. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. DASCHLE. Mr. President, I ask unanimous consent that the order of the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE SMALL BUSINESS REGULATORY FLEXIBILITY ACT

Mr. DASCHLE. Mr. President, I understand that someone from the majority will be coming to the floor to offer a unanimous-consent request that has to do with a number of matters pertaining to our schedule for next week. While he is on his way, let me simply explain the dilemma that requires our objection to moving at this time to the Small Business Regulatory Flexibility Act.

We have no objection to the substance of this particular bill, with the understanding that some technical details remain to be resolved. I am quite confident that if all we had to do was to consider the bill, after only a short period of time for debate and adoption of a managers' amendment to clarify some technical questions with the bill, we would then be in a position to vote, I would suspect unanimously, for that particular legislation.

The dilemma is that the bill will very likely be used as the vehicle for another very big debate, unlimited debate, over the whole issue of comprehensive regulatory reform. That issue has been before the Senate for weeks already during this Congress. Several attempts to invoke cloture were made and failed. We could thus find ourselves in much the same set of circumstances again next week were comprehensive regulatory reform legislation offered as an amendment to this bill.

My concern is that the Senate has many important and timely issues facing it. We have a debt limit extension bill, the continuing resolution, the Whitewater resolution and a number of other issues pending. I would be very concerned if this body found itself mired once more in an impasse over comprehensive regulatory reform, with no real hope of coming to some consensus, some compromise.

We are getting closer. I think at some point there may be an opportunity to bring a bill to the floor. But we are not there yet. I think that rejoining this debate at this time on this bill would most likely undermine what possibilities there are for regulatory reform.

So bringing regulatory reform to the floor under those circumstances would not be what I view to be a very constructive exercise. But it is not my objection this afternoon that will cause the bill not to be scheduled. There are objections within our caucus, and I respect those objections. They are being made for legitimate reasons.

So we will continue to try to resolve these outstanding difficulties and come to some resolution at some point in the future. But until the broader issues relating to this particular bill are resolved, we would not be in a position to go to the bill.

Mr. President, I yield the floor and note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. PRYOR. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE FULBRIGHT SCHOLARSHIPS STAMP

Mr. PRYOR. Mr. President, on February 28, the Postal Service recognized 50 years of Fulbright scholarships by issuing a commemorative stamp in

honor of this outstanding program. Fittingly, the unveiling ceremony was held at the University of Arkansas, where Senator J. William Fulbright served as president.

The Fulbright scholarships were established by the Congress in 1946 under legislation proposed by Senator Fulbright. They were intended to increase mutual understanding between the United States and countries worldwide. By anyone's measure, this program has been a great success.

Each year, nearly 5,000 individuals are given the opportunity to broaden their professional or academic knowledge by studying or lecturing at renowned international universities, or conducting collaborative research with foreign countries. Since its inception, nearly a quarter million people have participated in the Fulbright program.

The design of the stamp itself emphasizes the international exchange of students, scholars, artists, and other professionals that the scholarships facilitate. A compass laid over top of a human head symbolizes the power of the mind applied to all areas, while a decorative bookbinding paper background represents academics and the arts.

Mr. President, J. William Fulbright of Arkansas served the public with great distinction for more than 30 years. He gave great thought and care to America's role in the world, and it is most fitting that the Postal Service has chosen to pay tribute to the international exchange program which bears his name.

I know this stamp is a source of great pride not only to Senator Fulbright's family, but to all who have been associated with this special program. I hope the issuance of this commemorative stamp will help ensure another 50 years of Fulbright scholarships.

THE BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, the impression will not go away: The $5 trillion Federal debt stands today as an increasingly grotesque parallel to the energizer bunny that keeps moving and moving and moving on television—precisely in the same manner and to the same extent that the President is allowing the Federal debt to keep going up and up and up into the stratosphere.

A lot of politicians like to talk a good game—and talk is the operative word—about cutting Federal spending and thereby bringing the Federal debt under control. But watch how they vote on spending bills.

Mr. President, as of the close of business yesterday, March 6, the exact Federal debt stood at $5,016,347,467,901.57 or $19,040.48 per every man, woman, and child in America on a per capita basis.

COMMEMORATION OF NATIONAL SPORTSMANSHIP DAY

Mr. PELL. Mr. President, it is with great pride that I bring to the attention of my colleagues National Sportsmanship Day which was celebrated on March 5, 1996. This event was celebrated in nearly 6,000 schools in all 50 States and 61 countries.

My pride stems from the fact that this celebration, which is recognized by the President's Council on Physical Fitness and Sports, was established by the Institute for International Sport in 1991. The Institute, housed at the University of Rhode Island, has brought us the hugely successful World Scholar-Athlete Games, which will be held again in 1997, as well as the Rhode Island scholar-athlete games. Now in its sixth year, National Sportsmanship Day has grown not only into a national movement, but an international one as well.

National Sportsmanship Day was conceived to create an awareness among the students of this country—from grade school to university level—of the importance of ethics, fair play, and sportsmanship in all facets of athletics as well as society as a whole. The need to periodically refocus our young people on sportsmanship and fair play is sadly evident on the playing field in these days of taunting, fighting, winning at all costs mentality, and the lure of huge sums of money for athletes hardly ready to cope with life's normal challenges.

To commemorate National Sportsmanship Day, the Institute for International Sport sends to all participating schools packets of information with instructional materials on the themes surrounding the issue of sportsmanship. Throughout the country, students are involved in discussions, writing essays, creating art work, and in other creative ways engaging each other on the subject.

Mr. President, as it has in past years, the President's Council on Physical Fitness and Sports has recognized National Sportsmanship Day. I ask unanimous consent that the letter signed by the council's cochairs Florence Griffith Joyner and former congressman Tom McMillen be inserted in the RECORD following my remarks. Mr. President, I would also commend and urge my colleagues to encourage students to focus on National Sportsmanship Day and the lessons contained therein.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

THE PRESIDENT'S COUNCIL ON PHYSICAL FITNESS AND SPORTS,
Washington DC, March 1996.

The President's Council on Physical Fitness and Sports is pleased to recognize March 5, 1996, as National Sportsmanship Day. The valuable life skills and lessons that are learned by youth and adults through participation in sports cannot be overestimated.

Participation in sports contributes to all aspects of our lives, such as heightened awareness of the value of fair play, ethics, integrity, honesty and sportsmanship, as well as improving levels of physical fitness and health.

The President's Council congratulates the Institute for International Sport for its continued leadership in organizing this important day. We wish you every success in your efforts to broaden participation in and awareness of National Sportsmanship Day.

FLORENCE GRIFFITH JOYNER,
Cochair.
TOM MCMILLEN,
Cochair.

Mr. PELL. Mr. President, I yield the floor. I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. SIMON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CHINA, TAIWAN, AND THE UNITED STATES

Mr. SIMON. Mr. President, shortly after I announced that I would be retiring from the Senate, President Clinton called and suggested that from time to time, I should give a report on some issue facing the Nation, and today I am again doing that—this time with a few observations about the relationship between China, Taiwan, and the United States.

My interest in this subject is more than a sudden thrust caused by recent developments. My parents were Lutheran missionaries in China and had returned to the United States 1 month when I was born. I tell Chinese-American audiences that I was ''made in China.'' I grew up in a home that had Chinese art, guests, and influence. That gives me no more expertise than others, but I mention it because my interest has been longstanding.

Before the Shanghai communique that recognized the People's Republic of China, I favored recognizing the mainland Chinese Government, as well as the Government on Taiwan. It would have been somewhat similar to our recognizing both West Germany and East Germany as two separate governments. Neither Germany was particularly happy with that, but it acknowledged reality, and it did not prevent the two governments from eventually merging into one Germany.

Following that course with China and Taiwan would have been a wiser policy, and it would have acknowledged what is a reality: There are two separate governments.

But that did not happen, and hindsight is an easy luxury.

The situation now is confusing and could turn dangerous. Our colleague Senator DIANNE FEINSTEIN has described United States policy toward China as one of zig-zagging, and that, unfortunately, is an apt description.

Let me outline where we are and why I believe a firm and consistent U.S. policy is desirable for all parties.

China has moved generally in a constructive direction since the emergence of Deng Ziaoping's leadership following the death of Mao. All of us who have been visitors there are impressed by

the economic gains, and with those gains has come some greater openness—within tight constraints—even on political expression, particularly in the southern part of China near Hong Kong. But the violent suppression of those who demonstrated peacefully for human rights at Tiananmen Square shocked Americans and all democratic nations, as well as the thousands of Chinese students in the United States. I remember speaking to a large gathering of Chinese students at Grant Park in Chicago. All of us were stunned by the Chinese Government's action. I also joined those peacefully protesting outside the Chinese Embassy here in Washington. The benign face of the Government of China many had come to expect, suddenly turned malevolent.

After none-too-swiftly denouncing the Government violence at Tiananmen Square, President Bush sent two of our top officials to Beijing to meet with their leaders, and whatever the content of the talks, the pictures that came back to us on the wire services were of two highly placed Americans, toasting the Chinese leadership that had just squelched, in a bloody fashion, the yearning for freedom of many of their people.

In the meantime, the nearby island of Taiwan has moved more and more toward the human rights we profess to support. Taiwan now has a multiparty system, a free press, and freedoms that are comparable to those we enjoy. Its Parliament is at least as confrontational as is our Congress, and on March 23, there will be an election for President with the incumbent President, Lee Teng-hui, ahead in the polls. It is significant that he is a native Taiwanese. Taiwan has been our seventh-leading trading partner and is No. 2 in the world in holding foreign currency reserves.

Here is where our zip-zagging comes in. At least on paper, we applaud democracies and say we will support them, and we frown upon dictatorships. But the Shanghai communique states that the United States will recognize only one China. And so we have turned a diplomatic cold shoulder to Taiwan, showing greater sensitivity to a dictatorship than to a democracy.

In terms of power, it is not a choice of two equals. For the same reasons that many in the State Department and Defense Department did not want to recognize Israel, which had significantly more-numerous Arabs as neighbors, and have had a tilt toward Turkey in her difficulties with less-numerous and less-powerful neighbors in Greece and Armenia, so there are many in key positions who say—once again—that the choices should not be made on the merits but on the numbers and the potential power of the two governments. China has 1.2 billion people, and Taiwan has 21 million.

However, there is something that makes many of us uncomfortable when the cold calculations of population and power are used as the overriding criteria in deciding whom we befriend. When we said, as we did for a period, that President Lee, the chief executive of a democracy, could not come to Cornell University for a reunion of his class because it might offend China, it showed weakness and lack of support for our ideals. Eventually, President Clinton reversed that decision, and I applaud him for it.

With an election in Taiwan coming soon, the Chinese Government, which certainly must be a top contestant in the bad public relations field, has been making military noises that cause apprehension in Asia and concern everywhere—apparently in a heavy-handed attempt to influence the Taiwanese elections.

Complicating the Chinese situation is that they face a transition in leadership, and no potential leader wants to look weak on the issue of absorbing Taiwan into the mainland. So leaders and potential leaders try to one-up each other in sounding tough on Taiwan. The irony is that tough talk makes an eventual peaceful reunion of the two governments less likely.

While it is probable that China will not invade Taiwan in the near future, or launch a missile attack, people struggling for leadership power sometimes do irrational things. And public officials are risk-takers. No one becomes a United States Senator without taking risks, and no one moves into leadership in China without taking risks. What has to be demonstrated to China is that their belligerent talk and actions are creating hostility around the world and that an invasion or missile strike would be a disaster for the Chinese leadership and the Chinese people.

The position of the United States should be one of firmness and patience as China goes through this leadership change, evidencing our strong desire for friendship, but also our determined opposition to the use of force to achieve change. The lesson of history is that dictators who seize territory and receive praise for it from their own controlled media are not likely to have their appetite satisfied with one bite of land. If China should turn militaristic and seize Taiwan, that would be only the first acquisition. Mongolia to the north is a likely next target, and as we should have learned from Hitler, dictators can always find some historic justification for further actions.

Editorial voices from the New York Times to the Washington Post to the Chicago Tribune to the Los Angeles Times—all newspapers that have been friendly to China—have denounced that nation's belligerent noises. And the sentiment in the Senate and House is equally clear.

What should we be doing?

Our policy should be clear and firm, friendly but not patronizing, toward both governments.

The United States should enunciate a defense policy—joined in, ideally, by other governments—that military actions such as an invasion or missile strike would evoke a military response from us. I personally would favor a strong response with air power by the United States and other nations, if an attempt were made to invade Taiwan or an appropriate military response if they launch a missile attack, but the means of responding militarily do not need to be spelled out. I do not believe an invasion or an air or missile attack are likely in 1996, but any future leaders who may emerge in China should be put on notice. Secretary of Defense William Perry has hinted at that possibility, and the presence of a United States aircraft carrier in the international waters between China and Taiwan is a good signal. But hints are not enough. The Los Angeles Times editorially praised Perry for his statement as ''the strongest indication that the United States might intervene if China attacked Taiwan.'' The best way of preventing military action is to move beyond ''might.'' We should state our posture unequivocally. No military leader should even consider gambling on our hesitancy. Our able Ambassador to China, James Sasser—who I once encourage to run for President—should quietly meet with their leaders and tell them we are serious about that message and that the belligerent noises are hurting the Chinese image around the world.

Another reason for doing this is that other Asian nations have serious questions about our military resolve, not our military capability. They see a few terrorists chasing us out of Somalia; they note that until recently, we were long on talk and short on action in Bosnia; and they see us quake when the Chinese Government growls. If our policy in this situation is not more clear and more firm, inevitably, Japan and other nations will invest significantly more in weapons and defense personnel, and an arms race in Asia will be accelerated. That is in no one's interests, other than the arms manufacturers. The United States has assured Japan and other Asian nations that we would come to their defense if attacked—but we also once gave that assurance to Taiwan. The nations of Asia are asking a fundamental question: Can they count on the United States?

Defense Secretary Perry has suggested that the top security officials of Asia should get together regularly in order to reduce tensions and increase understanding, an idea somewhat similar to Senator SAM NUNN's suggestions some years ago about Soviet and United States military leaders exchanging visits. The Nunn initiative produced some lessening of tensions. If China declines such a suggestion, nothing will have been lost. But anxieties among the nations of that area will diminish if China accepts such an invitation.

If China continues a policy of sending missiles to Pakistan and conducting military exercises near Taiwan, the United States should reexamine our trade policies, which now are heavily

weighted in China's direction. China has a huge $34 billion trade surplus with the United States. We can ask organizations like the World Bank, which in 1994 made a $925 million, interest-free loan to China through the International Development Association, to act with greater prudence toward China. IDA loans generally go to poor nations; the average recipient country's per capita income is $382 a year. China's average of $530 is well above that, and China has foreign reserves of approximately $70 billion. When China's bellicosity toward Taiwan is combined with human rights abuses, the picture painted is not good. Our relationship should be correct but not condescending or cowering. When China sells nuclear weapons technology to Pakistan our response should be clear, not quavering. Tough nonmilitary means of sending a message to China's leadership may need to be used.

If China's leaders will lighten up a bit, and see their present foreign policy orientation as self-defeating, there is no reason China and the United States cannot have a good, healthy, and fruitful relationship that will help the people of both of our countries. If China reaches out with a friendly hand toward Taiwan, rather than with a fist, China will make gains economically and politically.

In the meantime, we should welcome visits by Taiwan's leaders to the United States and by our leaders to that Government. We should stop playing games, and stop treating Taiwan as if it is a relative with a social disease. Because of past policy errors on our part, formal recognition in the immediate future is not advisable, at least until the Chinese leadership situation is sealed. But we should encourage Taiwanese participation in international organizations, and do whatever else we might do to encourage a friendly Government that is both a healthy trading partner and democracy.

And when areas of uncertainty arise, as they inevitably will, the United States should remember our ideals, and do what we can to further the cause of human rights and democracy, not as a nation that has achieved perfection—we obviously have not—but as a country that wants to give opportunity to people everywhere to select their governments. When we stray from our ideals, everyone loses.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BOND. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. GORTON). Without objection, it is so ordered.

UNANIMOUS-CONSENT REQUEST—S. 942

Mr. BOND. I thank the Chair. Mr. President, as I said earlier today, we are trying to move to Calendar No. 342, S. 942, the small business regulatory reform bill. I understand, if I ask unanimous consent to move to consideration of the bill at this moment, there will be an objection; so I ask.

Mr. SIMON. Yes. Mr. President, in behalf of Senator DASCHLE, for reasons he has outlined earlier, I will object.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BOND. Mr. President, I have heard some concern expressed that this measure may become a broad measure and involve many other items, such as controversial items that are included in the major regulatory reform bill, S. 343, which I personally hope is moving toward resolution.

There are a significant number of Members on both sides moving forward on that, but in order to assure my colleagues that we want to keep the focus on small business, we have a consent decree which would, I think, narrow it.

I want to read this consent request carefully so that other Members can listen to it, so they can think about it and see whether this would be the format under which we could bring the bill up.

Mr. President, I ask unanimous consent that on Tuesday, March 12, at 11 a.m., the Senate proceed to the consideration of Calendar No. 342, S. 942, the small business regulatory reform bill, and it be considered under the following limitation:

Ninety minutes of total debate, equally divided between the two managers; that the only amendments in order to the bill be the following:

A managers' amendment to be offered by Senators BOND and BUMPERS; an amendment to be offered by Senator NICKLES regarding congressional review; and one additional amendment, if agreed to by both leaders, after consultation with the two managers.

Further, that following the expiration or yielding back of all time, any pending amendments and the bill be temporarily set aside; further, that immediately following any ordered cloture votes on Tuesday, March 12, the Senate resume consideration of the bill, the Senate immediately vote on any pending amendments to the bill; and, further, following disposition of all pending amendments, the bill be read a third time, the Senate proceed to a vote on final passage, all without any intervening debate or action.

Mr. SIMON. Mr. President, as the Senator from Missouri knows, I happen to be on the floor. I do not know the details of all this. I object on behalf of Senator DASCHLE to what appears to be a reasonable request. I think he should take it up with Senator DASCHLE.

The PRESIDING OFFICER. Objection is heard.

Mr. BOND. Mr. President, I thank the Chair, and I appreciate the position of my colleague and neighbor from Illinois. I realize there is objection on the other side.

Let me suggest what the framework of the debate itself is. We will continue to discuss additional items to be brought up. I discussed with my ranking member, Senator BUMPERS, the objectives of keeping this bill narrow. I believe we are in agreement. Whenever we can get the agreement of the minority to proceed, I will propose that we enter into an agreement on this basis so that we keep the amendments limited, and so that we can come to closure on this very important matter.

Mr. President, since my good friend and neighbor from Arkansas is here, let us lay out some of the reasons that this bill is important. I have talked briefly about it before.

Last June, almost 2,000 delegates to the White House Conference on Small Business came to Washington to give their best advice and counsel to the President and Congress. They voted on an agenda of the top concerns of small business. The Washington conference came after a year-long grassroots effort, where over 20,000 small business people sifted through more than 3,000 policy recommendations, some 59 conferences at the State level, and six regional hearings.

Over 400 of the most important policy recommendations were voted on by delegates to the White House conference. The top 60 recommendations were published by the conference last September as a report to the President and Congress, entitled ''Foundation for a New Century.'' Not surprising, this gathering echoed the findings that we in the Small Business Committee have heard as we have held hearings in Washington and around the country. Three of the top findings of the White House Small Business Conference were calling for reforms in the way that Government regulations are developed, the way they are enforced, and reforming Government paperwork requirements.

The common theme of all three recommendations is the need to change the culture of Government agencies, the need to provide an ear—a responsive ear—and a responsive attitude toward the small business and small entities that are the backbone of this country, the dynamic engine driving the growth of this economy.

The Vice President said to the conference delegates last year, ''Government regulators need to stop treating small business as potential suspects and start treating small business like a partner sharing in a common goal.'' The Vice President also noted that this change in the culture of Government may take years of effort to accomplish. Mr. President, I would say, parenthetically, that if we cannot even bring the bill up, it is going to take more than years.

I am extremely disappointed that we cannot even get an agreement to bring the bill up next week. We have here before us a measure that is designed to

deal with one particular area of great importance to small businesses all across the country.

One of the measures included in this bill is the Small Business Advocacy Act, recommended by Senator DOMENICI, filed in the form of S. 917, which focused on the early involvement by small business in the development of new regulations. The bill was referred to the Small Business Committee, as was S. 942, the Small Business Regulatory Fairness Act, which I introduced. We have been working to combine elements of both bills in legislation that already had been considered on the Senate floor, which was the measure to provide judicial review and enforcement of the Regulatory Flexibility Act, which says, quite simply, that Federal agencies have to take into consideration the impact on small business of the regulations they issue.

We had hearings before the Small Business Committee which confirm the importance of having this kind of reform. The SBA chief counsel for advocacy released a report that said that small businesses bear a disproportionate share of the regulatory burden. When you take a look at regulations as they affect large businesses and as they affect the smaller businesses with up to 50 employees, the cost for a small business is some 50 to 80 percent more per employee. Small business is put at a disadvantage not only in making a profit, but in competing with a larger business.

Throughout our efforts in the Small Business Committee, I am proud to say that we have worked very closely and had the greatest cooperation from my ranking member, Senator BUMPERS of Arkansas, and his staff. We have had great input from members of the committee, who have taken a very active role in holding hearings in their States and coming back with recommendations to give to us on how we can flesh out this bill and make it work better for small businesses in our States and across the country.

This bill, S. 942, came out of the committee without any opposition, and the more people have talked about it, the more offers we have had to cosponsor it. I think the bill delivers on the legitimate regulatory concerns of small business, as well as the major recommendations of the White House Conference on Small Business, and it really does do something to address the disproportionately heavy impact that these regulations have on small business and on the paperwork burdens of small business.

This legislation is narrowly focused on small business. It does not go into the big debates over more expansive and, I think, needed broader regulatory reform. These efforts need to go forward, but I think we have something we can deliver here now, today, and, if not today, for Heaven's sake, let us deliver it next week so small business in America can begin to see that somebody is listening.

If there is one plaintive comment I have heard, both in my State of Missouri, at other hearings, and at the hearings up here, it is small business asking: ''Is anybody listening? Does anybody really care what the burdens the Federal Government places on small business are doing to the small businesses?'' I think it is time we answered the question, and I think it is time we answered, ''Yes, we are willing to listen and do something about it.'' I do not think that we can abandon these efforts.

We need to move forward with regulatory relief this year. I think, as I said in my remarks earlier today, judicial review of reg flex, the 1980 provision that said regulatory agencies are supposed to consider small business, that has to be implemented, and there has to be teeth put in it. They have not done so. Regulatory agencies have routinely ignored the impact on small business. We need to give them some enforcement powers so that they will be heard.

Equally important, we need to give enforcement reform some outlet to change the culture of regulators when they deal with small business so that somebody who has examples of regulators that have been overreaching can get a fair hearing and a fair shake from the regulators. These measures would level the playing field and bring some accountability into small business.

Mr. President, I ask unanimous consent to have printed in the RECORD a letter from the National Federation of Independent Business from the Vice President of Federal Government Relations.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

NATIONAL FEDERATION
OF INDEPENDENT BUSINESS,
Washington, DC, March 7, 1996.

Hon. CHRISTOPHER BOND,
Chairman, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: On behalf of the more than 600,000 small business owners of the National Federation of Independent Business (NFIB), I urge all your colleagues to support S. 942, the Small Business Regulatory Enforcement Fairness Act of 1996. The Bond-Bumpers legislation includes important provisions that have been top priorities for NFIB members for many years. It also includes provisions that were recommended by small business owners at the 1995 White House Conference on Small Business. The bill has these important elements:

Strengthening the Regulatory Flexibility Act.

Provisions that would encourage a more cooperative regulatory enforcement environment regulation.

Updating the Equal Access to Justice Act.

Providing for the judicial review of the Regulatory Flexibility Act of 1980 is of particular concern to the small business community because it has the potential to fulfill the promise of that 16 year old law. the purpose of ''reg.flex.'' was to fit regulations to the scale and resources of the regulated entity. A strong ''reg.flex.'' process will provide a substantial measure of the regulatory reform that small business owners have wanted for years.

The vote on S. 942 will be a ''Key Small Business Vote'' of the 104th Congress.

Sincerely,

DONALD A. DANNER,
Vice President,
Federal Government Relations.

Mr. BOND. Mr. President, it says, in part:

On behalf of the more than 600,000 small business owners of the National Federation of Independent Business, I urge all your colleagues to support S. 942, the Small Business Regulatory Enforcement Fairness Act of 1996. The Bond-Bumpers legislation includes important provisions that have been top priorities for NFIB members for many years. It also includes provisions that were recommended by small business owners at the 1995 White House conference on small business.

It then goes on to describe it. It says, in closing, ''The vote on S. 942 will be a key small business vote of the 104th Congress.''

I see my colleague from Arkansas is on the floor so I yield the floor.

Mr. BUMPERS. Mr. President, first, I want to express my sincere appreciation to the chairman of the Small Business Committee, my distinguished colleague, Senator BOND, who has spoken very eloquently about this whole issue.

Second, I want to say that all the concerns I had about this bill—and we had some—he has very graciously accommodated. I think the bill is to the point now that if it were permitted to be brought up it would sail through this Chamber by a vote of 100–zip.

In 1980, Congress passed what we know as the Regulatory Flexibility Act. It was designed to lighten the regulatory burden on small businesses. What is wrong? It has not worked. The small business community feels that they have been taken because the bill simply did not provide the relief that was represented to them. Every White House conference for small business that has been held has put regulatory flexibility as one of the very top issues that concern them. In 1992 it was one of their top issues.

Now here is an opportunity for Congress, for the first time, to keep faith with the small business community on something they say is just about the highest item on the agenda. There is absolutely no sense in anybody delaying the taking up or the passing of this bill.

To those who are working on a much broader regulatory reform bill, I say, ''amen.'' You have my blessing. Stay with it. I hope some regulatory reform bill on a comprehensive basis is offered that I can support. Until that happy day, this bill ought to pass now. It is not related to the broader regulatory reform bill. This bill says very simple things, but they are dramatic and they are helpful.

First, the Small Business Administration will have a small business ombudsman. Some guy comes into your office and says, ''Your fire extinguisher is 56 inches off the floor and it ought to only be 54 inches off the floor, therefore I am fining you $100,'' they can

write a letter or call the ombudsman and say, ''This is ridiculous. Not only is he trying to fine me $100, he is arrogant. He is abusive.'' We are trying to comply with the law out here and make a living and the ombudsman can record it, sort of keep a report card on some of these people who come in with an abusive attitude. What is wrong with that?

Second, we say and this is the most important part of the bill, henceforth and forevermore when you draft a regulation you will have to accompany it with an explanation in the mother tongue—which is English—and say in clear, plain, written English what this regulation does and what it takes to comply with it. It would not be a bad idea to let the IRS in on that, too. Why is the IRS perhaps the most detested of all Federal agencies? Because everything they do is subject to 18 interpretations.

Third, there is a broader equal access to justice provision in this bill which says small business is entitled to attorney fees in certain instances where they are sued and have to resist a regulation that is found to be outside the intent of Congress. What is wrong with that?

We already have a rule that says a regulation that is found to be arbitrary and capricious can be stricken; but we do not have a bill that says if the courts find that OSHA or EPA or anybody else who tries to impose a regulation on you to be arbitrary and capricious, you win, but you lose because you do not get your attorney fees. Under this bill in such a case you would almost always get your attorney fees. That is the way it ought to be.

Finally, we have a provision that is mildly controversial called judicial review. That is, if you do not like a regulation and you believe that it goes beyond the intent of Congress and that Congress did not intend this nonsense to be imposed on you, you challenge it. Haul them into court—why not? Congress passes a one-sentence law and the regulators will draft 1,000 regulations to enforce it, and then say those regulations are sacred even though the small business community had no input. Congress goes home, beats itself on the chest, gives itself the good government award and says, ''Well, we passed a law, we thought it would be OK.'' But nobody rode herd on the regulators.

So here there are 1,000 regulations out there and they are saying, ''We will impose these on you and you do not have the right to appeal.'' That is downright un-American. I do not care what anybody says.

I do not think I have ever voted to disallow judicial review. So here is a chance to say to the small business community, we have heard your complaints, we are doing everything we can, not only to lighten the regulatory burden but make the regulators pay if they unfairly and arbitrarily abuse you with their regulations.

Let me just repeat one thing. It is a real tragedy. This bill has nothing to do with this giant so-called Dole-Johnston or Johnston-Dole regulatory reform bill. I will tell you something else. I do not want it part of that bill. I do not want somebody trying to attach this bill to that bill as an amendment. I want to pass this bill and say to the small business community: Here is something for you, whether this other mess ever passes or not.

So, the minute the request of the distinguished Senator from Missouri to bring that bill up under the terms he requested, which are eminently reasonable—the minute that bill hits this floor and we spend an hour and a half debating it, it will be out of here 100-zip.

We cast 23 votes this year. Last year at this time we cast over 90 votes. In short, we are not doing anything, and, in addition to that, here we are with an opportunity to do something that really amounts to something and we cannot get that done.

So the Senator from Missouri and I are going to persevere with this. We are going to get this bill passed one way or the other, because it makes too much sense not to.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

THE OMNIBUS APPROPRIATIONS ACT

Mr. HATFIELD. Mr. President, yesterday I received a letter from Dr. Alice Rivlin, Director of the Office of Management and Budget, concerning the omnibus appropriations bill our Appropriations Committee reported yesterday.

As our colleagues know, the Appropriations Committee reported that measure to provide funding beyond the March 15 deadline of the current resolution for the programs and activities of the Federal Government and agencies funded in the five appropriations bills not yet signed into law, to respond to the President's supplemental request for Bosnia operations and disaster relief and to respond to his request for additional funding for certain programs he believes to be of a priority nature.

Dr. Rivlin's letter is disappointing to say the least. She concludes by declaring, and I quote directly from the letter: ''Regrettably, I must advise you that if the bill were presented to the President in its current form, he would veto it.'' ''Veto'' is the word. I do not think anybody needs to go to Webster to find out that veto is no, negative, cut off, closed issue.

By the way, may I say parenthetically, I received this letter yesterday afternoon, within a matter of an hour or two after the committee had completed its work and during which time the committee made amendments to the so-called chairman's mark. I defy anybody to go through that complex document in a matter of an hour or two and know precisely what it means and what it says.

The Appropriations Committee has gone to considerable lengths for many months to address the concerns of the administration. In the bill reported yesterday, our committee went a very long way, in my judgment, toward the administration's position on many issues. That the administration would ignore that progress and still threaten to veto before the process is even completed—because, as everyone knows we are still in the process of having the full floor consider this bill as well—indicates to me that they are more interested in the politics of the moment than the responsibility of governing.

Let me be specific. The President has made the so-called COPS Program, cops on the beat, a top priority. The bill reported yesterday provides $1 billion for that purpose. Mr. President, $1 billion is significant money.

The President vetoed the VA/HUD bill, in part because it did not provide funding for the National Service Program. Our reported bill carries Senator BOND's recommendation, as the subcommittee chairman, of $383 million for that program. The committee also agreed with his recommendation to add $240 million in funding for the environmental protection programs and $50 million for community development financial institutions, both priorities of the administration, identified as such in the President's veto message of the VA/HUD bill.

In the Interior bill, the committee concurred with Senator GORTON's recommendation that we want to refine the language on the Tongass National Forest and the salvage timber provisions of last year's rescissions bill, both in response to the President's objections listed in his veto message. We also recommended greater funding for the Park Service.

In addition, we adjusted funding levels in the Labor-HHS bill to provide for $6.5 billion for title I of that bill, compensatory education; $3.245 billion for education for the handicapped; $200 million for drug free schools. These are ample sums and all have been identified as priority programs of the administration.

Mr. President, let me underscore this sentence. All of this was done within existing constraints. In other words, it was done within the constraints of the budget resolution passed by the Congress.

But, in addition to these—in addition—our committee recommended $4.7 billion in additional money—add-on, increase—for an array of programs that the President had requested and that the committee believes should be funded if—if—the additional resources can be found.

In total, the committee provides about $6.2 billion in response to a request of the administration for about $8 billion for programs of interest to the President. We went to $6.2 billion

of the $8 billion request level, contingent upon finding additional resources. There are many different ways in which you can do that. We are not prescribing how it can be done or should be done. That is not in the Appropriations Committee's role of authority.

In this context, it is utterly perplexing to me that the administration would threaten a veto when the process is just underway. I hope the President's advisers understand they cannot compel Congress to appropriate $1 of money. That is exclusively, constitutionally the jurisdiction of the Congress. I hope they realize that rejection of good-faith efforts to reach compromise and maintain the essential operations of Government will harden positions and polarize and drive some in Congress to argue for no compromise at all.

The omnibus appropriations bill reported yesterday is not the only way to maintain Government operations beyond March 15. Other vehicles that may be drafted should this proposal fail or be vetoed may not be so responsive to the administration's programs. I do not wish to pursue that course. I believe the bill reported by our Appropriations Committee yesterday is the way we should proceed; to be accommodating, as we are the only authority that can appropriate money. It is the President's check and balance to either sign or veto a bill, including an appropriations bill, but we can take those rigid positions and polarized positions and continue the stalemate.

Mind you, the Appropriations Committee of the Senate has made a long movement, serious movement, sincere movement to try to be accommodating, recognizing the President has a role in the legislative process and has his priorities. But we also have ours. It is not going to be the President's way or no way any more than we are suggesting it should be the Congress' way or no way. We have made our move. We have made the gesture of trying to accommodate in a very real way. I only hope the President's advisers realize this may be our last and best offer. If they are more interested in the substance of governing than the politics of the moment, I hope they will work with us toward a successful conclusion of our efforts.

The PRESIDING OFFICER. The Senator from Oklahoma.

A VETO OF THE OMNIBUS APPROPRIATIONS ACT

Mr. NICKLES. Mr. President, I wish to compliment my friend and colleague, Senator HATFIELD, chairman of the Appropriations Committee, for his statement. I hope the administration was listening. I just jotted down a few of the figures that Senator HATFIELD alluded to. He mentioned the committee had moved $6.2 billion out of the $8 billion the administration had requested. If I understand his statement correctly, they are still saying they will veto the bill because we are not spending enough.

If they veto this bill or maybe if their threatened veto means this bill does not go forward, therefore the net result of what they are looking at, if I think ahead of this scenario, is then they are going to be looking at a continuing resolution, one that will continue funding at the lower of the House or Senate level, maybe even less a percentage of that. So the administration, while trying to get more money in spending for a variety of programs, may well end up getting less, because, as Senator HATFIELD just stated, they cannot make Congress appropriate money. It may well be that some of the President's pet programs, if they follow through on this veto threat of what sounds to me to be a very generous, maybe even overly generous bill reported out of the Senate Appropriations Committee—if they are going to threaten to veto that bill, maybe we should just look at the continuing resolution and/or maybe we should look at zero funding for programs such as national service.

Maybe we should look at zero funding for some other programs which the President feels very strongly about. He cannot make us appropriate the money. If he wants to shut down the entire Agency because he does not get the money for want of his new programs, that would be his decision, and it would also be his responsibility. And maybe he thinks he will gain politically by doing so. I doubt it. Maybe we will have to find out.

Again, I think Senator HATFIELD has something very good for the administration. It is very premature, in my opinion, as he stated on the floor of the Senate, for the administration to be issuing veto threats just when a bill is passed out of the Appropriations Committee. Usually that is not done until bills are passed and reported out of both Houses, and then possibly a conference report.

So I am disappointed to hear of the President's veto message, or veto threat, as explained by Senator HATFIELD.

SMALL BUSINESS REGULATORY FAIRNESS ACT

Mr. NICKLES. Mr. President, I rise on the floor this evening because I want to compliment Senator BOND from Missouri, the chairman of the Small Business Committee, and also Senator BUMPERS from Arkansas for the legislation they reported out which is now pending, or we wish to have pending before the Senate.

Also, I wish to express my displeasure at those on the Democrat side—Senator DASCHLE, or whoever he is—for objecting to consider this bill. This is a bill that was reported out unanimously by the Small Business Committee. It has overwhelming support, as Senator BUMPERS mentioned and as Senator BOND alluded to as well. This is a bill that is going to pass overwhelmingly in the Senate. To object to even considering it —and I looked at the unanimous-consent request. It even said let us consider it next week. To object to consider this bill today, or next week, I think flies in the face of common sense. It is well-known. Yes, part of the unanimous-consent request is that the bill would have an amendment offered by myself and Senator REID from Nevada, a bill almost identical to the one we passed through the Senate last year unanimously. It had a 100-to-nothing vote, a bill that would say Congress should review regulations. We would have an expedited procedure to do so. If Congress did not like it, we could kill it. If we passed a joint list of disapproval, the President would have an option to veto that resolution.

So we would restore checks and balances and restore congressional accountability—because many times Congress will pass laws and tell the agencies or the regulatory agency to implement it, and then we turn the agencies loose. And then we find out the regulations are far too expensive, maybe do not make sense, and have unintended consequences.

Congress should be in play. Congress should still have exercising oversight. This is going to make Congress responsible. It is going to make Congress look at the rules that come out of legislation as a result of executive action.

So, again, this is legislation that is supported by the President. So why in the world will our colleagues on the Democrat side of the aisle not let us bring up legislation such as this that is supported very strongly by the small business community all across the United States?

I used to be in small business prior to coming to the Senate. Small businesses are strangling with the mountains and mountains of paperwork. So we are trying to give small business at least some regulatory relief. We have a chance to do it.

My colleague from Missouri passed a good bill out of committee, and it was a bipartisan bill. We do not have many bipartisan bills. We need more. We need more bipartisan work. Senator BOND and Senator BUMPERS have done it in this bill. Senator REID and I did it in the congressional review. We need more examples of that.

So then when we try to take it up and pass it either this week or next week, by a time certain, unfortunately it is objected to. Those objections will not stand. Those objections will not last. They will not prevail.

I have heard other colleagues say that maybe we want to do a more comprehensive bill. I want to do a comprehensive bill. I want a significant comprehensive regulatory bill. It does not have to be on this. We can pass two bills this year.

It is part of the frustration of being in the Senate and Congress with people thinking, ''Well, there is only one bill. Therefore, we had to put everything in

the world that remotely is related to it on that one piece of legislation.'' It does not have to happen. It should not happen. If we can put together a bipartisan coalition and pass comprehensive regulatory reform, let us do it. I will be happy to help in any way I can.

I worked with Senator DOLE to put together a good piece of legislation. Senator JOHNSTON worked with us. But we only had four Democrat votes. We had four cloture votes on that major comprehensive piece of legislation. That goes all the way back to last summer. We spent hours and hours trying to negotiate a comprehensive package.

I hope we can. I hear Members say maybe we can do it. I hope we can. I am willing to spend more hours to make that happen. But while we are here, while we are looking for legislative action, let us pass some good legislation. Let us pass legislation that makes Congress more responsible. Let us give small business regulatory relief now. If we can pass more comprehensive legislation that says the benefits must justify the cost of the regulation or the regulation does not happen, that makes sense. Let us do that, too. But it does not have to be on this piece of legislation.

So I urge my colleagues that are now obstructing this piece of legislation—not even allowing us to consider the legislation—to reconsider. I think they are making a mistake. I think small business people across the country, if they found out the Democrats are obstructing and blocking this piece of legislation, would be upset.

So I hope that they will reconsider. I hope they will allow us to pass this legislation in a bipartisan fashion as soon as possible. It will be, in my opinion, a real, positive, good piece of legislation for business all across the country.

Mr. President, I yield the floor.

Mr. COVERDELL. Mr. President, I rise to express a certain amount of indignation over the charade being played out in the U.S. Senate this afternoon.

Yesterday, I was, as a member of the Small Business Committee of the Senate, in attendance when the Small Business Regulatory Enforcement Fairness Act of 1996 was unanimously passed to the floor. I listened to the ranking member, the Senator from Arkansas, the Senator from Minnesota, the Senator from Connecticut, and the Senator from Massachusetts all heap praise on the committee chairman, Senator BOND, from Missouri for his bipartisan efforts to produce a bill that could receive unanimous consent and come to the floor and be rapidly attended to.

It is stunning, in light of those comments, that the leadership, the minority leadership, the President's leadership, would come to this floor and throw obstacle after obstacle in front of the consideration of this bipartisan piece of legislation. What it says to me is that they are bringing the President's campaign onto the floor of the Senate, and the 1996 campaign for President of the United States is at work here today on the Senate floor. The administration, the President, responding to the hue and cry across the land—which is that we have to be more attentive to small business in America. Small business produces over half the jobs, and all the new jobs—virtually 90 percent of the new jobs—are coming to small business.

Everybody admits all across the land to the regulatory burden on small business, and I wish to point out that small business means like 4 employees; 60 percent of the American businesses today have 4 employees or less; 90 percent have 25 or less. They cannot keep up with the burdens that this Government has heaped on small business, many of them family businesses. They cannot keep up with the pages and pages of regulation. They have been intimidated by regulatory bullies. Everybody—governments across the land, State governments, the Federal Government, both parties—has said we have to do something about it, including the President of the United States, who says he supports this legislation, whose members on the small business committee voted for this legislation, who said this is a true bipartisan effort, who acknowledged the chairman's work. And here we come to the floor and we run into this political wall.

This objection can only be a part of a partisan strategy. That is all it can be. And it leaves the President in a very unattractive light. This is the light. It leaves him in the position of saying, ''I support the bill; I am for this,'' and then backhandedly going to his leadership and saying, ''Do what you can to stop it.''

That is a pattern, I would suggest, Mr. President, that we are seeing all too often. Remember the ''I am going to lower your taxes,'' but then they got raised, or remember ''I'm for welfare reform,'' but he vetoed it at midnight. And now we have ''I'm for relief for the small businessman.''

I am for this piece of legislation that gets at some of the fundamental changes that need to occur to help small business prosper, to help them grow, to help them hire somebody, to help create a shorter unemployment line, and here they all are, here they all are doing everything they know to do to block the consideration of that which they say they are for.

If the strategy is to say, well, the Congress is not doing anything, I can only assure them that this is going to backfire. The American people are alert. They will know who is standing in front of this. They will know who the obstacle was and is.

Mr. President, I have a letter from the National Association of Towns and Townships dated March 7, 1996 to Senator BOND thanking him for his ''leadership in developing legislation to strengthen the Regulatory Flexibility Act of 1980,'' which this piece of legislation does. And they endorse it and strongly recommend its passage. I ask unanimous consent that the letter be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

NATIONAL ASSOCIATION OF TOWNS AND TOWNSHIPS,
Washington, DC, March 7, 1996.

Hon. KIT BOND,
Chairman, Small Business Committee,
U.S. Senate, Washington, DC.

DEAR SENATOR BOND: The National Association of Towns and Townships (NATaT) would like to thank you for your leadership in developing legislation to strengthen the Regulatory Flexibility Act of 1980 (RFA). NATaT strongly supports S. 942, the Small Business Regulatory Enforcement Fairness Act of 1996. NATaT has long supported judicial review of the Regulatory Flexibility Act (RFA), which is a major component of S. 942.

NATaT represents approximately 13,000 of the nation's 39,000 general purpose units of local governments. Most of our member local governments are small and rural and have fewer than 10,000 residents. These small communities simply do not have the resources to comply with many mandates and regulations in the same fashion that larger localities are able. The impact of federal regulations on small localities was understood by the authors of the RFA and small localities were therefore included under the definition of small entities in that act.

NATaT has long recognized the failings of the RFA and has fought to strengthen it over the years. We have concluded that the only way to get federal agencies to take notice of their responsibilities under the RFA is to allow small entities to take an agency to court for failure to follow the provisions of the RFA. Strong judicial review language would do just that. NATaT strongly supports the judicial review language and would oppose any efforts to weaken it.

Sincerely,

TOM HALICKI,
Executive Director.

Mr. COVERDELL. Mr. President, I am going to yield the floor. I just want to reiterate that the President's own men looked right at this Senator in front of me and said, ''Thank you. You have done an outstanding job. You have demonstrated true bipartisanship.'' And everyone voted to bring this to the floor for judicious handling and management. The President has said publicly he supports it, and their leadership on that side of the aisle is blocking it. The truth will be known as to who is for it and who is against it. This is one for which the 1996 Presidential campaign ought to have waited in the name of the Americans who are waiting for this relief.

I yield the floor.

Mr. BURNS addressed the Chair.

The PRESIDING OFFICER. The Senator from Montana.

Mr. BURNS. The White House Conference on Small Business which was concluded about a month ago took a look at a number of issues that are faced every day in small business, or maybe just the business world faces every day in doing business—the number and scope of Federal regulations and the cost of compliance. They took a look at penalties, the lack of cooperation, and as far as the Government entities are concerned that are

charged with compliance or enforcement.

We got that report from the President's conference on small business. I know my friend from Missouri spent hour after hour combing through the report after that conference was over. It was pretty comprehensive on what areas we could deal with and what areas maybe that we could not deal with. But it was pretty obvious that we had a lot of work to do in this piece of legislation. It is truly bipartisan. We marked it up the other day, after Senator BOND's work, and then the years that the ranking member, Senator BUMPERS of Arkansas, spent in trying to find middle ground or to craft a piece of legislation that could pass this Congress. He has a vital interest in this and he has been a vital part of this, to bring this piece of legislation to the floor.

I believe the measure does strike the right balance. It strikes a balance between business and the burdensome regulatory and enforcement nature of the Federal Government. Business owners who deal with these regulations every day are telling us ''give us some flexibility, give us some relief,'' not maybe to change a law but get the regulatory agencies in a position that they can be an advocate for business, put them in a support role, not just to go out and levy fines or find something wrong.

There is probably not a business in the world where you cannot go out and find something wrong or some violation of some rule or regulation. The regulatory agencies should be an advocate of that business and help them to put their house in order. Just give us a little help. Tell us what we are doing wrong and then turn around and help us fix it.

I think we can find that relationship between the regulators and, of course, people who are trying to make a living in this country.

This measure incorporates several provisions that will greatly help entities which are defined as small business, small nonprofits and, of course, that is what we find in our small towns. When you are a 98 percent small business State, as Montana is, this happens to be a very important issue. After all, all the new jobs are being created by the young entrepreneurs who are starting out in business and they are hiring one, two, three, four, five people to get started in hopes of growing to something larger. It even encompasses our people who work on our farms and ranches.

I am very concerned about the changing attitude that has been occurring in probably one of the most helpful, the most knowledgeable agencies in the U.S. Department of Agriculture, and that is the Soil Conservation Service. They have taken a support group of actually great people and know what they are talking about when it comes to soil science, soil conservation, water management, water conservation, what to do about erosion—the farmers and ranchers across this land really placed a lot of confidence in the know-how of the Soil Conservation Service—and turned them into a regulatory unit which maybe a farmer or rancher does not want to come back on their farm or their ranch anymore. That is a relationship that has been destroyed because of the nature of the bureaucracy in this day and age.

I think this law creates a cooperative relationship between regulators and small business entities, one that is less punitive and much more solution oriented.

It adds a trigger to the Regulatory Flexibility Act when a rule is likely to have a significant economic impact on the substantial number of small entities, and the agency would then have to show they have taken steps to minimize the impact of the rule on small businesses available within the agency's discretion.

The RFA would also be applicable to the IRS rules and substantive interpretive rulemaking, for the first time. I just went down through some of the things that it does. It struck me in the compliance guides, it means, write the rules and regulations in plain English so all of us can understand it, and gets away from these legalees or gets away from the language that, no matter which way you go, you are going to be out of compliance as far as a businessman is concerned. Just keep it simple. That is not asking too much.

It asks for more input from the small businesses during the rulemaking process. We had a hearing in my State of Montana on the new rules and regulations on safety in the workplace in the woods, logging, requiring that an employer enforce a rule to make loggers wear a specific kind of logging boot. It is a caulk boot. You know what? The boot is not even out on the market yet. They cannot even buy it at any price. They cannot get it. The logging operation is shut down because the rule called for the boot, and it is not available.

There, again, you are asking for some flexibility. Not a bad idea. Weigh first-time penalties for small infractions. Quit going out there and beating up on people.

It makes Government more cooperative, and it even makes the businesses more cooperative, also. Those are just some things that happened in this act. I find that if you come forward with a piece of legislation which has strong bipartisan support—and I mean everybody on that Small Business Committee had an opportunity for input in crafting this legislation—and then we bring it to the floor in hopes of giving small business some relief, and it is filibustered by the other side of the aisle—make no doubt about it, they will not let this piece of legislation come up for a vote. They always told me, the price of a filibuster is a few political chips. Somebody better be paying it, and somebody better be kicking some into the pot, because along with everything else, we do not want to get into a situation, especially in a year like 1996, where the only thing we do is get into the business of name-calling and not really looking at this piece of legislation and what it does for us.

Small business is where it is at. We do not even pick up the business section in the paper that we do not see large corporations downsizing, spinning off small parts of their own industry. You know what? That is not all bad because some of those little spin-offs, they go out, they hire smaller, they become lean and mean, and you know what? Pretty soon they become very profitable.

So when you look at S. 942, it is something that I think the Small Business Committee can be very, very proud of. It has new compliance guidelines, informal small-entity guidance services to small business development centers, even enforcement on ombudsman and regional boards that creates some kind of a relationship between those people who do business with the Small Business Administration in trying to get their businesses off the ground. It levels the playing field. It allows small business to do business on the same level as big business.

So I congratulate Senator BOND and Senator BUMPERS for working on this, working it out the way it should be done. I mean, we have been part of the criticism, too, that we are too partisan. But this one really was not. This was a bill that was worked on and was worked on, and it was fine-tuned before it was ever allowed to come to a vote in the committee. Everybody had an opportunity to be a part of this Small Business Regulatory Enforcement Fairness Act of 1996.

We cannot talk one way and act another, because I think the information and the availability of how we act and what we say is too open to the world to then go home and tell the folks that we have done something else. I do not think we are in that kind of a position.

So I hope and I suggest that the other side of the aisle—let us get this on the floor. If you have some complaints about it, let us bring them out and let us try to work them out. That is the way legislation moves. I do not think there is anybody on this committee that is not amenable to suggestions as far as this piece of legislation is concerned, because as far as small business is concerned, this could be the biggest piece of legislation that we move this year. So I thank my chairman and the ranking member, and I hope that we can pass this posthaste. I yield the floor.

Mr. BOND addressed the Chair.

The PRESIDING OFFICER (Mr. ABRAHAM). The Senator from Missouri.

Mr. BOND. Mr. President, I want to express my sincere thanks both to Senator BURNS and to Senator COVERDELL, two members of the Small Business Committee who have been very active participants. They have held hearings

in their own States. They have brought us good ideas from their States that we have incorporated in S. 942.

I share the sentiments expressed by Senator BURNS. We have had great cooperation, as mentioned before, from Senator BUMPERS, all of the Democratic members of the Small Business Committee, and their staffs. I think we have a good piece of legislation. Senator COVERDELL, at my request, introduced a letter of endorsement from the National Association of Towns and Townships. They, too, are going to be affected and benefited. This is not for small profitmaking corporations only or individuals; this affects small entities like not for profits and small local units of government.

So we have made an offer for a very tight unanimous consent request to move forward on this bill. We asked to do it today. That was objected to. We asked to do it Tuesday. That was objected to.

My plea is, small business, small entities want some relief. They have given us good ideas. We worked on it in the committee. Let us go forward. I ask the Members on the other side who are objecting, let us go forward and get on with this, because small business deserves to have an answer. So do the other small entities affected. I hope that we will be able to move forward early next week. But right now it still depends upon whether the objections will be raised on the other side.

Mr. President, I yield the floor, and I thank the Chair.

Mr. GORTON addressed the Chair.

The PRESIDING OFFICER. The Senator from Washington.

THE OMNIBUS APPROPRIATIONS ACT

Mr. GORTON. Mr. President, I hope that my distinguished friend from Missouri and my friend from Montana will attend my remarks for just a moment, and perhaps comment on them, just as they have on one another's with respect to the bill that they have been so eloquently attempting to move to passage.

Just a few moments ago, the distinguished chairman of the Appropriations Committee, Senator HATFIELD, appeared on the floor with the extraordinary news that the administration had expressed its unwavering intention to veto the omnibus appropriations bill that was reported by the Senate Appropriations Committee just yesterday.

The Senator from Oregon pointed out that appropriations, the spending authorization for the spending of money, is the prerogative of Congress. That is perhaps the most fundamental of all the prerogatives of Congress, that no President of the United States has ever been able to or can now or will be able to in the future force the Congress to pass an appropriation at a level that the President wishes.

But my distinguished chairman and friend from Oregon, I do not think, reached the true depths of the arrogance of this veto threat. So while he was speaking, I got out our publication, our committee report, on the subject. I discovered that the total amount of money that we proposed to allow the President of the United States to spend during the current fiscal year in that bill, for five different agencies, is $164 billion, approximately $164 billion, approximately $164 billion, of which a little less than $5 billion is restricted and cannot be spent unless the President reaches an agreement with Congress on a balanced budget at some time in the future.

The President of the United States has said that he will veto this bill unless we allow him to spend $166 billion instead of $164 billion without any restrictions, without any commitment on his part, without any agreement with the Congress with respect to a balanced budget in the future.

I must say that I find this to be absolutely extraordinary and without precedent, that a President of the United States should, once again, threaten to close down five major units of our Government because we propose to allow him to spend $164 billion and he wants to spend $166 billion.

I know that each of my colleagues here on the floor is a chairman of a subcommittee on the Appropriations Committee, as am I. The Senator from Missouri and I are chairmen of subcommittees whose bills are a part of this overall bill. But I just wonder whether they agree with me or not that it is practically beyond belief that a President of the United States should threaten this whole range of programs in all of our areas on which we are willing to spend $164 billion just as he is willing to commit himself at some point or another to a balanced budget, and the great bulk of that, $159 billion anyway, whether he agrees or not, just because we will not spend $2 billion more than he wants.

Mr. BURNS. If the Senator from Washington will yield.

Mr. GORTON. I will yield.

Mr. BURNS. I do not know where he wants to spend the $2 billion. He was not specific about that, I ask?

Mr. GORTON. I believe he was specific about it. Perhaps a few hundred million were in the field of the Senator from Missouri. Others were in social and health services.

My own responsibility for the Department of Interior and related agencies, where we are willing to spend $12.5 billion, is maybe $200 million more than he wants to spend over and above $12.5 billion; in other words, 1 or 2 percent more money than we are authorizing for him, and yet he threatens to veto this entire bill because he cannot spend every dime that he wishes to spend.

Mr. BURNS. I congratulate the Senator from Washington, because I know we had to look at Indian schools, we had to look at the Indian Health Service. Those areas suffered cuts last year, and we tried to add some money back and were successful in doing that, and we get this close.

I am wondering, though, if we are not sort of lapping over into the political world rather than the world of reality or this world of trying to finance the Government and make it work.

Mr. GORTON. It seems to me that is the most apt comment on the subject.

Mr. BOND. Mr. President, if the Senator from Washington will yield.

Mr. GORTON. He will.

Mr. BOND. The thing that is striking to me is that we have been working on these bills for many months. I have been working on the title which funds veterans, housing, environment, Federal emergency management, and as I think my distinguished colleague knows, we have been trying to find out from the administration what they want.

I remember when our son was 2 or 3 years old, he would come in and say he wants more. From a 2- or 3-year-old maybe more is a reasonable request, but when you get it from a Budget Director who is supposedly supporting a President who now recognizes the need for a balanced budget, when the President and the Budget Director refuse to give you any specifics, it, to me, is amazing that they can get by with doing nothing but issuing veto threats.

I ask the Senator, maybe he has heard, because I have not heard, from the White House, the Office of Management and Budget, of any changes that they wish to see so that they can utilize the funds better?

It is a great gimmick. It is a great political campaign to say, ''I am going to spend more on everything. Of course, I'm for a balanced budget. Of course, I'm for a balanced budget, but I want to spend more on everything.''

Do they tell you where they want to make any cuts, I ask the Senator? Did they tell you where they want to save money?

Mr. GORTON. For almost a year, this Senator has suggested that within the frame of reference of the amount of money available to use for the Department of the Interior and related agencies, if the administration wanted to shift priorities, then we would be happy, seriously, to consider those shifts. None have been proposed.

Mr. BOND. You have not heard from them either. I thought I was the only one who was completely stiffed by them. In November, I put in requests. I asked the Agency heads, the Department heads whose budgets we fund, ''If there is an adult in supervisory authority, please have them contact us and say what changes they want to make.''

I had a conversation with the Vice President. I said, ''This is a process in which the executive and the legislative branches need to sit down and compromise.''

Every government I have ever served in, and I served at the State level where I was a Republican chief executive with a Democratically controlled

legislature, we always sat down and worked together, and the people expected us to do that.

How can the people of the United States expect us to negotiate a budget or appropriations bills when one side will not even talk to us and all they do is send veto threats? I ask my colleague, how do you compromise? How do you work with, how do you negotiate with somebody who will not talk with you?

Mr. GORTON. Well, you do not. I must say, I found particularly striking the analogy of the Senator from Missouri to a 2- or 3-year-old child who simply says, ''More.''

In this case, what we have is an administration that only says, ''More. We want more spending, we do not want any setoffs, but we want to send the bill to somebody else, to our children and our grandchildren. We really do not want a serious proposal that will lead us to a balanced budget, except maybe after the end of the next Presidential term. We will think about binding someone in the future, but we don't want to bind ourselves.''

So we have now in front of us the proposition that $164 billion is not enough money to spend, and the President will veto a bill that only spends $164 billion, of which $5 billion is fenced, as it were. ''We've got to have $166 billion to spend the way we want without any conditions imposed on that spending.''

Again, I think the Senator from Oregon was too polite to say so, but I believe that if that is the proposition with which we are faced, it is pointless to spend a week or so of this body's time debating the details of a proposal which will be vetoed in any event.

Regrettably, we will perhaps have to approach the President with another of these notorious continuing resolutions; that is to say, short-term appropriations bills, which—and I think I can speak for my colleagues on this side of the aisle—when I say they will be for smaller amounts of money, they will be markedly smaller amounts of money in authorizations for the administration than is the bill that was arrived at working with both Republicans and Democrats in an attempt to reach a common ground somewhere between the last set of appropriations proposed by this body and those originally asked for by the President.

It is too bad, but here we are with a veto threat over the proposition that we are not going to spend $166 billion in exactly the way the President wishes but only $164 billion, with $5 billion of it contingent upon the President agreeing to a balanced budget at some reasonable future time.

Mr. SIMPSON addressed the Chair.

The PRESIDING OFFICER. The Senator from Wyoming is recognized.

STATEMENTS OF THOMAS JEFFERSON ARE RELEVANT TODAY

Mr. SIMPSON. Mr. President, I recently came upon some statements offered by Thomas Jefferson, which, I think, appear to bear some remarkable relevance to our current predicament. To quote from one of them from 1816, in a letter to Governor Plumer, he said: ''I place economy among the first and most important of republican virtues, and public debt as the greatest of the dangers to be feared.''

On another occasion, he made the same point, perhaps even more dramatically, in a letter to Samuel Kerchival, also in 1816: ''We must make our election between economy and liberty, or profusion and servitude.''

It is when we are having the most difficulty attending to and resolving the most vexing issues of the day that we can profit most from such reminders and that much of what confronts us today has been dealt with by so many of our greatest public servants who came before us.

One simply cannot read many of the statements of our third President, Thomas Jefferson, without coming upon repeated, potent references to the necessity of eliminating public debt. I suggest that he would be horrified to learn that we would ever consider allowing our current impasse to stand and to leave deficits and mandatory spending to spiral upward unabated.

It is all very well, politically, to say that we will—our two parties—take our respective cases to the electorate in November to ''let the people decide'' as to who failed who in the realm of public responsibility. But, in the meantime, I think we do a tremendous disservice to our citizens for as long as we leave this situation unresolved.

Here is another quote from Thomas Jefferson, stated to Thomas Cooper in 1802, which says it perhaps more vividly and relevantly even than the others: ''If we can prevent the government from wasting the labors of the people, under the pretense of taking care of them, they must become happy.''

Well, I think that is the nub of it. ''If we can prevent the government from wasting the labors of the people, under the pretense of taking care of them, they must become happy.''

I certainly agree with that. I can think of few things more dangerous and more cruelly deceptive than to suggest that we must continue to pile debt and misery upon our children's heads because we dare not slow down, in any way, the current engines of spending growth, which churn out funding for various beneficiaries of Government largess. We do not ''take care of'' anybody when we do this. We do not take care of anyone's children by forcing tomorrow's children to pay lifetime tax rates of 80 percent. That will, I assure my colleagues, lead to more misery, more poverty, more hunger and need and deprivation, and more intergenerational hostility than anything ever contemplated in any balanced budget agreement.

Mr. Jefferson was fully acquainted with the dangers of mounting public debt. Indeed, one might say that the principal challenge of the young republic was how to discharge the massive debts compiled by the individual States in the course of the American Revolution.

Alexander Hamilton was, of course, instrumental in diagnosing the severity and nationality of this problem, arguing that the Federal Government must bear the burden of lifting the national debt burden because we would all collapse together anyway if this was not properly done.

That brings to mind Daniel Webster's remark about Alexander Hamilton. If you think of rhetoric today and the emotion and passion of speech, Webster said this about Hamilton: ''He smote the rock of the national resources, and abundant streams of revenue gushed forth. He touched the dead corpse of Public Credit, and it sprung upon his feet.'' Now, you can see that quote etched at the base of the Hamilton statue at the Department of the Treasury, if you so desire to check it.

Mr. Jefferson, again in a letter to Governor Plumer, stated his recognition of the necessity of reducing public indebtedness. Mr. Jefferson did not always agree with Alexander Hamilton's solutions and methods, to be sure. But they were certainly in agreement as to the necessity of eliminating the poison of mounting public debt.

To Governor Plumer, Jefferson wrote: ''We see in England the consequences of the want of economy; their laborers reduced to live on a penny in the shilling of their earnings, to give up bread, and resort to oatmeal and potatoes for food; and their landholders exiling themselves to live in penury and obscurity abroad, because at home the government must have all the clear profits of their land.''

That sounds like a pretty fair description of what is going to happen to us. Our own Government continues to increase its share of the Nation's ''profits''—the savings and investment—which it must absorb in order to finance the massive spending increases we have programmed into our laws. Indeed, the burden of paying for that irresponsibility falls ultimately on the taxpayers, our taxpayers, our citizens, and cuts into the share of their own pay, which they would otherwise be able to use to provide for themselves.

I fully recognize there are many Senators here on both sides of the aisle who are equally committed to confronting and resolving these woes resulting from our debt. There are sincere disagreements as to how to accomplish that goal. I do believe there is now widespread recognition that the goal must be met.

I, therefore, close by reiterating my belief that we must not give up on this process. We must not give up on coming to agreement merely because of the disagreements which have divided us to this point. I do not find any reason to ''give up'' to be a convincing one. Give up because we believe we might hold political advantage if the impasse persists, or because we cannot agree on

the size of a tax cut? When ''our cause'' is the elimination of increases in the public debt, these are simply not sufficient reasons.

As a member of the bipartisan Senate group headed by Senators CHAFEE and BREAUX, I have joined approximately two dozen Senators, from both sides of the aisle, in putting forward our best hope of ''splitting the difference'' between the two sides in order to get this job done. It might not be the only way and might not be the magic formula which produces an agreement, but it is certainly better than ''packing it in'' and, instead, morosely retreating to consult with our political advisers as to how best to cope with the public anger in the wake of our failure to complete our work—sitting with our gurus saying, ''How do we get around this if we do not do anything?'' Well, you do this and do that. We all know what that is.

So I suggest to my colleagues that they pay heed to these words of Thomas Jefferson and be reminded that we are truly facing a choice between ''liberty'' and ''servitude'' when we choose between a balanced budget and mounting debt. That is very much the choice that confronts our children and grandchildren, and we have now to make the choice for them. I do hope and pray that recognition of this will spur all of us on to renewed efforts to reach an agreement and to defer any further thoughts of simply extracting political advantage from failure. That would be terrible.

Mr. SIMPSON. Mr. President, I have a comment on a rather elusive matter. We work in an arena where truth is always a rather elusive entity. Many statements in this place seem to be repeated ad hominem and ad nauseam, however inadvertently, without regard to any basis in fact. A mischievous speaker may do this because he or she believes that, as has often been said, ''A falsehood repeated often enough will be believed.'' Equally often, this happens because this is simply what the individual has been told, perhaps several times, and thus the rash assumption is made that a statement made so often ''must be true.'' Thus, often, in good faith, speakers perpetuate ideas and statements which are simply and totally at complete variance with the facts.

To cite one specific case, I wish I could count how many times it has been stated as an article of pure faith by those on the other side that we have had however many hours of hearings on Whitewater and Travelgate, but only one, or none, on Medicare. The Democratic policy channel on the televisions in our offices also plays this old and tired tune. Many speakers on the other side of the aisle have repeated it in old and tired phrases. The only problem is, it is just simply not true. It is not even close to being true. It is one of those myths which has developed, somehow directly, in the teeth of the facts. I did a little checking of the record. I know that is not what we are supposed to do. I did a little checking of the record on this matter. I ask unanimous consent to have printed in the RECORD a listing of all of the hearings held in the last year in the Senate Finance Committee alone on the subject of reforming Medicare, Medicaid, welfare, the Consumer Price Index, and any number of other related matters.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

SENATE FINANCE COMMITTEE HEARINGS & MEETINGS 104TH CONGRESS (ORGANIZED BY ISSUE)

TOTAL HEARINGS & MEETINGS: 101

Full Committee Hearings: 62.
Subcommittee Hearings: 13.
Total Hearings: 75.
Executive Sessions including 3 Conferences: 22.
Private Meetings: 4.
Total Meetings: 26.

CONSUMER PRICE INDEX—3 FULL COMMITTEE HEARINGS

3/13/95—Consumer Price Index.
4/6/95—Consumer Price Index.
6/6/95—Overstatement of Consumer Price Index.

MEDICAID—6 HEARINGS (5 FULL COMMITTEE, 1 SUBCOMMITTEE)

3/23/95—Medicaid Subcommittee—1115 waivers.
6/28/95—Medicaid, Opinions of the Governors.
6/29/95—Medicaid, Historical Background.
7/12/95—Medicaid, State Flexibility.
7/13/95—Medicaid, Interest Groups.
7/27/95—Medicaid, Formula Calculation.

MEDICARE—10 FULL COMMITTEE HEARINGS

2/28/95—Medicare Perspectives.
5/11/95—Medicare Solvency, part 1.
5/16/95—Medicare Solvency, part 2.
5/17/95—Medicare Solvency, part 3.
7/19/95—Medicare Payment Policies, part 1.
7/20/95—Medicare Payment Policies, part 2.
7/25/95—New Directions in Medicare, part 1.
7/26/95—New Directions in Medicare, part 2.
7/31/95—Medicare Fraud and Abuse.
8/30/95—Medicare: The Next Thirty Years.

MISCELLANEOUS—5 HEARINGS (2 FULL COMMITTEE, 3 SUBCOMMITTEE)

5/4/95—Vaccines for Children Program.
6/13/95—SS Subcommittee—AARP, part 1.
6/20/95—SS Subcommittee—AARP, part 2.
7/20/95—SS Subcommittee—Population Control.
7/28/95—Debt Limit.

NOMINATIONS—7 FULL COMMITTEE HEARINGS

1/10/95—Rubin Confirmation Hearing.
2/16/95—Chater, Vasquez, Foley Confirmation Hearing.
5/10/95—Lang Confirmation Hearing.
6/8/95—Shapiro, Hawke, Robertson, Moon, Kellison Confirmation Hearing.
7/21/95—Callahan, Schloss, and Summers Confirmation Hearing.
11/30/95—Bradbury, Gale, Lipton, Skolfield, Shafer and Williams Confirmation Hearing.
12/5/95—Gotbaum Confirmation Hearing.

SOCIAL SECURITY—7 HEARINGS (3 FULL COMMITTEE, 4 SUBCOMMITTEE)

3/1/95—Social Security Earnings Limit.
3/22/95—SS Subcommittee—Social Security Costs.
4/7/95—SS Subcommittee—Annual Report of Trustees.
5/9/95—1995 Annual Report of Trustees, part 1.
6/6/95—1995 Annual Report of Trustees, part 2.
6/27/95—SS Subcommittee—Solvency of the Trust Funds.
8/2/95—SS Subcommittee—Social Security privatization.

TAX—22 HEARINGS (19 FULL COMMITTEE, 3 SUBCOMMITTEE)

1/24/95—Estimating Revenue.
1/25/95—Economic Outlook.
1/26/95—Federal Budget Outlook.
1/31/95—Savings in our Economy.
2/2/95—Savings as Incentives.
2/8/95—FY 1996 Budget with Secretary Rubin.
2/9/95—IRAs 401K's & Savings.
2/15/95—Capital Gains.
2/16/95—Indexation of Assets.
3/2/95—Middle Income Tax Proposal.
3/7/95—FCC Tax Certificates.
3/21/95—Tax Subcommittee—Expatriation.
4/3/95—Tax Subcommittee—Research tax.
4/5/95—Flat Tax, hearing 1.
5/3/95—Alternative Minimum Tax.
5/18/95—Flat Tax, hearing 2.
6/7/95—Small Business issues.
6/8/95—Earned Income Tax Credit.
6/19/95—Tax Subcommittee—S corp reform.
7/11/95—Expatriation Tax.
7/18/95—Deficit Reduction Fuel Tax.
7/21/95—Foreign Tax Issues.

TRADE—5 HEARINGS (3 FULL COMMITTEE, 2 SUBCOMMITTEE)

4/4/95—Trade Policy Agenda.
5/10/95—World Trade Organization.
5/15/95—Caribbean Basin Initiative.
8/1/95—Trade Subcommittee—various issues.
12/5/95—OECD Shipbuilding Subsidies Agreement.

WELFARE—10 FULL COMMITTEE HEARINGS

3/8/95—Welfare Reform—States Perspective.
3/9/95—Broad Goals of Welfare.
3/10/95—Administration's Views on Welfare.
3/14/95—Teen Parents & Welfare.
3/20/95—Welfare to Work Programs.
3/27/95—SSI Program.
3/28/95—Child Support Programs.
3/29/95—Welfare, Views of Interested Organizations.
4/26/95—Child Welfare Programs.
4/27/95—Welfare Reform Wrap Up.

EXEC SESSIONS—21 MEETINGS INCLUDING 3 CONFERENCES

1/10/95—Organization Meeting & Vote on Rubin Nomination.
2/2/95—Executive Session appointing Joint Tax Members.
2/8/95—Executive Session appointing Subcommittees.
3/8/95—Vote on Foley & Vasquez Nominations.
3/15/95—Tax Markup on HR 831.
3/28/95—Conference on HR 831.
5/10/95—Vote on Lang Nomination.
5/24/95—Welfare Markup.
5/26/95—Welfare Markup.
6/8/95—Vote on Shapiro, Hawke, Robertson, Moon & Kellison nominations.
6/22/95—Conference on H.R. 483—Medicare Select.
7/21/95—Vote on Callahan, Schloss and Summers Nominations.
9/26/95—Medicare/Medicaid Markup.
9/27/95—Medicare/Medicaid Markup.
9/28/95—Medicare/Medicaid Markup.
9/29/95—Medicare/Medicaid Markup.
10/18/95—Tax Markup.
10/19/95—Tax Markup.
10/24/95—Conference on H.R. 4—Welfare.
11/2/95—Markup on revenue provisions of S. 1318.
11/30/95—Vote on Bradbury, Gale, Lipton, Skolfield and Williams Nominations.
12/14/95—Mark up of Social Security Earnings Limit Legislation and vote on the Gotbaum and Shafer nominations.

PRIVATE MEETINGS—4 MEETINGS

5/4/95—Meeting with Secretary Shalala.
8/2/95—Meeting on the Budget.
8/4/95—Meeting on the Budget.
8/10/95—Meeting on the Budget.

Mr. SIMPSON. Mr. President, I am now a member of that committee and I sat in on those hearings. They were often held at 9:30, 10 o'clock in the morning. Had I been chairman I might also have sought to have them in the afternoon. I was there for almost all of them, usually arriving after some haste ill-attained in getting through the D.C.'s fabled rush hour traffic from my home in Virginia.

We held 10 full Finance Committee hearings last year on Medicare alone—10. They were not about abstract, philosophical topics, but subjects directly related to the solutions presented in our budget proposal. On May 11, 16 and 17 we had hearings specifically on the question of how to restore solvency to the Medicare Program. We tackled the issue of payment policies in hearings on July 19 and 20. We explored more comprehensive reforms on July 25 and July 26. On August 30 we dealt with the subject which I personally think requires much more, much more attention—the 30-year future of Medicare. That is when the real problems all coalesce. This is only part of the list, as the record will show.

We also had multiple hearings on Medicaid. The proposals which we made in the course of budget reconciliation were all explored in depth at those hearings. The opinions of the Governors regarding our plan was heard on June 28. The importance of flexibility for the State Governments in administering Medicaid was explored July 12. The proper way to calculate the distribution of funds under the Medicaid formula was explored on July 27. Again this is only a partial list.

Even the issue of the Consumer Price Index reform, which so many have said we should ''not rush to do,'' especially not rush to do in budget reconciliation, the CPI reform was the subject of several full committee hearings on March 16, April 6, and June 6. When somebody tells you we have not done anything—and looked into CPI; we do not want to rush into it—cite those, please. Having been right there personally I can tell you few experts believe we are acting with any sense at all on either side of the aisle in allowing the expensive errors in the CPI calculation to persist. That is absurd. It is out of whack either .5 or up to 2.2. Everybody that testified said that. If you dealt with it, knocked off a half percent or full percent in the outyears, in 10 years, at 1 percent, it is $680 billion bucks—billion bucks—and we do not even play with it.

The senior groups all seem to flunk the saliva test when we begin to talk about the CPI. ''Oh, break the contract, break the contract.'' I am telling you, they will break America. We are not talking about them or to them. None of them will be hurt in anything we are doing. No one over 60 is even affected by the things we have in mind, but people between 18 and 40 will indeed be on a destructive path.

Mr. President, I do not know what to make of these assertions that we have not had hearings on Medicare or Medicaid. We have had many. The record speaks clearly. On Medicare alone, 10 full committee hearings. It seems to me be a trend in Washington saying that what has happened has not happened and vice versa. The media plays that well in their recountings of these things. Perhaps the assertions will be revised to state that we only had a minimal look at Medicare. That would probably be the result of the response to my remarks.

I do not know how many dozens of hours were needed to spend on that to escape the application of that term. I also note that this work continues on in the current year. We had another remarkable hearing on Medicaid last week with six of our Nation's Governors testifying—three Republicans, three Democrats—in describing the desires of the State governments with regard to Medicaid.

So I ask these items be printed, and I ask my colleagues to perhaps refrain from repeating the charge that we have not thoroughly explored Medicare in committee hearings. The facts are exactly otherwise, and I wish my good colleagues to know that.

INTERNATIONAL FAMILY PLANNING FUNDING

Mr. SIMPSON. Finally, a comment on family planning funding. I want to express my serious concerns about the severe restrictions this Congress has imposed on U.S. funding for international family planning assistance.

My colleagues will recall that the Senate successfully avoided a partial Government shutdown on January 26 by passing H.R. 2880 on a bipartisan vote of 82–8. At the time we faced a midnight deadline for passing legislation to avoid yet another Government shutdown. Because no one in this Chamber wanted another shutdown to occur, we passed this measure in the exact form it came to us from the House without amending or striking any provisions which we considered to be objectionable. We had no choice in the matter. It was a frustrating and vexing experience for many of us.

I was and continue to be deeply troubled by a provision of H.R. 2880 that prohibits funding for international family planning assistance programs until July 1 unless a foreign aid reauthorization bill is enacted prior to that date. After July 1, funds will be provided at only 65 percent of the fiscal year 1995 level, with a requirement they be spent in equal amounts over the following 15 months.

I believe that policy to be very shortsighted. It is preventing the U.S. Agency for International Development [AID] from increasing access to family planning services for millions of citizens in the developing countries around the world. The ultimate result will be more unwanted pregnancy and even higher population growth in the poorest, most heavily populated nations of the globe.

Ironically, this policy, if it is not corrected, will also inevitably lead to more abortions, many of which will be performed under unsafe conditions that will surely result in infection, infertility, and death. This outcome deeply concerns me.

The people who so often resist these programs are talking continually about abortion, unwanted pregnancy, population and so on. I strongly urge all of my colleagues, whether they be pro-choice, pro-life, Democrat, Republican, conservative, liberal, moderate, to consider the tragic consequences of what we have done. Restricting access to family planning services—I did not say ''abortion,'' and it is not there, either—restricting access to family planning services will assuredly result in more abortion. If anyone can refute this I welcome them to do so and come forward.

The harsh reality is that this misguided policy is contributing to a scenario where abortions are or will be the only form of birth control in some of the most impoverished places on Earth. This outcome sharply collides with the stated views of the very people who support it. Of all the issues the religious groups may consider when they compile their scorecards—I know where my scorecard is because I happen to be pro-choice, and I have always been pro-choice; always. In fact, I do not even think men should vote on the issue. So mine is rather clear and has been. So when they are compiling their scorecards on the performance of Members of Congress, I think this is surely one of the most important because it might be that they would show that these people somehow were in favor of abortion because of the misguided way they try to distort the issue.

The abortion issue alone offers a compelling reason for the Congress to reconsider the current restrictions on international family planning funding.

But we should also contemplate the consequences of unrestrained worldwide population growth. One study by the United Nations Population Division has estimated that if the world population trends of 1990 continue indefinitely into the future, worldwide population will increase to 694 billion by the year 2150. This is the equivalent of 12,100 people for every square mile of land on the Earth's surface. The possibility of this occurring is self-evident. The real issue is whether we will take thoughtful, rational steps to prevent this scenario or will we do nothing and simply allow nature to prevent this outcome in its own less civilized way?

Since the beginning of mankind to the year 1940 was a segment of population growth, and since 1940 to this

day it has doubled. The population of Earth has doubled since 1940. It is now 5.5 billion, and this study shows in the year 2150 it will increase to 694 billion. And where is the most rapid population growth occurring? Desperately poor countries that have to cope with poverty and malnutrition and ill health and lack of education and environmental damage and famine.

These countries simply do not have the resources to effectively solve all of these problems on their own, or maybe any of them, any more than they are able to stabilize their population growth. It continues to compound and exacerbate so many of the other difficulties. Fertility rates, lack of education for women, these things lead to grievous problems.

I am not suggesting the United States bear the sole responsibility for addressing this problem. Nor is the rest of the world suggesting this. In September 1994, I and Senator JOHN KERRY attended the International Conference on Population and Development in Cairo. Mr. President, 179 nations participated in that conference, and the final ''programme of action,'' which was adopted by acclamation, estimated that the nations of the world would have to spend $17 billion annually by the year 2000 in order to meet the needs of developing countries for basic reproductive health services, including family planning and the prevention of sexually transmitted diseases.

This ''programme of action'' estimated that up to two-thirds of these costs would be met by developing countries themselves—two-thirds; self-determination—with the other one-third coming from ''external sources.'' To put that in perspective, consider the United States Government's expenditures on international family planning in fiscal year 1995 represented less than 10 percent of what is needed from these external sources by the year 2000. To retreat from this modest commitment would be a grave mistake.

So, as this legislative session continues, I believe we should restore a more appropriate level of funding for international family planning programs. Senator HATFIELD has previously advised the Senate of his desire to rectify this situation, and here is a man who holds a view different than mine on abortion, but a very sensitive, sensible human being. I richly commend my friend MARK HATFIELD for his commitment to this cause, and I stand ready to assist him in any way possible. He does his tasks so very well, and we should not impede him.

It is not too late for us to reverse our course and embrace a more sane, rational and sensible policy.

I thank the Chair.

The PRESIDING OFFICER. The Senator from Nebraska.

Mr. EXON. Mr. President, may I inquire of the chair if we are in morning business?

The PRESIDING OFFICER. The Senate is technically still on a motion to proceed with the Whitewater investigation, but we have been proceeding, in essence, as if in morning business.

Mr. EXON. I thank the Chair. I ask unanimous consent I be allowed to proceed as in morning business for a brief period of time on another matter.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE COMMUNICATIONS DECENCY ACT

Mr. EXON. Mr. President, I have just had one of the most remarkable and rewarding meetings of my career with a 10-year-old girl and her mother from the Washington, DC, area. I will only use her first name. She and her mother called and asked to see me today.

Lea is a sweet girl, 10 years of age, who was preparing for a computer project to earn a Girl Scout merit badge this week. In preparation for that project, Lea and her mother signed on to the Prodigy computer service and logged on to a so-called chat room for children, where kids from around the country can play checkers and do other such things that kids do with each other. It was Lea's very first time on the Internet.

Within minutes—I emphasize, Mr. President—within minutes, someone was attempting to engage young Lea, a 10-year-old, in conversations of a sexual nature. Needless to say, she was shocked and screamed. Lea and her mother were upset and very angry.

If I can be allowed a personal comment, this really brought this problem that I and others have been trying to do something about home, because my wife and I have been blessed with two 10-year-old granddaughters of our own. When Lea came in to see me, it was life as it exists and life as I know it.

At the time of this most unfortunate event, Prodigy did not provide the supposedly child-safe space with an alert button, which notifies the system operator that children's checkers room was being misused. A similar service was available for adults, in the adult chat room, but not for children, as strange as that might seem.

Together, the mother and the daughter contacted Prodigy and the news media. Within hours, Prodigy agreed to make the alert button available and the alarm available to those on these children's areas.

I heard this story on the news this morning, on the radio, and met with the mother and the daughter at their request this afternoon. I bring this story to the attention of the U.S. Senate because, since the passage of the Communications Decency Act as part of the Telecommunications Act of 1996, there has been a great deal of attention placed on this new law. With that attention, some have also continued their campaign of misinformation about the new law in the press and now in the courts.

Mr. President, Lea's story demonstrates and illustrates better than anything else that I know of that there are, indeed, real dangers on the Internet, especially for children and especially with the interactive computer services that are available. But more important, the very quick response from Prodigy to this problem illustrates that the new law is starting to work.

Opponents of the new law use harsh language like ''censorship'' to describe the Communications Decency Act that was jointly sponsored by myself and Senator COATS from Indiana and overwhelmingly passed in the U.S. Senate and in the House of Representatives and made part of the telecommunications bill. Those who cry censorship hide behind the first amendment to make defense of those who would give pornography to children and engage children in sexual conversations. What a travesty.

I hope more adults, whether they have children or grandchildren or not, will come to realize and recognize and see that the law is operational.

In respect to the first amendment, Mr. President, it is almost a sacred text with this Senator.

That is why I worked so closely—even with the new law's opponents—to assure that our legislation was constitutional. The final legislation was the produce of nearly 3 years of investigation, research, negotiation, and compromise.

The Communications Decency Act makes it a crime to send indecent communications to children by means of a computer service or telecommunications device, to make indecent communications available to children on an open electronic bulletin board, to use a computer to make the equivalent of an obscene phone call to another computer user, and to use a computer or facility of interstate commerce to lure a child into illegal sexual activities.

The law makes computer services responsible for what is on their system. To comply with the new law, a computer service must take reasonable, effective and appropriate measures to restrict child access to indecent communications.

While it is fair to wonder why the alert button service has not been made available earlier, Prodigy is to be recognized for their quick response when this problem was brought to their attention. This is the type of response, that the Communications Decency Act sought to encourage and help prevent in the first place.

What the ACLU and their fellow travelers and the computer service companies have difficulty dealing with is that it is wrong—despearately wrong—for an adult to electronically molest or corrupt a child.

And thinking people en masse want to do something about it.

The Communications Decency Act is not a cure-all. But, at a minimum, children and families deserve to have a law on their side notwithstanding the

protests from the profiteers of child pornography that are rampant on the Internet today.

The heart and soul of the new law is its protections for children. It is not censorship. It is not prudishness. The new law does not prohibit consenting adults from engaging in constitutionally protected speech.

Published reports indicate that Penthouse and Hustler have removed indecent material from their publicly available bulletinboards in response to the new law and their material are now only available only to adults through credit card access.

That is another step in the right direction.

I count this action as a success for the new law. In these two cases, free samples of pornography are no longer given to children. We are making progress.

If the Internet and other computer services are to be a place of commerce, community, and communication, then it must be a place which is friendly to families. Indeed, the technology necessary to comply with the Communications Decency Act is the same technology which can tell a computer service whether a user is old enough to enter into a binding contract or not.

Before the passage of the Communications Decency Act, the Internet had been described as the Wild West. At last, there is now some degree of law and order. In effect, the new law is a zoning measure. Adults are free to engage in otherwise legal indecent activities and communications, just not with, or in the knowing presence, of children.

Mr. President, later this month, a three-judge panel will hear arguments on the constitutionality of the Communications Decency Act. An initial review by a Federal judge in Philadelphia protected the heart and soul of the new law from a temporary restraining order as had been requested by the ACLU. Only a small portion of the act was enjoined pending further court review. Ultimately, as we all know, Mr. President, this matter will come before a majority of the Supreme Court. And I hope that they will find—and believe that they will—the Communications Decency Act fully constitutional.

Although the U.S. Department of Justice has agreed not to file cases under the new law until the three-judge panel has an opportunity to review the statute, the action by Prodigy, and others indicates that the Communications Decency Act can and is working.

I thank all of my colleagues in the Senate and all of my colleagues in the House who have been up front in the support of this measure.

I now thank President Clinton and his Justice Department for entering into the fray on the side of the kids to begin to make further advances in correcting this terrible wrong.

I thank the Chair. I yield the floor.

Mr. MURKOWSKI addressed the Chair.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. MURKOWSKI. Mr. President, I thank the Chair.

Mr. President, let me commend my colleague from Nebraska for his diligence in bringing to our attention a very, very important matter that affects the youth of our Nation. I commend him.

Mr. EXON. I thank my friend and colleague from Alaska, very much.

REGULATORY ENFORCEMENT FAIRNESS ACT

Mr. MURKOWSKI. Mr. President, an extraordinary thing happened today in the forum in the sense of the effort to try to bring the Small Business Regulatory Enforcement Fairness Act before this body as Senate bill 942.

The fact is that here we are 6 o'clock, Thursday, and the information of the Senator from Alaska is that the Democratic minority has refused to allow this vital piece of legislation to come before this body for a vote. The realization, as evidenced by my good friend, Senator BUMPERS from Arkansas, is that, if it came up, it would pass 100 to nothing.

We are talking about trying to assist the small business community relative to employment, encourage those that are willing to take a risk in the highest area of fallout of any activity, and that is the small business community. We are talking about trying to get some regulatory reform that will assist them.

This has been a top priority of this Congress. It has been a top priority of the Senate. We cannot even get it up for a vote.

What are we trying to do with this? Some people would say we are trying to unwind the environmental laws, or the labor oversight responsibilities that we have. What we are trying to do is bring some logic into the equation, some cost-benefit, and risk analysis. What does it mean?

Mr. President, I live in Alaska. It snows in Alaska. When the snow comes down, either leave it or move it. In the case of the city of Fairbanks, where I live, the snow falls on the area where they park the buses. So what do they do? They move the snow back to the back lot. But that is classified as a wetlands. You cannot put snow in a wetland.

Is that a rational reality? You cannot dump the excess snow in the river. Why cannot you dump it in the river? Because it may have picked up something along the way that somehow would be inappropriate to dump in the river. But when it snows in Washington, DC, where do you dump the snow? You dump it wherever. Nobody gets too excited because snow here is a calamity. The city is tied up. It cannot move. You dump it in the Potomac River.

Anchorage, AK, the State's largest city, probably has the cleanest water in the world. When it rains it drops down in the street, and goes down the gutter. The gutters go out into Cook Inlet. There is a 30-foot tide twice a day. The water goes out. This is not sewage. This is water that goes into your drain from the rain. It goes out.

They did not have any problem until the Environmental Protection Agency came down with a mandate that said you have to remove 30 percent of the organic matter from the water before you can dump it without treatment. And the EPA said to the city of Anchorage, you are in violation of the law.

Well, the assembly met. Somebody came up with the idea. ''Let us put a few fish guts in the drains so we would have something to recover and remove the organic matter and, therefore, comply.''

When they appealed to the highest level of the Environmental Protection Agency, they said we are not going to make exceptions. This is uniform throughout the United States.

What we are trying to do here, Mr. President, is get some balance, some logic into a situation that has run amok with bureaucracy and the inability of our administrators to address clear decisions that should be made relative to the areas of responsibility the administrators have. You cannot mandate uniformity on things like this. You have to bring in common sense. You bring in the analysis of cost-benefit. You bring in what the risk to the public is. You give the administrators the authority, and you hold them accountable.

Many Senators on both sides of the aisle today have worked hard to try to pass regulatory reform legislation. My good friend from Louisiana, Senator JOHNSTON, has labored in the vineyards for an extraordinary amount of time. But for reasons unknown, today the other side of the aisle said, we are not going to bring it up; we are going to object. I do not know whether this is connected with an election year. We have a lot of political issues around here.

Everybody is committed to assisting small business by reducing redundant regulatory oversight, and here is a chance to do it. Politics is not an overarching excuse, in my opinion, and getting the American public energized so that we can address the relief needed from some of the ill-founded, erroneous, duplicative regulations is a bipartisan responsibility. We seem to agree on it, but we cannot move. We are stuck. No explanation.

Today a constituent of mine came in. He brought me a chart. He is in the business of transporting oil. He has to have five permits. He has to have a Coast Guard operating regulation permit. He has to have a Coast Guard OPA 90 regulatory permit. He has to have an Environmental Protection Agency OPA 90 regulatory permit. He has to have an Environmental Protection Agency spill prevention regulatory permit, and he has to have a State permit, plus the local permits.

You have created a whole new industry out there of consultants that are hired to do these permits, do this evaluation, at a great cost to the public. And the justification for this really is questionable, given the lack of cost-benefit and risk analysis that should be associated with the process and unfortunately is not.

If you want to go into the logging business in my State, at the last count you have to get some 41 permits. You have to have a radio operator's license to run your camp. You have to have a Corps of Engineers permit to run your camp, and on and on and on and on.

There can be no argument that reforming the way we do regulatory business in this country is of paramount importance. We cannot seem to get that reform.

We are not ready to give up by any means. We are going to keep going at it. But in the meantime, there is no reason why we should not move with this particular bill, the small business relief that Senator BOND and Senator BUMPERS have developed in the Small Business Regulatory Enforcement Fairness Act. I commend them for their efforts. There is a consensus on the need for the bill. There is a consensus on the content of the bill. There is a consensus on the relief that this bill would provide to the small business community—stimulate employment, stimulate investment, stimulate inventory buildup—and yet we cannot get the consensus we need to bring it up in the Chamber.

The question the Senator from Alaska has to ask the Chair is, why? There are so many positive benefits to this legislation—teeth for the 16-year-old Regulatory Flexibility Act to allow judicial review of adverse impacts regulations have on small businesses. It includes penalty waivers and reductions for small business violations that are of little if any significance, recovery of attorney's fees when small business is forced into defensive litigation due to enforcement excesses, and, finally, small business participation in rulemaking.

We cannot keep missing the opportunity to pass positive, helpful legislation for important segments of America's small business industry. We should not miss the opportunity to pass this bill. Obviously, the weekend is going to go by. We are going to take this up again next week. But I would encourage my colleagues to allow this bipartisan bill to come before the floor to get it passed. We owe that much to the American people.

I think we ought to be asking our friends on the other side of the aisle why they see fit to hold up this important legislation. I encourage America's small business community to demand an answer, because we are ready to go with it on our side, and I think those people out there who are frustrated are waiting and certainly deserve an answer.

Mr. President, that concludes my statement. I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. GRAMS). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. LOTT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

WHITEWATER DEVELOPMENT CORPORATION AND RELATED MATTERS—MOTION TO PROCEED

CLOTURE MOTION

Mr. LOTT. Mr. President, I now move to proceed to Senate Resolution 227, the Whitewater legislation, and I send a cloture motion to the desk.

The PRESIDING OFFICER. The clerk will report the motion.

The assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the motion to proceed to S. Res. 227, regarding the Whitewater extension:

ALFONSE D'AMATO, TRENT LOTT, JESSE HELMS, PHIL GRAMM, JUDD GREGG, DIRK KEMPTHORNE, STROM THURMOND, JIM JEFFORDS, OLYMPIA SNOWE, BOB SMITH, DAN COATS, LARRY E. CRAIG, JOHN ASHCROFT, THAD COCHRAN, JON KYL, ROBERT F. BENNETT.

Mr. LOTT. Mr. President, I ask unanimous consent that the cloture vote occur immediately following the 2:15 p.m., vote on Tuesday, March 12, and that the live quorum under rule XXII be waived.

The PRESIDING OFFICER. Without objection, it is so ordered.

DISTRICT OF COLUMBIA APPROPRIATIONS ACT, 1996—CONFERENCE REPORT

Mr. LOTT. Mr. President, I now ask that the Senate turn to the conference report for the D.C. appropriations bill.

The PRESIDING OFFICER. The clerk will report the conference report.

The legislative clerk read as follows:

Conference report to accompany H.R. 2546, a bill making appropriations for the Government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 1996, and for other purposes.

The Senate resumed the consideration of the conference report.

CLOTURE MOTION

Mr. LOTT. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The clerk will report the motion.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the conference report to accompany H.R. 2546, the D.C. Appropriations bill.

BOB DOLE, TRENT LOTT, JESSE HELMS, PHIL GRAMM, JUDD GREGG, DIRK KEMPTHORNE, STROM THURMOND, OLYMPIA SNOWE, BOB SMITH, DAN COATS, LARRY E. CRAIG, JOHN ASHCROFT, THAD COCHRAN, JON KYL, MARK HATFIELD, ROBERT F. BENNETT.

Mr. LOTT. Mr. President, I ask unanimous consent that the cloture vote occur at 2:15 p.m., on Tuesday, March 12, and the live quorum under rule XXII be waived.

The PRESIDING OFFICER. Without objection, it is so ordered.

REPORT ON THE U.S. NATIONAL SECURITY STRATEGY—MESSAGE FROM THE PRESIDENT—PM 128

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Armed Services.

To the Congress of the United States:

As required by section 603 of the Goldwater-Nichols Department of Defense Reorganization Act of 1986, I am transmitting a report on the National Security Strategy of the United States.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *March 7, 1996.*

MESSAGES FROM THE HOUSE

At 11:19 a.m., a message from the House of Representatives, delivered by Ms. Goetz, one of its reading clerks, announced that the Speaker appoints the following Members on the part of the House to the Advisory Commission on Intergovernmental Relations: Mr. SHAYS of Connecticut and Mr. PORTMAN of Ohio.

At 12:22 p.m., a message from the House of Representatives, delivered by Mr. Hays, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 3021. An act to guarantee the continuing full investment of Social Security and other Federal funds in obligations of the United States.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC–1934. A communication from the Assistant Secretary of the Army (Civil Works), transmitting, pursuant to law, the report entitled ''The National Study of Water Management During Drought''; to the Committee on Environment and Public Works.

EC–1935. A communication from the Administrator of the General Services Administration, transmitting, pursuant to law, the report under the Architectural Barriers Act for fiscal year 1995; to the Committee on Environment and Public Works.

EC–1936. A communication from the Chairman of the Nuclear Regulatory Commission, transmitting, pursuant to law, the report on abnormal occurrences for the period July 1 through September 30, 1995; to the Committee on Environment and Public Works.

EC–1937. A communication from the Chairman of the Advisory Committee on Reactor Safeguards, Nuclear Regulatory Commission, transmitting, pursuant to law, the report on the Safety Research Program; to the Committee on Environment and Public Works.

EC–1938. A communication from the Secretary of Transportation, transmitting, pursuant to law, a report on a demonstration project; to the Committee on Environment and Public Works.

EC–1939. A communication from the Chairman of the Migratory Bird Conservation Commission, transmitting, pursuant to law, the annual report for fiscal year 1995; to the Committee on Environment and Public Works.

EC–1940. A communication from the Secretary of Transportation, transmitting, pursuant to law, the report of the 20-year Tanker Size/Capacity Trend Analysis study; to the Committee on Environment and Public Works.

EC–1941. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the final report on the Information, Counseling and Assistance [ICA] Grants Program; to the Committee on Finance.

EC–1942. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the report on the Drug Utilization Review [DUR] Demonstration projects for 1995; to the Committee on Finance.

EC–1943. A communication from the Fiscal Assistant Secretary of the Treasury, transmitting, pursuant to law, the report of the December 1995 issue of the Treasury Bulletin; to the Committee on Finance.

EC–1944. A communication from the Director of the Trade and Development Agency, transmitting, pursuant to law, the 1995 annual report; to the Committee on Finance.

EC–1945. A communication from the Chairman of the Prospective Payment Assessment Commission, transmitting, pursuant to law, a report on health care spending; to the Committee on Finance.

EC–1946. A communication from the Chairman of the International Trade Commission, transmitting, pursuant to law, the report on trade between the United States and China for the period July 1 through September 30, 1995; to the Committee on Finance.

EC–1947. A communication from the Administrator of the U.S. Agency For International Development, transmitting, pursuant to law, the report under the Federal Managers' Financial Integrity Act for fiscal year 1995; to the Committee on Foreign Relations.

EC–1948. A communication from the Assistant Secretary of State (Legislative Affairs), transmitting, pursuant to law, the report of a Presidential Determination relative to Serbia and Montenegro; to the Committee on Foreign Relations.

EC–1949. A communication from the President and Chief Executive Officer of the Overseas Private Investment Corporation, transmitting, pursuant to law, the annual report for calendar year 1995; to the Committee on Foreign Relations.

EC–1950. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, the report of the texts of international agreements, other than treaties, and background statements; to the Committee on Foreign Relations.

EC–1951. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, the report of the texts of international agreements, other than treaties, and background statements; to the Committee on Foreign Relations.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. MURKOWSKI (for himself and Mr. JOHNSTON): S. 1596. A bill to direct a property conveyance in the State of California; to the Committee on Energy and Natural Resources.

By Mr. DORGAN:

S. 1597. A bill to amend the Internal Revenue Code of 1986 to discourage American businesses from moving jobs overseas and to encourage the creation of new jobs in the United States, and for other purposes; to the Committee on Finance.

By Mr. GLENN:

S. 1598. A bill to provide that professional sports teams relocating to different communities shall lose trademark protection with respect to team names, and for other purposes; to the Committee on the Judiciary.

By Mr. BREAUX:

S. 1599. A bill for the relief of Tarek Elagamy; to the Committee on the Judiciary.

By Mrs. FEINSTEIN (for herself and Mr. MACK):

S. 1600. A bill to establish limitations on health plans with respect to genetic information, and for other purposes; to the Committee on Labor and Human Resources.

By Mr. LEVIN (for himself, Mr. GLENN, Mr. DEWINE, and Mr. KOHL):

S. 1601. A bill to amend the Federal Water Pollution Control Act to extend the deadline for and clarify the contents of the Great Lakes health research report, and for other purposes; to the Committee on Environment and Public Works.

STATEMENT ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. MURKOWSKI (for himself and Mr. JOHNSTON):

S. 1596, A bill to direct a property conveyance in the State of California; to the Committee on Energy and Natural Resources.

THE WARD VALLEY LAND TRANSFER ACT

Mr. MURKOWSKI. Mr. President, today I am introducing legislation with my colleague, Senator JOHNSTON, directing a land conveyance for the purpose of siting a low level radioactive waste facility at Ward Valley, CA. This measure is virtually identical to language the Senate previously agreed to in the reconciliation bill conference report, with the exception that we have added an additional condition that California must provide its written commitment to carry out environmental monitoring and protection measures based on recommendations of the National Academy of Sciences, subject to Federal oversight by the Nuclear Regulatory Commission.

Mr. President, the Congress—in 1980 and again in 1985—gave States the responsibility for low level radioactive waste disposal. After an 8 year licensing process costing more than $45 million, the State of California awarded a license for a waste disposal site at Ward Valley, in the Mojave Desert. California is the host State for the Southwestern low level radioactive waste compact which includes the States of Arizona, North Dakota, South Dakota, and California.

The Ward Valley site has withstood the scrutiny of two environmental impact statements, two biological opinions under the Endangered Species Act, and a variety of court challenges. Ward Valley was given a clean bill of health by the National Academy of Sciences in a special report issued in May 1995. No low level radioactive site has received greater scrutiny than this one. It's a safe site, and anyone who reviews the facts with the tools of science rather than the rhetoric of emotion comes to that conclusion.

With the license issued, the court challenges exhausted, and the science settled, all that remains is a simple, administrative land sale from the Bureau of Land Management to the State of California. This is the kind of routine conveyance that would normally be handled at a BLM field office. But the Secretary of the Interior has intervened, and effectively kept the land sale from proceeding for more than 2 years by ordering a supplemental EIS, and later, a review by the National Academy of Sciences. Both the supplemental EIS and the Academy review turned out to be highly favorable to the Ward Valley site, and at the conclusion of each we have hoped that any remaining excuse for further delay would evaporate. Unfortunately, Ward Valley opponents hope to delay this forever, suggesting at each juncture a new study, a new hurdle, a new obstacle.

The latest hurdle was erected on February 15, when Interior Deputy Secretary John Garamendi announced yet another round of follow up studies to include tritium tests. California is not opposed to tritium tests, and the State is willing to conduct them. The problem, Mr. President, is that Interior wants the tests concluded prior to the land transfer. The National Academy of Sciences did not say this was necessary or desirable. In fact, the Academy suggests ongoing testing should be undertaken in conjunction with the operation of the facility. The Interior Department's actions, in my opinion, are merely a tactic to delay the commencement of operations at Ward Valley until after the next election.

If we do nothing, Mr. President, and allow this land conveyance to be delayed, I can guarantee that there will be some new obstacle erected after the tritium tests are complete. As the National Academy of Sciences pointed out, tritium tests are difficult and often inconclusive. That's why they should not be rushed, they should not precede the conveyance, they should continue along with all of the other monitoring and protection measures that will be undertaken during the

site's operation. If we proceed with rushed tritium testing, we will likely end up with an inclusive result, providing project opponents with yet another excuse for delay. At the very least, the project opponents will ask for another supplemental EIS to consider any new information. A new basis for further litigation or new strategies for delay would be fabricated. They delays would just go on and on.

What we have, Mr. President, is a Department of the Interior—lacking expertise or responsibility in matters relate to the regulation of radioactive materials—that aspires to get into the business of nuclear regulation. Even worse, the Secretary of the Interior is acting to usurp the statutory authority of the State of California to protect the radiological health and safety of its citizens through the State management and oversight of low-level radioactive waste disposal.

Some of my colleagues may recall that we made low-level radioactive waste management a State responsibility in the 1980 and 1985 act in response to heavy lobbying by the National Governors' Association. At the time, Arizona Gov. Bruce Babbitt and Arkansas Gov. Bill Clinton were prominent leaders in the National Governors' Association. Governor Babbitt even served on a special NGA task force recommending that low level radioactive waste management become a State responsibility. Today, Interior Secretary Babbitt is working to usurp and erode the very State authority he lobbied Congress for as Governor. I find that most ironic.

The irony is not lost on the Governor of California. He has asked us for this legislation. He is concerned about the health, safety, and welfare of Californians. He is aware that low-level radioactive waste is being stored in hospitals, in residential neighborhoods, in businesses, and in universities at 2,254 sites in 800 locations across California, and that the waste in these temporary sites are subject to fires, floods, and earthquakes.

If you oppose this bill, then you are by necessity arguing for the continued storage of these materials all over California, or the transport of these materials across the United States to the only facility currently open to California—Barnwell, SC. Meanwhile, some hospitals in California are running out of room. Will this result in the curtailment of cancer treatment or AIDS research that uses radioactive materials? Will this result in an accidental release at one of these dispersed locations as a consequence of a fire, flood or earthquake? We can only hope and pray that it will not.

To summarize, Mr. President: This is a simple directed land sale that does what the administration should have done long ago. If we fail to do this, we not only create problems for California and Arizona, North Dakota, South Dakota as Southwestern Interstate Compact States, we challenge the viability of the Low Level Radioactive Waste Policy Act and the policy of State responsibility upon which it is based.

A June 16 editorial in Science magazine perhaps says it best: ''The risks stemming from one carefully monitored Ward Valley LLRW site are trivial in comparison with those from 800 urban accumulations. Enough of groundless fears and litigation.''

Mr. President, we have, indeed, had enough of groundless fears and litigation. The time has come to act.

I ask unanimous consent that the full text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1596

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 ''Ward Valley Land Transfer Act''.

SEC. 2. CONVEYANCE OF PROPERTY.

Effective upon the tendering to the Secretary of the Treasury of $500,100 on behalf of the State of California and the tendering to the Chairman of the Nuclear Regulatory Commission of a written commitment by the State to carry out environmental monitoring and protection measures based on recommendations of the National Academy of Sciences subject to federal oversight by the Nuclear Regulatory Commission pursuant to 42 U.S.C. 2021, as amended, all right, title and interest of the United States in the property depicted on a map designated USGS 7.5 minute quadrangle, west of Flattop Mtn, CA 1984 entitled ''Location Map for Ward Valley Site'', located in San Bernardino Meridian, Township 9 North, Range 19 East, and improvements thereon, together with all necessary easements for utilities and ingress and egress to such property, including, but not limited to, the right to improve those easements, are conveyed by operation of law to the Department of Health Services of the State of California. Upon the request of the State of California, the Secretary of the Interior shall provide evidence of title transfer.

By Mr. DORGAN:

S. 1597. A bill to amend the Internal Revenue Code of 1986 to discourage American businesses from moving jobs overseas and to encourage the creation of new jobs in the United States, and for other purposes; to the Committee on Finance.

THE AMERICAN JOBS ACT OF 1996

Mr. DORGAN. Mr. President, today I intend to introduce legislation called the American Jobs Act, and I simply wanted to come to the floor and describe it. I also intend in the coming weeks to try to convince as many Members of the Senate as possible to cosponsor this, because I think it does relate to a lot of the issues that the American people are very concerned about.

I spoke yesterday on the floor of the Senate about the issue of trade and jobs and the economy. I know some people get tired of hearing that. It is probably the same song with 10 different verses that I come and talk about from time to time.

But I think it is central to the question of where are we headed as a country? Who are we and where are we going? We are a country that is a wonderful country with enormous challenges ahead of us, but a country still filled with substantial strength and opportunity in the future.

I mentioned yesterday how interesting it is to me that at a time when people talk about how awful this country is, we have people suggesting we ought to put fences down across the border down south to keep people out. Why would we want to keep people from coming to this country? We have an immigration problem. Why do people want to come here? Because they think this is a remarkable place. Most people around the world think this is a wonderful place to live and a wonderful place to be.

What is happening in our country? Well, we are a country that survived the Civil War and came out as one country. We survived the depression and went on to build the strongest economy in the world. We defeated Hitler, cured polio, and we put a person on the Moon. When you think of all the wonderful things we have done in this country and then understand there is a kind of mood in America that is a mood of dissatisfaction and concern, not about what is past because all of us understand that what we have done has been quite remarkable in the history of humankind, but the concern is about the future. Where are we headed? Where are we going? What kind of a country will we be in the future?

There are several levels of that concern. One is about the declining standards and values in our country that people see. One is about crime and the increase in violence in our country and the concern about why that exists. But the other is about the issue of jobs. Will we have good jobs in our country? Under what circumstance will we have good jobs? There is not a social program in America—none that we talk about in the Senate or the House ever during the year—that is as important or as useful as a good job to an able-bodied person that wants to have a good job.

A good job is the best social program in our country—a good job with good income. My ancestors came here from other countries because they saw that beacon of hope and opportunity in our country. They wanted to take advantage of it. They wanted a good job. They got good jobs and were able to give their children an education. That is what people in America want today. They are concerned because so many jobs in America seem to be moving elsewhere, and because the jobs that exist here seem to pay less money than they used to and have less security than they used to have.

We do not have wages spiking up in America, except for the wages of CEO's. Yesterday there was a report in the newspaper in town that says the

average CEO salary of the large corporations of the country was up 23 percent in 1 year—an average $4 million salary. But that is unusual because blue-collar workers are not keeping pace with inflation. In fact, 60 percent of the American families sit around the dinner table and talk about their lot in life, and they discover that after 20 years they are working harder and they have less income. If you adjust it for inflation, they have less income now than 20 years ago.

Why is that the case? Why is it the case that we have jobs with lower income, with less security, and jobs that are moving from our country overseas?

The chart behind me shows America's trade deficit. I am not going to speak about that today. That is for another time. I have already given that speech, in any event. But the trade deficit. The merchandise trade deficit last year was over $170 billion. What does that mean? It means we are buying more from other countries than they are buying from us. And we have a very substantial deficit. What it means is jobs that used to be here now are somewhere else. It means jobs are moving from America, from our country, to other countries. In fact, this chart shows foreign imports now take over one-half of U.S. manufacturing gross domestic product.

Said another way, if you evaluate what it is we produce, manufacture in our country, and measure that to what we import from other countries, foreign imports now take one-half of U.S. manufacturing GDP. A fair portion of these foreign imports are goods made by American corporations in foreign countries to be shipped back for purchase by American consumers. Or said another way, there are American jobs that are now gone overseas somewhere, making the same products to ship back to Pittsburgh, Denver, Fargo, and Sacramento, to be bought by American consumers. They think it is a good deal. If you can get somebody working for 14 cents an hour in some foreign land to make your shoes, shirts, or pants, think of how cheap that is going to be for American consumers—not understanding, of course, that the jobs that used to exist here to produce those products for our people are now gone.

This chart depicts jobs that used to be in America. To pick a few countries, U.S. jobs now in foreign affiliates of U.S. firms were nearly 70,000 in 1992; 53,000 in Hong Kong; 14,000 in Costa Rica; 40,000 in Ireland, and it goes on and on.

I pointed out yesterday that there are a lot of reasons for all of this, like global economics, in which corporations are redefining the economic model and saying, ''We want to produce where it is cheap and sell into an established market.'' That might be fine for them because, for them, that is profits. For the rest of the American people it is translated into lost jobs.

The initiative I am offering in the Senate today has two purposes, one of which I have already introduced in a separate smaller piece of legislation. The first provision is to say let us start by stopping the bleeding. Let us decide we will not reward a tax break to companies which decide to shut their American plants down and move their U.S. jobs overseas. How do we do that? Here is an example: If we have two companies on the same street making the same product, owned by two Americans, in any American city in the country, and they are the same kind of company, make the same product, they may have the same profitability; the only difference is that one of them, on a Monday, decides, I am out of here, I am done, I am tired of having to pay a living wage to an American worker. I am tired of having to comply with air and water pollution laws. I am sick and tired of not being able to hire kids. I am tired of having to comply with these regulations that require my workplace to be safe. So I am escaping. I am shutting my door, getting rid of my workers, taking my equipment and capital and moving to a foreign country where I do not have to bother about pollution laws. I can dump whatever I want into the streams and air. I can hire 14-year-olds if I choose. I do not have to care about an investment in safety in the workplace. Most importantly, I can pay 14 cents an hour, 25 cents an hour, or 50 cents an hour and increase my profitability.

When that person, on a Monday, decides he is going to do that, and his plant closes, and the other person on the other end of the block making the same product stays here, what is the difference? The person that left our country to produce the same product and ship it back into our country and compete with the person that stayed gets a tax break.

Our tax law says that if you leave this country, shut your plant down, move your jobs overseas, we will give you a deal. You get something called ''deferral.'' You can defer your income tax obligation on the profits you earned. In fact, you can defer them permanently, if you wish, and never pay taxes on that profit. You can invest those proceeds overseas and use profits to build more plants and create more jobs overseas. We will give you a deal. The American taxpayer tells you that you can get a big fat tax break.

Well, no more. In fact, I tried to close that little thing last year, and 52 Members of the Senate cast a vote to say, ''No, we want to keep that tax break.'' I do not have the foggiest idea why they would think that. But I am going to give them a chance to think about it at least a dozen more times this year because we are going to vote and vote and vote on this provision until we decide to do the right thing. The right thing is to have a Tax Code that is at least neutral on the question of whether you ought to have your jobs in America or overseas.

I am really flat tired of seeing a Tax Code that subsidizes the movement of American jobs abroad. Are there conditions under which people would move jobs abroad? Yes. Should we stop it? I do not think we can because we have a global economy. But should we subsidize it? No! It is totally ridiculous. Title I of my bill says let us stop this insidious tax loophole, stop the break that says we will reward you if you simply shut down your American plant and move your jobs to Mexico, Singapore, Sri Lanka, Bangladesh, China, or you name it.

Title II is also very simple: It says for those that create net new jobs in America, for those American companies that stay in America and create net new jobs in America, you get a 20 percent payroll tax credit on your income taxes for the first 2 years of that new job. Why am I doing that? Because I want to close the loophole that allows them to move their jobs overseas and get paid for doing it, and I want to create an incentive for people to create jobs here in this country.

These people in this town who have this global notion that it does not matter where manufacturing exists, it does not matter where jobs are, are not thinking about the well-being of this country. This country does not exist by consumption figures alone. Every single month you drive to work, turn the radio on, guess what? There is some commentator telling us about our economic health. How do they describe our economic health? They say we consumed so much last month, we bought so much, sales were so high. So we measure now the economic health of America by what we consume. That is not what describes the economic health of my hometown or the economic health of my State or this country.

Economic health in this country is described by what we produce—manufacture, production. The genesis and source of wealth in this country is what does this country produce. Those who believe America will remain a long-term economic world power without a strong vibrant manufacturing economy have not studied the British disease of long, slow economic decline at the turn of the century when they decided it did not matter where manufacturing existed. This country had better start caring again about whether we have a productive sector, whether we have a strong manufacturing base, and whether we retain a broad network of good paying jobs in this country. That comes from the manufacturing sector.

We spend our time in the Congress talking about almost everything except that which matters most to American families—jobs. Jobs and opportunity. You ask most people what they care about. They care about whether or not they have a decent job and they have an opportunity to make a living and support their family. Then they care about whether their kids are going to be able to find a decent job. Yes, along the way, whether they can get a

good education for their kids. Yes, whether their families are safe. Yes, whether they get decent health care. Those are the central issues for families. All of it is driven by do you have an opportunity to get a decent job.

It ought not escape anybody's notice that as those who describe our economic circumstances in our country, these economists—and I guess I should make clear with truth in labeling that I taught economics in college for a couple of years part-time; I was able to overcome that and go on and do other things in life. The economists who have described for us an economic model in which they talk about how wonderfully healthy America's economy is because it is growing and it is moving ahead. Why? Because they talk about how much we are consuming—a fair amount, incidentally with debt, debt-assisted consumption, as opposed to manufacturing assisted by good investment. That is the difference.

If we do not start moving to debate the central issue of what moves our economy ahead and what provides economic strength and vitality for American families, we are always, it seems to me, going to be on the end of a disconnection from the average American voter. They want us to be dealing with things that matter most in their lives. There is not much that is more important than the issue of will this economy of ours produce decent jobs in the future? Now, we can, as we have in the past, just hang around here and talk about all the other ancillary issues that do not matter very much, but if we do not decide that jobs matter and that our Tax Code that actually encourages people to move their jobs overseas, if we do not decide that desperately needs changes, we do not deserve to belong in this Chamber. We have to decide what the central issues for our country are.

I think everybody in this country knows that we have lost some 3 million manufacturing jobs in about a 5-to 8-year-period, at a time when we have increased by tens of millions the number of American citizens who live here. A good job base in the manufacturing sector is shrinking, our population is increasing. Opportunity is moving away. It is not too late. I think that what most of the American people would like us to do is put America's Tax Code on the side of America's workers and America's taxpayers, and not on the side of big corporations that will milk the Tax Code by moving jobs overseas instead of keeping jobs here at home.

Mr. President, I will be introducing the legislation in the Senate today. I hope that some of my colleagues will join me. Again, I indicate that I fully intend that we will have repeated votes on this kind of legislation this year because I think it is central to the issue of what we ought to be doing.

By Mr. GLENN:

S. 1598. A bill to provide that professional sports teams relocating to different communities shall lose trademark protection with respect to team names, and for other purposes; to the Committee on the Judiciary.

THE SPORTS HERITAGE ACT

Mr. GLENN. Mr. President, I rise today to introduce the Sports Heritage Act of 1996. This legislation addresses a problem faced by many communities after the loss of a professional sports team and is a companion to a bill I introduced in November, the Fans Rights Act.

Simply, the Sports Heritage Act would allow a community to keep a professional team's name and colors in the event of a relocation. The only condition is that the team must have played at least 10 years in the community. The bill also says that the elected officials of a community can waive this right.

Mr. President, relocation fever is sweeping American professional sports. At a record number, professional sports teams are abandoning—or attempting to abandon—their host communities, often with little regard for the historical legacy of the team in its home city.

The Sports Heritage Act gives communities some protection over that historical tradition. For example, the proposed team relocation which has truly shocked sports fans across the country is the Cleveland Browns' decision to move to Baltimore.

Mr. President, I am not going to get into the specifics of that move or why it has shocked sports fans. But let me tell you a bit about the tradition of the Browns in Cleveland.

The Cleveland Browns have been a symbol of undying and unwavering fan support for half-a-century. During the football season, Lakefront Municipal Stadium is packed to the rafters with Browns' fans rooting on their team. There have been glorious Browns' seasons and their have been not-so-glorious seasons. But one constant has been the fan support. And that support has been passed on from generation to generation.

I am pleased that the deal between the city and the NFL will maintain the Browns' name and colors in Cleveland for a future team. Let's be honest, did anyone really think Baltimore Browns sounded right? Not only doesn't it sound right, it flies in the face of sports history in Cleveland, in Ohio, and the rest of America. The name Browns belongs to the rich sports tradition of northern Ohio and its right that the name and colors will stay.

Another example is the Oakland Raiders. How many of us spent the last decade referring to the team as the Oakland Raiders instead of the Los Angeles Raiders? Or could you imagine other situations, such as the Orlando Yankees or the New Orleans Cubs? I'm not suggesting these two storied franchises are going to move, but I use the examples to stress how a team name can be woven into the fabric of a community's traditions.

The Sports Heritage Act would permit communities that have long-standing ties to a sports franchise, 10 or more years, to retain the team name for any future franchises. I think that's only fair.

The current relocation fever in professional sports has brought about a great deal of attention in Congress. Fans and communities need more protection and I believe the Fans Rights Act will accomplish that. The Sports Heritage Act will help strengthen that protection and I urge all Senators to support this bill.

By Mrs. FEINSTEIN (for herself and Mr. MACK):

S. 1600. A bill to establish limitations on health plans with respect to genetic information, and for other purposes; to the Committee on Labor and Human Resources.

THE GENETIC FAIRNESS ACT OF 1996

● Mrs. FEINSTEIN. Madam President, today, Senator MACK and I are introducing a bill to do two things. It would—

First, prohibit health insurers from conditioning the sale or terms of health insurance on genetic information of the insured or applicant for insurances; and

Second, prohibit health insurers from requiring an applicant for insurance or an individual or family member presently covered to take a genetic test or to be subjected to questions relating to genetic history.

Under this bill, an insurer could not engage in the following actions on the basis of any genetic information of an individual or family member or on the basis of an individual's or family member's request for or receipt of genetic services:

Terminate, restrict, limit, or otherwise apply conditions to coverage of an individual or family member;

Cancel or refuse to renew the coverage of an individual or family member;

Deny coverage or exclude an individual or family member from coverage;

Impose a rider that excludes coverage for certain benefits and services under the plan;

Establish differentials in premium rates or cost sharing for coverage under the plan; or otherwise discriminate against an individual or family member in the provision of health care.

Last fall, as cochairs of the Senate Cancer Coalition, Senator MACK and I held a hearing on the status and use of genetic tests. Witnesses testified about the great promise of genetic testing in predicting and managing a range of diseases. A considerable portion of illness derives from defects in one or more genes or the interplay of environmental and genetic factors.

For example, approximately 3 percent of all children are born with a severe condition that is primarily genetic in origin. By age 24, genetic disease strikes 5 percent of Americans. Genetic disorders account for one-fifth of adult hospital occupancy, two-thirds of childhood hospital occupancy, one-

third of pregnancy loss, and one-third of mental retardation.

About 15 million people are affected by one or more of the over 4,000 currently identified genetic disorders. An even larger number are carriers of genetic disease. J. Rennie in the June 1994 Scientific American estimated that every person has between 5 and 10 defective genes though they often are not manifested. Indeed, we are all carrying around between 50,000 and 100,000 genes scattered on 23 pairs of chromosomes.

In the past 5 years, there has been a virtual explosion of knowledge about genes. Scientists, including those at the Federal Human Genome Project, are decoding the basic units of heredity. We know that certain diseases have genetic links, including cancer, Alzheimer's disease, Huntington's disease, cystic fibrosis, neurofibromatosis, and Lou Gehrig's disease. Altered genes play a part in heart disease, diabetes, and many other more common disease.

While these important understandings hold great potential, they also present some serious problems. Witness after witness at our hearing discussed the potential and the reality of health insurance discrimination. They told us about insurers denying coverage, refusing to renew coverage, or denying coverage of a particular condition.

In a 1992 study, the Office of Technology Assessment found that 17 of 29 insurers would not sell insurance to individuals when presymptomatic testing revealed the likelihood of a serious, chronic future disease. Fifteen of 37 commercial insurers that cover groups said they would decline the applicant. Underwriters at 11 of 25 Blue Cross-Blue Shield plans said they would turn down an applicant if presymptomatic testing revealed the likelihood of disease. The study also found that insurers price plans higher—or even out of reach—based on genetic information. Another study conducted by Dr. Paul Billings at the California Pacific Medical Center, reached similar conclusions.

Here are a few examples, real-life cases:

An individual with hereditary hemochromatosis (excessive iron), who runs 10K races regularly, but who had no symptoms of the disease, could not get insurance because of the disease.

An 8-year-old girl was diagnosed at 14 days of age with PKU (phenylketonuria), a rare inherited disease, which if left untreated, leads to retardation. Most States require testing for this disease at birth. Her growth and development proceeded normally and she was healthy. She was insured on her father's employment-based policy, but when he changed jobs, the insurer at the new job told him that his daughter was considered to be a high risk patient and uninsurable.

The mother of an elementary school student had her son tested for a learning disability. The tests revealed that the son had fragile X syndrome, an inherited form of mental retardation. Her insurer dropped her son's coverage. After searching unsuccessfully for a company that would be willing to insure her son, the mother quit her job so she could impoverish herself and become eligible for Medicaid as insurance for her son.

Another man worked as a financial officer for a large national company. His son had a genetic condition which left him severely disabled. The father was tested and found to be an asymptomatic carrier of the gene which caused his son's illness. His wife and other sons were healthy. His insurer initially disputed claims filed for the son's care, then paid them, but then refused to renew the employer's group coverage. The company then offered two plans. All employees except this father were offered a choice of the two. He was allowed only the managed care plan.

A woman was denied health insurance because her nephew had been diagnosed as having cystic fibrosis and she inquired whether she should be tested to see if she was a carrier. After she was found to carry the gene that causes the disease, the insurer told her that neither she nor any children she might have would be covered unless her husband was determined not to carry the CF gene. She went for several months without health insurance because she sought genetic information about herself.

These practices deny people health insurance. In the United States, 40 million people or 15 percent have no health insurance. In California, it is 23 percent, translating to between 6 and 7 million people. If people with genetic conditions or predispositions cannot buy health insurance on the private market, they usually have nowhere to turn. To qualify for Medicaid, the primary public health insurance program for the nonelderly, families have to spend down or impoverish themselves. Having more uninsured people means that we all pay more, both for the public programs and for uninsured people arriving in hospital emergency rooms at the last minute with exacerbated conditions.

Not only do these denials deprive Americans of health insurance, the fear of discrimination can have adverse health effects. For example, if people fear retaliation by their insurer, they may be less likely to provide their physician with full information. They may be reluctant to be tested. This reluctance means that physicians might not have all the information they need to make a solid diagnosis or decide a course of treatment.

I hope Congress will begin to address this unfair insurance practice. After all, we are all just a bundle of genes. We are all at risk of disease and illness. This bill can help make health insurance available to many who need it and who want to buy it. I hope my colleagues will join me today in enacting this bill.●

By Mr. LEVIN (for himself, Mr. GLENN, Mr. DEWINE and Mr. KOHL):

S. 1601. A bill to amend the Federal Water Pollution Control Act to extend the deadline for and clarify the contents of the Great Lakes health research report, and for other purposes; to the Committee on Environment and Public Works.

THE AGENCY FOR TOXIC SUBSTANCES AND DISEASE REGISTRY REAUTHORIZATION ACT OF 1996

Mr. LEVIN. Mr. President, today I am introducing a bill with Senators GLENN, DEWINE, and KOHL, to reauthorize and extend an ongoing research effort examining human health effects of consuming Great Lakes fish that have been exposed to pollutants. Extensive, careful research is critical to sensible and cost-effective decisions on the steps needed to protect the Great Lakes environment.

This research effort was originally authorized in the Great Lakes Critical Programs Act of 1990, which I authored. The effort is being led by the Agency for Toxic Substances and Disease Registry and is intended to help provide information on the human and ecological health effects of environmental contamination, particularly in the Great Lakes.

Studies have indicated that humans are the final biological receptors for many toxic substances. One of the most obvious pathways of human exposure is fish consumption, since it is well documented that some pollutants of concern accumulate in fish, and fishing is a very popular pastime in the Great Lakes.

Preliminary results from the first phase of this research indicate an association between consumption of contaminated fish and human body burdens of persistent toxic substances, including PCB's, organochlorines, and heavy metals such as mercury and lead. One ongoing study component of the overall project suggests that there is a positive connection between the amount of Lake Ontario fish consumed by mothers and adverse neurobehavioral effects in their children.

The information being gathered through this research is crucial to making well-informed decisions about environmental protection in the Great Lakes. Its findings are extremely useful in the development of a uniform fish advisory for the entire Great Lakes, rather than the confusing system currently in place where each State warns anglers and consumers of slightly different hazards to health. This uniform approach's key components have received the endorsement of the Michigan Environmental Science Board. And, the data being gathered will help guide policymakers in addressing possibly one of the most challenging issues facing the Great Lakes region—contaminated sediments.

As my colleagues may know, there are many areas of concern in the Great Lakes. These areas are frequently harbors or watersheds drainage areas that

have experienced significant industrial activity. The sediment in these areas has become contaminated with any number of persistent pollutants. Despite reductions in point source discharges, and projected decreasing emissions from air sources that deposit toxics in the Great Lakes, the reservoir of contaminants already in sediments will continue to degrade water quality and therefore increase opportunities for human exposure. We must continue our efforts to remove or treat these sediments, but we will need guidance from well-conducted, peer-reviewed scientific work like that provided by the ATSDR to prioritize our efforts. Also, I would like to once again strongly urge the U.S. Environmental Protection Agency to submit its very tardy report to Congress providing the results of a comprehensive national survey of aquatic sediment quality. This too is important data we need to attack the problem of contaminated sediments.

Extending this research effort is necessary to help track the long-term effects of pollutants on human health. This bill authorizes an extension until 1999 and requires an additional report to Congress at the conclusion of the research. Also, the bill clarifies the purpose of the research consistent with scientific recommendations and the preliminary study results.

Mr. President, I am hopeful that all my colleagues from the Great Lakes region and Senators representing other areas that suffer from water quality problems will join me in cosponsoring this bill. We need more means and data by which we can measure our environmental protection progress and efficiently target our limited resources. This research program is a small, but very important part of that effort. We cannot afford to make decisions without the information that is coming out of the ATSDR research. Our children's future depends on it.

Mr. GLENN. Mr. President, I rise today in support for the reauthorization of the Agency for Toxic Substances and Disease Registry's [ATSDR] study examining the connection between consumption of contaminated fish and human health.

I am honored to join my colleagues, Senators LEVIN, KOHL, and DEWINE, in the reauthorization of this study of immense importance to the people of the Great Lakes basin. I am also pleased that my Ohio colleague, Congressman LATOURETTE, and Congressman OBERSTAR have introduced companion legislation in the House of Representatives. That bill was successfully included in the House-passed Clean Water Act Reauthorization.

As you may know, the Great Lakes States have fish advisories warning the public against consumption of certain fish at particular levels due to contamination. This bill would continue a research program designed to investigate and characterize the association between the consumption of contaminated Great Lakes fish and short- and long-term harmful human health effects. The ATSDR study develops a body of knowledge on exposure pathways, body burdens, and associated human health effects in defined at-risk populations. These populations include sport anglers, the urban poor, pregnant women and their children, native Americans, and elderly.

This body of knowledge has a variety of potential and beneficial uses. Perhaps most importantly, it may be used to assist State and local agencies in developing fish advisories, remedial action plans, and lake-wide management plans. The study's findings may also increase general public awareness of the health implications of the toxic pollution in the lakes, and provide a study model for other human health research.

Congress has recognized the merits of this human health effects research in the past. I thank my Great Lakes colleagues for their continued support in the effort to understand the impacts of consuming contaminated fish and hope others will recognize the merits of reauthorizing the ATSDR human health effects research.

ADDITIONAL COSPONSORS

S. 704

At the request of Mr. SIMON, the name of the Senator from Wyoming [Mr. SIMPSON) was added as a cosponsor of S. 704, a bill to establish the Gambling Impact Study Commission.

S. 837

At the request of Mr. WARNER, the name of the Senator from Louisiana [Mr. BREAUX) was added as a cosponsor of S. 837, a bill to require the Secretary of the Treasury to mint coins in commemoration of the 250th anniversary of the birth of James Madison.

S. 942

At the request of Mr. BOND, the names of the Senator from Virginia [Mr. ROBB), the Senator from South Dakota [Mr. PRESSLER), the Senator from Idaho [Mr. KEMPTHORNE), the Senator from Ohio [Mr. DEWINE), the Senator from Alaska [Mr. STEVENS), and the Senator from North Carolina [Mr. FAIRCLOTH) were added as cosponsors of S. 942, a bill to promote increased understanding of Federal regulations and increased voluntary compliance with such regulations by small entities, to provide for the designation of regional ombudsmen and oversight boards to monitor the enforcement practices of certain Federal agencies with respect to small business concerns, to provide relief from excessive and arbitrary regulatory enforcement actions against small entities, and for other purposes.

S. 1028

At the request of Mrs. KASSEBAUM, the name of the Senator from Washington [Mrs. MURRAY) was added as a cosponsor of S. 1028, a bill to provide increased access to health care benefits, to provide increased portability of health care benefits, to provide increased security of health care benefits, to increase the purchasing power of individuals and small employers, and for other purposes.

S. 1183

At the request of Mr. HATFIELD, the name of the Senator from Washington [Mrs. MURRAY) was added as a cosponsor of S. 1183, a bill to amend the Act of March 3, 1931 (known as the Davis-Bacon Act), to revise the standards for coverage under the Act, and for other purposes.

S. 1344

At the request of Mr. HEFLIN, the names of the Senator from New Mexico [Mr. BINGAMAN] and the Senator from Georgia [Mr. NUNN) were added as cosponsors of S. 1344, a bill to repeal the requirement relating to specific statutory authorization for increases in judicial salaries, to provide for automatic annual increases for judicial salaries, and for other purposes.

S. 1360

At the request of Mr. BENNETT, the name of the Senator from Idaho [Mr. CRAIG] was added as a cosponsor of S. 1360, a bill to ensure personal privacy with respect to medical records and health care-related information, and for other purposes.

S. 1416

At the request of Mr. HATFIELD, the name of the Senator from California [Mrs. FEINSTEIN] was added as a cosponsor of S. 1416, a bill to establish limitation with respect to the disclosure and use of genetic information, and for other purposes.

S. 1553

At the request of Mr. HARKIN, his name was added as a cosponsor of S. 1553, a bill to provide that members of the Armed Forces performing services for the peacekeeping effort in the Republic of Bosnia and Herzegovina shall be entitled to certain tax benefits in the same manner as if such services were performed in a combat zone.

S. 1560

At the request of Mr. GRASSLEY, the name of the Senator from North Carolina [Mr. FAIRCLOTH] was added as a cosponsor of S. 1560, a bill to require Colombia to meet anti-narcotics performance standards for continued assistance and to require a report on the counter-narcotics efforts of Colombia.

S. 1568

At the request of Mr. HATCH, the name of the Senator from Vermont [Mr. JEFFORDS] was added as a cosponsor of S. 1568, a bill to amend the Internal Revenue Code of 1986 to provide for the extension of certain expiring provisions.

SENATE CONCURRENT RESOLUTION 43

At the request of Mr. THOMAS, the names of the Senator from Minnesota [Mr. GRAMS], and the Senator from South Dakota [Mr. PRESSLER] were added as cosponsors of Senate Concurrent Resolution 43, a concurrent resolution expressing the sense of the Congress regarding proposed missile tests by the People's Republic of China.

SENATE RESOLUTION 215

At the request of Mr. LAUTENBERG, the name of the Senator from North Dakota [Mr. CONRAD] was added as a cosponsor of Senate Resolution 215, A resolution to designate June 19, 1996, as ''National Baseball Day''.

SENATE RESOLUTION 217

At the request of Mrs. KASSEBAUM, the names of the Senator from Georgia [Mr. NUNN], the Senator from Massachusetts [Mr. KERRY), the Senator from Rhode Island [Mr. CHAFEE], the Senator from New York [Mr. MOYNIHAN], the Senator from Massachusetts [Mr. KENNEDY], and the Senator from West Virginia [Mr. ROCKEFELLER] were added as cosponsors of Senate Resolution 217, a resolution to designate the first Friday in May 1996, as ''American Foreign Service Day'' in recognition of the men and women who have served or are presently serving in the American Foreign Service, and to honor those in the American Foreign Service who have given their lives in the line of duty.

SENATE RESOLUTION 224

At the request of Mr. D'AMATO, the name of the Senator from Alaska [Mr. STEVENS] was added as a cosponsor of Senate Resolution 224, a resolution to designate September 23, 1996, as ''National Baseball Heritage Day.''

SENATE RESOLUTION 226

At the request of Mr. DOMENICI, the name of the Senator from California [Mrs. BOXER) was added as a cosponsor of Senate Resolution 226, a resolution to proclaim the week of October 13 through October 19, 1996, as ''National Character Counts Week.''

AMENDMENTS SUBMITTED

THE FEDERAL FUNDS FULL INVESTMENT ACT OF 1996

MOYNIHAN AMENDMENT NO. 3465

Mr. MOYNIHAN proposed an amendment to the bill (H.R. 3021) to guarantee the continuing full investment of Social Security and other Federal funds in obligations of the United States; as follows:

Strike all matter after the enactment clause and insert the following:

TITLE —PUBLIC DEBT LIMIT

SEC. 01. INCREASE IN PUBLIC DEBT LIMIT.

Subsection (b) of section 3101 of title 31, United States Code, is amended by striking the dollar amount contained in the first sentence and inserting ''$5,400,000,000,000''.

NOTICE OF HEARING

SUBCOMMITTEE ON PARKS, HISTORIC PRESERVATION, AND RECREATION

Mr. CAMPBELL. Mr. President, I would like to announce for the public that a hearing has been scheduled before the Subcommittee on Parks, Historic Preservation, and Recreation of the Committee on Energy and Natural Resources.

The hearing will take place on Thursday, March 21, 1996, at 9:30 a.m., in room SD–366 of the Dirksen Senate Office Building in Washington, DC.

The purpose of this hearing is to review S. 305, a bill to establish the Shenandoah Valley National Battlefields and Commission in the Commonwealth of Virginia; H.R. 1091, a bill to improve the National Park System in the Commonwealth of Virginia; S. 1225, a bill to require the Secretary of the Interior to conduct an inventory of historic sites, buildings, and artifacts in the Champlain Valley and the upper Hudson River Valley; S. 1226, a bill to require the Secretary of the Interior to prepare a study of battlefields of the Revolutionary War and the War of 1812, to establish an American Battlefield Protection Program; and Senate Joint Resolution 42, a joint resolution designating the Civil War Center at Louisiana State University as the ''United States Civil War Center,'' making the center the flagship institution for planning the sesquicentennial commemoration of the Civil War.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send two copies of their testimony to the Subcommittee on Parks, Historic Preservation, and Recreation, Committee on Energy and Natural Resources, U.S. Senate, 364 Dirksen Senate Office Building, Washington, DC 20510–6150.

For further information, please contact Jim O'Toole of the subcommittee staff at (202) 224–5161.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. LOTT. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet at 9:30 a.m. on Thursday, March 7, 1996, in executive session, to consider pending military nominations, to be immediately followed by an open session at 10 a.m. to consider the nomination of Mr. Kenneth H. Bacon to be Assistant Secretary of Defense for Public Affairs, Mr. Franklin D. Kramer to be Assistant Secretary of Defense for International Affairs, and Mr. Alvin L. Alm to be Assistant Secretary of Energy for Environmental Management.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. LOTT. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be allowed to meet during the Thursday, March 7, 1996, session of the Senate for the purpose of conducting a hearing on air bag safety.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON GOVERNMENTAL AFFAIRS

Mr. LOTT. Mr. President, I ask unanimous consent on behalf of the Governmental Affairs Committee to meet on Thursday, March 7, 1996, at 9:30 a.m., for a hearing on S. 356, Language of Government Act of 1995.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. LOTT. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to hold a business meeting during the session of the Senate on Thursday, March 7, 1996, at 10 a.m., in SD–106.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON LABOR AND HUMAN RESOURCES

Mr. LOTT. Mr. President, I ask unanimous consent that the Committee on Labor and Human Resources be authorized to meet for a hearing on the Reauthorization of National Institutes of Health, during the session of the Senate on Thursday, March 7, 1996, at 9:30 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. LOTT. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on Thursday, March 7, 1996, at 3:00 p.m., in SH–219 to hold a closed briefing on intelligence matters.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON EAST ASIAN AND PACIFIC AFFAIRS

Mr. LOTT. Mr. President, I ask unanimous consent that the Subcommittee on East Asian and Pacific Affairs of the Committee on Foreign Relations be authorized to hold a joint meeting with the House Subcommittee on Asia and the Pacific of the Committee on International Relations meet during the session of the Senate on Thursday, March 7, 1996, at 2 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON FORESTS AND PUBLIC LAND MANAGEMENT

Mr. LOTT. Mr. President, I ask unanimous consent that the Subcommittee on forests and Public Land Management of the Committee on Energy and Natural Resources be granted permission to meet during the session of the Senate on Thursday, March 7, 1996, for the purposes of conducting a subcommittee hearing which is scheduled to begin at 1 p.m. The purpose of this oversight hearing is to receive testimony on S. 393 and H.R. 924, the Angeles National Forest Land.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON PARKS, HISTORIC PRESERVATION, AND RECREATION

Mr. LOTT. Mr. President, I ask unanimous consent that the Subcommittee on Parks, Historic Preservation, and Recreation of the Committee on Energy and Natural Resources be granted permission to meet during the session of the Senate on Thursday, March 7, 1996, for purposes of conducting a subcommittee hearing which is scheduled

to begin at 9:30 a.m. The purpose of this oversight hearing is to review S. 745, a bill to require the National Park Service to eradicate brucellosis afflicting the bison in Yellowstone National Park; S. 796 and H.R. 238, a bill to provide for the protection of wild horses within the Ozark National Scenic Riverways, MO, and prohibit the removal of such horses; and S. 1451, a bill to authorize an agreement between the Secretary of the Interior and a State providing for the continued operation by State employees of national parks in the State during any period in which the National Park Service is unable to maintain the normal level of park operations.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL STATEMENTS

FAITH IN ACTION

● Mr. COHEN. Mr. President, I rise today to take a moment to praise a worthy nonprofit organization that is having a real impact on four communities in my home State of Maine. The organization is Faith in Action, a national program of the Robert Wood Johnson Foundation that in 1993 began providing technical assistance and startup grants to help develop interfaith volunteer projects that focus on helping those in need of care from the community.

During the first 2 years of the program, Faith in Action limited its grants to faith coalitions—churches, temples, and synagogues—that wanted to begin volunteer care giving projects within their community A total of 800 such projects will be funded over 4 years of this initiative. In 1995, Faith In Action expanded its criteria, and now encourages health and social service agencies to join with congregations to develop new projects. Each approved coalition is awarded a $25,000 grant to assist people in the community of all ages who have special needs.

Over the last year, these grants have helped fund important projects in four communities in Maine: Portland, Bangor, Richmond, and Lubec. In Bangor, two Faith in Action programs are up and running, providing the frail elderly residents in and around that city with a variety of assistance. Developed by St. Joseph Healthcare, in conjunction with area churches and synagogues, the project assesses the needs of elderly residents, particularly improving their access to quality health care. Volunteers provide transportation, home visits, help in meal preparation, light housekeeping or repairs in the home, and other services to assist the elderly who want to maintain some independence, but cannot do everything for themselves.

A similar project is starting up in the small town of Richmond, where the grant money is being used to assist the homebound elderly with transportation, companionship, and other services. A new facility has opened in that town for those elderly residents who need some living assistance, but do not qualify for a nursing home. Some of the Faith in Action funds went toward the purchase of a van to help these residents get to and from the grocery store, pharmacy, and other errands. A grant in Portland is targeted for persons who have acquired brain injuries and will go toward meeting the special needs of that population. And far up the coast, in the town of Lubec, a Faith in Action grant is being used to help meet the needs of children, adults, and seniors who are receiving hospice care.

The common link between all these projects, of course, is the members of the community reaching out to help those within their city or town who need their help. Faith in Action grants are rooted in voluntarism, and in linking the different religious communities within a city or town to work together to better serve the community. Only by working together can we solve some of the many problems within our cities and towns.

As chairman of the Senate Special Committee on Aging, I am extremely aware of the daunting demographics that we face in the coming decades. More than 33 million Americans are over the age of 65 today—a number that will double in the coming three decades. We need to prepare now to meet the needs of today's aging population. Faith in Action is an organization with the vision to meet that goal, by encouraging the diverse members of a community to work with one another to address the special needs of individuals within that community. We need to encourage more and more people to get involved in Faith in Action volunteer projects, or in any volunteer project at all. We can do so much for each other, even if it is only for a few hours each month.

I congratulate the organizations in Maine that have already received Faith in Action grants and are putting them to such important use. I encourage other churches, synagogues, and temples in Maine and around the country to contact their local health and social service agencies and see if they can come up with a project that might serve the needs of the elderly or disabled in their community. Finally, I salute Faith in Action and the Robert Wood Johnson Foundation for their dedication to these projects—keep up the good work.●

REFORM IN RUSSIA

● Mr. FEINGOLD. Mr. President, on February 5, Russia's Commission on Human Rights of the Russian Federation issued its report, ''On the Observance of the Rights of Man and the Citizen in the Russian Federation.'' The report covers the years 1994–1995 and its conclusion is troubling: ''the human rights situation in the Russian Federation has remained extremely unsatisfactory.'' The commission observed that constitutional guarantees for human rights and civil liberties ''remain largely rhetorical'' and that ''in many aspects of civil and political rights and liberties there has been a distinct retreat from democratic achievements.''

In support of its finding, the commission noted, inter alia: an increasing militarization of society; growth in the jurisdiction and powers of the security forces; the use of force to resolve domestic affairs, as in Chechnya; aggravation of racial and ethnic intolerance and discrimination; and the termination of state support for human rights organizations and offices. ''Political expediency,'' the commission charges, ''increasingly takes precedence over fundamental principles of law and respect for human rights and dignity,'' a cause ''for grave concern.''

Mr. President, only this past week the former head of the commission, Sergei Kovalev, was in Washington to testify before the Commission on Security and Cooperation in Europe [CSCE], also known as the Helsinki Commission and on which I have recently been appointed to serve. Mr. Kovalev was president of Russia's Commission on Human Rights from its inception in October 1993 until he submitted his resignation on January 23 of this year. The commission's report bears his stamp. His resignation was in protest over the very matters I have just noted: the fear that Russia's leaders are paying only lip service to democratic and economic reform and contemplating a return to the worst features of Soviet-era authoritarian rule.

Mr. Kovalev's testimony last week focused on the fighting in Chechnya, about which I will comment further below, but he has a long history of fighting for human rights, including as a political prisoner in the former Soviet Union. His voice is among the most respected in Russia; he maintained his seat in Russia's State Duma despite the resurgence of the Communists in December's parliamentary elections.

In his letter of resignation to President Yeltsin, Mr. Kovalev wrote:

> Even though you continue to proclaim your undying devotion to democratic ideals, you have at first slowly, and then more and more abruptly, changed the course of your government policy. Now your government is trying to turn the country in a direction completely contrary to the one proclaimed in August 1991.

He then goes on to analyze President Yeltsin's swing toward authoritarianism. Mr. Kovalev questions President Yeltsin's commitment to the basic hallmarks of democracy, when he has ''virtually halted judicial reform'', and thwarted transparency and accountability with the creation of secret institutions and constant issuing of secret decrees.

Mr. President, in the past 6 years, we have witnessed amazing democratic

and economic transformations in Russia. While these radical changes have borne some difficult and unfortunate challenges both in Russia and the international arena, Russia had been on a course of reform that we embraced. We counted on President Yeltsin, whose own personal metamorphosis had apparently paralleled his nation's, to lead Russia through these challenges. But now there are troubling signs of erosion of Yeltsin's genuine commitment to reform which, if continued, could have detrimental consequences for the U.S. national interest. Our interest lies in the continuation of reform in Russia—whether led by President Yeltsin or not.

As we wait for more reform in Russia, President Yeltsin has tried to reassure the international community with positive words and uplifting promises. But some of the actions we have seen in recent weeks, including the sacking of his respected economic advisor and other Cabinet-level reformers, lend pause. The replacements have been Soviet-era hardliners resistant to reform and internationalism. Many people have voiced reservations about President Yeltsin's authoritarian tendencies, and hope that it may just be election year posturing, a response to the decidedly antireform results of last month's parliamentary elections in Russia. The question we must ask is how far on the slippery slope do we go with President Yeltsin? When do his attempts to appease hardline critics leave Russia in the same boat he claims to want to avoid?

Mr. Kovalev testified about the excessive use of force in Chechnya and I join in his condemnation of practices repugnant to human dignity. It is clear that the fighting in Chechnya is war; the combatants on both sides are committed to a cause. But even in war, there are standards of respect for human rights and for civilized conduct. These have been violated on both sides of the conflict and both deserve condemnation.

But Russia, as a sovereign state, and as a member of the Organization for Security and Cooperation in Europe, has a special obligation to avoid civilian casualties during hostilities on its own territory. The practice of calling in indiscriminate airstrikes on Chechnyan villages must end, just as surely as the Chechnyan practice of terrorism must stop.

The overall slowing and, in fact, apparent retreat by Russia's leadership in human rights and reform brings into question the future direction of United States-Russia relations, as well as Russia's place in post-cold war alliances, in doubt. President Clinton and Secretary Christopher are right to do all they can to work with the new Russian officials and offer constructive support wherever we can to advance the cause of reform. But we must keep our eye on the ball: our goal is reform—democratic, economic, and military reform—and support for President Yeltsin to the extent that he will deliver those reforms.

I conclude by quoting from Mr. Kovalev's March 6 testimony to the CSCE in which he, in turn, drew on the wisdom of one of Russia's leading proponents of democracy and human rights, Andrei Sakharov:

> the West should have a two-track policy (towards Russia): assistance and pressure. Assist, and effectively assist—the growing civil society and democratic movement in (our) country. Exert pressure, and strong pressure—on those forces that oppose peace, human rights and progress.●

DISAPPROVAL OF ADMINISTRATION'S CERTIFICATION OF MEXICO

● Mr. D'AMATO. Mr. President, I rise today to further comment on a joint resolution introduced on March 5, 1996, that disapproves of the administration's certification of Mexico. I am joined by my colleagues Senator HELMS, Senator MCCONNELL, and Senator PRESSLER who are original cosponsors of Senate Joint Resolution 50, but were inadvertently omitted as original cosponsors upon introduction. I also urge its immediate passage.

In order to determine if a country has cooperated fully with the United States, the President must evaluate the country's efforts in several areas: their efforts to reduce cultivation of illegal drugs, their interdiction efforts, the swift, decisive action by the Government against corruption within its ranks and their extradition of drug traffickers. The results of the Government's efforts are the true indication of success. These same standards should also be used when Congress measures the accomplishments of foreign governments.

As required under the Foreign Assistance Act, the President released his list on March 1 and granted Mexico full certification. That designation is completely unacceptable, and undeserved. And for that reason, my colleagues and I are introducing this joint resolution of disapproval of Mexico's certification.

Mexico is a sieve. For the President to certify that Mexico is complying with antinarcotics efforts and curbing the export of drugs across the border is simply not supported by the facts.

Our own Drug Enforcement Agency [DEA] estimates that up to 70 percent of all illegal drugs found in the United States come from Mexico. Seventy five percent of the cocaine in the U.S. is said to have come from Mexico. Virtually all of the heroin produced in Mexico is trafficked in the United States. These numbers certainly do not sound like full cooperation to me. From these numbers alone, it seems as though the Mexican Government has failed horribly in its efforts to curb the flow of drugs into the United States. Even the International Narcotics Control Strategy Report just released by the State Department states that ''no country in the world poses a more immediate narcotics threat to the United States than Mexico.'' Our own State Department says this.

Even efforts to end police corruption have failed because the drug trade has infiltrated the Mexican law enforcement community. Robert Gelbard, Assistant Secretary of State for International Narcotics and Law Enforcement Affairs in a congressional hearing, stated that ''we have always been aware—and acknowledge—that law enforcement corruption in Mexico is a deeply entrenched, serious obstacle to bilateral antinarcotics cooperation.'' The State Department, in their 1996 Strategy Report, while acknowledging some efforts by the Mexican Government, indicates the continuation of official corruption by stating that, ''endemic corruption continued to undermine both policy initiatives and law enforcement operations.''

It is time that the Mexican Government takes aggressive action against drug traffickers. Promises are no longer adequate. Among other steps that should be taken, Mexico should be arresting and extraditing more of its cartel leaders. Mexico must comply with the 165 outstanding requests for extradition by the United States. That would be real cooperation.

The Mexican Government should also swiftly enact legislation stemming the growing problem of money laundering and enforce its anticorruption laws. There are no reporting requirements if an individual walks up to an exchange center with suitcases filled with cash. This should be adequate evidence that Mexico needs reporting requirements of large cash transactions. Action to identify and prosecute officials that interfere with the investigation, prosecution, or have assisted in the drug trade, must occur with greater frequency if government officials are to be trusted.

For the President to claim that Mexico has been fully cooperating to end the scourge of drugs is beyond belief. I hope that the Senate will now closely analyze and debate the extent of Mexico's participation in the illegal drug trade. Then we should ask ourselves, ''Is the Mexican Government taking actions that actually slows the flow of drugs?'' It seems as though it has not.

The Mexican Government must do more to fight the narcotics industry that has permeated the lives of the Mexican people and the economy of Mexico. The drug trade is worth tens of billion of dollars to Mexico. No wonder Mexico is having difficulty decreasing the flow of drugs from their country into ours. There is too much money involved.

Mexico is now being used to store cocaine from Colombia for shipment into the United States. The cartels may be storing as much as 70 to 100 tons of cocaine in Mexico at any one time. With a developing narcotics infrastructure and its close proximity to the United States, Mexico has proven to be an asset that the cartels do not want to lose. And now there are reports that

the Mexican gangs may soon take over the drug trafficking from the Cali cartel. It is ironic then that Colombia, the source country, was decertified while Mexico was fully certified.

I must also add that I have heard that some foreign officials believe our certification process is illegitimate. This is the height of arrogance. What is illegitimate about placing conditions on our foreign aid and requiring the recipient to curb the flow of drugs?

The certification process has the net effect of bringing the drug problem to the forefront, not only for the United States but also for Mexico. It seems as though only when a government is forced to confront the problem as difficult as the drug trade will a solution be found.

As a result of the amount of drugs that are found to have come into the United States through Mexico, we know that Mexico has failed to stem the international drug trade. If this administration does not want to recognize Mexico's failure, then it is up to Congress to do so. Again, I encourage my colleagues to join us in this effort.●

RECOGNIZING THE ODELSON FAMILY

● Mr. SIMON. Mr. President, the late Sam and Rose Odelson of Chicago had 13 children, 8 of whom served in the United States Armed Forces during World War II. Their contributions should be recognized.

Four sons served in Europe, three in the Pacific, and one in the States. Two were injured in combat, and altogether, they earned 20 battle stars.

Oscar served in the United States Army in Italy. Sidney, an Army veteran who landed at Omaha Beach served in France and Germany. Joe was also in the Army, serving near the tail end of the war in southern France. Julius was 89th Airborne, Roy was in the Army Air Corps, Ben served with the 13th Air Force in the South Pacific for over 2 years, and Mike was an MP in the Philippines.

All the eight Odelson boys returned home after the war. A few stayed in Chicago, the others moved out to sunny California to work in the insurance, furniture, or restaurant business.

With the recent commemoration of the 50th anniversary of World War II, it is fitting to recognize the achievements of this family. I salute these brothers and their family for their selfless commitment to our country.●

CONDEMNING THE CAMPAIGN OF TERROR AGAINST ISRAEL

● Mr. BIDEN. Mr. President, in a statement last week I condemned two terrorist bombings which took place in Jerusalem and Ashkelon 12 days ago. I did not think that it would be so soon that events would bring me once again to this floor to condemn another pair of cowardly attacks against innocent people, including young children.

Today, Israelis are justifiably shocked, disgusted, and angry. To bring home just what Israel is experiencing, let me provide a vivid comparison. On a proportional basis, the number of people killed by terrorists in Israel over the past 12 days would be equivalent to over 3,000 Americans killed. Imagine what our reaction would be if over 3,000 Americans were murdered in terrorist attacks in such a short period.

I dare say that our fundamental sense of stability and security as a nation would be shaken to its very core. That is what Israelis are feeling today.

As difficult as it is in this moment of grief and anger, we have to recognize the motive of those behind these dastardly attacks. Their single-minded aim is to end the peace process cold.

We cannot let them have the satisfaction of that kind of victory. We must resist the urge of our raw emotions in the wake of these outrageous attacks. We must not discard the remarkable achievements of the past 3 years, for that would play directly into the hands of the terrorists.

Last week, I urged that the peace process continue. I believe that even more firmly now.

The terrorists can be defeated through a two-pronged strategy. First, there must be intensified efforts to destroy the infrastructure and network that are ultimately behind terrorist actions. In that regard, I commend President Clinton for offering technical assistance to the Israelis and Palestinians in the war against terror. Second, we must prove to the terrorists that their actions are not producing the desired results. That means moving forward undaunted with the peace process.

Last week, I appealed to the Palestinian majority that supports peace to join the battle against terror with renewed vigor because it is their future that is most at stake. I renew that call today. If these attacks continue, then the Palestinian experience with self-government could become a fleeting memory.

Mr. President, in my remarks today I have used the term ''war''—the same term Prime Minister Shimon Peres has used to describe the state of affairs between Israel and Hamas. It is an appropriate term to use, and unlike many wars this one is a clear-cut conflict between good and evil.

A victory by the pro-peace majority of Israelis and Palestinians could lead the way to a thriving, vibrant, and cooperative Middle East. A victory by Hamas and its extremist allies on both sides will mean conflict, bloodshed, and division long into the future.

In this war, as in all of Israel's wars, the United States will stand by Israel and do whatever it takes to ensure victory.

Mr. President, Israel has endured much suffering in its short history, and it has shown remarkable fortitude in the face of terrorism and other attempts to destroy it. The Israeli people have always thwarted the designs of those who have tried every means to eliminate their country. I have no doubt that they will prevail in their present struggle against those who have declared war against Israel, the peace process, and, indeed civilization itself.●

REPORT OF SENATE DELEGATION'S TRIP TO THE MIDDLE EAST

● Mr. PELL. Mr. President, in February, I led a congressional delegation on a trip to Jordan, Syria, Israel, and Cyprus. I was pleased to be joined on this trip by the distinguished Senators from Virginia and Oklahoma—Senators ROBB and INHOFE.

On our trip, Senator INHOFE, Senator ROBB, and I focused primarily on the Middle East peace process, including prospects for a peace treaty between Israel and Syria, as well as the implementation of Israel's peace agreements with Jordan and the Palestinians. During our stop in Cyprus, we examined the conflict between the Greek and Turkish Cypriots and the likelihood of a peaceful, negotiated settlement.

Since our return, the Middle East—and specifically Israel—has been wracked by an unimaginable wave of violence and terror. The murder of scores of innocent Israelis, as well as Palestinians, Americans, and other civilians, has cast an unmistakable pall over the peace process. To be frank, I am not sure that any supporter of the peace process, be they in Israel, the Palestinian autonomous zone, or the United States, has a clear idea of what the future holds.

My own hope is that the process can survive this unspeakable assault. Our recent trip reaffirmed for me the clear fact that the terrorists are the enemies of peace. If the terrorists succeed in destroying the peace process, then they will be rewarded for their depravity. I do not think such an outcome would be right or fair.

Mr. President, the Senate already has responded to some of the terrorist bombings in Israel. Scarcely a week ago, the Senate passed a resolution to condemn the perpetrators, to commiserate with the victims, to express continued support for our ally, Israel. In a shocking indication of how frequent these incidents have become, however, the Senate will soon consider yet another resolution that condemns two more bombings that have occurred since the passage of the last resolution.

Above and beyond these resolutions, I would expect that there may be some deep soul searching in both the Congress and the administration about the American role in coordinating the peace process. In this regard, I thought it might be useful to share with my colleagues the report that our Senate delegation made on its recent trip to the Middle East. As I said a moment ago, our trip preceded the recent wave

of terror, but I think that our observations, conclusions, and recommendations remain timely and important.

Mr. President, I ask that our delegation's executive summary be printed in the RECORD.

The summary follows:

LETTER OF TRANSMITTAL

FEBRUARY 23, 1996.

Hon. JESSE HELMS,

Chairman, Senate Committee on Foreign Relations, Washington, DC.

DEAR MR. CHAIRMAN: From February 7–14, 1996, our Senate delegation traveled to the Eastern Mediterranean, visiting Jordan, Syria, Israel, and Cyprus. The delegation, led by Senator Claiborne Pell, Democrat from Rhode Island and Ranking Minority Member of the Senate Committee on Foreign Relations, included Senator Charles S. Robb, Democrat from Virginia and a Member of the Senate Committees on Foreign Relations, Armed Services and Intelligence; and Senator James Inhofe, Republican from Oklahoma and a Member of the Senate Committees on Armed Services and Intelligence. We were accompanied by Senate Foreign Relations Committee staff members Edwin K. Hall (Minority Staff Director and Chief Counsel), George A. Pickart (Minority Professional Staff Member for the Near East and South Asia), and Peter M. Cleveland (Minority Professional Staff Member for East Asia and the Pacific) and by Jay C. Ghazal (Legislative Assistant to Senator Pell for Defense Issues).

The purpose of the trip was to focus on the Middle East peace process, including prospects for a successful conclusion to the bilateral negotiations between Israel and Syria, and the status of the implementation of Israel's peace agreements with Jordan and the Palestinians. We also examined the potential for a peaceful and negotiated settlement to the conflict on Cyprus.

In Jordan the delegation met with His Majesty King Hussein bin Talal, Her Majesty Queen Noor, and with newly-appointed Foreign Minister Abdal Karim al-Kabariti; in Syria with Foreign Minister Farouq al-Shara and Vice President Abdal Halim Khaddam; in Israel with Prime Minister Shimon Peres and with representatives of the Israel Defense Forces on the Golan Heights; in Gaza with PLO Chairman Yasser Arafat and newly elected Palestinian Council members Haider Abdel Shafi, Ziyad Abu Amer, and Riyad Zanoun; and in Cyprus with President Glafcos Clerides, House President Alexis Galanos, and Turkish Cypriot leader Rauf Denktash. In addition, Senators Robb and Inhofe, both members of the Senate Select Committee on Intelligence, met separately with U.S. intelligence officials on matters pertaining to the region.

Our visit to the region coincided with a period of intense activity with regard to the peace process and other matters:

On the day of our arrival in Israel, Prime Minister Shimon Peres called for early elections in an effort to secure a mandate for his peace negotiations with Syria;

Syria and Israel, fresh from a scheduled break in their negotiations at Wye Plantation in Maryland, had just hosted a shuttle visit by U.S. Secretary of State Warren Christopher;

The Palestinians had just concluded elections for a chief executive—a vote won overwhelmingly by PLO Chairman Yasser Arafat—and an 88 member council;

On the day we traveled to Gaza, Israel had sealed its borders with the Palestinian autonomous area for security reasons, one of many closures since the onset of self-rule;

Israel and Jordan continued to work out arrangements to implement their recent peace treaty, at the same time that King Hussein exhibited a more aggressive posture towards Iraq;

As Ankara grappled with forming a new government and as Athens installed new leadership, tensions flared between Turkey and Greece over an uninhabited Dodecanese islet, and a visit by a high-level U.S. envoy to mediate over Cyprus was cancelled.

We would like to commend the dedicated U.S. Foreign Service personnel at the American Embassies in Jordan, Syria, Israel and Cyprus, and at the U.S. Consulate General in Jerusalem, for their assistance and support during our trip. In particular, we would like to express our deep appreciation to Ambassador Wesley W. Egan, Jr. and Deputy Political Counselor Margot Sullivan in Amman; Ambassador Christopher W.S. Ross and Political Officer Laurence Silverman in Damascus; Ambassador Martin S. Indyk and Political Officer John Hall in Tel Aviv; Consul General Edward G. Abington, Jr. and Political Officer Gina Abercrombie-Winstanley in Jerusalem; and Ambassador Richard A. Boucher and Political Officer John Lister in Nicosia, for their special efforts to make our trip a success.

We would also like to thank our military escort, Commander Sean Fogarty (USN), as well as Commander Joe Malone (USN), and YN1 Dwight Brisbane (USN) for their exceptional work in support of the delegation.

This report attempts to present a snapshot of the circumstances at the time of our visit. Our visit, it should be noted, preceded the recent wave of terrorist bombings in Israel, so the report does not address the bombings or their potential impact—which undoubtedly will be quite significant on the region and the prospects for peace. The views expressed are our own, and do not necessarily reflect those of the Senate Committees on Foreign Relations and Armed Services, or the individual members thereof.

Sincerely,

CLAIBORNE PELL.
CHARLES S. ROBB.
JAMES M. INHOFE.

EXECUTIVE SUMMARY

ISRAEL-SYRIA PEACE NEGOTIATIONS

Peace talks between Israel and Syria resumed late last year and showed signs of progress. Syrian and Israeli officials report that serious discussions have taken place under U.S. auspices at Wye Plantation in Maryland, and that the new informal setting helped to produce greater flexibility from both sides.

The parties may become distracted by early elections in Israel and the presidential campaign in the United States, which in turn may prevent them from reaching quick agreement on a peace treaty. But officials from Israel and Syria say substantive negotiations will continue for the foreseeable future and assert that an agreement remains possible.

Notwithstanding the improvements in atmosphere, Syria and Israel still have a tough road ahead in the negotiations:

The relationship between the two countries is plagued by instinctual mistrust;

Difficult decisions remain to be made on security arrangements on the Golan Heights (including the extent of Israel s withdrawal, the dimensions of demilitarized zones, and the possible presence of an international monitoring force including U.S. troops) and on the fabric of the future Israeli-Syrian relationship.

Syrians accept the inevitability of peace with Israel, but appear uncertain of the terms, ill-prepared for a normal relationship and reluctant to accept the concept of a warm peace.

ISRAELI-PALESTINIAN PEACE AGREEMENTS

Assuming the recent terrorist bombings in Israel do not cause the peace process to unravel completely, the ''Oslo II'' agreement between Israel and the Palestinians will set the stage for the emergence of a permanent Palestinian entity—which Palestinians see as their own state with East Jerusalem as its capital, and which Israelis see as something far short of that.

Palestinian officials, including PLO Chairman Yasser Arafat, bristle at what they perceive to be ''unequal'' U.S. treatment of Israel and the Palestinians, but acknowledge the importance of their own commitments on security and wish to be seen as working hard to prevent acts of violence and terror against Israelis.

The Palestine National Council will have to decide whether and how to amend the PLO Covenant, which still refers to the destruction of Israel. Arafat clearly recognizes the need to address the issue, but is not yet fully committed to changes that will be as forthcoming and precise as Israel and others would expect.

The Palestinians must develop and refine the institutional basis for their experiment with self-rule. Recent elections succeeded in creating an 88 member council, but council members have yet to meet and seem to lack confidence about their role in Palestinian society and their relationship with Arafat—their powerful chief executive.

ISRAEL-JORDAN PEACE TREATY

Jordan and Israel are implementing their October 1994 peace treaty with vigor and in good faith. As King Hussein stated, ''The peace process is over. It's peace building now.''

In recent months, King Hussein has taken a new and aggressive posture towards Iraq, granting asylum to two highly-placed Iraqi defectors (who willingly returned to Iraq after our visit and were subsequently murdered), calling for greater coordination among Iraq's fractured opposition, and talking about a federated Iraq. The King's statements and actions present a challenge to Saddam Hussein and have sparked the interest—not all positive—of other regional powers such as Syria.

CYPRUS CONFLICT

The situation in Cyprus, which is closely connected to the relationship between Greece and Turkey, remains jittery and uncertain. The recent escalation of tensions between Ankara and Athens over a small Dodecanese island underscores the acute need to resolve differences between the Greek and Turkish Cypriot leaders.

While some in the Greek and Turkish Cypriot communities appear willing to seek reconciliation, and even with the broad outlines of a solution apparent for some time, a recent attempt by the U.S. Administration to initiate a high-level mission on Cyprus failed to take hold.

The United States stands ready to devote considerable resources and energy to the problem, but the parties offer few prescriptions for improving the current hostile climate. The tendency of the Turkish Cypriot leadership to rehash old grievances when discussing current problems suggests that the impasse may remain for some time.●

PRESIDENT'S DAY

● Mr. NUNN. Mr. President, I rise today to bring to the Senate's attention a practice that has crept into our popular culture with little notice. This practice relates to the Federal holiday we observe every year on the third

Monday in February. According to current Federal law, this holiday is ''Washington's Birthday'' in honor of our great first President. In its de facto observance, however, this holiday has become known as ''President's Day'' because of its proximity to the birthday of our 16th President, Abraham Lincoln.

This matter was recently brought to my attention by the President of the Society of the Cincinnati. The Society's concern is that by combining the two holidays in popular observance, we dilute the remembrances of the gravity and importance of the achievements of both men—one who fought to found our Nation and one who fought to preserve it. According to law, President Lincoln's birthday is observed on February 12.●

DRUGS AND YOUTH: THE CHALLENGES AHEAD

● Mr. FEINGOLD. Mr. President, last week retired Army General Barry McCaffrey was confirmed by the U.S. Senate to be this Nation's fifth drug czar. Perhaps the biggest, and most important, challenge facing General McCaffrey is the emerging trend of increasing drug use among young people. A recent survey of students in the 8th, 10th and 12th grades yielded some troubling results. According to the annual Monitoring the Future survey, drug use among secondary school students, particularly marijuana, is on the increase. The nationwide study also found that the use of LSD, stimulants, inhalants and hallucinogens also increased, albeit not to the extent of marijuana use.

As a parent, perhaps the most troubling of the study's findings was that which gauged the attitudes of young people regarding the risks of drug use. The proportion of secondary school students who see drug use as dangerous continued to decline in 1995. The significance of this should not be overlooked. In regard to the risk of drug use, the Department of Health and Human Services found that 9 out of 10 adult cocaine users started using drugs as a teenager. The potential problem increases when one considers that there are currently 39 million Americans under the age of 10. Given these demographics, the actual number of teens using drugs will increase when these children reach their late teens and twenties, even if the percentage of users remains the same as it is today. Failure to address these emerging attitudes, in addition to leading to increased youth drug use, may also lead to increased crime and violence which often accompanies drug abuse.

In an effort to learn from the experiences of communities all across the Nation and raise awareness about youth drug use and the violence, President Clinton has invited concerned individuals from all across the Nation to a national summit which is taking place today in Greenbelt, MD. In addition several cities, including Milwaukee, will be joining the summit by video teleconference. Wisconsin will be well represented both in Greenbelt and Milwaukee.

Among those representing Wisconsin in Greenbelt is Capt. Charles Tubbs of the Beloit Police Department. As head of the department's community relations division, Captain Tubbs has gained national recognition for his efforts in regard to gangs and school related violence. His leadership has led to the development of many community based initiatives which deal directly with the problems associated with young people.

Coordinating the Milwaukee site will be James Mosely, director of the Milwaukee-based, Fighting Back Initiative. This program draws upon many resources from throughout the community to deal directly with the problems associated with drug and alcohol abuse in Milwaukee's north and southside communities.

The national summit presents an opportunity to learn about these community based antidrug efforts as well as others from all across this Nation. A great deal can be learned from the people in our cities and towns who deal with these problems on a daily basis. A comprehensive antidrug policy must develop partnerships which build on the experiences and needs of local communities.

One such partnership involving the Drug Enforcement Agency and law enforcement in northeastern Wisconsin recently resulted in a drug bust garnering 40 pounds of marijuana with an estimated street value of $250,000. The officers of the Brown County Sheriff's Department, as well as the DEA agents who lent a helping hand, deserve our respect and admiration for their willingness to identify a problem and work together to solve it. We should learn from their example, and seek more cooperative efforts of this nature. I am pleased that General McCaffrey has indicated that he intends to do just that.

In closing, Mr. President, Capt. Tubbs and James Mosely are just a few examples of the hundreds of dedicated people all across our State who are committed to helping young people lead better lives and in the process, making our communities better places to live. There can be little doubt that drug use, particularly among our young people, presents a danger and that finding the solution will require the dedication of each of us. As General McCaffrey acknowledged, solving the drug problem will not occur overnight, it will take a determined and consistent effort over a number of years. Building on the good work and experiences of people like Charles Tubbs and James Mosely is a good place to start.●

TRIBUTE TO BRIAN KLINEFELTER, SLAIN POLICE OFFICER

● Mr. WELLSTONE. Mr. President, I rise to pay tribute to a very brave man, to police officer Brian Klinefelter who sacrificed his life on January 29, 1996, in the line of duty. He was shot to death when he approached three robbery suspects whom he had pulled over on a dark county road. Backup was only 2 minutes away, and his shift had ended about 15 minutes before the incident occurred.

It is a tragedy when any policeman falls in the line of duty. However, this occurred in St. Joseph, a small town were officer Brian Klinefelter was known by most on a first-name basis. Admired by young and old, his untimely death had an immediate impact on this close-knit, central Minnesota community.

As a small boy, Brian Klinefelter had always dreamed of becoming a police officer. He was a 1988 graduate of Apollo High School where he played football and he received his police training at Alexandria Technical College. He had been a policeman with the six member St. Joseph Police for 2½ years, and he had proudly built his career on dedication and commitment. At the age of 25 he was nominated for the top award of Officer of the Year after talking an armed gunman into surrendering in August, 1995.

Brian's death was especially hard for the citizens of St. Joseph because it was the first death of a policeman and the first in the St. Cloud area in more than 57 years. His slaying marked the 178th death of a peace officer in the line of duty in Minnesota in the past 114 years. Over 2,200 people attended his funeral, including over 1,600 law officers with a stream of more than 500 squad cars from the Midwest and Canada.

Friends and colleagues remember Brian as a very caring person with a big heart who loved being a law enforcement officer. He was a devoted and loving husband, a wonderful father, a caring and beloved son, a generous and loving brother, a loyal friend, and a fine policeman who dedicated his life to defending the peace. As we honor him, I want to share with you a part of his family's memories, ''Brian's love and dedication to his profession should serve as a model for everyone in their lives.''

I extend my deepest, heartfelt sympathy to his devoted wife, Wendy and his baby daughter Katelyn, and his parents, siblings, and fellow officers. Officer Brian Klinefelter leaves a rich legacy of protecting the lives and property of his fellow citizens, and we will never forget this gallant man.●

ORDERS FOR MONDAY, MARCH 11, 1996

Mr. LOTT. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 12 noon, Monday, March 11, further, that immediately following the prayer, the Journal of proceedings be deemed approved to date, no resolutions come over under

the rule, the call of the calendar be dispensed with, the morning hour be deemed to have expired, and the time for the two leaders be reserved for their use later in the day, and the Senate begin a period for the transaction of routine morning business, with Senators permitted to speak for up to 10 minutes each, with the following exception: Senator MURKOWSKI for 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LOTT. Mr. President, I further ask unanimous consent that at 1 p.m., on Monday, the Senate immediately turn to the continuing resolution, H.R. 3019.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. LOTT. Mr. President, for the information of all Senators, the Senate will begin consideration of the continuing resolution at 1 p.m., on Monday. Several amendments are expected to be offered. However, any votes with respect to those amendments will be postponed to occur on Tuesday, at a time to be determined by the two leaders. Therefore, there will be no rollcall votes during Monday's session of the Senate.

In addition, Mr. President, a cloture motion was filed on both the D.C. appropriations conference report and the legislation with respect to Whitewater. Under a previous order, those two cloture votes will occur beginning at 2:15 p.m., Tuesday, and they will be back-to-back votes. Additional amendments and votes will occur on Tuesday with respect to the continuing resolution. It is the hope of the leadership that the continuing resolution can be completed by the close of business Tuesday.

ADJOURNMENT UNTIL MONDAY, MARCH 11, 1996

Mr. LOTT. Mr. President, if there is no further business to come before the Senate, I now ask that the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 6:17 p.m., adjourned until Monday, March 11, 1996, at 12 noon.

EXTENSIONS OF REMARKS

SWING INTO SPRING: A HARLEM TRIBUTE TO LIONEL HAMPTON

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 7, 1996

Mr. RANGEL. Mr. Speaker and Members of this great body, It is said, ''give me my flowers now while I am still around to enjoy them''.

I rise to pay tribute once again to an individual who really needs no introduction * * * to one who certainly in his lifetime has made an impact on the world as a great American, an ambassador of goodwill, a musical genius, and without a doubt, a living legend. If you have not guessed by now, the person of whom I speak is none other than Lionel Hampton.

On Tuesday, March 19, I, as chairman of the board of the Apollo Theatre Foundation, Inc., and executive producers Grace Blake and Bill Titone, will present ''Swing Into Spring''—A Harlem Tribute to Lionel Hampton.

This star-studded musical tribute marks an opportunity to celebrate the life and accomplishments of Lionel Hampton by his many friends, admirers, and those who have benefited from his work and musical greatness.

Whether you are familiar with his musical accomplishments or not, over the years, Lionel Hampton has known no status where he was not eagerly accepted, as he has been well received the world over by Presidents, politicians, kings, and queens. His very music has caused the walls of Communist nations to come tumbling down.

However, it is not only for his music that Lionel Hampton is well known for he is also a staunch leader in the community. His fame has not let him forget the homeless and the hopeless. A long supporter of public housing, he developed the Lionel Hampton Houses in the early 1970's and upon completion, built the Gladys Hampton Houses, named for his late wife. To this day, those projects are considered among the best in the Nation.

The Lionel Hampton Community Development Corp. has built more than 500 low and moderate income apartments in my congressional district of Harlem alone.

Lionel Hampton holds more than 15 honorary doctorates and received the gold medal of Paris, its highest cultural award, from its Mayor, Jacques Chirac. He was appointed to the Board of Trustees of the Kennedy Center in 1991 by President George Bush, and in December 1992, he was awarded a prestigious Kennedy Center honor for his lifetime career achievements as a musician and teacher. Since then, he continues to produce educational events and considers the real highlight of his career as having the music school at the University of Idaho named for him—the Lionel Hampton School of Jazz.

Whether you are black or white, rich or poor, Democrat or Republican, I am sure you would agree that Lionel Hampton represents the very best of America. It is in this instance that March 19 will be proclaimed ''Lionel Hampton Day'' in New York City and New York State.

TRIBUTE TO REV. DR. GRANVILLE A. SEWARD

HON. DONALD M. PAYNE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 7, 1996

Mr. PAYNE of New Jersey. Mr. Speaker, I would like to bring to the attention of my colleagues a dedicated leader and servant of the people, Rev. Dr. Granville A. Seward. Rev. Dr. Seward is celebrating his 28th anniversary as pastor of the Mt. Zion Baptist Church in Newark, NJ.

Rev. Dr. Granville A. Seward was licensed to preach at the age of 17. He accepted the pastorate at the First Baptist Church of Rendville, OH, when he was 22. He is a graduate of Ohio State University. He received the master of divinity and doctor of divinity degrees from the Colgate Rochester Divinity School. Rev. Dr. Seward is a member of the board of trustees at the Colgate Rochester/Bexley Hall/Crozer Theological Seminary.

For many years Rev. Dr. Seward diligently prepared for his place in a changing society. His education and life experiences have been used to focus on the topic of his doctoral thesis, ''The New Creation and the Emergence of a New Humanity.'' He has pragmatically looked at his church and our community and has developed programs that address the burgeoning needs of a diverse congregation and community. He has taken an active role in our community by serving as a member of the Newark Board of Education. He is also the dean of the Open Forum Baptist Ministers Conference of Newark and Vicinity.

Rev. Dr. Seward is the first pastor of Newark's Mt. Zion Baptist Church to ordain women deacons. He instituted prayer services at nontraditional times to better serve our population. He has developed feeding and clothing programs for the less fortunate. He implemented various types of ministries within Mt. Zion, where ''every member is a minister'' is emphasized.

Mr. Speaker, when we look at the shepherd who is tending his flock well, Rev. Dr. Granville A. Seward is among the chosen. I am sure my colleagues will join me as I extend my congratulations and best wishes to Rev. Dr. Seward, his wife, four children, and two grandchildren.

A BILL TO AMEND SECTION 1505 OF THE HIGHER EDUCATION AMENDMENTS OF 1986

HON. WILLIAM F. GOODLING

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 7, 1996

Mr. GOODLING. Mr. Speaker, today, I, along with our colleague from Michigan, Mr. KILDEE, am introducing legislation to correct a board of trustees appointment problem for the Institute of American Indian Arts. This simple fix will help maintain the continuity of that board.

The Institute of American Indian Arts is a federally created institution of higher education. It's primary purposes are to provide scholarly study of and instruction in Indian art and culture, and to establish programs which culminate in the awarding of degrees in the various fields of Indian art and culture. The institute is authorized under title XV of the Higher Education Amendments of 1986, and policy for the institute is set by a board of trustees which includes 13 voting members appointed by the President with the advice and consent of the other body.

Unfortunately, the board appointment process has proven to be overly cumbersome and this has resulted in a number of board members serving additional terms, sometimes beyond the time they wished to serve, in order to ensure that the board could maintain a quorum.

The legislation we are introducing today would simply amend section 1505 of the Higher Education Amendments of 1986 to allow the board to recommend successors for board members whose terms are expiring and who do not wish to serve additional terms. The President would have the prerogative to act on these recommendations, or to appoint another qualified individual of his choosing subject to the confirmation of the other body.

However, should the President fail to act within 2 months of the expiration of the sitting member's term, and should that member not wish to serve an additional term, then the individual recommended for appointment by the board would be automatically seated.

This legislation makes a simple correction to the institute's board appointment process. It was requested of us by the interim president of the institute, who is concerned that without this fix the board may not be able to maintain a quorum and the institute might suffer.

This legislation is bipartisan and revenue neutral. It does not limit the options of the President in making appointments to the board, but merely streamlines the appointment process for this one institute.

This is common sense legislation, and I urge its support.

IN SUPPORT OF H.R. 2778

HON. JERRY F. COSTELLO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 7, 1996

Mr. COSTELLO, Mr. Speaker, I rise today in support of H.R. 2778, providing for relief for members of the Armed Forces currently serving on peacekeeping missions in Bosnia.

This bill will provide benefits to those peacekeeping troops currently in Bosnia as part of Operation Joint Endeavor. For these military personnel, there should be no penalty for delays or tax on pay related to their service overseas.

Specifically, the troops would receive an extension for filing income tax returns without penalty, exclusion of combat pay for taxation, forgiveness of income tax, and a reduction in estate taxes for those who die or are injured during the mission.

In addition, military personnel in the combat zone also would be able to make long distance phone calls without being subject to the 3 percent excise tax. Tax benefits would be retroactive to December 4, 1995, and in effect until substantial U.S. involvement in the peacekeeping mission came to an end.

Mr. Speaker, it is important that Congress try to alleviate as much of the burden as possible on our troops in Bosnia, and this small step will help those families trying to make ends meet while their loved ones are keeping the peace overseas. I urge my colleagues to join me in supporting this important legislation.

INTRODUCTION OF AMENDMENT TO THE HIGHER EDUCATION ACT OF 1965

HON. CHARLIE NORWOOD

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 7, 1996

Mr. NORWOOD. Mr. Speaker, this legislation would allow five historically black graduate schools to continue to compete for Federal grant funds under section 326 of title III of the Higher Education Act. Morehouse School of Medicine, Meharry Medical College, Clark-Atlanta University, Charles R. Drew Postgraduate Medical School, and Tuskegee University School of Medicine are all in danger of becoming ineligible for grant funds. These funds support the purchase of laboratory equipment, improvements to classrooms, libraries and laboratories, faculty development, and academic instruction. It is important that this Congress reaffirm its commitment to high quality graduate level education for young African-Americans in this country. This amendment allows us to continue that tradition.

Historically black graduate schools train half of this country's African-American physicians, pharmacists, and dentists, as well as three quarters of all African-American veterinarians. For the most part, these individuals practice in poor urban and rural areas, where they serve large portions of disadvantaged Americans. These schools and individuals are providing a valuable service to this country by meeting one of the major challenges currently facing our health care system. They deserve our appreciation and our support whenever possible.

This piece of legislation will continue these schools' grant eligibility, without any fiscal implications for the Federal Government. Passage of this legislation allows these fine graduate institutions to continue to provide top quality education and training to their students.

The other 11 historically black graduate programs have no opposition to the continued eligibility of these 5 schools, and the decision to fund this particular section remains in the hands of the Appropriations Committee. There is no reason to restrict access to these funds.

TRIBUTE TO DANIEL J. CADY

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 7, 1996

Mr. KILDEE. Mr. Speaker, I stand before you today to ask that you and my colleagues in the U.S. House of Representatives join me in paying tribute to Mr. Daniel J. Cady of my hometown Flint, MI.

Mr. Cady is being honored today by his many family members and friends for 36 years of service to the Flint Community School District. Mr. Cady began his career with the Flint Community Schools in 1960, and has held numerous positions to include Community School director; coordinator instructor—Associate Community School Director Program; director of the Mott Program leadership training; consultant for staff development and leadership training; coordinator for staff development and leadership training; and director of Community Education Programs and Services; a position which he held until his retirement on January 31, 1996.

Mr. Cady's dedication to his profession has been much more than just doing a job. Over the 36 years that he has worked in the field of community education his leadership has been an inspiration for others at the local level, and also the State and national levels where he served as the president of both the Michigan Association of Community and Adult Education and the National Community Education Association. Additionally, he traveled throughout the United States assisting others as they learned the power of involving the people of their community in both education and Government.

During the 1930's, Charles Stewart Mott and Frank Manley began this program of opening school buildings to the community, and from there the formation of the community education concept. Over the years there have been a number of different individuals who have been leaders in this movement; Dan Cady is one who has carried on the responsibility of those before him by serving as a role model for many. Mr. Cady now is moving on to a new challenge as the director of the National Center for Community Education. I know he will provide the same dedication and commitment to his new position as he has to all previous.

Mr. Speaker, I ask you and all my colleagues in the U.S. House of Representatives to join me in congratulating Daniel J. Cady on his retirement from 36 years with the Flint Community Schools and also wish him well in his new position as director of the National Center for Community Education.

HAPPY 50TH ANNIVERSARY TO MR. AND MRS. ELBERT TEFFERTILLER

HON. GLENN POSHARD

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 7, 1996

Mr. POSHARD. Mr. Speaker, I rise today to celebrate an occasion that is becoming an extremely rare event. Elbert ''Bert'' Teffertiller and his wife Alice will celebrate their 50th wedding anniversary on March 12. It is with great respect and admiration that I offer them my congratulations on reaching this glorious milestone.

The Teffertiller's were married shortly after Bert returned from over 3 years of service in the Army during World War II. The couple settle in McLeansboro in 1947 and have resided in Hamilton County ever since. They raise their two children there, and have since been blessed with five grandchildren. In and of itself, 50 years in the institution of marriage is a remarkable achievement. The commitment to spouse and family is truly momentous, and this kind of devotion often means there is less time for outside activities. This is certainly not the case with the Teffertillers.

Since they opened their first clothing store in McLeansboro the year of their marriage, Bert and Alice have gradually expanded their businesses to include shoes, furniture, cars, and homes, all the while helping to improve the local economy. Their devotion to their customers is legendary in the region, as they are known for their fantastic promotions featuring carnival rides, beauty queens, and television stars, refreshments, and a fair and honest deal. In 49 years of proprietorship, the Teffertillers have never forced payment, which speaks to another kind of commitment, to their community. Bert has served on numerous boards and associations, including as president of the McLeansboro Merchant's Association and president of the Hamilton County Chamber of Commerce. Also, both the Teffertillers are active members of their church.

Mr. Speaker, Bert Teffertiller has said he has tried to give back to the community more than he received, and it seems this family has accomplished that worthy goal. Their dedicated service to each other, to their family, and to their fellow citizens has set a tremendous example for the entire Nation. I wish them many more happy years of marriage, and it is my great pleasure to represent them in the U.S. Congress.

TRIBUTE TO HISPANAS ORGANIZED FOR POLITICAL EQUITY (HOPE)

HON. LUCILLE ROYBAL-ALLARD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 7, 1996

Ms. ROYBAL-ALLARD. Mr. Speaker, on Friday, March 8, 1996, Hispanas Organized for Political Equity [Hope] Education and Leadership Fund's Fifth Annual Symposium is taking place in California's 33d Congressional District in honor of the past and future accomplishments of Latinas.

This year's theme, ''A Proud Past * * * A Powerful Tomorrow,'' is certainly appropriate. As Latinas, we are at a crossroads. Today, we are prouder than ever to be rooted in our cultural traditions. At the same time, we are breaking the glass ceiling and pioneering into areas our mothers never would have dreamed possible. Latinas own major businesses, serve as executives in our Nation's largest corporations, and are being elected to public office in increasing numbers throughout all levels of government. As our accomplishments grow, we continue to fulfill our rule as the nurturers and educators of our children.

I am extremely optimistic about our future. In 25 years, it is estimated that Latinos will become the majority population group in California. Our new role tomorrow demands that Latinas continue to tackle new challenges and responsibilities today. HOPE will play a crucial role in preparing Latinas to lead California into the future.

I salute the HOPE Education and Leadership Fund for their commitment to Latinas and our children and, in their honor, proclaim March 8, 1996, as Latina History Day.

TRIBUTE TO DANIEL WILLIAMS

HON. DONALD M. PAYNE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 7, 1996

Mr. PAYNE of New Jersey. Mr. Speaker, I would like to bring to the attention of my colleagues one of the tireless soldiers in the army of justice and equality—Daniel Williams.

Danny, as he is affectionately known, was honored by the Giblin Association on Sunday, February 18, 1996. Tribute was paid to him for his dedication to a number of communities—labor, civic, and social. Over the years, Danny has taken his place amongst a variety of individuals to ensure that everyone has equal opportunity to live, learn, and succeed.

Most of his work has been done in conjunction with the labor movement. A strong labor activist, Danny has used his experience and opportunities to draw attention to matters that affect the very fiber of our community. He is active with the International Union of Operating Engineers Local 68–68A–68B. He serves this organization as director of community relations. He uses this position to interact with the national organizations of the NAACP, the Urban League, the A. Philip Randolph Institute, as well as other civil rights organizations.

Danny is also active in his local community. He is a member of the Executive Board of the Vailsburg Block Association and the Reynolds Place Block Association. He is a district leader representing the 36th district of Newark's west ward for the Essex County Democratic Committee. Always willing to serve, he is the sergeant-at-arms for the executive board of the Essex County Democratic Committee.

I am proud to have this dedicated citizen in my district. I offer my congratulations and best wishes to Danny and his wife, Bernice.

A BILL TO AMEND THE HIGHER EDUCATION ACT OF 1965

HON. WILLIAM F. GOODLING

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 7, 1996

Mr. GOODLING. Mr. Speaker, today, I am cosponsoring a bill introduced by Mr. NORWOOD and Mr. CLAY, to amend the Higher Education Act of 1965 to allow five historically black graduate professional schools to remain eligible for grant funding under section 326 of title III of that act.

These institutions compete for grant funds made available through the appropriations process. The Secretary of Education selects recipients who are making a substantial contribution to the legal, medical, dental, veterinary or other graduate opportunity for African Americans. The five original institutions, including Morehouse School of Medicine, Meharry Medical College, Clark-Atlanta University, Charles R. Drew Postgraduate Medical School, and Tuskegee University School of Medicine will become ineligible for grant funding after the next appropriations cycle. Although these institutions may still need grant funds and may be making the substantial contribution required under the statute, they will be ineligible simply due to the fact that they have received two 5-year grants.

This bill simply allows these institutions to continue to compete for funds along with other eligible institutions. Rather than terminating their eligibility solely due to timing, the decision will be based on meeting the requirements of the Secretary in determining substantial contributions to the fields outlined above.

The schools which compete for funds under section 326 of title III train 50 percent of the African American physicians, pharmacists and dentists in this country, as well as, 75 percent of African American veterinarians. Many of the medical schools serve large numbers of disadvantaged individuals who have no health insurance and are in dire need of quality health care. In light of the current health care problems facing this country, I believe that Congress should continue to support the important role of historically black graduate professional schools in helping to address this key issue.

TRIBUTE TO GWEN TOWNS

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 7, 1996

Mr. TOWNS. Mr. Speaker, Mrs. Gwen Towns attended college in her home State of North Carolina where she received a bachelor of science in early childhood education from North Carolina Agricultural and Technical State University. Later, she earned a master's degree in guidance and counseling from Brooklyn College, and obtained post master credits from Pace University.

As an advocate for quality education for children and adults, she has taught in New York for several organizations, including the Women's House of Detention and the board of education. In addition, Mrs. Towns has served as a member of various national and local education committees.

Mrs. Towns has been recognized on numerous occasions for her commitment and leadership on issues related to education and her efforts as a community activist. Also, she serves on the board of directors for the Brooklyn Children's Museum, St. Joseph's Home for Children, and president of the Interfaith Medical Auxiliary. She is a member of the NYC chapter of Jack and Jill of America, Inc., Conerned Women of Brooklyn, and an active member of Berean Missionary Baptist Church.

Most importantly, she and Congressman ED TOWNS are the proud parents of two children, Assemblyman Darryl Towns and Deidra Towns, and the grandparents of Kiara Towns and Jasmine Towns.

IN HONOR OF MAYOR DENNIS P. COLLINS

HON. ROBERT MENENDEZ

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 7, 1996

Mr. MENENDEZ. Mr. Speaker, I rise today to honor a very distinguished and outstanding citizen from my district. Dennis P. Collins, former mayor of Bayonne, has long understood the importance of community development and service. In recognition of his altruistic efforts, Mayor Collins will be honored by the Bayonne Family YMCA on March 10, 1996, at the 4th Annual Distinguished Service Award Brunch at the Hi-Hat Restaurant in Bayonne.

Tradition and experience are key words when speaking of this truly dedicated citizen. Mayor Collins has been a life-long resident of the city of Bayonne. After proudly serving in the U.S. Armed Forces during World War II, he returned to complete his post-secondary education at St. Peter's College and the State University of New Jersey. His educational accomplishments allowed him to further develop his career in various arenas.

Mayor Collins' successful political career began in 1962 when he was elected the first ward councilman. Four years later, he was elected councilman at large. His leadership, influence, and commitment to the community led the residents of Bayonne to elect him mayor in 1974. As a result of his work and dedication, Mayor Collins was reelected to three terms.

Bayonne and its citizens benefited from the hard work and dedication of Mayor Collins. As mayor, he developed a strong economic policy at a time when the country and State were in recession. He dramatically improved public services and was directly involved in the process of refurbishing many of the city's public parks and facilities.

In his community, Mayor Collins has also played an active role and dedicated many hours of service to various institutions. He has taken part in veterans group activities and is a faithful parishioner at Our Lady Star of the Sea Parish. He has had the pleasure of working with the Knights of Columbus and was a standard bearer of the New Frontier Democrats.

Mayor Collins has worked endlessly to promote a sense of community in Bayonne, and he serves as a role model for our public officials. I am proud to have him as a congressional staff member, and it is with great pleasure that I honor such a special constituent and leader.

BILL REQUESTING FAIR REPRESENTATION ON FEDERAL JUDICIAL CIRCUIT COURT OF APPEALS

HON. NEIL ABERCROMBIE

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 7, 1996

Mr. ABERCROMBIE. Mr. Speaker, today I am introducing legislation which calls for fair representation on all Federal Judicial Circuit Courts of Appeals.

Currently, only two States, West Virginia and Hawaii do not have representation on their circuit Court of Appeals. In fact, it's been 12 years since Judge Herbert Choy of Honolulu retired from the Ninth Circuit Court of Appeals. Some States like Montana, have only recently had a resident granted a judgeship. My bill would require that each State have at least one judge appointed to their circuit Court of Appeals. That way, all States would always have representation on the bench. The bill does not affect the President's historic power to appoint Federal judges.

Having each State represented on its respective circuit courts, helps to ensure that justice is blind and impartial. A report entitled The Long Range Plans For Federal Courts, completed by the Judicial Conference of the United States in December 1995, noted, ''Federal judicial credibility and accountability are fostered when appellate judges are drawn primarily from the region they will serve.'' This bill would add to the judicial credibility of the courts because each State would have at least one judge representing and understanding its State law, business, and customs.

This is not another law to add to the books. This legislation is about continuing the integrity of our third branch of Government, fairness and representation. I strongly urge my colleagues to support and pass this bill.

PERSONAL EXPLANATION

HON. JOHN J. LaFALCE

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 7, 1996

Mr. LAFALCE. Mr. Speaker, on Wednesday, March 6, I was unavoidably absent for rollcalls 45 and 46. Had I been present, I would have voted ''aye'' and ''no'' respectively.

PERSONAL EXPLANATION

HON. JON CHRISTENSEN

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 7, 1996

Mr. CHRISTENSEN. Mr. Speaker, due to a family emergency back in Nebraska, I was not present yesterday for three rollcall votes. Had I been present, I would have voted: rollcall vote No. 45, ''yes;'' rollcall vote No. 46, ''yes;'' and rollcall vote No. 47, ''yes.''

THE COST OF OUR NATIONAL DEBT

HON. WILLIAM M. ''MAC'' THORNBERRY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 7, 1996

Mr. THORNBERRY. Mr. Speaker, as we continue in our struggle to balance the budget and return government power to the States and local communities, I thought it would be a good time to remember what one of America's greatest patriots had to say about the cost of our national debt and the burden it places on current and future generations:

> I place economy among the first and most important virtues, and public debt as the greatest of dangers to be feared. To preserve our independence, we must not let our rulers load us with perpetual debt. We must make our choice between economy and liberty, or profusion and servitude. If we run into such debts, we must be taxed in our meat and drink, in our necessities, and in our labors and in our amusements. If we prevent the Government from wasting the labors of the people, under the pretense of caring for them, they will be happy.

These words are drawn from a speech given by Thomas Jefferson shortly after the birth of our country. This speech, sent to me last week by one of my constituents, Mrs. Louis Seewald of Amarillo, TX, should remind us all that we cannot continue the business as usual practice of spending more than we take in.

As Jefferson foresaw, running up a debt serves to enslave the entire Nation. The last 25 years have proven him right. Despite movement toward a plan to balance the budget, the fact of the matter is that we still face a national debt of nearly $5 trillion. A child born today will have to pay $187,000 in taxes over his or her lifetime just to pay off interest on the national debt.

If unchecked, the national debt will soon consume nearly 75 percent of our entire budget. This will leave virtually no funds for critical areas such as education, the environment, and crime prevention, and could possibly lead to a tax rate of over 50 percent.

This is not what Jefferson would have wanted from the Government he helped create more than 200 years ago, and it is not what the American people want from the leaders they elect today.

PEPPY MAYER, RECIPIENT OF CALIFORNIA DISTINGUISHED REALTOR AWARD

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 7, 1996

Mr. STARK. Mr. Speaker, I would like to take this opportunity to recognize the exceptional achievement of Ms. Alberta ''Peppy'' Mayer, a resident of Fremont in California's 13th Congressional District. Peppy was recently awarded the California Distinguished Realtor Award, which is the highest honor that the California Association of Realtors [CAR] can bestow upon one of its members.

To receive this award, one must have been a California realtor for at least 20 years, demonstrated outstanding service to the CAR for at least 15 of those 20 years, be a CAR honorary director for life, and be a current, active CAR member in good standing. Peppy is all these things and more—she is one of the most committed, talented, tenacious, and energetic people I know.

Peppy Mayer was born in Chicago and lived in both San Francisco and Alameda before settling in Fremont with her husband, Edward Mayer, and their three young daughters. Although she had studied to be a teacher at San Francisco State University, when the family moved to Fremont, she began to look for another career and enrolled in a course in Real Estate. There were few women real estate agents at that time but she soon won a prize for closing the most escrows in the Tri-City area. She has not looked back since.

Peppy has been a member of the California Association of Realtors since 1967 and has served the association in almost every capacity since then. She has been a director of the association for 29 years. In 1976, she became the first woman to serve as board president. In 1981, she became the first woman to chair the legislative committee, and in 1985, she became district 6 regional vice president. In 1980, she was appointed as honorary director for life. She has also been a director of the National Association of Relators for the last 12 years.

Peppy is the author of numerous publications for both the California Association of Realtors and the National Association of Realtors. She has also received many awards including: Salesman of the Year in 1967, Relator of the Year in 1977, the CAR's 1980 designation as Honorary Director for Life, the Recognition Award for ''A Lifetime of Outstanding Dedication and Service to the Real Estate Industry'' in 1991, and she became a life member of the Million Dollar Club in 1973.

As Peppy's business flourished, she still managed to find time to be an active member of the community. She has been the director of the Fremont Chamber of Commerce, making her the first woman to hold this position. She has been a long time member of the fund raising committee for the Fremont Boys Club, and a founding member of the Ohlone College Foundation.

Mr. Speaker, I ask you and my colleagues to join me in recognizing Ms. Alberta ''Peppy'' Mayer for her exceptional professional accomplishments and to congratulate her on being the recipient of the 1995 California Distinguished Realtor Award.

ISRAELI BOMBINGS

HON. SCOTT L. KLUG

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 7, 1996

Mr. KLUG. Mr. Speaker, 60 people have been killed over the last 9 days in four suicide-bomb attacks in Israel. We all mourn the loss of nearly 200 people, including 5 Americans, who have died in terrorist incidents since the signing of the Israel-PLO peace agreement at the White House on September 13, 1993. Clearly, the Middle East peace process is now hanging by a thread.

There are some countries whose only interest is in derailing the peace process. The

State Department continues to include Syria on its list of countries accused of sponsoring terrorism. Israel is asking the United States to focus on Syria'a connection to the terrorist attacks. Yesterday, Israel's Prime Minister Shimon Peres asked the United States to make clear to Syria that Israel has had enough of guerrilla attacks.

While Syria has expressed the desire to enter into peaceful negotiations with Israel, terrorist groups such as Hamas, continue to keep their headquarters in Damascus. Syria continues to allow weapons and funds from Iran to be used against Israel. If Syria expects to establish a working relationship with the United States, it must cease involvement with terrorist groups and condemn the Israeli bombings.

Syria is not the only external State whose role in the terrorist attacks we should question. Iran, Iraq, and Libya all play a part in the process of working toward peace and their actions should also be closely examined. The peace process cannot progress with countries throughout the Middle East sponsoring terrorism.

Through the Middle East Peace Facilitation Act [MEPFA], the United States is providing $500 million over 5 years in assistance to the Palestinians. Americans have the right know what the PLO and Chairman Arafat are doing or not doing to discourage these terrorist activities. We need to know that he is truly committed to peace. He shook hands on the White House lawn 2 years ago pledging his commitment, but now he must prove he is a man of his word. He must root up the terrorism that threatens not only the Israeli people, but innocent victims around the world.

I rise today, Mr. Speaker, not only to condemn the horrific acts of terrorism against Israel, but to urge the administration to send a clear, decisive message to those countries that continue to sponsor terrorism. Their permissive behavior on behalf of the terrorist groups Hamas, Jihad, and others, will not be tolerated.

I'm pleased that chairman GILMAN has scheduled hearings on this issue in the International Relations Committee. Now, more than ever, it is crucial for the United States to stand shoulder to shoulder with Israel as we demonstrate our shared commitment to peace.

TRIBUTE TO ARELIS FIGUEROA

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 7, 1996

Mr. TOWNS. Mr. Speaker, I am truly honored to recognize the perseverance of Arelis Figueroa. She has overcome tremendous odds to pursue self-improvement, and in turn has assisted her family members to realize their innate potential.

Arelis migrated to the United States from Puerto Rico at a very early age, along with her five older sisters. Life was not easy for her family, but despite difficulties, she began her odyssey of self-improvement. Her three children, Arelis, Eric, and Nicole have been tremendous sources of inspiration and pride for her. Arelis, the eldest, is the first to receive a 4 year college degree; Eric is a member of the New York City Police Department, and Nicole, although afflicted with Downs's Syndrome, has distinguished herself in Special Olympic gymnastic events.

Nicole's condition prompted Arelis to learn everything she could about the disease. She decided that learning about the disease and helping others similarly affected would be her calling. As a result, Arelis secured a position with the New York City Board of Education, working with students with special needs at P.S. 72 in Brooklyn.

Through vision, tenacity and a sense of love, Arelis Figueroa has made her world, and the World around her a better place. I am profoundly inspired by her actions and accomplishments, and wish her much success in the future.

INTERNATIONAL TRADE AND PATENT AND ROYALTY ENFORCEMENT

HON. ROBERT MENENDEZ

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 7, 1996

Mr. MENENDEZ. Mr. Speaker, in the din of the battle over balancing the budget, reality can be lost in the shouting. If one accepts as an article of faith that it is of utmost importance that the Federal budget must be balanced, then it must follow that the monumental trade deficits must per force of the exact same logic have the same priority.

Upholding the standard of free markets and free trade is not license to do nothing. The price of freedom is not without cost for either personal liberties or economic freedom. It is a constitutional right under the first amendment that our citizens may petition the Government for redress of grievances. It is also a constitutional prerogative under article 1, section 8, clause 8 ''To promote the progress of science and useful arts, by securing for limited times to authors and inventors, the exclusive right of their respective writings and discoveries.'' With this as a backdrop, I would like to explore a problem that a constituent of mine, Salvatore Monte has raised. Mr. Monte's problems involve fundamental questions about the role of our Federal Government in protecting the constitutional rights of our citizens in the context of international trade.

Sal Monte is the president of Kenrich Petrochemical Inc., a family owned business founded after World War II and operating in Bayonne, NJ, since 1961. Sal Monte is an inventor in the proud New Jersey tradition of Thomas Edison and holds numerous patents. Mr. Monte's firm makes organo-metallic compounds. Organo-metallic compounds act as the molecular glue between organic and inorganic materials in the fabrication of complex substances. These chemical compounds are used in everything from rocket fuels, to ammunition, to tires, to cars, to multilayered printed circuit boards, to photocopiers. Mr. Monte's invention is responsible for the durability of videotape and audio tape used in our homes. Some of these chemicals make products biodegradable, others increase electrical conductivity, still others make steel more anticorrosive, plastics stronger, and tires safer. Toy manufacturers use them because they make thermoplastic processing significantly more energy efficient. There is even a national security concern, since Mr. Monte's chemicals are used to increase the effectiveness and safe handling by our Armed Forces personnel of new generation insensitive ammunition designed to prevent unplanned detonation in Army tanks and aboard Navy ships.

Shortly after his products were introduced in the United States market in 1974, Mr. Monte was approached by officials of Ajinomoto Co. [Ajico] through a trading company named Nitto Shoji, LTD., about licensing his products in Japan. They signed a distributorship agreement on July 30, 1976 to import 46 different patented organometallics manufactured by Kenrich in the United States of America. Nitto Shoji claimed that it was imperative that the products be approved as environmentally safe, and had started the process for the environmental approval of the first Kenrich product to be sold in Japan, Ken-React KR TTS, on July 1, 1976. The KR TTS approval cost Kenrich $125,000. In accordance with the usual Japanese trade position, Ajinomoto officials impressed upon Mr. Monte the need to have a Japanese manufacturing partner to facilitate the environmental approvals, comply with extraordinarily difficult Japanese quality standards, and gain acceptance by Japanese keiretsu, industrial consumers of the product. Ajinomoto is a $20 plus billion food processing and fine chemical firm most noted in southeast Asia as the No. 1 producer of MSG—monosodium glutamate. As a result, on January 28, 1980, 15 Kenrich chemicals were licensed for manufacture by the Ajinomoto Co. for exclusive sale in Japan, Taiwan, and South Korea.

For the next 8 years, the Montes were given polite and respectful treatment. By 1984, they had transferred all of Kenrich's technology to Japanese licensing interests. Mr. Monte began to suspect that Ajinomoto was selling vast quantities of the Kenrich licensed product and underreporting sales to avoid paying royalties. Mr. Monte repeatedly requested sales reports, but only received a carefully contrived semi-annual report which diminished in detail with each passing year. There are now over 900 patent applications issued to Japanese companies using the Kenrich products—almost 40 to Canon alone for copier toner, yet the sales are supposedly still under $1,000,000—even though the yen has doubled in value against the dollar during the contract period. After two decades of doing business in Japan, Kenrich is still receiving only a contract minimum of $50,000 a year in royalties.

The coordinated assault on Kenrich would sound like paranoid Japan bashing were there not for the painstaking documentation filling dozens of file boxes, indicating the systematic, elaborate, and devious methods employed to deprive Mr. Monte of his intellectual property rights. Among the many efforts against Kenrich include:

The development of knock-off titanate technology based on Kenrich technology by Ajinomoto, Nippon Soda Inc., Tokuyama Soda Ltd., Mitsui Mining and Smelting Ltd., and Kawaken Fine Chemcial Co., Ltd. The Japanese have used patent flooding as a technique to obfuscate original patented technology, thus making it difficult for the non-Japanese investor to defend his/her patent rights. Nippon Soda even copied Kenrich's detailed technical literature to explain their Titecoat knock-off product.

An elaborate international exchange of bank securities resulted in the commercial paper of

Kenrich being held by Dai-Ichi Kangyo Bank [DKB]. The DKB through CIT, promptly called in Kenrich's loans to precipitate a bankruptcy and gain control of Kenrich's patents used as collateral against the loan.

Extraordinary measures have been taken by Ajinomoto to stack an arbitration panel as required under the 1952 United States-Japanese Arbitration. Moreover, it will require the case to be argued in Japan where patent laws are highly favorable to knock-off products.

Improper recordkeeping and unauthorized sub-licensing by Ajinomoto for the manufacture of the chemicals to companies, such as Junsei Chemical Co., Ltd., and Kawaken Fine Chemicals Co., Ltd., made it impossible for Arthur Andersen Co. to conduct a proper audit under license agreement to determine royalties due Kenrich. The Andersen audit, initiated in October 1992, took 2 years and cost Kenrich $63,252. Andersen was stonewalled by Anjinomoto and hence, the audit was unusable.

Ajinomoto withheld knowledge of patents filed by Japanese companies such as Sony Corp., on such products as videotape, prior to the 1980 license agreement with Kenrich. This concealed the extensive value of Kenrich's technology to Japan's high technology industries.

Patents were filed in 1995 by Mitsubishi Rayon for high performance carbon fiber advanced composites used in aerospace that contained one of Kenrich's chemicals not licensed to Ajinomoto. Kenrich had discontinued manufacturing this product 15 years ago. Who supplied the pirated chemical? It wasn't Kenrich.

I do not believe that Mr. Monte's case is unusual. It shows how defenseless American small business is in international trade and how little the Federal Government does to protect fair trade. We should not resent the coordinated actions of the Japanese Government, banks, and industry, but we should learn from them. Predatory practices are actionable under American law and we must require that the rights of American citizens are freely and fairly insured in the arena of international trade. I intend to ask the U.S. Trade Representative and the U.S. International Trade Commission to launch an official investigation of this matter.

MOBLEY MOURNS HIS NAVY COMMANDER

HON. JACK KINGSTON

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 7, 1996

Mr. KINGSTON. Mr. Speaker, I submit the following story for the CONGRESSIONAL RECORD. This story ran in the Glennville Sentinel on January 11, 1996.

MOBLEY MOURNS HIS NAVY COMMANDER

(By Clinton Oliver)

While flags flew at half-mast in honor of Admiral Arleigh Burke, who died last week at 94 in Bethesda Naval Hospital in Maryland, one Glennville resident was particularly saddened by the passing of this distinguished naval officer. Petty Officer Thurman O. Mobley served with Admiral Burke aboard the U.S.S. Charles Ausburne in the South Pacific during World War II and remembers Burke as a courageous, feisty, and sometimes blustery commander who was highly respected by his men. ''This ship is built to fight,'' Burke once barked to the crew of the Ausburne, ''you'd better know how.''

The U.S.S. Charles Ausburne was built by Consolidated Steel Corporation of Orange, Texas, and was commissioned November 24, 1942. Mobley boarded the Ausburne in Norfolk, Virginia, in April of 1943, and the next month the ship joined the Pacific Fleet, after passing through the Panama Canal, according to Pentagon records. Mobley and his shipmates of the Ausburne were commended by Admiral William ''Bull'' Halsey, Commander of Allied Naval Forces in the South Pacific; by Admiral Chester W. Nimitz, Commander-in-Chief of the U.S. Pacific Fleet, and by General Douglas MacArthur, Commander of Allied Forces in the Pacific, for action in that theater. They were cited by President Harry S. Truman for action from November 1943 to February 1944.

The Ausburne was Admiral Burk's flagship, and although a number of sailors from Georgia served under Burke on other ships, ''I was the only Georgia boy to serve on the same ship with him,'' Mobley declared. The Ausburne destroyed nine enemy ships and shot down nine aircraft. Mobley and the crew rescued ten survivors of planes forced down at sea and picked up 31 Japanese prisoners from the water, according to Navy records.

Mobley stated that all crew members had two jobs to perform, depending on whether or not the ship was engaged with the enemy—one ''combat'' job and one ''work-a-day'' routine job..

Petty Officer Mobley was triggerman on a 20 millimeter artillery piece during combat and a baker at other times. The gun crew had trained by firing at aerial targets on a Pacific island, and once just before an air battle with the Japanese, Mobley was summoned to the bridge of the Ausburne. The officer on the bridge had observed that the Glennville sailor consistently had more hits on aerial targets than any other triggerman. ''Mobley,'' the officer demanded, ''we're about to engage the enemy. How do you account for the fact that you have consistently hit more air targets than any triggerman on board?'' Mobley quickly recalled his dove-shooting days with a shotgun near Glennville.

''Sir,'' he retorted, ''I keep telling you fellers you're not leading 'em enough.'' Mr. Mobley was referring to the practice of a hunter aiming slightly ahead of a moving quarry to allow time for the projectile to reach the mark. The officer ordered an appropriate adjustment to the aim-and-fire routine and the change improved the accuracy of the entire crew, Mobley said.

As the ship's baker, Seaman Mobley learned of Admiral Burke's favorite dessert. ''About once a month, I baked an apple pie and carried it to his quarters,'' he said.

After President Eisenhower appointed Admiral Burke Chief of Naval Operations (the top post for a Navy officer), Mobley called his old commander at the Pentagon. ''It took me about half a day to get to him,'' Mobley said, ''but they finally put me through.'' Mobley stated who was calling and congratulated the officer on his high appointment.

''Mobley, Mobley,'' the admiral mused. ''I seem to remember the name, but I can't quite place you.''

''I used to be your baker,'' Mobley informed him.

''APPLE PIE!'' the admiral exploded. ''You used to bake my apple pies.'' The two old sailors enjoyed a lengthy visit by telephone. Thereafter, Admiral Burke wrote a short note about once a year to his ex-baker, and always addressed him as ''apple pie.'' The periodic messages ceased about two years ago. Age finally claimed Thurman Mobley's cherished and salty old friend.

During air battles, Japanese pilots routinely held back the last bomb on their aircraft for a suicide dive into allied war ships, slamming into them at about the waterline. ''We always made sure we shot down those suicide divers,'' Mobley said. ''We knew if we didn't get them, we were goners for sure.'' Sometimes downed suicide craft slammed into the ocean so near the Ausburne and with such force that the crash caused a surge of water across the deck that nearly knocked the sailors off their feet, Mobley declared.

At the end of World War II, the U.S.S. Charles Ausburne had steamed a total of 207,000 nautical miles, consumed 10,686,305 gallons of fuel, and visited four continents, and eight ports in the United States. Mobley and his shipmates crossed the International Date Line four times and the equator 16 times. The Ausburne had conducted 32 fueling operations at sea, had gone to General Quarters (complete readiness for battle) 780 times, and had been in three typhoons. Mobley and the Ausburne crew conducted 22 battles against the Japanese Navy in four months.

Petty Officer Thurman O. Mobley was discharged from the U.S. Navy on Thanksgiving Day, 1945. He is retired from the U.S. Postal Service and lives with his wife, Lilla, on Howard Street in Glennville.

PERSONAL EXPLANATION

HON. KAREN McCARTHY

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 7, 1996

Ms. McCARTHY. Mr. Speaker, due to official business in my district, I was unable to cast votes on Tuesday March 5, and Wednesday March 6. Had I been here, I would have voted as follows: ''Yes'' on rollcall vote No. 44—H.R. 2778, to provide tax benefits for U.S. troops in Bosnia; ''yes'' on rollcall vote No. 45—Approval of the Journal; ''yes'' on rollcall vote No. 46—H.R. 270, the rule for consideration of H.R. 927; ''yes'' on rollcall note No. 47—H.R. 927, the conference report on the Cuban Liberty and Democratic Solidarity Act.

CONFERENCE REPORT ON H.R. 927, CUBAN LIBERTY AND DEMOCRATIC SOLIDARITY (LIBERTAD) ACT OF 1996

SPEECH OF

HON. JACK REED

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 6, 1996

Mr. REED. Mr. Speaker, today the House is considering legislation in the wake of the recent attack by the Cuban Air Force on two unarmed civilian aircraft. This outrageous, unprovoked act resulted in the tragic loss of four American lives. I, like most Americans, believe the United States must strongly condemn this act and work to promote a democratic Cuba. Unfortunately, I do not believe that H.R. 927 will accomplish this goal.

This attack clearly illustrates the breakdown of the Cuban Government and the desperation that Fidel Castro faces in trying to hold onto power. The question we must answer is: how best to hasten the end of the Castro regime? Regrettably, the bill before us is not the answer. Isolation has not been successful in

bringing down Castro. It is contrary to the policy we pursued in ending the cold war, and, indeed, it was not the course of action which resulted in the peaceful transition to democracy and market economies in Eastern Europe.

H.R. 927 will also worsen conditions in Cuba and result in greater suffering by the Cuban people who remain hostages of Castro's government. By increasing the hardships of the Cuban people, we are running the risk of increased violence in this already volatile nation, as well as the potential outflow of refugees. In addition, this legislation would allow United States citizens to sue foreign companies which traffic in property confiscated in Cuba. I believe such a provision will swamp already overburdened U.S. courts, and I submit for the record an article from the Washington Post which further details the adverse effects of this measure.

The Cuban Government's action which resulted in the deaths of United States citizens cannot be justified, and I believe it is necessary to put pressure on the Cuban Government to recognize this serious breach of international law, to pay reparations, and to punish those responsible for this heinous act. The President took the necessary initial steps in response. However, H.R. 927 is contrary to our ultimate foreign policy goals. By tightening the embargo, this legislation will only succeed in further isolating the Cuban people, raising tensions, and endangering a peaceful transition to democracy. I voted against the bill last September, I will do so again today. I urge my colleagues to oppose H.R. 927.

[From the Washington Post, Mar. 3, 1996]

THE GREAT CUBAN EMBARGO SCAM—A LITTLE-KNOWN LOOPHOLE WILL ALLOW THE RICHEST EXILES TO CASH IN

(By Louis F. Desloge)

Virtually everyone agrees that President Clinton should retaliate forcefully against Cuba's tragic and murderous downing of two civilian aircraft last weekend. But the least effective and most counterproductive punishment is Clinton's acquiescence to the Helms-Burton bill to tighten the U.S. embargo of Cuba. This legislation, which the White House endorsed last week, albeit with reservations, will only play into Castro's hands by creating an expansive loophole for property claimants, especially wealthy Cuban Americans, to circumvent the embargo.

Jesse Helms and Dan Burton, conservatives whom I admire, are no doubt sincere in their motivation to subvert Castro's rule by applying economic pressure on his regime. However, they may very well achieve just the opposite of what they seek by buttressing, not undermining, Castro's support at home and weakening, not strengthening, the embargo's prohibition on trade with Cuba.

The Helms-Burton bill is a slick stratagem. Its stated purpose is to tighten the embargo by allowing Cuban Americans to have the unprecedented right to sue, in U.S. federal courts, foreign companies doing business on land once owned by these exiles. The idea is to discourage foreign business investment in Cuba, thus undermining the island's financial recovery which, the bill's supporters naively hope, will result in a collapse of the Castro regime. The bill's practical consequences are a different story.

A little-noticed provision in the Helms-Burton measure will enable a small group of Cuban Americans to profit from the economic activity occurring in Cuba.

To understand this provision, one must first know who helped write it. As the Baltimore Sun reported last May, the bill was drafted with the advice of Nick Gutierrez, an attorney who represents the National Association of Sugar Mill Owners of Cuba and the Cuban Association for the Tobacco Industry. Gutierrez acknowledges his involvement, as does Ignacio Sanchez, an attorney whose firm represents the Bacardi rum company. Sanchez told the Sun that he worked on the bill in his capacity as a member of the American Bar Association's Cuban Property Rights Task Force and not as a representative of the rum company.

It is not hard to surmise what these former sugar, tobacco and rum interests will do if and when the law takes effect; sue their competitors who are now doing business in Cuba.

Gutierrez told the Miami Herald last fall as saying that he (and his clients) are eyeing a Kentucky subsidiary of British-American Tobacco (B.A.T.) that produces Lucky Strike cigarettes. B.A.T. has a Cuban joint venture with the Brazilian firm Souza Cruz to produce tobacco on land confiscated from his clients, Gutierrez claims.

Bacardi would be able to sue Pernod Ricard, the French spirits distributor, currently marketing Havana Club rum worldwide. Bacardi claims that Pernod Ricard's rum is being produced in the old Bacardi distillery in the city of Santiago de Cuba.

Here is how this vexatious scheme will work if Helms-Burton becomes law. The former landowner of a tobacco farm files a suit in federal court against British-American Tobacco and seeks damages. If both sides want to avoid prolonged litigation they can reach an out-of-court settlement whereby the former tobacco grower can now share in the profits of the ongoing B.A.T.-Brazilian joint venture in Cuba. Likewise, Bacardi could reach a settlement to get a share of Pernod Ricard's profits from sales of Havana Club internationally.

These agreements do not need the blessing of the U.S. Government. This is the million dollar loophole in Helms-Burton. The bill states: ''an action [lawsuit] . . . may be brought and may be settled, and a judgment rendered in such action may be enforced, without the necessity of obtaining any license or permission from any agency of the United States.''

What will be the practical result? Foreign companies like Pernod Ricard and British-American Tobacco are unlikely to abandon viable operations in Cuba because of a lawsuit. More likely, these foreign businessmen will agree, reluctantly, to pay off Cuban exiles suing under Helms-Burton. Given the choice of forfeiting millions of dollars invested in Cuba or their financial interests in the United States, the practical business solution might be to give the exiles a cut of the action. Far better to have 90 percent of something than 100 percent of nothing, these businessmen will reason. Allowing Cuban Americans a share of their profits will just be factored in as another cost of doing business.

Indeed, Helms-Burton gives the Cuban exile community a strong financial stake in Castro's Cuba. If the foreign businesses simply withdrew in the face of Helms-Burton, the exiled tobacco, sugar and rum interests would get nothing. But if British-American Tobacco or Pernod Ricard or any other foreign firm now doing business with the Castro regime offers an out-of-court settlement to Cuban American exiles, who is going to turn them down? Given the option, at least some people are going to choose personal enrichment over the principle of not doing business with Fidel. After all, Fidel has been in power for 37 years, and the exiles are not getting any younger.

The Clinton White House is not unaware of the scam at the heart of the bill. Before the shooting down of the plane, the President had objected to the provisions allowing U.S. nationals to sue companies doing business in Cuba. During last week's conference with Congress, the President's men surrendered and asked for a face-saving compromise: a provision giving the President the right to block such deals later on if they do not advance the cause of democracy in Cuba. But how likely is Clinton to block Cuban Americans in Florida, a key election state, from suing Castro's foreign collaborators later in the final months of an election year? Not very.

The bottom line is that Clinton, in the name of getting tough with Castro, has endorsed a bill that allows the embargo to be evaded and protects Cuban Americans who want to legally cut deals to exploit their former properties in Cuba while the rest of the American business community must watch from the sidelines.

In fact, the legislation could encourage a massive influx of new foreign investment in Cuba. Armed with the extortionist powers conferred by the legislation, former property holders could shop around the world for prospective investors in Cuba and offer them a full release on their property claim in exchange for a ''sweetheart'' lawsuit settlement entitling them to a piece of the economic action. Thus, the embargo is legally bypassed and everyone laughs all the way to the bank.

Actually, not everyone would benefit. The Clinton-endorsed version of Helms-Burton only exempts the wealthiest cabal of Cuba's former elites from the embargo's restraints. The bill will only allow those whose former property is worth a minimum value of $50,000 (sans interest) to file suits. And you had to be very rich to have owned anything of that value in Cuba in 1959. If you were a Cuban butcher, baker or candlestick maker, too bad. This bill is not for you.

What could be more useful to Castro in his efforts to shore up his standing with the Cuban people? The spectacle of the U.S. Congress kowtowing to these Batista-era plantation owners and distillers provides Fidel his most effective propaganda weapon since the Bay of Pigs debacle. Castro surely knows that the overwhelming majority of the Cuban people—60 percent of whom were born after 1959—would deeply resent what can be characterized, not unfairly, as an attempt to confiscate their properties and revert control over Cuba's economy to people who symbolize the corrupt rule of the 1950s. Rather than undermining Castro's rule, this bill would drive the people into his camp.

Where is the logic in denying the vast majority of the American people the right to become economically engaged in Cuba if it is extended to only a select, wealthy few? Is the concept of ''equal protection under the law'' served if non-Cuban Americans are now relegated to the status of second-class citizens? Or is the real intent of this bill to allow rich Cuban exiles the opportunity to get a jump start and thereby head off the ''gringo'' business invasion certain to follow the demise of the embargo and the inevitable passing of Castro.

Let us put an end to this special interest subterfuge. Whatever obligation the United States had to my fellow Cuban Americans has been more than fulfilled by providing us safe haven and the opportunity to prosper and flourish in a free society. Providing us, once again, another special exemption which makes a mockery of the American Constitution, laws and courts, not to mention making a farce of U.S.-Cuba policy, is an insult to both the American and Cuban people.

If we are going to lift the embargo for a few wealthy exiles then, fine, let us lift it for all Americans. To be fair and consistent,

why not liberate the entire American community to bring the full weight if its influence to bear upon Cuban people? Implementing an aggressive engagement policy to transmit our values to the Cuban people and to accelerate the burgeoning process of reform occurring on the island has a far better chance of ending Castro's rule than the machinations of Helms-Burton.

LEGISLATION TO PROHIBIT IMPORTS INTO THE UNITED STATES OF MEAT PRODUCTS FROM THE EUROPEAN UNION UNTIL CERTAIN UNFAIR TRADE BARRIERS ARE REMOVED

HON. EARL POMEROY

OF NORTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 7, 1996

Mr. POMEROY. Mr. Speaker, today I am introducing legislation that will put American livestock producers on an equal footing with their European counterparts when it comes to illegal trade barriers. The European Union currently blocks United States beef imports simply because U.S. producers use hormones in the production of the beef. The E.U. also continues to block U.S. pork imports under their so called Third Country Meat Directive claiming that U.S. processing plants do not meet European standards.

These non-tariff trade barriers are in clear violation of the phytosanitary agreements which are part of the GATT. Scientists from around the world have determined that the use of these hormones poses no risk to human health. In 1992, through an exchange of letters, the Europeans agreed that U.S. and E.U. slaughter and processing procedures were essentially identical. The only reason for these bans is to keep U.S. meat out of European markets.

Since 1989, when the hormone ban went into effect, the Europeans have sent over $2 billion worth of meat products to the United States. During the same period. U.S. exports to the E.U. totaled only $342 million. Clearly the Europeans have little incentive to expedite the negotiations to end this unreasonable trade barrier.

The GATT agreement should be an effective tool to remove the hormone ban, but the Europeans have shown little commitment to working out these issues. On January 26 of this year, U.S. Trade Representative Kantor initiated formal action in the World Trade Organization against the E.U. on this issue. The European Parliament responded by voting to keep the ban in place. WTO action may take up to 18 months and the only beneficiaries of this delay are the Europeans.

The USDA has estimated that the loss of these markets costs our cattle producers $100 million per year and our hog producers $60 million. Clearly at a time when U.S. cattle producers are facing rising feed costs and the lowest prices in recent memory these unfair and trade barriers cannot be tolerated.

Just last week North Dakota hog farmers told me that access to the Asian markets following GATT has helped keep the price of pork stable over the last year. Clearly GATT can work to the benefit of American farmers. However, we need to send a strong message to the Europeans that further delay in opening their markets will not be tolerated.

This legislation is simple. It says that as long as the Europeans keep our meat from their markets they will not have access to U.S. markets. They are taking the resolve of their Parliament to the negotiations. The United States should be taking the resolve of Congress to those same meetings. This legislation sends the message that the U.S. Congress is serious about GATT working to open European markets. I urge my colleagues to join me in giving our trade representatives a valuable tool to meet the Europeans on equal footing.

LEGISLATION TO PROHIBIT IMPORTS INTO THE UNITED STATES OF MEAT PRODUCTS FROM THE EUROPEAN UNION UNTIL CERTAIN UNFAIR TRADE BARRIERS ARE REMOVED

HON. TIM JOHNSON

OF SOUTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 7, 1996

Mr. JOHNSON of South Dakota. Mr. Speaker, I am pleased today to introduce legislation that will prohibit all meat imports from the European Union [EU] unless and until the EU lifts its ban on American beef and eliminates the nontariff trade barrier imposed by their ''Third Country Meat Directive [TCD]. The EU ban on beef from cattle treated with hormones was put in place on January 1, 1989. Scientists throughout Europe and the world have repeatedly concluded there is no scientific basis for this ban. In fact, after legal challenges by the British Government in 1987 and the European animal health industry association in 1990, the EU admitted that the ban was introduced for political and economic reasons—to curb the growth of Europe's beef supply rather than to protect public health. The EU ban has resulted in lost American beef sales of nearly $1 billion.

The TCD imposes meat inspection standards on U.S. meat exporting facilities that a wide majority of EU plants do not themselves meet. The United States has the most comprehensive and effective system of food safety management in the world. The TCD is designed and administered strictly to function as trade protection for higher cost, less competitive EU pork production.

The failure of the EU to live up to the 1992 bilateral meat agreement and re-list U.S. beef and pork plants is deeply disturbing. Prior to 1988, over 400 beef and pork plants were certified to export to the EU. Because of the TCD, only a handful of beef and pork plants are currently able to export to the EU. In 1985, the EU was the destination of over 20 percent of U.S. pork exports. Today, U.S. exports to the EU are negligible. The U.S. pork industry conservatively estimates that U.S. producers will lose $60 million in export revenues during 1996 with losses jumping to approximately $157 million per year by the year 2000 as EU tariff rate quotas on pork are phased in. Since January 1, 1989, America has allowed meat imports of $2.1 billion from the EU while U.S. meat exports to the EU totaled only $342 million. At a time when our cattle producers are struggling with the lowest cattle prices in recent memory and beef and pork producers are becoming more reliant on export markets, it is unconscionable to allow stubborn European bureaucrats to insult our cattle and hog producers with these barriers to American beef and pork.

We applaud Secretary Glickman and U.S.T.R. Kantor for initiating action against the EU hormone ban under WTO dispute settlement provisions and for their efforts to open export markets around the world for U.S. meat. However, EU Agriculture Commissioner Fischler has clearly indicated that even if the EU loses the WTO case, which might not be resolved until late 1997, the hormone ban will remain in place.

Although reasonable and prudent negotiation would clearly be preferred to address these trade disputes, our Nation's livestock producers need access to EU markets now. They are demanding a much stronger negotiating tool. My bill will provide a clear and unequivocal message to the EU that further delay will no longer be tolerated. Unless the EU eliminates these unscientific sanitary trade barriers, this legislation will prohibit the entry of all EU meat within 15 days of enactment. Please join me in providing a simple, but very effective negotiating tool to Secretary Glickman and U.S.T.R. Kantor.

BRING BART TO THE AIRPORT

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 7, 1996

Mr. LANTOS. Mr. Speaker, last week the House Appropriations Subcommittee on Transportation heard testimony regarding funding of mass transit projects across the country. The subcommittee heard from the united bipartisan Bay Area congressional delegation which supports funding the San Francisco Bar Area Rapid Transit [BART] extension to San Francisco International Airport. As you know, this Congress has supported this project over the years, and I am happy to report that BART is now ready to move forward on construction to provide tens of thousands of travelers quick, convenient, and reliable access to the nation's fifth busiest airport.

The BART extension to San Francisco International Airport is a longstanding regional priority with overwhelming and broad support from the public. Voters in San Mateo County have twice approved ballot measures directing local funds and taxes to be used for the airport extension and all but one of the cities impacted by the project have passed resolutions in support of this project. We have fought the hard battles at the local level. We have reached a regional consensus. We are ready to move forward on the most important and necessary transportation link in the San Francisco Bay area.

Mr. Speaker, local officials and residents in the bay area have made the tough choices in planning and providing local financing for the BART extension to SFO Airport. These decisions were made in an open and public access process at the local level and should be supported here in Washington. I would like to urge my colleagues to continue their support of the BART extension to the San Francisco International Airport.

A recent editorial in the San Francisco Chronicle summed up this issue brilliantly. I respectfully request that this editorial be placed in the RECORD for the benefit of my colleagues.

DON'T STOP THIS TRAIN

Bart's plans to reach San Francisco International Airport by the year 2000 have run into two potentially significant adversaries in the nation's capital. One is the airline industry, which has been concerned that the airport might try to raise landing fees or slap on a ticket surcharge to cover its $200 million share.

Although the airline industry carries clout on Capitol Hill, we are confident that Congress will not be swayed by a selfish pitch against a project of such importance. Besides, the industry may eventually realize that this huge step in convenience to its passengers is well worth a relatively modest investment.

A more unsettling development is the effort of a handful of peninsula naysayers to resurrect the battle they clearly lost at the local level. Their testimony before the House Appropriations Transportation subcommittee last week may have given some legislators the impression that the Bay Area is still debating how to best provide mass-transit service to the airport.

And Congress may be reluctant to commit $700 million when the issue remains unsettled.

Well, the matter is settled.

After years of torturous deliberation, there now is an overwhelming consensus on a plan that would put a BART station just outside the International Terminal. It would get at least half the passengers within a five-minute walk to a ticket counter and it would have a light-rail connection to other terminals. It is a good compromise.

It's time to get on with it. Opponents of the airport BART station are living in a dream world if they think that derailing the project will suddenly lead Congress to shift the money over to Cal-Train. The proposed $87 million fiscal 1997 federal contribution to the BART project would almost surely be scooped up by another legislator for another region.

We trust that the subcommittee members, having seen the strong support of six Bay Area members of Congress, will realize that the fighting is finished. This train is on the move.

FIRST ANNIVERSARY OF THE GREEK AMERICAN MONTHLY

HON. WILLIAM J. COYNE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 7, 1996

Mr. COYNE. Mr. Speaker, I rise today to pay tribute to The Greek American Monthly on the occasion of the first anniversary of this outstanding publication, and to congratulate my colleague from southwestern Pennsylvania, Congressman RON KLINK, who has been awarded The Greek American Monthly's first annual Hermes Award.

The Greek American Monthly is a periodical dedicated to promoting, preserving, and perpetuating Greek culture, history, and heritage. It also serves as a timely source of information on issues of importance to people of Greek ancestry throughout the world. I am proud to say that The Greek American Monthly is based in Pittsburgh, PA, which is part of my congressional district.

The Greek American Monthly has accomplished a great deal in its first year. In just 1 short year its readership has grown from 2,000 to nearly 30,000, and it has attracted readers from all over the world. It is linking members of the Greek community around the world in a new way. Its focus on content has resulted in a journal filled with important world news and cultural events from around the globe. I anticipate only continued and greater success for The Greek American Monthly in the future as more and more members of the Greek community—and other people in the United States and abroad—become acquainted with this excellent publication. The publisher and staff have produced an outstanding publication.

I also want to congratulate Congressman RON KLINK, who has been awarded The Greek American Monthly's first annual Hermes Award for his promotion of Greek culture and of issues of interest to the Greek-American community. Congressman KLINK, who has Greek forebearers, was chosen for the Hermes Award because he has introduced legislation of great interest to the Greek-American community, and because he has been tireless in his advocacy for issues before Congress that are important to the Greek-American community—issues like the partition of Cyprus and the treatment of ethnic Greeks in Albania.

In closing, I want to congratulate Mr. Gregory C. Pappas, editor and publisher of The Greek American Monthly, and the staff of this fine publication on the first anniversary of its founding, and I want to commend them for selecting Congressman RON KLINK as the first recipient of The Greek American Monthly's annual Hermes Award.

MARIETTA'S ''MIRACLE''

HON. NEWT GINGRICH

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 7, 1996

Mr. GINGRICH. Mr. Speaker, I encourage my fellow colleagues to read the following editorial from the Marietta Daily Journal which describes the wonderful opportunities Habitat for Humanity has offered many of my constituents. I have volunteered for Habitat in my district and can attest that it is a very rewarding experience to see future homeowners alongside public-spirited citizens. Furthermore, it is a program that combines prayer with practical help.

American-style volunteerism is proven every day by those noble individuals who are willing to give their time to make others' lives better. In the American tradition of volunteerism and charity, I would encourage all of my friends and colleagues in the House to get involved with Habitat in their own communities, as well.

[From the Marietta Daily Journal, Feb. 28, 1996]

MARIETTA'S ''MIRACLE''

Many people lament the plight of the homeless, but leave to others the hard work of housing the less fortunate. Not so those involved with Habitat for Humanity.

Since the establishment of its first Cobb County branch in 1986, Cobb Habitat has built or rehabilitated 54 homes: 22 in Power Springs, 16 in Marietta, nine in Acworth, four in Kennesaw, two in Smyrna and one in Austell.

Now the group is in the process of acquiring 11 properties in one of Cobb's most drug- and crime-ridden neighborhoods. The project has been christened ''The Marietta Miracle: Roosevelt Circle Renewal,'' and is focused on the Roosevelt area, where drug dealers, prostitutes and vacant houses have blighted what was once a fairly typical working-class community and where law-abiding residents sometimes are afraid to leave their houses.

The targeted properties consist of a variety of vacant lots and dilapidated duplexes. Habitat will buy the properties, refurbish the duplexes and build single-family homes on the vacant lots. The upshot is that when the project is complete, up to 18 families will have new homes.

As with all Habitat projects, the new owners will be picked from a pool of qualified families based on need, their willingness to work in a partnership and their ability to repay the 15-year loans used to finance a house. Only those with incomes are considered as prospective owners. Those chosen also must undergo a rigorous interview process and put in 300 hours of ''sweat equity'' on Habitat construction projects.

''It'll be a big leap of faith for the families that will move into the homes,'' said Craig Satterlee, Cobb Habitat's executive director. ''Our mission is to eliminate poverty housing in Cobb by building new homes and rehabilitating existing homes. There is no place more in need than Roosevelt Circle.''

The project is expected to cost $730,000, of which $400,000 already has been pledged by local churches and businesses, including eight Catholic churches, St. Catherine's Episcopal, St. James Episcopal, Home Depot, Crawford & Co., the Cobb Board of Realtors, and students at Kennesaw State College.

''Far more important than the economics is the spirit of giving of yourselves. That's what makes a good community,'' said U.S. House Speaker Newt Gingrich, R-east Cobb, at Saturday's kickoff for the ''Marietta Miracle'' at First Baptist Church of Marietta, ''Habitat doesn't give to the poor—it involves the poor in creating a better life for themselves.''

And as Marietta Ward 5 Councilman James Dodd put it: ''Other people in the [Roosevelt Circle] community will see these homes and will use them as a model to upgrade theirs.''

Hopefully, the Habitat project will have a ripple effect in the community, as its others have so many times before. And hopefully, those ripples will continue to widen.

CITIZEN REPRESENTATIVE ACT OF 1996

HON. EDWARD J. MARKEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 7, 1996

Mr. MARKEY. Mr. Speaker, I rise today to introduce the Citizen Representative Act of 1996.

For years, it has been widely recognized that deep flaws and gaping loopholes in the way campaigns are paid for in America have amplified the importance of well-heeled special interest groups, reduced the clout of small individual contributors, and favored wealthy candidates while effectively silencing the voices of citizens unable to raise the large sums of money needed to mount a campaign for Congress.

Citizens across the country and many here in Congress understand that our system for financing campaigns in this country is broken and needs to be fixed. Skyrocketing campaign costs discourage everyday Americans from running for public office. Small, individual campaign contributions are crowded out by big money contributions from political action committees [PAC's]

I believe the best way to accomplish meaningful campaign finance reform and make Congress more accountable to the public is to encourage congressional candidates to raise more of their campaign funds from small contributions from individual donors.

The bill I am introducing today motivates candidates to rely on small contributions in two primary ways: funds from a voluntary checkoff of Federal tax returns will go toward a Citizen Representative Fund established at the Treasury Department to finance voter communications vouchers for candidates agreeing to observe the bills spending limits; and ceilings imposed on campaign spending from PAC's and large contributions will increase the importance of small donations.

Enacting lobby reform legislation and tightening gift rules have generated momentum we now should harness to pass real, comprehensive campaign finance reform. We have a unique opportunity to invigorate our democratic process, return power to voters across the country, and restore faith in the Congress. We must not let this moment pass.

If we fail to act, we will be preserving a system stacked in favor of wealthy individuals while preventing many potential candidates from getting a seat at the campaign table. Last month, press reports indicated that 11 House candidates each have used at least $100,000 of their own money to finance their 1996 campaigns, and 26 candidates have put at least $50,000 of their personal funds toward their races.

A hefty bank account should not be a prerequisite for running for Congress. That's why the bill I am introducing today restricts to $25,000 personal contributions a candidate can make to his own campaign if the candidate wants to be eligible to receive the benefits provided in the bill.

The bill also tames the powerful influence of PAC's. Last summer, the public interest watchdog group Common Cause released a study indicating that in the first half of the 1995 contributions from PAC's accounted for large chunks of House candidates' total campaign funds. The legislation I am introducing today requires candidates agreeing to the bill's spending caps to limit their expenditures from PAC's to 15 percent of their total spending. That's a maximum of $90,000 from PAC's.

To ensure that voters get the facts about candidates running for House seats, the bill makes participation in two nonpartisan debates a requirement for receiving communications vouchers. Our democracy is fueled by full and open discussions of the important issues facing our Nation, and all candidates should communicate their positions to the voters so that well-informed decisions can be made.

I have long believed that individual citizens should have more of a voice in campaigns for Congress. My bill expands the participation of everyday Americans in political campaigns through the voluntary checkoff and the emphasis on small contributions. I am hopeful that the House Oversight Committee will act on this legislation.

As people around the world strive to build democracies in States where ballots once listed only one choice for seats in a bureaucracy unconcerned with the needs of its own citizens, we need to increase participation in the electoral process here at home to maintain a healthy democratic system that is responsive to all Americans.

HONORING THE LIFE OF ABE LEBEWOHL

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 7, 1996

Mrs. MALONEY. Mr. Speaker, I rise today to pay tribute to one of my constituents and to mourn his tragic and premature death.

New York truly suffered a devastating loss this week with the death of Abe Lebewohl. On Monday, March 4, his life was cut short when a robber shot him twice as he went to the bank to make the daily deposit for his deli.

Mr. Lebewohl founded and owned the Second Avenue Deli where he will always be remembered as a hard worker, a brilliant businessman, an enlightened employer, and a distinguished community leader. A Holocaust survivor, he started the deli in 1954 as a 12-seat diner. After 42 years of hard work, Mr. Lebewohl built it to the current 250-seat restaurant that is know all over the world. Not only did the community lose a wonderful man and a great entrepreneur, but also one of the last links to the historic old Jewish neighborhood of the Lower East Side.

Abe Lebewohl greeted people by name, gave free sandwiches to homeless people or to anyone out of work, and supplies nourishment to workers on strike. He made everyone feel like family, never hesitating to give a helping hand when they were down on their luck.

The Second Avenue Deli has become one of their most popular landmarks in New York City. Almost every day, famous people come to eat and tourists often line up around the block in order to taste one of Abe's sandwiches or his soup. But more than anything, Abe's deli was a part of his community. It was his neighbors, employees, and family who stood outside of the deli on Monday to mourn his passing.

Mr. Speaker, I would ask that my colleagues join me in sending our deepest condolences to Abe's wife, Eleanor, his daughters, his grandchildren, his employees, and his friends on this most devastating loss.

HATRED MARKS PAPER TRAIL

HON. PETER DEUTSCH

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 7, 1996

Mr. DEUTSCH. Mr. Speaker, during these political primaries, it is important that the American public has as much information on the candidates as possible. In pursuit of that goal, I am submitting for the CONGRESSIONAL RECORD an article written for the Jerusalem Post on past statements made by Pat Buchanan.

[From The Jerusalem Post, Feb. 23, 1996]

HATRED MARKS PAPER TRAIL

Pat Buchanan has toned down his comments, but hasn't backed down, Elli Wohlgelernter reports.

Pat Buchanan's upset victory in the New Hampshire primary on Tuesday has once again focused heightened attention on the man and his words, and on the people surrounding him in his campaign.

When two staffers in two days last week had to step down for questions that were raised over their ties to white supremacists, it came as no surprise to Jews here and in the US who remembered what Buchanan used to say and write, before he toned down his rhetoric when he began running for president in 1992.

It goes back to the 1970s, when what began as a trickle—a snide comment here, a hardline position advocated there—soon started snowballing until, on the eve of the Gulf war in 1990, a mini-war broke out over flagrant and vicious antisemitic comments made by Buchanan.

To recap a few: In 1976, when the Ford administration proposed selling arms to Egypt, Buchanan urged Congress not to ''hearken * * * to the counsel of the Jewish lobby and its Washington representative Henry Jackson.''

In 1977, when president Jimmy Carter endorsed legislation against the Arab boycott of Israel, Buchanan objected and warned that Israel would be blamed as a result when Americans lost their jobs.

He later maintained that Americans were asking ''why the U.S. is siding with three million Israelis instead of 100 million Arabs who have oil.''

In 1981, he wrote, ''Many Americans are growing bone-weary with carrying the diplomatic, economic and military cost of underwriting Menachem Begin's policies.''

Throughout the 1980s, Buchanan exhibited a fiery and indignant pose in a campaign to defend former Nazis, whomever they were and however evil their prior deeds.

As early as 1977 he wrote of Hitler: ''Though Hitler was indeed racist and antisemitic to the core, a man who without compunction could commit murder and genocide, he was also an individual of great courage, a soldier's soldier in the Great War, a political organizer of the first rank, a leader steeped in the history of Europe, who possessed oratorical powers that could awe even those who despised him.''

From this followed his strong defense of Nazi criminals, and his denunciation of the U.S. Justice Department's Office of Special Investigations, which pursues Nazi criminals: ''You've got a great atrocity that occurred 35, 40 years ago * * * Why put millions of dollars [into] investigating that?''

There were other remarks he made about targets of war-crimes allegations, including:

When the U.S. apologized to France for sheltering Klaus Barbie, the ''Butcher of Lyon,'' Buchanan complained: ''To what end all this wallowing in the atrocities of a dead regime.''

He campaigned against the deportation to the Soviet Union of Karl Linnas, who ran a Nazi death camp in Estonia, when the US Court of Appeals ruled that there was overwhelming evidence of his guilt.

On the isolating of Kurt Waldheim: ''The ostracism of Kurt Waldheim [has] an aspect of moral bullying and the singular stench of selective indignation.''

And of course, there was his spirited defense of Ivan Demjanjuk and his statement that he could never get a fair trial in Israel.

Alan Ryan Jr., former head of OSI at the Justice Department, said then that ''Pat Buchanan is going to bat for any Nazi war criminal in the US,'' and called him ''the spokesman for Nazi war criminals in America. His campaign on behalf of these people is so infused with distortions and misrepresentations of the facts that it's almost impossible to engage in any sort of response. He simply piles lie upon inaccuracy upon surmise up personal attack.''

Not content to defend Nazis, Buchanan shifted to questioning aspects of the Holocaust. Gas chambers could not have killed human beings, he wrote, because ''in 1988, 97 kids, trapped 400 feet underground in a Washington, DC, tunnel while two locomotives

spewed diesel exhaust into the car, emerged unharmed.''

And finally, an attempt was made to discredit survivors themselves. ''Since the war, 1,600 medical papers have been written on 'The Psychological and Medical Effects of the Concentration Camps on Holocaust Survivors.' This so-called 'Holocaust Survivor Syndrome' involves 'group fantasies of martyrdom and heroics.'''

Writing in the January 1991 issue of Commentary, Joshua Muravchik responded: ''What can Buchanan possibly be talking about here? Can be furnish a bibliography of, say, the first 100 of these '1,600 medical papers'? And do quotation marks diminish the sewer-level bigotry of the reference to 'fantasies and martyrdom'?''

His antisemitic and anti-Israel statements continued to build over the years.

He called the Democratic Party the ''diapered poodle of * * * the Israeli lobby'';

Called Capitol Hill in Washington ''Israeli-occupied territory'';

Called the massacre of Palestinians by Lebanese Christians in Sabra and Shatilla the ''Rosh Hashana Massacre,'' and the ''the Israel army is looking toward a blackening of its name to rival what happened to the French army in the Dreyfus affair'';

Said of the Vietnamese ''Boat People'': ''Can one imagine what a cauldron of boiling rage the Senate would be if—instead of Vietnamese—there were Jews in those boats?''

In protesting the alleged blasphemy of the film ''The Last Temptation of Christ,'' asked: ''Would [Jack] Valenti, [chief executive officer of the Motion Picture Association of America] employ his eloquence to defend a film portraying Anne Frank as an oversexed teenager fantasizing at Auschwitz on romancing some SS guards?''

He also chided the New York Times for not criticizing the film strongly enough: ''We have a 'newspaper of record' that can sniff out antisemitism in some guy turning down a kosher hot dog at the ballpark.''

In the protest over the Catholic convent at Auschwitz, Buchanan wrote on September 24, 1989: ''The slumbering giant of Catholicism may be about to awaken. * * * When Cardinal John O'Connor seeks to soothe the always irate Elie Wiesel by reassuring him that 'there are many Catholics who are antisemitic. * * * It's deep within them,' when he declares this 'is not a fight between Catholics and Jews,' he speaks for himself. But not afraid, your eminence; just steps aside, there are bishops and priests ready to assume the role of defender of the faith.''

When president George Bush asked Congress to delay for four months the $10 billion in loan guarantees, Buchanan wrote on September 18, 1991: ''Even if his veto of the guarantees is overridden, he will have won high marks for courage and exposed Congress for what it has become, a Parliament of Whores incapable of standing up for US national interests, if [the American-Israel Public Affairs Committee] is on the other end of the line.''

Perhaps his most outrageous statement came shortly after Iraq's Saddam Hussein invaded Kuwait. On the CNN show ''The McLaughlin Group'' of August 26, 1990, two months after he made the comment on the same program about Congress being ''Israeli-occupied territory,'' Buchanan made this infamous remark:

''There are only two groups that are beating the drums for war in the Middle East: the Israeli Defense Ministry and its amen corner in the US.''

The remark generated an outpouring of condemnation from Jewish groups across America. It was a new kind of charge from Buchanan, one that Anti-Defamation League national director Abraham Foxman said lifted Buchanan's ''characteristic anti-Israel rhetoric to new and graver heights.''

Later in the program, Buchanan said: ''The Israelis want this war desperately because they want the US to destroy the Iraq war machine. They want us to finish them off. They don't care about our relationship with the Arab world.''

Refuting the charge of antisemitism, Buchanan said: ''Were I expressing such views * * * I wouldn't have lasted 10 minutes in a profession where I have reveled, on and off, for 30 years. The newspapers that carry the Buchanan column don't print hate literature.''

The charge of antisemitism, he wrote, ''is used to frighten, intimidate, censor and silence; to cut off debate; to so smear men's reputations that no one will listen to them again without saying, 'Say, isn't he an antisemite?'''

Buchanan confessed in that column that, ''yes, a change has taken place'' in his attitude toward Israel as compared with the time ''from June of '67 * * * until I went back into the White House in 1985,'' a time he claimed to be ''an uncritical apologist for Israel, a Begin man all the way, defending everything from the attack on the Iraqi reactor to the invasion of Lebanon. I thought they were terrific friends.

''And yes, a change has taken place. For many reasons.

''Among them: The manipulation of the traitor Jonathan Pollard to systematically loot the secrets of the most generous friend Israel will ever have. The gratuitous brutality against Palestinian old men, women, teenagers and children. The Good Friday land grab at the Church of the Holy Sepulcher in Jerusalem. The shipment of cluster bombs to the Stalinist Mengistu regime in Ethiopia. The caustic cutting cracks about my church and the popes from both Israel and its amen corner in the US.''

Foxman issued a statement saying, ''While Buchanan's attack on Jews and Israel are nothing new, they appear to be an obsession. He is obsessed with Jonathan Pollard, but not with the Walker spy ring. Obsessed with the deaths of Palestinians who are waging war on the Jewish state, but not with the cold-blooded mustard-gas massacre of 5,000 Iraqi Kurds by Saddam Hussein. He dismisses the murder of millions of Jews during the Holocaust but derides the Office of Special Investigations for pursuing Nazi war criminals.

''He claims that the newspapers that carry his column 'do not print hate literature.' True, they rarely do. But today, every newspaper which ran Pat Buchanan crossed that boundary.''

Among the papers carrying his column that day was the New York Post. In an unprecedented display of criticism, an editorial by editorial editor Eric Breindel, appearing opposite Buchanan's column, cited his previous antisemitic remarks and innuendos, and explained why the paper felt it had to publicly distance itself from one of its own regular columnists:

''What concerns us is Buchanan's attitude toward Jews as a group. When homosexual activists demonstrated against John Cardinal O'Connor at St. Patrick's Cathedral, desecrating that sacred place, Buchanan wrote a blistering column denouncing the demonstration. Indeed, the condemnation, in this instance, was widespread.

''But only Buchanan managed, somehow, to drag Jews into the discussion. He chided the New York Times for relegating its news story on the St. Patrick's incident to Page B3. And he asked rhetorically whether the Times would have been so restrained 'had a synagogue been so desecrated.'

''How did synagogues enter the picture? Was it impossible for Buchanan to write a column about the sacrilege at St. Patrick's Cathedral without a snide reference to synagogues?''

It concluded: ''When it comes to Jews as a group—not Israel, not US-Israeli relations, not individual Jews—Buchanan betrays an all-too-familiar-hostility.'' A month later on ''the McLaughlin Group,'' Buchanan lashed back at the ADL, saying the organization, in a ''pre-planned, orchestrated smear campaign,'' was calling newspapers around the country and ''threatening them'' if they didn't cease publications of his columns, which was being carried by 180 newspapers.

The ADL denied calling ''a single editor to request the removal of Buchanan's column, nor would we. Buchanan knows that, and he knows that league is against censorship of any kind.'' Buchanan, Foxman said, ''employed the same 'big lie' tactics perfected by the Nazis during World War II.''

Buchanan continued his Israel-bashing after the Gulf war. On March 13, 1991, he wrote: ''Israel is not Syria, she is not Iraq, she is not Iran. But she is not our 'strategic asset' either.

''As the Gulf war demonstrated, she is a strategic albatross draped around the neck of the US.''

The New Republic, on October 15, 1990, wrote: ''The virulence of Buchanan's comments on the Jews, the indifference to evidence, the inflamed rhetoric, the rich conspiratorial imagination, the mystical certainty of rightness, the appetite for enemies, are not characteristic only of his opinions about Israel and the Jews. He is a connoisseur of intolerance. It is proof of the tolerance of America, if proof is needed, that this disgraceful man ranges through the corridors of power and lives in our midst as a star.''

When his campaign for the 1992 election got under way, Buchanan's rhetoric softened, and continued in that manner while he waited to run again this year.

''He's a different person today in terms of what he's saying,'' Foxman said yesterday. ''The language is a lot different. He used to speak of Christian values, Christian America. Now it's Judaio-Christian values. But the baggage of the past is still with him. He has not apologized for his anti-Israel, antisemitic and Holocaust-denial statements, he has not retracted them and he has not repudiated them.''

The Jewish community, Foxman said, ''is concerned, and will be concerned, but there is no panic yet.''

He said he didn't think ''a racist will be able to maintain the support of the mainstream,'' but the problem so far has been that ''the media has not asked the questions yet. He has not been challenged. If he moves into the mainstream, the media will seriously challenge him, and then will see the response of the American public.''

GEORGIA HOUSE OF REPRESENTATIVES PASSES H.R. 850

HON. MAC COLLINS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 7, 1996

Mr. COLLINS of Georgia. Mr. Speaker, the Georgia House of Representatives passed a resolution asking the United States Congress to reevaluate the sale of the Southeastern Power Administration [SEPA].

I submit Georgia house resolution 850 for the Congress' careful consideration.

GEORGIA HOUSE OF REPRESENTATIVES

RESOLUTION 850

H.R. No. 850—By: Representatives McCall of the 90th, Powell of the 23rd, Hanner of the

159th, Reaves of the 178th, Channell of the 111th and others

A RESOLUTION

Urging the United States Congress to reject the proposal to sell the facilities used to generate electric power marketed by the Southeastern Power Administration; and for other purposes.

WHEREAS, a proposal has been made to the United States Congress to sell facilities used by the Southeastern Power Administration (SEPA) which is headquartered in Elbert County, Georgia; and

WHEREAS, these facilities, which include nine hydroelectric dams, provide electric power and reservoirs for Georgia; and

WHEREAS, all of these facilities, operated by the United States Army Corps of Engineers, also provide the public and needed fish and wildlife resources, municipal, industrial, and agricultural water supplies, flood control, reservoir, and downstream recreational uses, and river water level regulation; and

WHEREAS, such proposed sale would give too little assurance that these assets will be administered with due consideration to the purposes of the facilities not related to power production, such as water supply, flood control, navigation, recreation, and environmental protection; and

WHEREAS, the revenue from the electricity generated by the hydroelectric dams exceeds the retirement obligations of the construction bonds and costs of operation and maintenance for these facilities; and

WHEREAS, many Georgians served by these facilities could likely experience significant rate increases in electricity and water as a result of this sale.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES that the members of this body urge the United States Congress to reevaluate the negative impacts of this proposal and avoid any transfer of federal dams, resources, turbines, generators, transmission lines, and related power marketing association facilities.

BE IT FURTHER RESOLVED that the Clerk of the House of Representatives is authorized and directed to transmit an appropriate copy of this resolution to the Speaker of the United States House of Representatives, the presiding officer of the United States Senate, and members of the Georgia congressional delegation.

IN HOUSE, Read and Adopted February 2, 1996.

ROBERT E. RIVERS, JR.,
Clerk.

TRIBUTE TO RABBI MORTON F. YOLKUT

HON. ROBERT A. BORSKI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 7, 1996

Mr. BORSKI. Mr. Speaker, I rise today to pay tribute to Morton F. Yolkut, who will become the new rabbi of the Shaare Shamayim-Beth Judah synagogue in northeast Philadelphia.

Rabbi Morton Yolkut was born in St. Louis, MO, and was ordained by the Hebrew Theological College of Skokie, IL. He holds a Bachelor of Arts cum laude degree from Roosevelt University in Chicago and a Master of Arts in American history from Northwestern University.

Prior to coming to Shaare Shamayin-Beth Judah, Rabbi Yolkut served as rabbi of Congregation B'nai David in Southfield, MI for 18 years. He also served as rabbi of Congregation Anshe Kanasses Israel in Chicago for 5 years. In Michigan, he served as vice president of the Michigan Board of Rabbis and was the Orthodox columnist for the Detroit Jewish News. Rabbi Yolkut also served on the Chaplaincy Commission of Sinai Hospital in Detroit and delivered papers on Jewish medical ethics to physicians and staff at local hospitals and conferences.

On a national level, Rabbi Yolkut is a member of the Rabbinical Council of America and an active member of the Federation of Traditional Rabbis. He serves on the national Rabbinic Cabinets of State of Israel Bonds, the United Jewish Appeal, the ORT Committee and the Jewish National Fund.

I am pleased to join the more than 700 families that comprise the Shaare Shamayim-Beth Judah congregation in welcoming Rabbi Yolkut to the Northeast Philadelphia Jewish community. I am sure he will serve his synagogue and his community with honor and distinction.

HONORING BOYS AND GIRLS CLUBS

HON. STENY H. HOYER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 7, 1996

Mr. HOYER. Mr. Speaker, I rise today to honor the Boys and Girls Clubs of America, an organization which for years has been instrumental in the development of America's youth.

Through an array of programs, an expert staff, and a dedicated corps of volunteers, boys and girls clubs provide services to over 2 million children throughout this country. In doing so, boys and girls clubs instill in our Nation's children sound character and superior values. They provide a foundation from which the youth of today may become the leaders of tomorrow.

The future of America's children, however, remains precarious. In our society, children are confronted with the difficult task of overcoming many obstacles which threaten their development. Drugs and alcohol are ever present. Crime and violence are tragically abundant. Yet, Boys and Girls Clubs of America continued to steer children along the path of opportunity, hope, and success. For this I commend them. Their work is indeed a testament to what's right with America.

On September 20, 1995, Mr. Arnold Burns delivered remarks before a congressional breakfast which honored the Boys and Girls Clubs' Youth of the Year finalist. His comments were clearly indicative of the boys and girls clubs' commitment to serving our country's children. In recognition of this outstanding service, I respectfully submit that his remarks be entered into the RECORD.

1995 CONGRESSIONAL BREAKFAST

(By Senator Thurmond)

Representative Steny Hoyer, Mr. George Grune, the Chairman of the Board, Mr. Robbie Callaway, the Senior Vice President, Melvin Laird, Arnold Burns, one of the outstanding lawyers of this nation, Judge Freeh, all of the distinguished guests, and ladies and gentlemen, I'm very honored to be here on this occasion. Now, as a Senator, there are a lot of events you are asked to attend. I'm always pleased to attend this breakfast. It's the twelfth year.

I'm a strong believer in the Boys & Girls Clubs of America. There's no more important resource than our children. Boys & Girls Clubs of America work to help protect and promote that resource. This is an organization that is making a difference in the lives of tens of thousands of at risk teens. It provides parks and recreational activities, a safe haven from the mean streets, teaches kids the importance of work and responsibility, works to get kids into schools, into jobs, off welfare roles, out of public housing and away from the temptations of a life of crime.

The Boys & Girls Clubs of America is an organization on the move, serving more children each year. Thirteen years ago, they served approximately one million kids. This year, they are serving more than 2.2 million boys and girls. More than 1,700 clubs are in the United States. Last year, they averaged an opening of one new club every three days. This is a group that seeks continued growth. By the year 2001, the Boys & Girls Clubs of America aims to have 1,000 new clubs, 1 million new members, over 3 million kids involved in productive activities.

The Boys & Girls Clubs of America is one of the most effective organizations in the nation for supporting our children. It is an organization worthy of the support of everyone in this room. As members of Congress, we are in the position to help the Boys & Girls Clubs and our children. We can support legislation that is beneficial to the Boys & Girls Clubs. One example is the current crime bill. The Boys & Girls Clubs of America is seeking 100 million dollars out of the crime bill over the next five years. The Board of Directors of the Boys & Girls Clubs will match that 100 million from the crime bill. That is 200 million dollars pumped directly into the future of our nation's children.

By attending this breakfast, each of you is demonstrating your support for a worthwhile cause. I urge you to continue to help the Boys & Girls Clubs of America. You can do nothing more worthy. We are proud of the Boys & Girls Clubs of America and we're going to keep on working to make it bigger and stronger every year. Good luck, God bless you and God bless the Boys & Girls Clubs of America and God bless our country.

CONGRESSMAN STENY HOYER

One problem with the Strom and Steny show is that I have to follow Strom Thurmond. Thurmond and Hoyer, that sounds like a good name for a firm at some point in time. Strom's show has been running a lot longer than mine, as you know, but I'm always amazed at the energy, his commitment and the verve that he brings to life and the endeavors which he undertakes. And Senator, I want you to know what an honor and privilege it is to co-chair this breakfast on a continuing basis with you. George Grune, your leadership is critically important. General Burns, you've seen General Burns up here, he looks a lot like Colin Powell. I asked him if he was running for President. He's got those four stars on his lapel, here. I'm sure it's got to have something to do with that. He is outranked, of course, at his table by Secretary Laird and the Secretary is keeping him in line, luckily, so they'll be peaceful. Pete Silas, thank you for all you've done and your leadership. We look forward to working with you on a continuing basis. My friend, Robbie Callaway. I think we ought to give Robbie Callaway a big round of applause for the outstanding leadership he brings to this effort on a regular basis. Ken Gordon is here today, too.

Six or seven of the top law enforcement officials in our nation are here. We have Louis Freeh and a group of his distinguished colleagues. They're the ones who lock up and help convict those who break the laws in our

country, to keep our communities and streets and schools safe. That's their job. We ask them to do that. They're people that sometimes themselves risk their life and limb to do so. They're here this morning and I reflect on why and what message that brings us. They're here because unless parents and Boys & Girls Clubs leaders and other youth leaders all over this country do their job, they know they can't lock up enough people. God bless them and you ladies and gentlemen of the Boys & Girls Club, God bless you. Senator Thurmond is correct because you do God's work.

This is the first line of defense. This is the first line in a battle we all must wage if we are to stop the crime and the violence and the drugs from taking over our streets—our children. And that, ladies and gentlemen is what it's all about.

I am very, very proud to be here with two people who symbolize what is the first line and the best line and ultimately the line that will get us to where we need to be—two parents who all America, and indeed all the world applauded just a few days ago.

Lou Gehrig had the kind of character that all the world would admire. Let us thank God that his record was equaled and surpassed by another individual who had the character of which we can all be proud and say, ''He was worthy of Lou Gehrig''. But, why was it so? It was so because Vi and Cal Ripken Sr. gave him the leadership and the character and the understanding that gave him the will and the strength of character to persevere in the face of pain, the face of frustration, the face of being tired. We all get tired. Cal Ripken, Jr. rose and he said, effectively, ''My Dad and Mom said to go to work every day and do the best you can.'' Is there a more powerful, potent message to be given to young people than that message? God bless Vi and Cal Ripken, Sr. We're proud of you and proud of what you've done. By the way, they're from Maryland.

I know if you'll allow me four more minutes, I will close with this. I hope all of you have read the books left for you. There is a young woman sitting at my table who is typical of all of the young people we come here today to honor. She's a success story. Not just the kind of success story we read about every day, but also a success story of the Boys & Girls Clubs of America. She's from Dallas. She's a young woman. She's an African American woman and a true success story. Read her quote. She says, ''I am proud to tell my story. One of struggle and hardship, but also one of triumph and achievement.'' LaWanda Jones, that's what it's all about because, there are a lot of young people who don't have a Vi and Cal to lift them up, to nurture them, to protect them, to give them the kind of internal mechanism and compass that they need to succeed.

And so, as Todd Green said, one word came to mind when he thinks of Boys & Girls Clubs, and that's ''family * * * family''. All of us are extended family for an awful lot of young people who need the kind of nurturing and caring and courage given by Cal and Vi to Cal, Jr. Each of you in this room is a part of that caring family of America that ultimately will be the difference. Not the government, it won't happen in government. Government can help. I am one who believes that government needs to be a partner. I'm one who believes that we need to marshall our resources in the form of, yes, paying taxes and applying those to good efforts. But, in the final analysis, we will not solve the problems of making sure America's future is secure and the security of our young people is assured if it's not through our families and through us, individually, caring for our young people. That's what Boys & Girls Clubs of America do. Brooke Kersey said, ''In good times and bad times, the Boys & Girls Clubs have been my life line.'' You do God's work. I am proud to be a part of all of you. Thank you.

''CAPTAIN'' ARNOLD I. BURNS

Good morning. Thank you very much for your kind invitation. I'm delighted to be here with the distinguished members of law enforcement community mentioned by Congressman Hoyer.

I've come today to make some important arrests. I've come to arrest crime and I've come to arrest violence, to arrest the drug epidemic, to arrest teenage pregnancies, to arrest alcoholism, to arrest youth gangs. One thing responsible people in the law enforcement business have come to know, and know very well, and Steny made this point, and that is that law enforcement alone cannot solve our societal problems. We have come to believe it and to espouse the old adage that an ounce of prevention is worth a pound of cure. We know that in order to make our streets safer and more secure, we must work with organizations such as Boys & Girls Clubs of America.

We need more programs for the young people of this nation of ours—programs like the tried and proven initiatives that have earned Boys & Girls Clubs the reputation as the positive place for kids. These programs help young people to resist the peer and other pressures that lead to substance abuse, to say ''no'' to drugs, ''no'' to alcohol, to say ''no'' to teenage premature sex and to say ''no'' to gangs.

We need more Boys & Girls Clubs which keep kids coming back day after day and year after year under professional, adult supervision to learn how to get up in the morning, to show up on time for an interview, to find employment, to develop good work habits and to become a reliable and important part of the work force. Boys & Girls Clubs of America programs literally save hundreds of thousands of kids from harm and destruction each year. It is these programs that keep kids from harm and destruction each year. It is these programs that keep kids out of our courtrooms and out of jail. It is these programs that prepare kids to become productive and participating citizens in the mainstream of our society. It is these programs which makes our kids producers of tax dollars and not consumers of tax dollars as wards of the State or as welfare participants. Boys & Girls Clubs of America save billions of dollars, multi-billions of dollars of our tax dollars, because the cost of prevention pales beside the cost of cure, particularly as the cure rehabilitation so rarely works.

So, my department, today, is issuing an APB—an all points bulletin—to the 1680 boys & girls clubs facilities across our nation—reach out—reach out for more kids. Ten years ago, boys & girls clubs served 1,000,000 kids. Today, over 2,220,000 kids. Tomorrow—within the next few years—3,000,000 kids. No alibis.

We in law enforcement will continue to investigate, apprehend, prosecute, convict and incarcerate those who slip through the prevention net. We would like—no, we need, no, we must have your help—your continued top flight work, to cut potential miscreants off at the pass and bypass the criminal justice process entirely by opting for good and productive citizenship early. I close by congratulating our ''Youth of the Year'' finalists: Jason Reese, Russell Roberson, Fernando Pantoja, Michael Smith and Michael Lampkins. Each of them personifies the success boys and girls clubs can achieve in providing youngsters with a real alternative to life on the streets.

We will continue our work, you continue yours—ours must be a partnership, a collaboration. Together, we can make America a better place for all.

THE PLO MUST TAKE ACTION

HON. ROBERT E. ANDREWS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 7, 1996

Mr. ANDREWS. Mr. Speaker, as a country, we can express nothing but outrage at the recent events in Israel. The cowardice of the Hamas terrorists, who attack children dressed in costume for the Purim holiday, is hard for any sane individual to grasp. The United States cannot let such blatantly evil acts against humanity go unanswered.

During Purim, Jews throughout the world celebrate freedom from the tyranny and oppression imposed by Haman, a villain of the worst magnitude. Jewish tradition suggests that joyous holidays be celebrated even during difficult and trying times. These are indeed trying times for the people of Israel, and people who support freedom and democracy throughout the world. While Jews celebrate ancient freedom from Haman's oppression, they know that such terror lives on in the form of Hamas.

Under the Gaza-Jericho agreement of 1994, signed by the late Prime Minister Yitzhak Rabin and PLO chairman Yasser Arafat, Israel and the PLO must take all measures necessary in order to prevent acts of terrorism, crime, and hostilities directed against each other, and shall take legal measures against offenders. However, while Yasser Arafat has promised to outlaw Hamas, he has failed to shut down their training camps or confiscate their weapons. His lack of action raise serious questions about Mr. Arafat's commitment to peace.

It is unrealistic to expect the peace efforts to go forward, or for the United States to continue with its support, without Yasser Arafat and the PLO taking concrete steps toward bringing the perpetrators of these crimes to justice. The United States has a vital interest in stability in the Mideast, as well as in the protection of Americans in the area. Last year Alisa Flatow, a student from New Jersey was killed in a terrorist attack. In the past week, Matt Eisenfeld from New Jersey and his fiancée, Sara Duker, were also killed. We must use every available resource and avenue of influence to protect our citizens and ensure that the killing stops. Likewise, the Israeli Government must use any necessary force to stop and prevent any future attacks. No peace will ever be achieved until both sides are committed to it. The PLO must eliminate Hamas, and turn over the perpetrators of these crimes, if they are to live up to that commitment.

PERSONAL EXPLANATION

HON. ROB PORTMAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 7, 1996

Mr. PORTMAN. Mr. Speaker, because of an unforeseen scheduling conflict, I was not in attendance for one recorded vote, rollcall vote No. 48.

Had I been in attendance, I would have voted ''yea'' on rollcall vote No. 48.

12-YEAR-OLD HAS POEM PUBLISHED

HON. E de la GARZA

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 7, 1996

Mr. DE LA GARZA. Mr. Speaker, I would like to share with you and all of my House colleagues a poem written by Ericka L. Williams, the 12-year-old daughter of one of my constituents. Ericka's poem has been selected for inclusion in the latest edition of the Anthology of Poetry by Young Americans.

It is indeed quite an honor, and I want to take this occasion to congratulate her on this achievement.

LIFE

Life doesn't always go the way you wish it would, It goes the way God thinks it should.
Some people have everything. Some people have nothing.
Some people live in mansions way up in the hills, some people lie in trash cans way down in the city.
Some people sit around wondering what to do with their money,
Some people sit around worrying where to get money.
Some people stand around on street corners begging for money to get food so they won't starve.
Some people sit at a table for two at a very expensive Chinese restaurant.
Some people sit about wondering what life is all about,
While some people just don't care.

DR. HAING S. NGOR, A CAMBODIAN HERO WHOSE SPIRIT AND DEVOTION LIVE ON

HON. STEPHEN HORN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 7, 1996

Mr. HORN. Mr. Speaker, I rise today to pay tribute to a fallen hero who exemplified the true meaning of courage and devotion: Dr. Haing S. Ngor (1940–96)—whose time, money, fame, and heart were dedicated to serving the people of Cambodia.

The world knows Dr. Ngor for his brilliant acting success. But his Academy Award for his stirring portrayal of photojournalist Dith Pran in ''The Killing Fields,'' was eclipsed by his commitment to his fellow Cambodians, here and in Southeast Asia.

Dr. Ngor escaped from the horrors of Pol Pot and the Khmer Rouge with a strong sense of duty toward his fellow Cambodians. He knew it was his responsibility to tell the world of the tragedies that had befallen his country during the war and to support those who had survived. Dr. Ngor made this the focus of his life.

Dr. Ngor's quiet beginnings did not foretell of the worldwide respect he would achieve in later life. He was born in Samrong Young, a small village south of Phnom Penh where his father owned the local lumber mill, and his mother ran a small store. HIs parents instilled in him the devotion to family, nation, and justice that he carried to his death.

In Cambodia, Dr. Ngor attended medical school and became a physician. Then the horrors of the Pol Pot regime began. Before his escape to Los Angeles, he was to lose his loved ones, including his pregnant wife, and to suffer starvation and mutilation at the hands of the Khmer Rouge.

In Los Angeles, he dedicated himself to the support of the Cambodian people. He raised funds, opened two orphanages in Cambodia, and frequently traveled to his homeland to bring supplies and food to the refugees there. Dr. Ngor lobbied hard to bring Pol Pot and the Khmer Rouge to justice in an international tribunal.

An assassin's bullet may have ended Dr. Ngor's life, but it will not kill his spirit. He will remain in our hearts as an inspiration in the fight against oppression and injustice. We will continue Dr. Ngor's fight.

COMMEMORATING BLACK HISTORY MONTH

SPEECH OF

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 28, 1996

Mr. TOWNS of New York. Mr. Speaker, I would first like to thank my colleague from Ohio, Mr. LOUIS STOKES for calling this special order today in honor of African-American History Month.

Today, I would like to pay special tribute to our African-American women. These women are our mothers, sisters, and wives. Women who have watched their young children be sold on the auction block and women who even today watch their children be buried or sent away in shackles.

Through all the trials, tribulations and pain that African-American women have gone through, they have always been the backbone of our community. In 1969, Shirley Chisholm of New York became the first black woman to serve in the U.S. House of Representatives. In the arts, Gwendolyn Brooks became the first black to win a Pulitzer. She received the award in 1950 for a collection of poems titled ''Annie Allen.'' In 1955, Marian Anderson became the first black to sing a leading role with Metropolitan Opera in New York City. In the civil rights movement, Rosa Parks, a seamstress and civil rights activist in Montgomery, AL, became a leading symbol of black's bold new action to attain their civil rights. In 1955, she was arrested for disobeying a city law that required blacks to give up their seats when white people wished to sit in their seats or in the same row. Montgomery's blacks protested her arrest by refusing to ride the buses. Their protest lasted 382 days, ending when the city abolished the bus law.

During the Great Depression, most African-Americans felt that Republican President Herbert Hoover, had done little to try to end the Depression. In the elections of 1932, some black voters deserted their traditional loyalty to the Republican Party. They no longer saw it as the party of Abraham Lincoln the emancipator, but of Herbert Hoover and the Depression. In 1936 for the first time, most blacks supported Franklin D. Roosevelt, the Democratic Party candidate for President. This change opened the door for women like, Mary McLeod Bethune, who became an advisor to Roosevelt on the problems of black America. Bethune, founder of Bethune Cookman-College, during the Roosevelt administration, directed the Black Affairs Division of a Federal agency called the National Youth Administration.

Brooklyn is very blessed to have the guidance and leadership of many virtuous women. Virtuous women are leaders and organizers, creative and culturally aware of their communities. Women such as, Rev. Evelyn Mann, Rev. Barbara Lucas, and Rev. Barbara Williams-Norman and Rev. Jacqueline McCollaugh have all supported their families and communities through the work and word of God.

All of these women and many more have contributed to the political, social and spiritual progress of this country.

As we honor African-American women, we honor our heritage and our ancestors who have passed the torch of strength and determination.

I ask my colleagues to join me in saluting African-American women around the country for their outstanding achievements even under the most difficult circumstances.

Daily Digest

HIGHLIGHTS

Senate passed Debt Limit Extension.

Senate

Chamber Action

Routine Proceedings, pages S1611–S1661

Measures Introduced: Six bills were introduced, as follows: S. 1596–1601. **Page S1649**

Measures Passed:

Debt Limit Extension: Senate passed H.R. 3021, to guarantee the continuing full investment of Social Security and other Federal funds in obligations of the United States, after taking action on the following amendment proposed thereto: **Pages S1624–30**

Rejected:

By 43 yeas to 47 nays (Vote No. 24), Moynihan Amendment No. 3465, in the nature of a substitute. **Pages S1626–30**

Whitewater Investigation: Senate continued consideration of a motion to proceed to the consideration of S. Res. 227, to authorize the use of additional funds for salaries and expenses of the Special Committee to Investigate Whitewater Development Corporation and Related Matters. **Pages S1617–23, S1648**

A motion was entered to close further debate on the motion to proceed to the consideration of the resolution and, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, a vote on the cloture motion will occur on Tuesday, March 12, 1996. **Page S1648**

D.C. Appropriations Conference Report—Cloture Motion Filed: A motion was entered to close further debate on the conference report of H.R. 2546, making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 1996 and, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, a vote on the cloture motion will occur on Tuesday, March 12, 1996. **Page S1648**

Continuing Appropriations—Agreement: A unanimous-consent agreement was reached providing for the consideration of H.R. 3019, making appropriations for fiscal year 1996 to make a further downpayment toward a balanced budget, on Monday, March 11, 1996. **Page S1661**

Messages From the President: Senate received the following message from the President of the United States:

Transmitting the report on the national security strategy of the United States; referred to the Committee on Armed Services. (PM–128). **Page S1648**

Messages From the President: **Page S1648**

Messages From the House: **Page S1648**

Communications: **Pages S1648–49**

Statements on Introduced Bills: **Pages S1649–54**

Additional Cosponsors: **Pages S1654–55**

Amendments Submitted: **Page S1655**

Notices of Hearings: **Page S1655**

Authority for Committees: **Pages S1655–56**

Additional Statements: **Pages S1656–60**

Record Votes: One record vote was taken today. (Total–24) **Page S1630**

Adjournment: Senate convened at 9:30 a.m., and adjourned at 6:17 p.m., until 12 noon, on Monday, March 11, 1996. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on pages S1660–61.)

Committee Meetings

(Committees not listed did not meet)

NOMINATIONS

Committee on Armed Services: Committee concluded hearings on the nominations of Kenneth H. Bacon, of the District of Columbia, to be Assistant Secretary of Defense for Public Affairs, Franklin D. Kramer, of

the District of Columbia, to be Assistant Secretary of Defense for International Security Affairs, and Alvin L. Alm, of Virginia, to be Assistant Secretary of Energy for Environmental Management, after the nominees testified and answered questions in their own behalf.

Also, committee met in closed session to consider pending military nominations, but made no announcements and recessed subject to call.

AIR BAG SAFETY

Committee on Commerce, Science, and Transportation: Committee concluded hearings to examine the performance of passenger air bags and other related safety issues, after receiving testimony from Ricardo Martinez, Administrator, Barry Felrice, Associate Administrator for Safety Performance Standards, William Boehly, Associate Administrator for Research and Development, Jim Headlund, Associate Administrator for Traffic Safety Programs, and Sam Dubbin, Chief Counsel, all of the National Highway Traffic Safety Administration, Department of Transportation; Richard Klimisch and Vann Wilber, both of the American Automobile Manufacturing Association, Washington, D.C.; and Brian O'Neill, Insurance Institute for Highway Safety, and George Parker, Association of International Automobile Manufacturers, both of Arlington, Virginia.

NATIONAL PARKS

Committee on Energy and Natural Resources: Subcommittee on Parks, Historic Preservation and Recreation concluded hearings on S. 745, to require the National Park Service to eradicate brucellosis afflicting the bison in Yellowstone National Park, S. 796 and H.R. 238, bills to provide for the protection of wild horses within the Ozark National Scenic Riverways, Missouri, and prohibit the removal of such horses, and S. 1451, to authorize an agreement between the Secretary of the Interior and a State providing for the continued operation by State employees of national parks in the State during any period in which the National Park Service is unable to maintain the normal level of park operations, after receiving testimony from Senators McCain and Bond; John J. Reynolds, Deputy Director, National Park Service, Department of the Interior; Donald Luchsinger, Deputy Administrator for Veterinary Services, Animal and Plant Health Inspection Service, Department of Agriculture; Bob R. Hillman, Idaho Department of Agriculture, Boise; Douglas R. Kennedy, Poplar Bluff, Missouri, and Jim Smith, Eminence, Missouri, both on behalf of the Missouri Wild Horse League; Philip H. Voorhees, National Parks and Conservation Association, D.J. Schubert, Meyer and Glitzenstein, on behalf of the Fund for Animals, both of Washington, D.C.; Clarence J. Siroky, Montana Department of Livestock, Helena; Paul Nicoletti, University of Florida College of Veterinary Medicine, Gainesville; Art Reese, Wyoming Game and Fish Department, Cheyenne; Del Hensel, National Bison Association, Denver, Colorado; and Mike Fox, InterTribal Bison Cooperative, Rapid City, South Dakota.

NATIONAL FORESTS

Committee on Energy and Natural Resources: Subcommittee on Forests and Public Land Management concluded hearings on S. 393 and H.R. 924, bills to prohibit the Secretary of Agriculture from transferring any national forest system lands in the Angeles National Forest in California out of Federal ownership for use as a solid waste landfill, after receiving testimony from Representatives McKeon and Moorhead; Gray Reynolds, Deputy Chief, Forest Service, Department of Agriculture; Mayor Carl Boyer, Santa Clarita, California; Harry Grossman, Walt Disney Studios, Burbank, California; Frank Bernheisel, Gershman, Brickner and Bratton, Falls Church, Virginia; Kenneth Kazarian, BKK Corporation, Torrance, California; Jack R. Michael, Waste Management Programs, Modesto, California; Dean Hargos, Dames & Moore, Las Vegas, Nevada; and Harriet Burgess, American Land Conservancy, San Francisco, California.

LANGUAGE OF GOVERNMENT ACT

Committee on Governmental Affairs: Committee held hearings on S. 356, to declare English as the official language of the Government of the United States, receiving testimony from Senators Simon and Bingaman; Representatives Mink, Velázquez, and Underwood; Iliodor Philemonof, St. George Tanaq Corporation, Anchorage, Alaska; Kauanoe Kamana and Namaka Rawlins, both on behalf of the Punana Leo Project, Hilo, Hawaii; Leonard Chee, Navajo Nation Council, Window Rock, Arizona; Joanne Chase, National Congress of American Indians, and Karen K. Narasaki, National Asian Pacific American Legal Consortium, both of Washington, D.C.; and Juan F. Perea, University of Florida College of Law, Gainesville.

Hearings were recessed subject to call.

IMMIGRATION REFORM

Committee on the Judiciary: Committee resumed markup of S. 269, to increase control over immigration to the United States by increasing border patrol and investigator personnel, improving the verification system for employer sanctions, increasing penalties for alien smuggling and for document fraud, reforming asylum, exclusion, and deportation law and procedures, instituting a land border user fee, and reducing the use of welfare by aliens, and S. 1394, to

reform the legal immigration of immigrants and nonimmigrants to the United States, but did not complete action thereon, and will meet again on Wednesday, March 13.

NIH

Committee on Labor and Human Resources: Committee concluded oversight hearings on activities of the National Institutes of Health, after receiving testimony from Ruth Kirschstein, Deputy Director, Judith Vaitukaitis, Director, National Center for Research Resources, Donald Lindberg, Director, National Library of Medicine, Claude Lenfant, Director, National Heart, Lung, and Blood Institute, Stephen I. Katz, Director, National Institute of Arthritis and Musculoskeletal and Skin Diseases, Richard J. Hodes, Director, National Institute on Aging, William Paul, Director, Office of AIDS Research, Anthony Fauci, Director, National Institute of Allergy and Infectious Diseases, and Duane F. Alexander, Director, National Institute of Child Health and Human Development, all of the National Institutes of Health, Department of Health and Human Services.

House of Representatives

Chamber Action

Bills Introduced: 17 public bills, H.R. 3041–3057; and 5 resolutions, H. Con. Res. 148–150, and H. Res. 374 and 377 were introduced. **Pages H1985–86**

Reports Filed: Reports were filed as follows:

H.R. 2776, to establish the Federal Aviation Administration as an independent establishment in the executive branch, amended (H. Rept. 104–475, Part I);

H. Res. 375, waiving points of order against the conference report to accompany H.R. 1561, to consolidate the foreign affairs agencies of the United States; to authorize appropriations for the Department of State and related agencies for fiscal years 1996 and 1997; and to responsibly reduce the authorizations of appropriations for United States foreign assistance programs for fiscal years 1996 and 1997 (H. Rept. 104–476); and

H. Res. 376, providing for the consideration of H.R. 2703, to combat terrorism (H. Rept. 104–477); and

H.R. 2202, to amend the Immigration and Nationality Act to improve deterrence of illegal immigration to the United States by increasing border patrol and investigative personnel, by increasing penalties for alien smuggling and for document fraud, by reforming exclusion and deportation law and procedures, by improving the verification system for eligibility for employment, and through other measures, to reform the legal immigration system and facilitate legal entries into the United States, amended (H. Rept. 104–469, Part II). **Pages H1958, H1984**

Speaker Pro Tempore: Read a letter from the Speaker wherein he designates Representative Gillmor to act as Speaker pro tempore for today. **Page H1777**

Committees to Sit: The following committees and their subcommittees received permission to sit today during proceedings of the House under the five-minute rule: Banking and Financial Services, Commerce, Economic and Educational Opportunities, Government Reform and Oversight, International Relations, Judiciary, National Security, Resources, Science, Small Business, Transportation and Infrastructure, Veterans' Affairs, and Select Intelligence. **Page H1781**

Temporary Statutory Debt Increase: By a yea-and-nay vote of 362 yeas to 51 nays, Roll No. 48, the House passed H.R. 3021, to guarantee the continuing full investment of Social Security and other Federal funds in obligations of the United States. **Pages H1787–92**

Agreed to the technical amendment made in order by the rule. **Page H1792**

H. Res. 371, the rule under which the bill was considered, was agreed to earlier by a voice vote. **Pages H1781–87**

C–17 Aircraft: Objection was heard to a unanimous-consent request that it be in order, during the consideration of H.R. 3019, making appropriations for fiscal year 1996 to make a further downpayment toward a balanced budget, to consider the Obey amendment relating to the C–17 aircraft submitted as though it were the amendment specified as number 4 in House Report 104–474, except that the time for debate be limited to 20 minutes. **Page H1808**

Omnibus Appropriations: By a yea-and-nay vote of 209 yeas to 206 nays, Roll No. 55, the House passed H.R. 3019, making appropriations for fiscal year 1996 to make a further downpayment toward a balanced budget. **Pages H1808–H1958**

Rejected the Obey motion to recommit the bill to the Committee on Appropriations with instructions

to report it back forthwith containing an amendment that sought to strike provisions providing funding for general operating expenses for the Department of Veterans Affairs (rejected by a recorded vote of 182 ayes to 228 noes, Roll No. 54). **Pages H1956–58**

Agreed To:

The Istook amendment that requires private groups receiving Federal funds (other than State, local, and tribal governments) to disclose the amount and grantee identification number of each Federal grant received; and to make a ''good faith'' estimate of their organization's actual expenditures for lobbying activities for the most recent taxable year (agreed to by a recorded vote of 211 ayes to 209 noes, Roll No. 52); and **Pages H1947–51**

The Crapo amendment that establishes a permanent ''Deficit Reduction Lockbox Account'' for the purpose of creating a series of lockboxes to capture savings from floor amendments that cut spending in order to reduce the Federal budget deficit (agreed to by a recorded vote of 329 ayes to 89 noes, Roll No. 53). **Pages H1951–56**

Rejected:

The Lowey amendment that sought to delete provisions permitting States to decide whether to use Medicaid funds to pay for an abortion in the case of rape or incest (rejected by a recorded vote of 198 ayes to 222 noes, Roll No. 51). **Pages H1942–47**

H. Res. 372, the rule under which the bill was considered, was agreed to earlier by a recorded vote of 235 ayes to 175 noes, Roll No. 50). **Pages H1793–H1808**

Agreed to the Dreier technical amendment (agreed to by a yea-and-nay vote of 228 yeas to 183 nays, Roll No. 49). **Pages H1806–07**

White House Travel Office Investigation: House agreed to H. Res. 369, to provide to the Committee on Government Reform and Oversight special authorities to obtain testimony for purposes of investigation and study of the White House Travel Office matter. **Pages H1959–64**

Legislative Program: The Majority Leader announced the legislative program for the week of March 11. **Page H1964**

Meeting Hour: Agreed that when the House adjourns on Friday, March 8, it adjourn to meet at 12:30 p.m. on Tuesday, March 12. **Page H1965**

Calendar Wednesday: Agreed to dispense with Calendar Wednesday business of March 13. **Page H1965**

Solid Waste Land Disposal: House agreed to the Senate amendments to H.R. 2036, to amend the Solid Waste Disposal Act to make certain adjustments in the land disposal program to provide needed flexibility—clearing the measure for the President. **Pages H1965–66**

Presidential Message—National Security Strategy: Read a message from the President wherein he transmits a report on the National Security Strategy of the United States—referred to the Committee on National Security. **Pages H1966–67**

Supplemental Report: Agreed to a unanimous-consent request that the Committee on Agriculture be permitted to file a supplemental report on H.R. 2202, Immigration and the National Interest Act of 1995, to include a cost estimate as required under clause 2(1)(3) of rule XI. **Page H1968**

Committee Resignation: Read a letter from Representative Obey wherein he resigns as a member of the Joint Economic Committee.

Subsequently, announced the Speaker's appointment of Representatives Hinchey and Maloney to the Joint Economic Committee. **Pages H1981–82**

Senate Messages: Messages received from the Senate today appear on pages H1777 and H1959.

Quorum Calls—Votes: Three yea-and-nay votes and five recorded votes developed during the proceedings of the House today and appear on pages H1792, H1807, H1807–08, H1946–47, H1951, H1955–56, H1957–58, and H1958. There were no quorum calls.

Adjournment: Met at 10 a.m. and adjourned at 9:07 p.m.

Committee Meetings

AGRICULTURE APPROPRIATIONS

Committee on Appropriations: Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies continued appropriations hearings. Testimony was heard from congressional and public witnesses.

INTERIOR APPROPRIATIONS

Committee on Appropriations: Subcommittee on Interior held a hearing on Department of Energy and other programs. Testimony was heard from public witnesses.

LABOR-HHS-EDUCATION APPROPRIATIONS

Committee on Appropriations: Subcommittee on Labor, Health and Human Services, and Education continued appropriation hearings. Testimony was heard from public witnesses.

MILITARY CONSTRUCTION APPROPRIATIONS

Committee on Appropriations: Subcommittee on Military Construction held a hearing on the Air Force. Testimony was heard from Ronald Coleman, Assistant Secretary, Manpower, Reserve Affairs, Installations and Environment, Department of the Air Force.

NATIONAL SECURITY APPROPRIATIONS

Committee on Appropriations: Subcommittee on National Security held a hearing on fiscal year 1997 Defense Budget. Testimony was heard from the following officials of the Department of Defense: William J. Perry, Secretary; and Gen. John M. Shalikashvili, USA, Chairman, Joint Chiefs of Staff.

TRANSPORTATION APPROPRIATIONS

Committee on Appropriations: Subcommittee on Transportation held a hearing on the GAO and on the National Transportation Safety Board. Testimony was heard from John Anderson, Director, Transportation Issues, GAO; and James E. Hall, Chairman, National Transportation Safety Board.

FUTURE OF MONEY

Committee on Banking and Financial Services: Subcommittee on Domestic and International Monetary Policy continued hearings on the Future of Money, Part III. Testimony was heard from public witnesses.

CORPORATE WELFARE

Committee on the Budget: Held a hearing on Corporate Welfare. Testimony was heard from public witnesses.

HEALTH CARE REFORM

Committee on Commerce: Subcommittee on Health and Environment held a hearing on Health Care Reform: Reforming the Small Business Marketplace and the Individual Health Insurance Market. Testimony was heard from Brian Atchinson, Superintendent of Insurance, State of Maine; and public witnesses.

SECURITIES AMENDMENTS ACT OF 1996

Committee on Commerce: Subcommittee on Telecommunications and Finance approved for full Committee action amended H.R. 3005, Securities Amendments of 1996.

INDIVIDUALS WITH DISABILITIES EDUCATION ACT

Committee on Economic and Educational Opportunities: Subcommittee on Early Childhood, Youth and Families held a hearing on a proposed IDEA (Individuals with Disabilities Education Act) Improvement Act. Testimony was heard from public witnesses.

MISCELLANEOUS MATTERS

Committee on Government Reform and Oversight: ordered reported amended H.R. 2202, Immigration and National Interest Act of 1995.

The Committee also adopted Special Committee Rules to obtain deposition testimony on the White House Travel Office matter.

The Committee also approved a draft report entitled "National Drug Policy: A Review of the Status of the Drug War."

ADMINISTRATION'S PROGRAM—NARCOTICS IN LATIN AMERICA

Committee on International Relations: Subcommittee on the Western Hemisphere held a hearing to review the Administration's certification program for Narcotics producing and transit countries in Latin America. Testimony was heard form Robert S. Gelbard, Assistant Secretary, International Narcotics and Law Enforcement Affairs, Department of State; and Thomas A. Constantine, Administrator, DEA, Department of Justice.

EQUAL OPPORTUNITY ACT OF 1995

Committee on the Judiciary: Subcommittee on the Constitution approved for full Committee action amended H.R. 2128, Equal Opportunity Act of 1995.

MISCELLANEOUS MEASURES

Committee on the Judiciary: Subcommittee on Crime held a hearing on the following bills: H.R. 1143, to amend title 18, United States Code, with respect to witness retaliation; H.R. 1144, to amend title 18, United States Code, with respect to witness tampering; H.R. 1144, to amend title 18, United States Code, with respect to jury tampering; H.R. 2092, Private Security Officer Quality Assurance Act of 1995; H.R. 2137, Megan's Law; H.R. 2453, Fugitive Detention Act of 1995; H.R. 2587, War Crimes Act of 1995; H.R. 2607, Veterans' Memorials Protection Act of 1995; H.R. 2641, United States Marshals Service Improvement Act of 1995; H.R. 2650, Mandatory Federal Prison Drug Treatment Act of 1995; H.R. 2803, Anti-Car Theft Improvements Act of 1995; H.R. 2804, to amend the auto theft provisions of title 49, United States Code, to add air bag modules to the list of major auto parts protected under such provisions; H.R. 2974, Crimes Against Children and Elderly Persons Punishment and Prevention Act of 1995; H.R. 2980, Interstate Stalking Punishment and Prevention Act of 1996; and H.R. 2996, Law Enforcement and Industrial Security Cooperation Act of 1996. Testimony was heard from Representatives Martinez, Chrysler, Fox, Zimmer, Frank of Massachusetts, Jones, Lowey, and Royce; Kevin V. DiGregory, Deputy Assistant Attorney General, Criminal Division, Department of Justice.

MILITARY HOUSING

Committee on National Security: Subcommittee on Military Installation and Facilities held a hearing on alternative authorities for construction and improvement of military housing. Testimony was heard from the following officials of the Department of Defense: Robert E. Bayer, Deputy Assistant Secretary, Installations; Paul Johnson, Deputy Assistant Secretary, Installations and Housing, Department of the Army; Duncan Holaday, Deputy Assistant Secretary, Installations and Housing, Department of the Navy; and Jimmy G. Dishner, Deputy Assistant Secretary, Installations, Department of the Air Force.

DEFENSE AUTHORIZATION

Committee on National Security; Subcommittee on Military Personnel began hearings on the fiscal year 1996 national defense authorization request, with emphasis on Department of Defense TRICARE and alternatives for retiree health care. Testimony was heard from the following officials of the Department of Defense: Maj. Gen. James Peake, USA, Deputy Commander, U.S. Army Medical Command; and Stephen Joseph M.D., Assistant Secretary, Health Affairs; Stephen P. Backus, Associate Director, Health Care Delivery and Quality Issues, GAO; Steve Tough, President and CEO, Foundation Health Federal Services Managed-Care Support Contractor for TRICARE; and public witnesses.

Hearings continue March 12.

DEFENSE AUTHORIZATION

Committee on National Security: Subcommittee on Military Procurement and the Subcommittee on Military Research and Development held a joint hearing on the fiscal year 1997 national defense authorization request, with emphasis on Ballistic Missile Defense. Testimony was heard from the following officials of the Department of Defense: Lt. Gen. Malcolm R. O'Neill, USA, Director, Ballistic Missile Defense Organization; Lt. Gen. George K. Muellner, USAF, Principal Deputy Assistant Secretary, Acquisition, Department of the Air Force, RAdm. John T. Hood, USN, Program Executive Officer, Theater Air Defense; and Brig. Gen. Richard A. Black, USA, Program Executive Officer, Missile Defense.

MINERAL MANAGEMENT SERVICE ORGANIC ACT

Committee on Resources: Subcommittee on Energy and Mineral Resources held a hearing on H.R. 1813, Mineral Management Service Organic Act. Testimony was heard from Cynthia Quarterman, Director, Minerals Management Service, Department of the Interior; Robert R. Jordan, State Geologist and Director, Geological Survey, State of Delaware; and public witnesses.

OVERSIGHT—DAM SAFETY AND MAINTENANCE

Committee on Resources: Subcommittee on Water and Power Resources held an oversight hearing on dam safety and deferred maintenance issues at Bureau of Reclamation facilities. Testimony was heard from Patricia J. Beneke, Assistant Secretary, Water and Science, Department of the Interior; Fred Springer, Director, Office of Hydropower Licensing, Federal Energy Regulatory Commission, Department of Energy; Anthony K. Chargin, Deputy Associate Director, Energy, Manufacturing, Transportation Technologies, Lawrence Livermore National Laboratories; the following officials of the State of California: Vernon Persson, Chief, Division of Safety of Dams, Department of Water Resources; and Steven Miklos, Vice Mayor, Folsom, California; and public witnesses.

CONFERENCE REPORT—AMERICAN OVERSEAS INTERESTS ACT

Committee on Rules: Granted, by voice vote, a rule waiving all points of order against the conference report to accompany H.R. 1561, American Overseas Interests Act of 1995, and against its consideration. The rule provides that the conference report shall be considered as read. Testimony was heard from Chairman Hyde and Representative Conyers.

EFFECTIVE DEATH PENALTY AND PUBLIC SAFETY ACT

Committee on Rules: The Committee granted, by voice vote, a rule providing 1 hour of debate on H.R. 2703, Effective Death Penalty and Public Safety Act of 1996. The rule provides for the Committee of the Whole to rise after general debate without further motion. No further consideration of the bill is provided for except by a subsequent order of the House. Testimony was heard from Chairman Gilman and Representative Hamilton.

RESTRUCTURED FUSION ENERGY SCIENCES PROGRAM

Committee on Science: Subcommittee on Energy and Environment held a hearing on Department of Energy's Restructured Fusion Energy Sciences Program. Testimony was heard from Martha A. Krebs, Director, Office of Energy and Research, Department of Energy; L. John Perkins, Magnetic Fusion Energy Program, Lawrence Livermore National Laboratory; and public witnesses.

REDUCING REGULATIONS AND PAPERWORK BURDENS

Committee on Small Business: Held a hearing on EPA's Progress in Reducing Unnecessary Regulations and Paperwork Burdens Upon Small Business. Testimony

was heard from Fred Hansen, Deputy Administrator, EPA; and public witnesses.

NLRB RULEMAKING

Committee on Small Business: Subcommittee on Regulation and Paperwork held a hearing on rulemaking at the NLRB. Testimony was heard from William B. Gould, IV, Chairman, NLRB; and public witnesses.

MISCELLANEOUS MEASURES; BUDGET VIEWS AND ESTIMATES

Committee on Transportation and Infrastructure: Ordered reported the following: H.R. 2747, amended, Water Supply Infrastructure Assistance Act of 1995; H. Con. Res. 146, authorizing the 1996 Special Olympics Torch to be run through the Capitol Grounds; and H. Con. Res. 147, authorizing the use of the Capitol Grounds for the 15th Annual National Peace Officers' Memorial Service.

The Committee approved the following: 14 pending water resources resolutions; and its Budget Views and Estimates for submission to the Committee on the Budget.

AIRPORT IMPROVEMENT PROGRAM

Committee on Transportation and Infrastructure: Subcommittee on Aviation continued hearings on the Airport Improvement Program, with emphasis on revenue diversion. Testimony was heard from the following officials of the Department of Transportation: Nicholas G. Garaulis, Chief Counsel, FAA; and A. Mary Schiavo, Inspector General; Benjamin DeCosta, General Manager, Aviation Department, Newark International Airport, New York/New Jersey Port Authority; and public witnesses.

Hearings continue March 13.

OVERSIGHT—GI BILL

Committee on Veterans' Affairs: Subcommittee on Education, Training, Employment and Housing held an oversight hearing on the Montgomery GI Bill. Testimony was heard from the following officials of the Department of Defense: Lt. Gen. Samuel E. Ebbesen, USA, Deputy Assistant Secretary, Military Personnel Policy; and Al Bemis, Deputy Assistant Secretary, Manpower and Personnel, Office of the Secretary, Reserve Affairs; Raymond H. Avent, Deputy Under Secretary, Benefits, Department of Veterans Affairs; and public witnesses.

CHINA

Permanent Select Committee on Intelligence: Met in executive session to hold a hearing on China. Testimony was heard from departmental witnesses.

Joint Meetings

U.S./SINO RELATIONS

Joint Hearing: Senate Committee on Foreign Relations' Subcommittee on East Asian and Pacific Affairs concluded joint hearings with the House Committee on International Relations' Subcommittee on Asia and the Pacific to examine United States-Sino relations, focusing on the intellectual property rights agreement and related trade issues, after receiving testimony from Michael Kantor, United States Trade Representative; and Jason Berman, Recording Industry Association of America, Robert Holleyman, Business Software Alliance, and Eric Smith, International Intellectual Property Alliance, all of Washington, D.C.

FOREIGN RELATIONS AUTHORIZATION ACT

Conferees agreed to file a conference report on the differences between the Senate- and House-passed versions of H.R. 1561, to consolidate the foreign affairs agencies of the United States, to authorize funds for fiscal years 1996 and 1997 for the Department of State and related agencies, and to responsibly reduce the authorizations of appropriations for United States foreign assistance programs for fiscal years 1996 and 1997.

COMMITTEE MEETINGS FOR FRIDAY, MARCH 8, 1996

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Appropriations, Subcommittee on VA, HUD, and Independent Agencies, to hold hearings to review the status of the reorganization of the Veterans Health Administration and related initiatives to improve VA health care delivery methods, 9 a.m., SD–192.

Committee on Governmental Affairs, Subcommittee on Oversight of Government Management and the District of Columbia, to hold hearings to examine the oversight of government-wide travel management, 9:30 a.m., SD–342.

Committee on Labor and Human Resources, to hold hearings on S. 553 and H.R. 849, bills to amend the Age Discrimination in Employment Act of 1967 to reinstate an exemption for certain bona fide hiring and retirement plans applicable to State and local firefighters and law enforcement officers, 9:30 a.m., SD–430.

House

Committee on Commerce, Subcommittee on Oversight and Investigations, to continue hearings on the Department of Energy: Travel Expenditures and Related Issues, 9:30 a.m., 2123 Rayburn.

Committee on the Judiciary, Subcommittee on Courts and Intellectual Property, hearing on the following bills: H.R. 1659, Patent and Trademark Office Corporation Act of 1995; and H.R. 2553, United States Intellectual Property Organization Act of 1995, 10 a.m., 2226 Rayburn.

Committee on National Security, to continue hearings on fiscal year 1997 national defense authorization request, 10 a.m., 2118 Rayburn.

Joint Meetings

Joint Economic Committee, to hold hearings to examine the employment-unemployment situation for February, 9:30 a.m., 334 Cannon Building.

CONGRESSIONAL PROGRAM AHEAD

Week of March 11 through 16, 1996

Senate Chamber

On *Monday,* Senate will consider H.R. 3019, Continuing Appropriations, 1996.

On *Tuesday,* Senate will vote on the motion to invoke cloture on the conference report on H.R. 2546, D.C. Appropriations, 1996 at 2:15 p.m., to be followed by a vote to invoke cloture on the motion to proceed to the consideration of S. Res. 227, Whitewater Committee Extension.

During the balance of the week, Senate may consider any cleared legislative and executive business.

(Senate will recess from 12:30 p.m. until 2:15 p.m., on Tuesday, March 12, 1996, for respective party conferences.)

Senate Committees

(Committee meetings are open unless otherwise indicated)

Committee on Appropriations: March 12, Subcommittee on Foreign Operations, to hold hearings to examine international crime, terrorism, and narcotics, 10 a.m., SD–138.

March 13, Subcommittee on Defense, to hold closed hearings on proposed budget estimates for fiscal year 1997 for intelligence programs, 8:30 a.m., SD–117.

Committee on Armed Services: March 12, to resume hearings on proposed legislation authorizing funds for fiscal year 1997 for the Department of Defense, and the future years defense plan, 9:30 a.m., SR–222.

March 13, Subcommittee on Strategic Forces, to hold closed and open hearings on the Department of Energy Atomic Energy Defense Programs (Nuclear Stockpile Stewardship and Management), 9:30 a.m., SR–232A.

March 13, Subcommittee on Personnel, to hold hearings on proposed legislation authorizing funds for fiscal year 1997 for the Department of Defense and the future years defense program, focusing on manpower, personnel, and compensation programs, 10 a.m., SR–222.

March 13, Full Committee, to resume hearings on proposed legislation authorizing funds for fiscal year 1997 for the Department of Defense and the future years defense plan, 2 p.m., SR–222.

March 14, Full Committee, to continue hearings on proposed legislation authorizing funds for fiscal year 1997 for the Department of Defense and the future years defense plan, 10 a.m., SR–222.

March 14, Subcommittee on Readiness, to hold hearings on current and future military readiness as the Armed Forces prepare for the 21st century, 2 p.m., SR–232A.

March 15, Subcommittee on Airland Forces, to hold hearings on proposed legislation authorizing funds for fiscal year 1997 for the Department of Defense, focusing on tactical aviation programs, 9:30 a.m., SR–222.

March 15, Subcommittee on Acquisition and Technology, to hold hearings on proposed legislation authorizing funds for fiscal year 1997 for the Department of Defense, 10 a.m., SR–232A.

Committee on the Budget: March 12, to hold hearings to examine immigration and public welfare benefits, 10 a.m., SD–608.

March 14, Full Committee, to hold hearings to examine the budgetary and economic implications of alternative spectrum use policies, 10 a.m., SD–608.

Committee on Commerce, Science, and Transportation: March 13, Subcommittee on Science, Technology, and Space, to hold hearings to examine recent developments in the Space Station program, 10:30 a.m., SR–253.

Committee on Energy and Natural Resources: March 13, business meeting, to consider pending calendar business, 9:30 a.m., SD–366.

March 14, Full Committee, to hold hearings on S. 1425, to recognize the validity of rights-of-way granted under section 2477 of the Revised Statures, 9:30 a.m., SD–366.

Committee on Environment and Public Works: March 14, to hold oversight hearings on wetland mitigation banking under section 404 of the Clean Water Act, 2 p.m., SD–406.

Committee on Finance: March 11, Subcommittee on Social Security and Family Policy, to hold hearings to examine the Social Security program in relation to future retirees, focusing on the original intent of the program, expectations of different generations, and changes necessary to ensure that retirees born after 1946 will be treated fairly relative to current and past retirees, 10 a.m., SD–215.

Committee on Foreign Relations: March 12, to resume hearings on the Convention on the Prohibition of Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction, opened for signature and signed by the United States at Paris on January 13, 1993 (Treaty Doc. 103–21), 10 a.m., SD–419.

March 12, Subcommittee on African Affairs, to hold hearings to examine the prospects for peace and democracy in Angola, 2 p.m., SD–419.

Committee on Governmental Affairs: March 11, to hold hearings on the nomination of Thomas A. Fink, of Alaska, to be a Member of the Federal Retirement Thrift Investment Board, 10 a.m., SD–342.

March 12, Full Committee, to hold hearings on human radiation experiments, 9 a.m., SD–342.

March 13, Permanent Subcommittee on Investigations, to resume hearings to examine global proliferation of weapons of mass destruction, 9:30 a.m., SD–342.

March 14, Subcommittee on Post Office and Civil Service, to hold hearings to examine issues relating to United States Postal Service customers, 9:30 a.m., SD–342.

Committee on the Judiciary: March 12, Subcommittee on Youth Violence, to hold hearings to examine how youth violence programs should be funded in the future, 10 a.m., SD–226.

March 13, Full Committee, business meeting, to resume markup of S. 269 and S. 1394, bills to reform the United States immigration system, 10 a.m., SD–106.

Committee on Labor and Human Resources: March 13, business meeting, to mark up S. 1477, to improve the Federal regulation of food, drugs, devices, and biological products, and proposed legislation to amend the Older Americans Act, 9:30 a.m., SD–430.

Committee on Rules and Administration: March 13, to resume hearings on S. 46, to amend the Federal Election Campaign Act of 1971 to provide for a voluntary system of spending limits and partial public financing of Senate primary and general election campaigns, and to limit contributions by multicandidate political committees, S. 1219 and S. 1389, bills to reform the financing of Federal elections, and S. 1528, to reform the financing of Senate campaigns, 9:30 a.m., SR–301.

Committee on Veterans' Affairs: March 13, to hold hearings to examine the reform of health care priorities, 10 a.m., SR–418.

March 14, Full Committee, to hold joint hearings with the House Committee on Veterans' Affairs to review the legislative recommendations of the Paralyzed Veterans of America, the Jewish War Veterans, the Retired Officers Association, the Association of the U.S. Army, the Non-Commissioned Officers Association, and the Blinded Veterans Association, 9:30 a.m., 345 Cannon Building.

Select Committee on Intelligence: March 13, to hold hearings to examine the threat of weapons of mass destruction, 9:30 a.m., SD–562.

House Committees

Committee on Appropriations, March 12, Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies, on Food and Drug Administration, 1 p.m., 2362A Rayburn.

March 12, Subcommittee on Labor, Health and Human Services, and Education, on Corporation for National and Community Service and Federal Mediation and Conciliation Service, 10 a.m., and on the Federal Mine Safety and Health Review Commission, the National Commission on Libraries and the National Council on Disability, 2 p.m., 2358 Rayburn.

March 12, Subcommittee on Transportation, on Coast Guard, 10 a.m., 2358 Rayburn.

March 12, Subcommittee on Treasury, Postal Service, and General Government on developments in financial law enforcement, 2 p.m., 2360 Rayburn.

March 13, Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies, on Inspector General Overview, 1 p.m., 2362A Rayburn.

March 13, Subcommittee on Interior, on National Endowment for the Arts, 10 a.m., B–308 Rayburn.

March 13, Subcommittee on Labor, Health and Human Services, and Education, on the National Mediation Board and the Railroad Retirement Board, 10 a.m., and on Armed Forces Retirement Home, the Physician Payment Review Commission and the Prospective Payment Assessment Commission, 2 p.m., 2358 Rayburn.

March 13, Subcommittee on Military Construction, on Navy, 9:30 a.m., B–300 Rayburn.

March 13, Subcommittee on National Security, executive, on Commander in Chief, U.S. Pacific Command and the Commander in Chief, U.S. Forces Korea, 10 a.m., H–140 Capitol.

March 13, Subcommittee on Transportation, on Federal Railroad Administration and AMTRAK, 10 a.m., 2358 Rayburn.

March 13 and 14, Subcommittee on Veterans' Affairs, HUD and Independent Agencies, on the EPA, 10 a.m. and 2 p.m., 2360 Rayburn on March 13 and 10 a.m., H–143, Capitol on March 14.

March 14, Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies, on Farm Credit Administration, 10 a.m., and on Commodity Futures Trading Commission, 1 p.m., 2362A Rayburn.

March 14, Subcommittee on Interior, public witnesses on Natural Resources, 10 a.m. and 1:30 p.m., B–308 Rayburn.

March 14, Subcommittee on Labor, Health and Human Services, and Education, on the Corporation for Public Broadcasting, the U.S. Institute of Peace, 10 a.m., and the National Education Goals Panel and the NLRB, 2 p.m., 2358 Rayburn.

March 14, Subcommittee on Military Construction, on congressional and public witnesses, 9:30 a.m., B–300, Rayburn.

March 14, Subcommittee on National Security, executive, on Commander in Chief, Special Operations Command, 10 a.m. and, executive, on Commander in Chief, U.S. Central Command, 1:30 p.m., H–140, Capitol.

March 14, Subcommittee on Transportation, on Office of the Secretary, 10 a.m., 2358 Rayburn.

March 14, Subcommittee on Treasury, Postal Service, and General Government on tax systems modernization, 10 a.m. and on IRS operations, 2 p.m., 2360 Rayburn.

Committee on Banking and Financial Services, March 12, Subcommittee on Domestic and International Monetary Policy, oversight hearing on the Bureau of Engraving and Printing, 10 a.m., 2128 Rayburn.

March 13, full Committee, hearing on the risk assessment of banks, 10 a.m., 2128 Rayburn.

Committee on the Budget, March 13, hearing on generational accounting and long-term fiscal prospects, 10 a.m., 210 Cannon.

Committee on Economic and Educational Opportunities, March 14, to mark up the following: H.R. 2570, Older Americans Amendments of 1995; a measure amending section 326 of title II of the Higher Education Act of

1965; a measure amending section 1505 of the Higher Education Amendments of 1986; and a measure to authorize the Native Americans Program Act of 1974, 9:30 a.m., 2175 Rayburn.

Committee on Government Reform and Oversight, March 11, Subcommittee on Human Resources and Intergovernmental Relations, hearing on the status of efforts to identify Persian Gulf War Syndrome, 11 a.m., 2247 Rayburn.

March 13, Subcommittee on the Postal Service, oversight hearing on the U.S. Postal Service, 9:30 a.m., 311 Cannon.

March 14, Subcommittee on Human Resources and Intergovernmental Relations, to mark up H.R. 2086, Local Empowerment and Flexibility Act of 1995, 10 a.m., 2154 Rayburn.

Committee on House Oversight, March 12, to consider pending business, 10 a.m., 1310 Longworth.

Committee on International Relations, March 12, hearing on PLO Commitment compliance and the terrorist threat to Israel, 10 a.m., 2172 Rayburn.

March 12, Subcommittee on International Economic Policy and Trade, hearing on exports, growth and jobs and reauthorizing Federal Export Assistance programs, Part II, 2 p.m., 2200 Rayburn.

March 13, Subcommittee on International Economic Policy and Trade, to mark up H.R. 361, Omnibus Export Administration Act of 1995, 1 p.m., 2200 Rayburn.

March 13, Subcommittee on International Operations and Human Rights and Subcommittee on Africa, joint hearing on Slavery in Mauritania and Sudan, 2 p.m., 2172 Rayburn.

March 14, full committee, to mark up the Iran Oil Sanctions Act of 1996, 10 a.m., 2172 Rayburn.

Committee on the Judiciary, March 12, to mark up the following: H.R. 2925, Antitrust Health Care Advancement Act of 1996; Budget Views and Estimates for submission to the Committee on the Budget; H.R. 2937, for the reimbursement of legal expenses and related fees incurred by former employees of the White House Travel Office with respect to the termination of their employment in that Office on May 19, 1993; H.R. 2511, Anticounterfeiting Consumer Protection Act of 1995; H.R. 1861, to make technical corrections in the Satellite Home Viewer Act of 1994 and other provisions of title 17, United States Code; H.R. 1734, National Film Preservation Act of 1995; H.R. 2977, Administrative Dispute Resolution Act of 1996; H.J. Res. 129, granting the consent of Congress to the Vermont-New Hampshire Interstate Public Water Supply Compact; and H.R. 2604, to amend title 28, United States Code, to authorize the appointment of additional bankruptcy judges, 10 a.m., 2141 Rayburn.

March 14, Subcommittee on Courts and Intellectual Property, hearing on H.R. 1989, Federal Courts Improvement Act of 1995, 10 a.m., B–352 Rayburn.

Committee on National Security, March 12, Subcommittee on Military Personnel, to continue hearings on the fiscal year 1997 national defense authorization request, to receive a quality-of-life and compensation review, 2 p.m., 2212 Rayburn.

March 12, Subcommittee on Military Procurement, to begin hearings on the fiscal year 1997 national defense authorization request, with emphasis on the Department of Energy budget, 10 a.m., 2118 Rayburn.

March 12, Subcommittee on Military Research and Development, to continue hearings on the fiscal year 1997 national defense authorization request, with emphasis on the chemical-biological defense program and response to urban terrorism, 2 p.m., 2118 Rayburn.

March 13 and 14, full Committee, to continue hearings on fiscal year 1997 national defense authorization request, 9:30 a.m., 2118 Rayburn.

March 13, Subcommittee on Military Installations and Facilities, to begin hearings on the fiscal year 1997 national defense authorization request, with emphasis on the recapitalization and modernization of facilities, 2 p.m., 2212 Rayburn.

Committee on Resources, March 13, to consider pending business, 11 a.m., 1324 Longworth.

March 14, Subcommittee on Fisheries, Wildlife and Oceans, to mark up the following bills: H.R. 1772, to authorize the Secretary of the Interior to acquire certain interests in the Waihee Marsh for inclusion in the Oahu National Wildlife Refuge Complex; H.R. 1836, to authorize the Secretary of the Interior to acquire property in the town of East Hampton, Suffolk County, New York, for inclusion in the Amagansett National Wildlife Refuge; H.R. 2660, to increase the amount authorized to be appropriated to the Department of the Interior for the Tensas River National Wildlife Refuge; H.R. 2679, to revise the boundary of the North Platte National Wildlife Refuge; and H.R. 2823, International Dolphin Conservation Program Act, 10 a.m., 1334 Longworth.

Committee on Rules, March 12, to consider H.R. 2703, Effective Death Penalty and Public Safety Act of 1996, 2 p.m., H–313 Capitol.

Committee on Science, March 13, hearing on U.S. Space Launch Strategy, 1 p.m., 2318 Rayburn.

March 14, Subcommittee on Energy and Environment, hearing on U.S. Energy Outlook and Implications for Energy R&D, 9:30 a.m., 2318 Rayburn.

Committee on Transportation and Infrastructure, March 13 and 14, Subcommittee on Aviation, to continue hearings on Airport Improvement Program, 10:15 a.m., on March 13, and 1 p.m., on March 14, 2167 Rayburn.

Committee on Veterans' Affairs, March 14, to consider Budget Views and Estimates for submission to the Committee on the Budget, 2 p.m., 334 Cannon.

Committee on Ways and Means, March 12, Subcommittee on Human Resources, hearing on the causes of poverty, with a focus on out-of-wedlock births, 1 p.m., B–318 Rayburn.

March 13, Subcommittee on Trade, hearing on implementation of Uruguay Round Agreements and World Trade Organization, 10 a.m., 1100 Longworth.

March 14, full committee, to mark up miscellaneous trade measures, and to consider Budget Views and Estimates for submission to the Committee on the Budget, 10 a.m., 1100 Longworth.

Permanent Select Committee on Intelligence, March 12, executive, hearing on NRO forward funding, 2 p.m., H–405 Capitol.

March 14, executive, hearing on community management, 9 a.m., H–405 Capitol.

Joint Meetings

Joint hearing: March 14, Senate Committee on Veterans' Affairs, to hold joint hearings with the House Committee on Veterans' Affairs to review the legislative recommendations of the Paralyzed Veterans of America, the Jewish War Veterans, the Retired Officers Association, the Association of the U.S. Army, the Non-Commissioned Officers Association, and the Blinded Veterans Association, 9:30 a.m., 345 Cannon Building.

Commission on Security and Cooperation in Europe: March 14, to hold hearings to examine the challenges to democracy in Albania, 11 a.m., 311 Cannon Building.

Next Meeting of the SENATE

12 noon, Monday, March 11

Senate Chamber

Program for Monday: After the recognition of one Senator for a speech and the transaction of any morning business (not to extend beyond 1 p.m.), Senate will begin consideration of H.R. 3019, Continuing Appropriations, 1996.

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m. Friday, March 8

House Chamber

Program for Friday: No legislative business is scheduled.

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